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No. 63.

1st Session, 6th Parliament, 21 Victoria, 1858.

(PRIVATE BILL.)

BILL.

An Act to incorporate the Montreal Mountain Boulevard Company.

Received and read, first time, Tuesday, 20th
April, 1858.

Second reading, Friday, 23rd April, 1858.

MR. SOL. GEN. ROSE.

TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to incorporate the Montreal Boulevard Company.

- W**HEREAS it is desirable for the embellishment of the City and Suburbs of Montreal, and for the health of the citizens thereof, that Boulevards or Public Roads should be formed on and around the Mountain adjoining the said City ; and that suitable grounds should be set apart upon the sides or top of said Mountain for public parks, Gardens, or Ornamental Grounds ; And whereas Chas. S. Rodier, Mayor, Jno. Boston, Wm. Murray, W. H. Bréhaut, Benj. Hall, Jno. Crawford, Gregor McGregor, Jas. H. Springle, E. A. Dubois, John Leeming, S. W. Monk, A. Robertson, William Workman, D. Lorn McDougall, T. Bouthillier, M. H. Gault, David Bellhouse, J. Glennon, H. L. McDougall, John G. Dinning, Peter Redpath, W. Badgley, J. Smith, S. C. Monk, Chas. J. Coursol, James Court, for heirs McCulloch, L. Villeneuve, for Montreal Seminary, G. Moffatt, Wm. Dow, L. H. Holton, H. B. Smith, Wm. Lunn, Robt. Anderson, Wm. Watson, John Frothingham, J. S. McCord, M. E. David, T. C. Paxton, Robt. McKay, John Young, Sidney Bellingham, have petitioned to be incorporated, with such other persons as shall become associated with them, as a Company under the name of the "Montreal Mountain Boulevard Company :?" Therefore, Her Majesty, &c.. enacts as follows :
- 20 I. The said Charles S. Rodier, Mayor, John Boston, Wm. Murray W. H. Bréhaut, Benj. Hall, John Crawford, Gregor McGregor, Jas. H. Springle, E. A. Dubois, John Leeming, S. W. Monk, A. Robertson Wm. Workman, D. Lorn McDougall, T. Bouthillier, M. H. Gault, David Bellhouse, J. Glennon, H. L. McDougall, John G. Dinning, Peter Red-
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 30 and such other persons as shall, under the provisions of this Act, become subscribers to or proprietors in the Company hereby intended to be incorporated, shall be and are hereby united into a Company for the constructing, maintaining, and managing the Boulevards or Public Roads to be formed on and around the said Mountain adjoining the said
 35 City of Montreal, and the grounds to be set apart upon the sides or top of the said Mountain for Public Parks, Gardens, or Ornamental Grounds, as aforesaid, and shall be, and are hereby ordained, constituted and declared to be a body corporate and politic in fact, by and under the name of the "Montreal Mountain Boulevard Company," and the said
 40 Company shall be, and they are hereby authorised and empowered from and after the passing of this Act, by themselves, their agents, officers, workmen, and servants, to make and complete the Boulevards or

Preamble.

Certain persons incorporated.

Corporate name.

Public Roads, Parks, Gardens, or Ornamental Grounds aforesaid for the embellishment of the said City and suburbs, and for the health of the citizens thereof.

Amount of capital stock, and shares thereof.

II. The Capital Stock of the said Company shall be Fifty Thousand Dollars, divided into Shares of Twenty Dollars each ; such Shares as aforesaid shall be, and the same are hereby vested in the Shareholders and their respective heirs, executors, administrators and assigns as personal estate ; and such Shareholders respectively may sell, transfer, give or alienate the Shares held by them respectively whensoever they think fit ; and the said Company shall have power to increase the Capital to One Hundred Thousand Dollars. 5 10

Power to increase.

Votes by proxy or in person, one for each share.

III. At all Meetings of the said Corporation each Shareholder may vote in person or by proxy, duly appointed in writing, and shall be entitled to one vote for each share.

Subscription books to be opened, after public notice.

