

twenty-eighth day of April, one thousand eight hundred and ninety-six.

{ L. S. }

(Signed) † L. N., Archbishop of Cyrene,  
Administrator.

By command of the Administrator,

(Signed) B. PH. GARNEAU, Priest,  
Secretary ;

Whereas it has been, by petition, represented that it is expedient to give civil effect to the said canonical erection, and to erect the said Quebec Insane Asylum and its dependencies into a separate parish for all intents and purposes whatsoever ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Decree ratified and Parish of St. Michael the Archangel erected.

1. The said decree of the 28th April, 1896, recited in the preamble to this act, is hereby ratified and confirmed to all intents and purposes, and the territory, with the buildings thereon erected, described in the said canonical decree, shall hereafter, subject to the restriction and conditions set forth in the said decree, constitute a distinct parish, for all civil purposes, under the name of the parish of St. Michael the Archangel.

Coming into force.

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

### CAP. LXXIII.

An Act to incorporate "The St. Hyacinthe city and Granby Railway Company."

[Assented to 9th January, 1897.]

Preamble.

WHEREAS Paul F. Payan, tannery proprietor, Hubert Trefflé Chalifoux, manufacturer, Maurice St. Jacques, advocate, all three of the city of St. Hyacinthe ; Hector Pagnuélo, merchant, of the parish of St. Hyacinthe, and Emmanuel Avila Perrault, station master, of the parish of St. Hyacinthe le Confesseur, in the district of St. Hyacinthe, have, by petition, prayed that a company be incorporated for the purpose of building and running a railway, as hereinafter described ;

Whereas the building of such railway would be of great advantage to that part of the Province through which it would run ; and whereas it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The said Paul F. Payan, Hubert Trefflé Chalifoux, Persons incor-  
porated. Maurice St. Jacques, Hector Pagnuélo, Emmanuel Avila Perrault, and all other persons, firms and corporations as may become shareholders in the said company, are hereby incorporated, under the name of "The St. Hyacinthe city Name. and Granby Railway Company."

2. The head office of the company shall be in the city Head office. of St. Hyacinthe, in the district of St. Hyacinthe.

3. The capital stock of the company shall be one hun- Capital stock  
and shares. dred thousand dollars, divided into shares of one hundred dollars each.

4. The company shall have all the privileges, powers Privileges and  
powers of  
company. and authority necessary to construct and run a railway through the counties of St. Hyacinthe, Bagot, Shefford and Brome, starting from the city of St. Hyacinthe and crossing the parish of St. Hyacinthe, in the county of St. Hyacinthe, that of St. Dominique, in the county of Bagot, passing through the village of that name, the township of Milton, in the county of Shefford, passing near the village of Milton, the township of Granby, in the same county, passing near Mawcook, and the village of Granby, the township of East Farnham, in the county of Brome, passing near Adamsville, as far as Brigham, with branches in the city of St. Hyacinthe, along the Yamaska river, to connect the said railway with those of the Grand Trunk, the United Counties and the county of Drummond. The trains on the said railway shall be moved by steam, electricity, compressed air, animal force or any other motive power; with the right also to establish workshops for the generation of electricity or other motive power; to erect, place and maintain the posts and wires necessary for the transmission of electricity; to acquire and hold exclusive rights and all franchises whatsoever from any municipal corporation whatsoever; to acquire all lands, privileges, bonus or aid, and to build and maintain bridges on the Black, Mawcook and Yamaska rivers, together with all other privileges connected therewith.

In the event of the company building over the River If bridge built  
over Yamas-  
ka, at certain  
place, it must  
be confined to  
purposes of  
railway. Yamaska, at St. Hyacinthe, a bridge or bridges within the limits of the charter granted, in 1817, to Jean Marie Germain *dit* Langlois, his successors and assigns, by the act 57 George III, chapter 37, such bridge or bridges shall be built so as to prevent vehicles or foot passengers from crossing on the said bridge or bridges, under a penalty of

paying to the proprietor of the bridges, within the limits specified in the said charter, all the damages occasioned by the passing of vehicles or foot passengers over the said bridge or bridges.

