

CHAP. 99

An Act to incorporate the Lachine, Jacques Cartier and Maisonneuve Railway Company

[Assented to 7th May, 1909]

Preamble. **W**HEREAS Achille Bergevin, broker ; George R. Lighthall, notary public ; Arnold Wainwright, advocate and Ernest A. Bernard, agent, all of the city and district of Montreal, and the Honourable William Mitchell, member of the Senate of the Dominion of Canada, of the town of Drummondville, in the district of Arthabaska, have presented a petition, praying that they and such persons and corporations as may hereafter become shareholders in the company, be constituted a corporation for the purposes of constructing and operating the railway hereinafter described ; and whereas the construction and operation of said railway would result in great benefit to trade and to the public ; and whereas it is expedient to grant the prayer of said petition :

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Persons incorporated.

1. Achille Bergevin, broker ; George R. Lighthall, notary public ; Arnold Wainwright, advocate and Ernest A. Bernard, agent, all of the city and district of Montreal, and the Honourable William Mitchell, member of the Senate of the Dominion of Canada, of the town of Drummondville, in the district of Arthabaska, and all persons and corporations who may hereafter become shareholders in the company hereby incorporated, are constituted a corporation, under the name of " The Lachine, Jacques Cartier and Maisonneuve Railway Company," hereinafter called " the company."

Name.

Provisional directors.

2. The persons named in section 1 of this act are constituted provisional directors of the company and shall remain in office until the election of the permanent board. They

Their powers.

shall, while in office, have power and authority to fill vacancies which may occur in their number, to open stock books, to obtain subscriptions to the capital stock of the company, to receive payments on account of stock subscribed, to cause surveys and plans to be made and executed, and to call a general meeting of shareholders for the election of directors and the organization of the company, as hereinafter provided.

Capital stock.

3. The capital stock of the company shall be one million

dollars, divided into ten thousand shares of one hundred dollars each.

4. The head office and chief place of business of the company shall be at the city of Montreal, in the district of Montreal, or at such other place in the Province of Quebec as the company may by by-law determine. Head office.

5. The annual general meeting of the shareholders shall be held on the first Tuesday of September, in each year, at the head office of the company. Shareholders' annual meeting.

The first meeting of shareholders for the election of directors and for the organization of the company shall be held at the city of Montreal at such time as may be fixed by the provisional directors. First meeting.

6. The board of directors of the company shall be composed of not more than eight, nor less than five members, of whom a majority shall form a quorum. Directors. Quorum.

The majority of the directors shall at all times be subjects. British Majority to be British subjects.

7. The company may survey, lay out, construct, equip, maintain and operate a line or lines of railway from a point in the town, or in the parish of Lachine, to a point in Hochelaga ward of the city of Montreal, or in the town of Maisonneuve, passing in rear of the Mountain of Montreal, with power to extend such line or lines of railway from the starting point to Dorval, on one side, and to the northern end of the Island of Montreal on the other. Route, &c, of railway.

8. Paragraph 11 of article 5132 of the Revised Statutes is replaced, for the company, by the following : R.S.Q., 5132, amended for company.

“ 11. The directors of the company are authorized to borrow in Canada or elsewhere, the sums of money needed for the construction, maintenance and operation of the railway, the purchase of land and the construction or acquisition of any vessels or other properties or works of any kind, other than the railway, which the company is authorized to acquire, construct or operate; to issue bonds, debentures and other securities for any sums so borrowed, bearing the seal of the company, signed by the president, or other officer acting as such, and countersigned by the secretary, and to hypothecate, mortgage and pledge the railway and the lands, vessels, works, tolls, revenues and all other properties and assets whatsoever, of the company, or any part thereof; to secure the payment of all or any such sums and the interest thereon. Such bonds, debentures and other securities may be issued in whole or in Borrowing. Issue of bonds, &c. Security for bonds, &c

part, in the denomination of dollars or of pounds sterling. They may be made payable in such manner and at such place in Canada or elsewhere, and may be for such amounts and bear such rates of interest as the directors may determine, and the latter may, from time to time, sell or pledge the same at such price and on such terms and conditions as they may deem expedient. Any such bonds, debentures or other securities, pledged as aforesaid, may, when redeemed, be again issued in the same manner and with the same effect as if no pledge thereof had been made."

Building,
&c., of docks,
&c.

9. The company is authorized to construct and maintain docks, dock-yards, wharves, slips, piers, warehouses, and elevators, at any point on, or adjacent to, its railway, and at all termini thereof on navigable waters, for the convenience and accommodation of vessels, and to acquire, own, hold, charter, work and run steam and other vessels for the conveyance of cargo and passengers, upon any navigable waters, which its railway may reach or connect with.

Amalgama-
tion.

10. The company may amalgamate with any other railway company.

Agreements.

11. The company is authorized to enter into agreements with any other railway company:

For running
rights, &c. ;

1. For the passing of its cars and running of its trains over any line of railway which its own line may cross or join, as well as for the running of the trains of any other railway company over its own line;

Branch lines;

2. For acquiring branch lines;

Facilitating
connections;

3. For facilitating connections between its railway and any other;

Acquiring
property,
&c., of other
companies.

4. For acquiring, by purchase or otherwise, the property, rights and privileges of other railway companies.

Leasing, &c.,
road, &c.,
to other
companies.

12. The company is further authorized to enter into arrangements with any other company for the purpose of leasing, selling or transferring the whole of its road, or the whole of its interest in such road or in any part thereof, on such conditions as to the directors may seem advisable.

Aid from
Government,
&c.

13. The company may receive as aid towards the construction of its railway, either from the Government or from any individual or company, or municipal or other corporation in Canada or elsewhere, all moveable and immoveable property, fixed rates of, or exemptions from, taxation, and all sums of money, either as a gift or bonus, or in payment of capital

subscribed, and may sell such property, or otherwise dispose of the same, for the benefit of the company.

14. The directors may issue, as paid up stock, shares of the company, whether subscribed for, or not, and may allot and hand over such paid-up stock and bonds, debentures or other securities of the company in payment of right-of-way, plant, rolling stock, or materials of any kind, and also for the services of contractors, employees of the company, and others, and may also allot and hand over such shares, bonds, debentures or other securities to the creditors of the company, whether such creditors are or are not directors or shareholders of the company, in payment of any indebtedness of the company.

Such issue and allotment of bonds and stock shall be binding on the company, and such stock shall not be assessable for calls.

15. The company shall have all the powers, franchises and privileges granted to railway companies by the general railway act of the Province of Quebec, and the amendments thereto, which shall be considered as forming part of this act, except as regards any provisions thereof, which may be inconsistent with those of this act. Nothing in this act shall affect the rights, privileges and franchises respecting tramways hitherto granted by any municipality through which the company is authorised to run its railways.

16. The company shall not exercise any of its powers within the limits of the harbour of Montreal, without the consent of the Harbour Commissioners of Montreal.

17. The provision now in force of the law respecting railways in this Province, and its amendments, except paragraph 16 of article 5124 of the Revised Statutes, shall apply to this company as regards its railways, except in cases of incompatibility or derogation, but shall not apply to the said company as regards the other powers hereby conferred upon it.

18. This act shall come into force on the day of its sanction.