IV. The persons hereinbefore named, or the majority of them, shall cause books of subscription to be opened in the City of Montreal aforesaid, for at least thirty days previous to the Meeting of the Shareholders hereinafter provided for, for receiving the subscriptions of persons willing to become subscribers to the said undertaking ; and for this purpose it shall be their duty, and they are hereby required to give public notice in two or more newspapers published in the said City of Montreal, in the English and French languages, as they or a majority of them may think proper, of the time and place at which such books will be opened and ready for receiving subscriptions as aforesaid ; and further the said persons or a majority of them are hereby empowered to appoint a Provisional Committee, if they should see fit, for the ends and purposes above specified. 15 20 25

First General Meeting for the election of Directors.

V. So soon as Five Thousand Dollars of the Capital Stock of the said Company shall have been subscribed as aforesaid, it shall be the duty of the persons before named or a majority of them, or of the Provisional Committee appointed by them as aforesaid, to call a Meeting of the Shareholders for the purpose of putting this Act into effect ; which said Meeting shall be held at the City of Montreal aforesaid ; and eight days previous notice thereof shall be given in two newspapers published in the English and French languages respectively in Montreal, at which said General Meeting the Shareholders shall choose nine Directors in the manner and qualified as hereinafter mentioned, who shall hold office until the first annual General Meeting for the election of Directors, and until others be appointed in their stead. 30 35

Annual Meetings.

VI. In each year after the said Meeting hereinbefore provided for the first election of Directors, the Annual General Meeting of the said Shareholders shall be held on the first Monday in March in each year at the said City of Montreal, at such time and place as the Directors may appoint ; and public notice shall be given thereof by notice inserted once at least, eight days previous to each said Meeting in two newspapers, the one in the English, the other in the French language, published in the said City of Montreal. 40 45

Board of Directors, how and when to be chosen.

VII. At such first, and at every subsequent Annual General Meeting of the said Stockholders, the said Stockholders, or a majority of

them there present, either by proxy or in person, by vote, according to the said number of shares, shall choose nine persons then being Stockholders in the said Corporation, which persons so chosen shall be the Board of Directors to manage, direct, and carry on the affairs and business of the said Corporation for one year next following such annual meeting; or until another Board of Directors shall be appointed, and particularly such matters and things as are by this Act hereinafter directed and authorised to be done by such Directors, and as shall from time to time be ordered by such annual or other General Meetings of the said Shareholders; and shall have power to name and appoint from the Members of the said Board a President, Vice President and a Treasurer and Secretary; and at any Meetings of the said Board duly held, any five members of such Board will be a quorum, and may exercise the powers of the said Board: Provided always, that such President or Vice-President in the absence of the President, to be chosen as aforesaid, in addition to his own vote shall have a casting vote in case of any equal division of votes at the Meetings of the aforesaid Directors: Provided always, that such Board shall, from time to time, make reports of their proceedings to, and be subject to examination and control of, the said General Meetings of the Shareholders at any such General Meetings, such orders and directions not being contrary to the provisions of this Act or to the Laws of this Province: Provided also that the directors who are to be chosen at the first Meeting of the said Shareholders shall be a Board for the purposes aforesaid, until the said first Annual General Meeting, and shall have the like powers, and exercise all or any of the powers vested by this Act in the said Board to be chosen at such first or other general annual meeting: Provided also further, that the members of any such Board at any time going out of office may be re-elected: And provided also further that security may be taken from any of the office bearers of the said Company for the due fulfilment of their duties: And provided also further, that any Stockholder in the said Company, whether a British subject or alien, or a resident in Canada or elsewhere, shall have an equal right to hold Stock in the said Company, and to vote on the same, and to be eligible to office in the said Company; and no person shall be qualified as Director unless he hold Five Shares of the Capital Stock of the said Company.

Appointment
of officers.

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

VIII. The failure to hold the first annual General Meeting, or another meeting, or to elect such Board of Directors, shall not dissolve the said Corporation; but such failure or omission shall or may be supplied by and at any such special meeting to be called as the said Directors may appoint for that purpose; and until such election of a new Board, those who may be in office for the time being shall be, and continue in office, and exercise all the rights and powers thereof until such new election be made as hereinbefore provided.