Aid may be received.

5. The company may receive, as aid, towards the construction of its road and for all other purposes for which it is incorporated, all vacant lands, or all immoveable or moveable property, or all other sums of money, either as a gift, as a bonus, or in payment of capital; and it may lawfully dispose of such land and other immoveable or moveable property, and alienate or hypothecate the same for the purposes of the company, with the authority of the majority of the directors.

Powers under general railway law.

6. The company shall have all the powers and privileges conferred by the general railway law passed by the Legislature of this Province, which shall be considered as forming part of this act, except as regards the clauses and conditions inconsistent therewith.

First directors.

7. The said Paul F. Payan, Hubert Trefflé Chalifoux, Maurice St. Jacques, Hector Pagnuëlo and Emmanuel Avila Perrault shall be the first directors of the company, and shall remain in office until other directors have been elected by the shareholders according to the provisions of this act.

Their powers.

The said directors shall have power to open subscription books, to call up instalments on the subscribed stock, to issue bonds or debentures, to sign promissory notes and bills of exchange, to commence and continue the construction and working of the said railway, and to fill vacancies occurring in the said board of directors.

General meeting for election of directors.

8. The general meeting of the shareholders, for the election of directors, shall take place each year on the second Tuesday of December, at the place and hour indicated in the notice calling such meeting, which shall be inserted in a French and English newspaper, published in the city or district of St. Hyacinthe, for two weeks before the date of the meeting, or in such other manner as may be prescribed by the by-laws.

Notice therefor.

Notice for other meetings.

Notice of other meetings of the shareholders shall be given in accordance with the by-laws of the company.

Composition of board.

9. The board of directors shall consist of five members, but this number may be increased to seven by by-law.

Qualification of directors.

No person shall be appointed director unless he possesses, in his own name, at least ten shares of the capital stock of the company, and has paid up all instalments due on such shares.

**10.** A simple majority of the directors shall form a quorum for the despatch of business.

Quorum of board.

The directors shall select one of their number as president, and another as vice-president. They may also employ one of their number as managing director, and another as secretary, who shall receive the salary to be determined by the board of directors.

President and vice-president, managing directors and secretary.

**11.** Any manufacturing or other company doing business in the Province of Quebec or elsewhere, even outside the Dominion of Canada, any commercial firm and any municipal corporation may subscribe to the capital stock, acquire and possess any number whatsoever of the shares of the company, and dispose of the same in such manner as it may deem expedient.

Companies may subscribe to railway.

**12.** The directors of the company may issue mortgage bonds, under the seal of the company, signed by the president or vice-president, and countersigned by the secretary, payable in such manner, at such places in Canada or elsewhere, and at such rate of interest as the said directors may deem expedient, and they shall have power to issue, sell or pledge the whole or a portion of the said bonds for such prices, terms and conditions as they may deem expedient, and even to sell the said railway and dependencies to trustees for the purpose of raising the amount necessary to carry out the undertaking or the working of the railway; provided the amount of the said bonds shall not exceed twenty thousand dollars per mile.

Issue of mortgage bonds.

Proviso.

**13.** The mortgage bonds, the issue whereof is hereby authorized, shall, without registration or formal transfer, be received and considered as a first claim and privileged debt against the company, its undertaking, tolls and revenues, and the moveables and immoveables which it now possesses or may hereafter acquire; and every holder of such bonds shall be deemed to be a mortgage creditor, as regards such security, *pro rata* with all the other bondholders.

Privilege of mortgage bonds.

**14.** All bonds, debentures, mortgages and other securities authorized by this act, and their coupons and certificates of interest due, may respectively be made payable to bearer, and, in such case, they shall be transferable by simple delivery, and the holder may sue for the recovery thereof in his own name.

Bonds payable to bearer, &c.

