

CAP. VI.

An Act respecting the claims of the Province of Quebec against the Canadian Pacific and North Shore Railway Companies.

[Assented to 30th December, 1890.]

WHEREAS it is in the public interest that the outstanding claims of the Province against the Canadian Pacific Railway Company and the North Shore Railway Company should be settled, and

Whereas the Government of the Province has accepted certain proposals made with a view to such settlement, and it is expedient to ratify the same ;

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

1. Seeing that it is impracticable to make use of the property hereinafter mentioned for railway purposes, and to lay out and build the branch line hereinafter mentioned from Hochelaga to the said property and to the Montreal workshops, as it would involve crossing all the streets running at right angles to Ste. Catherine street through the entire eastern portion of the city of Montreal, and in consideration also of the many additional expensive and costly buildings and constructions which the Canadian Pacific Railway Company has erected in the eastern portion of the city of Montreal, since the date of the sale of the fourth March, 1882, of the Quebec, Montreal, Ottawa and Occidental Railway to the Canadian Pacific Railway Company and North Shore Railway Company, and, more especially, the three large freight sheds and elevators erected on the Dalhousie station ground ; the branch railway from the main line to the Montreal workshops, in rear of the gaol ; the stock yards and workshops on the Hochelaga station ground ; the supplementary workshops on Colborne Avenue and other works, to an amount of nearly one million dollars, as per estimates made by the Government Engineer ; it shall be lawful for the Lieutenant-Governor in Council to authorize the Commissioner of Public Works to grant to the said Canadian Pacific Railway Company, in its own name, as well as representing the North Shore Railway Company, a full and complete acquittance and discharge of the obligations to which they are bound by their respective deeds of purchase, of the said railway under the acts 45 Victoria, chapters 19 and 20 :

For certain reasons, Lieutenant-Governor may authorize Commissioner of Public Works to grant discharge to Canadian Pacific and North Shore Railway Companies, of certain obligations.

(a) Of making use of the south and north halves of the Macdonald property exclusively for railway purposes and for no other ;

(b). Of erecting freight sheds to the value of ten thousand dollars on the said property ;

(c). Of constructing a double track branch line, or siding, from the main line at Hochelaga to the said property, to connect with the freight sheds to be erected thereon, with a siding into the Montreal workshops ; and

(d). To discharge the mortgage and hypothec created on the said property, in and by the said deeds and statutes, for securing the payment of the balance, in capital and interest, still due to the Government on the purchase money of both sections of the said railway.

Proviso.

Provided that the Canadian Pacific Railway Company do erect upon the said property, within a reasonable delay, a number of handsome tenements for the workmen employed by the company, similar to those at Pullman, near Chicago, for the use of the numerous workmen in its service in the Montreal and Hochelaga workshops, or do sell the said property for that purpose and apply the proceeds of such sale in providing additional freight, passenger or workshop facilities, in the eastern section of the city of Montreal.

Authority given to discharge same companies from certain other obligations, &c.

2. It shall be lawful for the Lieutenant-Governor in Council to authorize the Commissioner of Public Works to grant a full and complete acquittance and discharge to the said Canadian Pacific Railway Company, in its own name, as well as representing the North Shore Railway Company, of the obligations to which both companies are bound in and by the above cited deeds of purchase and statutes :

(a) Of building an extension of the line and of erecting buildings on the property known as the Bellerive property, situate in Notre-Dame street, in St. Mary's ward of the city of Montreal, to an amount of fifty thousand dollars ;

(b) Of using the said property solely and exclusively for the purposes of the said railway, and for no other purposes whatever, and

(c) To discharge the mortgage and hypothec created on the said property in and by virtue of the act 45 Victoria, chapter 20, for securing the payment of the balance, in capital and interest, still due to the Government on the amount of the purchase money of the Eastern portion of the said railway ; and to allow the Canadian Pacific Railway Company to sell the said property at any time to any person.

Railway to assume &c., certain payments.

It is understood, that when the said Bellerive property is sold the Canadian Pacific Railway Company will assume or pay the amount of forty five thousand dollars due to the estate Westcot Papineau.

Proviso as to further buildings, &c.

Provided always that the said Canadian Pacific Railway Company, acting as above mentioned, shall undertake to

perform additional works and erect additional buildings, to an amount equivalent to at least fifty thousand dollars, for the purpose of increasing the traffic accommodation and railway facilities in the eastern portion of the city of Montreal.

3. It shall be lawful for the Lieutenant-Governor in Council to authorize the Commissioner of Public Works to effect an amicable settlement with the Canadian Pacific Railway Company, acting in its own name and as representing the North Shore Railway Company, of all outstanding accounts, filed by the Government of this Province against the said companies, for moneys advanced or for works and constructions executed by the Government on such sections of the railway after the 4th March, 1882, date of the sale thereof; in such manner as to relieve both companies of all such amounts so claimed, which are disputed by them, and which shall be clearly proved not to be due or not equitably demandable; and also to authorize the Commissioner of Public Works to enter into amicable arrangements with the said Canadian Pacific Railway Company, acting as above, and with the corporation of the city of Quebec, by way of compensation or otherwise to the best advantage of the localities interested, by which an agreement may be arrived at respecting the works and constructions, still unfinished at Quebec and Three Rivers, which the North Shore Railway Company bound itself to perform in discharge of the Government, by its contract of the fourth March, 1882, by the act 45 Victoria, chapter 20, and by the two deeds of agreement entered into on the 21st August, 1882, before Tourangeau N. P.

Settlement of Government claims against railway companies authorized.

4. It shall be lawful for the Lieutenant-Governor in Council to authorize the Commissioner of Public Works to make and sign all deeds of acquittance, discharge, *mainlevée* of mortgages, or other deeds, that may be necessary to carry out the provisions of the preceding sections.

Authority to sign necessary deeds, &c.

5. This act shall come into force in the day of its sanction.

Coming into force.