Failure to hold
annual
meeting not to
dissolve
Company.

IX. The said Board shall have and be invested with full power and authority to conduct, manage and oversee, and transact all and singular the concerns, affairs and business of the said Corporation, and all matters and things whatever in any wise relating to or concerning the same. and amongst other things—

Duties of
Board of
Directors.

Firstly. To appoint, and employ, and remove all such engineers, surveyors, agent or agents, servant or servants, of the said Corpora-

As to Agents
or servants.

tion, as they may find from time to time expedient and necessary, and to regulate the duties, and fix the salaries and wages of such agents and servants, and the necessary expenditure for the management and working of the said Corporation; and they shall have the right to enter on all lands whatsoever in the vicinity of the said Boulevards to enable them to make surveys; 5

Shares and their transfer. *Secondly.* To regulate the form of certificate of shares, and all matters relating to their transfer;

Acquisition of lands. *Thirdly.* To choose and acquire for and in the name of the said Corporation, the requisite lands for the construction of the Boulevards or public Roads, Parks, Gardens, or Ornamental Grounds, and to enter into the necessary arrangements and agreements for the construction of the same, and during, upon, and after the construction, to have the entire management and disposition thereof; to levy fines and penalties, and to fix and determine by by-law the amount of tolls to be paid for passing upon, over and through the said Roads or Boulevards, provided the amount of such tolls shall in no case exceed a return of 10 per cent. on the capital stock of such Company after paying all the expenses of maintenance and repairs, and if at any time such amount of tolls, after such deductions, should exceed the said 10 per cent. on the capital stock, the surplus, after payment of such dividend, shall be applied to reducing the said tolls. 10 15 20

Fines and tolls.

Proviso.

Company may enter into engagements, &c., and borrow money on debentures. *Fourthly.* The Company shall have the right to make and enter into deeds, bills, notes, agreements, contracts, and other documents and engagements to bind the Corporation, and whether by the said Directors or their agents, as may be deemed expedient; and shall have the right to borrow or advance money to promote the purposes and interests of the Company, and the securities to be given by and to the said Company for the same, to give, make and enter into as may be required; and in the borrowing of money by way of loan the debentures of the said Company may be in the form given in the schedule of this Act marked A, or in any other like form, and need not be passed before Notaries. 25 30

By-laws. X. It shall be lawful for the Company at any annual meeting, or special general meeting convened for that purpose, to make by-laws, rules and regulations for the conduct and management of the business affairs of the Company, and the same to alter, amend, repeal or re-enact as shall be deemed needful and proper. 35

By-laws, &c., to be entered in a book. XI. All the by-laws, rules, regulations, and ordinances enacted as aforesaid by the Shareholders for the proper conduct and management of the said Company shall be entered by the Secretary in a book to be kept for that purpose, which book shall be open at all times to the inspection of the Stockholders and interested parties, and all regulations from time to time adopted and in force shall be binding on all parties in any wise interested, all of whom shall be deemed to have had full notice thereof by such entry aforesaid; a copy of any such entry certified by the President and Secretary of the said Company shall be *prima facie* evidence of such rules and regulations respectively in all Courts of Justice. 40 45

Calls upon stock. XII. The Directors for the time being may make calls for the stock

subscribed for, in such manner and at such intervals as may be by them deemed expedient; and the said Company may in any Court having jurisdiction in matters of simple contract to the amount demanded, sue for, recover and receive of or from any stockholder in the said Company, the amount of any call or calls of stock and interest thereon, which such stockholder may neglect to pay; and in any such action it shall be sufficient to allege that the defendant is a stockholder of the Company; and that a call or calls were made upon such stock and were not paid, and to prove by any one witness, whether in the service of the Company or not, such facts as will support the said allegations, neither alleging or proving the appointment of the Directors, or any other special matter, and without naming such Directors in the declaration or other proceedings in the case.