**15.** The company may sign, endorse and accept promissory notes and bills of exchange.

Company may sign notes. Notes to be binding on company.

Such promissory notes and bills of exchange subscribed, drawn, accepted or endorsed by the president or vice-presi-

Proviso as to seal.

dent, or any other officer authorized by the by-laws of the company, and countersigned by the secretary, shall bind the company, provided that the seal of the company be affixed thereto.

Company may amalgamate with others.

**16.** The company may amalgamate with any other railway company whose line may be crossed by the railway of the company or its branches, or with which the latter may connect or unite.

Company authorized to enter into certain agreement with others :

**17.** The company is authorized to enter into agreements with other railway companies or trustees of railway companies :

1. For the passage 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 over its line ;
2. For acquiring branch lines ;
3. For facilitating connection between its railway and any other ;
4. For acquiring the property, rights, franchises and rolling stock of other railway companies.

Company may also purchase other rail-ways, &c.

**18.** The company may also purchase or lease any other railway company built or in course of construction, in whole or in part ; and every such railway or portion thereof, so purchased or leased, shall be deemed to form part of the line of railway provided for by this act, as if it had been built by the company.

Company authorized to enter into agreement for lease of road, &c.

**19.** The company is further authorized to enter into agreements with any other railway company for leasing, selling, or transferring the whole of its railway and branches, or all the interest it possesses in the same or in any part of the same, to any other railway company, on such conditions as the directors may deem expedient ; provided such purchase, sale or lease mentioned in this and the preceding section, if made with a railway company receiving or which has received subsidies voted by this Legislature, shall be submitted to and approved by the Lieutenant-Governor in Council.

Company may receive bonds, &c., in payment of stock, &c.

**20.** The company is authorized to acquire or receive, in payment of shares, or portions of shares in the capital stock of the company, subscribed by any subscriber, bonds or debentures, and interest coupons due or to become due of any railway company ; and the company may, in its own name, as the holder thereof, exercise and recover all the rights and privileges connected with the said bonds, debentures and interest coupons.

**21.** The company may :

1. Acquire, lease and use hydraulic powers and establish works and shops for the generation of the electricity required for the working of the said railway and dependencies ;

Company  
may :

Acquire, &c.,  
hydraulic  
powers, &c.;

2. Acquire, by permit, purchase or otherwise, all exclusive rights in patents, privileges and patent rights for the purposes of the works hereby authorized, and to resell and dispose of the same ;

Acquire rights  
in patents,  
&c.;

3. Build, equip, maintain and work telegraph and telephone lines throughout the whole length of its road and branches, establish offices for the transmission of despatches, and enter into a contract or contracts with other companies for the establishment and working of such telegraph and telephone lines ;

Build, &c.,  
telegraph and  
telephone  
lines.;

4. Manufacture and work electric light for the purpose of its railways and the lighting of its roads, and also for the benefit and advantage of the municipalities situated within a radius of five miles from its railways.

Manufacture,  
&c., electric  
light, &c.

**22.** All deeds and transfers of land to the company, for the purposes of this act, may, in so far as circumstances permit, be made according to the form of the schedule hereto, or any other form of like tenor.

Form of deeds  
of transfer of  
lands to com-  
pany.

For the purpose of the due registration of the same, all registrars in the several counties shall be supplied, by and at the expense of the company, with a book with copies of the form given in the said schedule, or any other form of like tenor, one to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production of any such conveyance, enter the same in the said book, at length, and shall minute the registration or entry on the deed.

Registration  
thereof.

The registrar shall charge and receive from the company, for all fees on every such registration, fifty cents and no more.

Fees for such  
registration.

Such registration shall be deemed to be valid, any statute or provision of law to the contrary notwithstanding, and shall, as regards rights of ownership, servitudes, mortgages and real rights, have the same effect as the registration prescribed by the Civil Code.

Effect of regis-  
tration.

**23.** The construction of the said railway shall be commenced within five years after the coming into force of this act.

When road to  
be com-  
menced.