Proceedings upon failure to meet calls.

XIII. If any call made by the Directors upon the Stockholders of the Company shall not be paid in when due, the Directors, instead of suing for the same, may, by resolution to that effect, sell the shares on which such calls are due and unpaid, and transfer the same to the purchaser as the owner thereof might have done, and after deducting all calls due, interest and cost of sale, they shall pay over the remainder of the proceeds of the sale to the owner of the shares sold.

Directors may sell shares on which calls are unpaid.

XIV. Certificates of shares may from time to time be issued by the Company to persons subscribing for shares, and thereupon the rights and liabilities of shareholders shall immediately attach in respect of such shares, and shareholders as such shall not be held liable for any claim, engagement, loss or payment, or for any transaction, matter or thing relating to or connected with the Company, beyond the amount of their respective shares; and such shares in the capital stock of the Company shall be deemed personal estate, and may be from time to time transferred by the owner in person or by attorney duly authorized, subject, however, to the payment of all instalments due and to become due thereon, with any interest which may have accrued, and the transferee shall thenceforth be entitled to vote at all meetings of Shareholders, provided that no such transfer shall be valid until duly registered on the books of the Company, and no person shall be entitled to sell or transfer any share or shares until the amounts of all calls for the time being, and interest, which may be due, are paid or secured to be paid to the satisfaction of the Company.

Liability of shareholders limited.

Shares. how transferred.

XV. The Boulevard shall be divided into four sections, as follows:—

Sections of Boulevard.
Number one.

First. Starting from some point on Desrocher Street or the College Avenue, near the said mountain, and extending along the south-eastern slope thereof, passing the Waterworks' Reservoir and McTavish's Monument, and connecting with the road between the junction of Sherbrooke and Guy Streets and the Cote de Niegé toll gate, at such point as may be deemed advisable.

Second. Starting from some point on the road between the junction of Sherbrooke and Guy Streets and the Cote des Niegés toll gate, and extending south and westward around the southern end of the mountain near Monklands to the turnpike road near the village of Cote des Niegés; and also should it be deemed advisable, connecting with the said turnpike road or the Cote St. Antoine, at some point beyond Metcalfe Terrace.

Number two.

Number three. *Third.* Starting from some point near the village of Cote des Nieges, and extending northward and eastward, and around the northern end of the large mountain, to connect with section first as above.

Number four. *Fourth.* Starting from section first, at or near McTavish's Monument, to the top of the mountain, at or near the water pond upon the boundary between the properties of John Redpath, Esquire, and H. B. Smith, Esquire, and thence as directly as possible to connect with section third, as aise from the said water pond northward and eastward upon the top of the mountain :— 5

Proviso, as to alterations. Provided always, that the above sections may be altered as found necessary and requisite after obtaining a particular survey of the same. 10

Shareholders to designate section to be first commenced. **XVI.** The Shareholders in the said Company shall have the right to designate the section of the said Boulevards upon which the amount of their subscriptions shall, in the first place, be applied ; and it shall be the duty of the Directors to maintain distinct accounts of the receipts and application of such subscriptions until all the sections be completed ; and in case no special application is made, then it shall be optional with the Directors to make application on such section or sections as they may see fit. 15

Power to acquire lands. **XVII.** The Company shall have power to acquire lands for Parks, Public Grounds, Gardens, Squarés, or Ornamental Grounds, by agreement with the proprietor or proprietors, or may accept such lands if offered by the proprietors thereof at a valuation approved of by the Directors. 20

And to hold the same for certain purposes. **XVIII.** It shall be lawful for the said Company and their successors, to acquire in the manner hereinafter provided, and to hold as their own property for ever all or any such lands being on or about the Montreal mountain as they may require, to enable them to open and to make a Boulevard or public road not exceeding one hundred feet in width, nor more than one hundred and twenty feet at any two or more points, as may be requisite for the site of any toll house or other building to be erected by the Company ; and all deeds and conveyances for lands to be conveyed to the said Company for the purposes of this Act may, in so far as the title to the said lands or the circumstances of such parties making such conveyances shall admit, be made in the form given in schedule of this Act marked B. 25 30 35

Powers with respect to exploration, draining, taking materials, &c., entry on adjoining lands. **XIX.** The said Company shall have full power and authority to explore and survey the grounds or the country lying upon and around the said mountain, and to designate, establish and take, appropriate, have and hold, to and for the use of them and their successors, the requisite lands upon the line of their operations, and within the limits aforesaid, according to the provisions hereinafter contained for acquiring the same ; and also to cut, make, and keep in repair upon such adjoining or neighbouring lands, such ditches, drains and water courses as may be necessary for effectually draining and carrying off the water from the said road or work, and to dig, take and carry away gravel, sand, stone, earth and other like materials from any adjoining or neighbouring lands, making compensation therefor as hereinafter provided ; and for the purpose aforesaid the said Company and their agents, servants 40 45

and workmen, are hereby authorised and empowered to enter into and upon the lands and grounds of any person or persons, body or bodies corporate or politic; and the said Company is also authorized to make ditches, drains, plats, bridges and other works on the line of the said 5 Boulevards, or on the sides thereof; and to include in the same any portion of any existing highway, which they may deem expedient to adopt as part thereof: Provided always, that in the event of the said Company adopting any portion of any existing highway, on which 10 make to the Trustees or Managers of such highway, such reasonable compensation for the use thereof, as may be agreed upon between the parties interested, or decided by the award of arbitrators, as hereinafter provided: Provided always, however, that no compensation shall be paid or exacted for merely crossing any such highway or public road. Proviso.

15 XX. If the owner or owners, occupier or occupiers of any lands which the Company may be desirous of acquiring for the purposes aforesaid, or from which materials are to be taken, shall, upon demand made by the Directors of the said Company, or the Board of management for the time being, neglect or refuse to agree upon the price or 20 amount of damages to be paid for such land, and the appropriation thereof to the use of the said Company, or for the exercise of any such powers as aforesaid, it shall and may be lawful for the said Company to name one arbitrator, and for the owner or occupier of such land so required, or with regard to which such power is intended to be exercised as aforesaid, to name another arbitrator, and for the said two 25 arbitrators to name a third to arbitrate upon, adjudge, and determine the amount which the said Company shall pay before taking possession of such land, or exercising such power as aforesaid; and upon such sum being ascertained, due attention being had by the arbitrators in ascertaining the same to the benefits to accrue to the party or parties receiving compensation, it shall be lawful to the said Company to tender such sum to the said party or parties claiming compensation, who shall thereupon execute a conveyance to the said Company, or such other 30 document as may be necessary and requisite, and the said Company shall after such tender, whether such conveyance or document be executed or not, be fully authorized to enter upon and take possession of such land to and for the uses of the said Company, and to hold the same, or to exercise such powers as aforesaid, in such and the like manner as if such conveyance thereof or other document had been 40 executed as aforesaid; and in the event of the arbitrators or a majority of them, in any case to be so submitted to them, being of opinion that any proprietor where land is required for the said Boulevard, is benefited to an extent equivalent or more than equivalent to the value of the land taken, then they shall award such proprietor only a nominal amount as compensation for the land taken: Provided always, That 45 if such person or occupier shall neglect to name an arbitrator for the space of twenty days after having been notified so to do by the said Company, or if the said two arbitrators do not agree upon such third arbitrator within twenty days after the appointment of the second arbitrator, then upon the application of the said Company, or of the 50 other party, a Judge of the Superior Court shall nominate the second or third arbitrator, in lieu of the one so to be appointed or named, but not appointed or agreed upon by the party or the two first named arbitrators as aforesaid, and any award made by the majority of the said arbitra- Price of land to be ascertained by arbitration in certain cases.
Appointment of arbitrators.
Proviso.

tors shall be as binding as if the three arbitrators had concurred in and made the same.

Judge of the Supreme Court to appoint an arbitrator in certain cases.

XXI. Whenever any lands or grounds required by the said Company for purposes aforesaid are held or owned by any person or persons, bodies politic, corporate, or collegiate, whose residence may not be within this Province, or unknown to the said Company, or where the title to any such lands or grounds may be in dispute, or when the owner or owners of such lands and grounds are unable to treat with the said Company for the sale thereof, or to appoint arbitrators as aforesaid, it shall and may be lawful for the said Company to nominate one indifferent person, and for a Judge of the Superior Court residing in the District of Montreal, on the application of the said Company, to nominate and appoint one other indifferent person, who, together with one other person to be chosen by the persons so named before proceeding to business, or in the event of their disagreeing as to the choice of such other person, to be appointed by any Judge as aforesaid before the others proceed to business, shall be arbitrators to award, determine, adjudge, and order the respective sums of money which the said Company shall pay to the respective parties entitled to receive the same, for the said lands, or damages as aforesaid, and the decisions of the majority of such arbitrators shall be binding; which amount so awarded the said Company shall pay or cause to be paid to the several parties entitled to the same when demanded: and in any case under this Act where there shall be no deed conveying the property in question to the Company, a Record of the award or arbitration shall be made up and signed by the said arbitrators, or a majority of them, specifying the amount awarded and the cost of such arbitration, which may be settled by the said arbitrators or a majority of them, which Record shall be registered in the Registry Office for the District of Montreal; and the expenses of any arbitration under this Act, shall be paid by the said Company, and by them deducted from the amount of such award, if the Company shall, before the appointment of their arbitrator, have tendered an equal or a greater sum than that awarded by the arbitrators, and otherwise by the opposite parties; and the arbitrators shall specify in their award by which of the parties the said costs are to be paid.

Record of arbitration in certain cases.

Powers of arbitrators as to examination of witnesses, &c.

XXII. The arbitrators or a majority of them, may in their discretion examine on oath or solemn affirmation the parties or such witnesses as shall appear before them, and may administer such oath or affirmation, but this shall not prevent the arbitrators from acting and deciding upon their personal knowledge of the merits of the case, or from using such knowledge as they shall think just and right; and any wilfully false statement made by any witness under such oath or affirmation, shall be deemed wilful and corrupt perjury, and punished accordingly, and the arbitrators, or a majority of them as aforesaid, shall render their award within thirty days from the date of their appointment, unless the time shall be prolonged by consent of the parties.

No award invalidated for want of form.

XXIII. No award made as aforesaid shall be invalidated by any want of form, or other technical objection, if the requirements of this Act shall have been complied with, and if the award shall state clearly the sum awarded, and the lands or other property, right, or thing for which such sum is to be the compensation: nor shall it be necessary that the party or parties to whom the sum is to be paid be named in the award.

XXIV. If any person or persons shall, after proceeding on the said Boulevard with any waggon, carriage, or other vehicle or animal liable to pay toll, turn off the said road into any other road, and shall enter the said road beyond any of the gate or gates without paying toll, whereby such payment shall be evaded, such person or persons shall for every such offence forfeit and pay the sum of two dollars, which said sum shall be expended on the said road towards the discharge of any debt due by the Company; and any one Justice of the Peace for the district in which the said road is situate, shall, on conviction of such offender, fine such offender in the said penalty, and shall cause the same to be levied in the manner hereinafter prescribed.

In the case of persons evading payment of tolls.

Penalty.

XXV. If any person or persons occupying or possessing any enclosed land near any toll-house or toll-gates, or on the line of the said Boulevard, shall knowingly permit or suffer any person or persons to pass through such lands or through any gate, passage or way thereon, with any carriage or animal liable to the payment of toll, whereby such payment shall be evaded, every person or persons so offending, and also the person riding or driving any animal or carriage whereon such penalty is evaded, being thereof convicted before any one Justice as aforesaid, shall for every such offence severally incur a penalty not exceeding Four Dollars, which shall be laid out in improving the said road.

Persons permitting people to pass through their lands to avoid payment of toll.

XXVI. If any person shall wilfully or maliciously interrupt or hinder the said Company, their servants or agents, in the exercise of any powers conferred by this Act, or shall wilfully or maliciously injure or destroy any of the toll-gates, buildings, grounds, trees, fences, or ornaments on the said Boulevards or Public Roads, Parks, Gardens, or Ornamental Grounds or others, or shall commit any nuisance, or cause any filth or noisome body to be deposited in or about the same, such persons shall be guilty of a misdemeanor, and, upon conviction thereof before any Court of competent jurisdiction, shall be punishable by fine and imprisonment, or either, at the discretion of the Court.

Wilful hindrance, damage, or injury, how punished.

XXVII. The fines and forfeitures authorized to be summarily imposed by this Act, shall and may be levied and collected by distress and sale of the offender's goods and chattels, under the authority of any warrant or warrants of distress for that purpose, to be issued by the Justice or Court before whom the conviction shall have been had; and in case there shall be no goods or chattels to satisfy such warrant or warrants, such offender or offenders shall and may be committed to the Common Gaol of the District for any period not exceeding one month.

Levying fines and penalties by distress.

XXVIII. The lands held by the Company for the said Boulevards or Public Roads, Parks, Gardens, and Ornamental Grounds and others, shall be exempt from all taxes and public burdens whatever.

Property to be free from taxes.

XXIX. If at any time the Corporation of the City of Montreal shall determine to acquire the said Boulevard or Public Roads, Parks, Gardens, and Ornamental Grounds, or any part thereof at any stage of their execution it shall be lawful for the Company to sell, and the said City Corporation, or the Trustees, to purchase and hold the same, together with all the rights and privileges thereto belonging under this Act, upon such terms as may be mutually agreed upon between the Directors of the Company and the duly authorised agents of the City Council, or the said Trustees;

City corporation may acquire the property on certain conditions.

and respectively by a general meeting of the shareholders of the Company, and by a public meeting of the citizens, or by a poll or vote of the same, as may be determined by a By-law of the said City Council.

Interpretation.

XXX. This Act shall be a public Act, and the word "Company" or "the Company" shall mean the *Montreal Mountain Boulevard Company* in this Act mentioned and described. 5

SCHEDULE A.

No. §
 This Debenture witnesseth that the _____ under authority of the Statute of the Province of Canada passed in the _____ year of Her Majesty's Reign, intituled _____ are indebted to the bearer hereof in the sum of _____ dollars as a loan, to bear interest from the date of the issue hereof, at the rate of _____ per centum per annum, payable half-yearly, on the _____ day of _____, and on the _____ day of _____, which said sum of _____ dollars the said Company hereby bind and oblige themselves to pay on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____, to the bearer hereof, at _____, and also to pay the interest thereon half-yearly as aforesaid, to the bearer hereof, at the place aforesaid, on delivery of the coupons therefor now forming part hereof.

And for the due payment of the said sum of money and interest, the Company under authority of the said statute do hereby hypothecate the real estate and appurtenances hereinafter described, that is to say, the whole of the road known as The _____, including all the lands, buildings and real property whatsoever of the said Company, and all the other appurtenances thereto belonging.

In testimony whereof A. B., of _____, President of the said Company hath hereto set his signature and affixed the Common Seal of the said Company at _____, this _____ day of _____, in the year of our Lord one thousand eight hundred and _____.

A. B. (L.S.)

Countersigned and entered.

C. D., Secretary.

SCHEDULE B.

Know all men by these presents, that I (or we as the case may be) A. B. of _____, in consideration of _____ paid to me (or us) by the _____, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto the said Company all that tract or parcel (or those tracts or parcels as the case may be) of land situate (here describe the lands) the same having been selected and laid out by the said Company for the purposes of their Boulevard or Roads, to have and to hold the said lands and premises with all appurtenances thereto, to the said _____ their successors and assigns for ever (Here add clause for release of dower, if any.)

Witness my hand and seal (or our hands and seals as the case may be) this _____ day of _____, in the year of our Lord one thousand eight hundred and _____.

Signed, sealed and delivered }
 in presence of

L. M. }
 N. O. }

A. B. (L.S.)