

C A P . L X X I I .

An Act to incorporate "The Montreal Elevated Railroad Company."

[Assented to 18th May, 1887.]

Preamble.

WHEREAS, F. W. Henshaw, Henry Dobell and Robert Cowans, all of the city of Montreal, have, by their petition, prayed that they, and all other persons who may become shareholders in the company, be incorporated and authorized to construct and run elevated railroads or tramways, from certain points within the city of Montreal to other points within the said city and to various points in any of the municipalities situate on the Island of Montreal or to the summit of the Mount Royal Park, in order to establish cheap and easy means of communication between the city of Montreal and the various parts of the Island which would permit families to spend the summer season in the country, while enabling heads of families to attend to their business in the city, and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.
Name.

1. The persons above mentioned, and all others who may hereafter unite with them, are constituted a corporation under the name of "The Montreal Elevated Railroad Company."

Power to build railway.

2. The Company is authorized to lay out, construct, make, put in operation and run, by means of steam, electricity or otherwise, one or more railways or tramways, either on the surface of the soil or as elevated roads, from certain points in the city of Montreal to other points within the said city, and to various points in any of the municipalities situate on the Island of Montreal, or to the summit of Mount Royal Park; provided that such railway shall not follow, or, within a distance of one arpent, run along side of the turnpike roads on the Island of Montreal, without having first obtained the consent of the trustees of such turnpike roads, and provided also that the company shall not make use of any of the streets of the city of Montreal, or of the Mount Royal Park roads, without having first obtained the consent of the Council of the said city and of the adjoining municipalities through which the said railways or tramways shall pass.

Commencement of works.

The work of construction of the said railway shall be commenced within six months from the granting of such

consent by the city council and the municipalities interested and shall be continued with the greatest possible dispatch.

3. The Company may take and appropriate, for its roads, its stations and depots, all the ground which it may require, by complying with the provisions of the Quebec Consolidated Railway Act, 1880.

Land for road and stations.

4. The capital stock of the company shall be one million dollars, divided into ten thousand shares of one hundred dollars each, with the right to increase such capital to three million dollars, when a majority of the shareholders shall so decide by resolution.

Capital stock. Shares.

The money so raised shall in the first place be applied to the payment of the expenses incurred for the passing of this act, and in making the necessary surveys, plans and estimates of the works, and the remainder shall be employed in constructing, maintaining and running the said railway.

Application of funds.

5. F. W. Henshaw, Henry Dobell and Robert Cowans shall be the provisional directors of the Company, with power to fill any vacancy which may occur in the board of directors, to open subscription books and call up instalments on the stock subscribed, to call a meeting of the shareholders for the election of directors in the manner hereinafter prescribed, and all the other powers conferred upon boards of directors by the Quebec Consolidated Railway Act, 1880.

Provisional directors.

Their powers.

6. When and so soon as the sum of five hundred thousand dollars of the capital shall have been subscribed, and thirty per cent of such sum shall have been *bonâ fide* paid by the shareholders of the Company, the latter may commence operations, and the directors or the majority of them shall call the first general meeting of the shareholders at such time and place as they may think proper, by publishing a notice during fifteen days in two newspapers in the city of Montreal, one in the French and the other in the English language.

Commencement of operations.

First meeting of shareholders.

7. The annual general meeting, after the first meeting above mentioned, shall be held on the first Thursday of March in each year, or if that day be a non-judicial day, then on the following judicial day, or on such day and at such place as may be determined by by-law.

General meetings.

Notice of such annual general meeting shall be given, at least one month previously, in two newspapers in the city of Montreal, one in English and the other in French, or in such other manner as may be prescribed by the by-laws.

Notice therefor.

- Board of directors.** 8. The board of directors shall consist of seven directors, but such number may be reduced to five by a by-law.
- Qualification of directors.** No person shall be appointed a director unless he possesses in his own name or as trustee or proxy at least ten shares in the capital stock of the Company and has paid up all calls due on such shares.
- Quorum.** 9. A simple majority of the directors shall form a quorum for the despatch of business.
- Managing director.** The directors may employ one of their number as managing director or secretary, who may receive a salary which shall be determined by the board of directors.
- Shareholders, right to vote.** 10. Every shareholder shall be entitled to a number of votes equal to the number of shares held in his name at least two weeks before the time of voting ; provided that no person shall have the right to vote at meetings of the shareholders unless he has, at least twenty-four hours before the hour appointed, paid all instalments called in and due.
- Power of directors to borrow money and issue bonds, &c.** 11. The directors may, from time to time, raise or borrow, for the purposes of the Company, any sum or sums not exceeding in the whole the amount of its capital, by the issue of bonds or debentures in sums of not less than one hundred dollars, on such terms and conditions as they may think proper, and for securing the re-payment of the moneys so raised or borrowed and the interest thereon, may pledge and mortgage all the property, tolls and income of the Company or any part thereof, provided always, that the consent of the stockholders of the Company, representing at least one half of the paid up capital, shall be first had and obtained at a special meeting to be called and held for that purpose.
- Security for bonds.**
- Proviso.**
- Company may cross other roads and connect therewith.** 12. The Company may and shall have the right to cross or intersect any other line of railway or tramway and to join its line thereto, at any point on its route and on the grounds of such other railway or tramway, and to make the necessary conveniences for the purposes of such connection ; and the owners of both railways or tramways may unite in forming such intersection and grant the facilities therefor ; and in case of disagreement upon the amount of compensation to be paid therefor or upon the point or manner of such crossing or connection, the question shall be determined by arbitrators appointed in the manner prescribed for contested expropriations by the Quebec Consolidated Railway Act, 1880.
- Arbitration in case of disagreement.**
- Company may agree with Montreal Street** 13. The Company hereby incorporated and the Montreal Street Railway Company shall have the right to enter into an agreement for the use by either of such companies or

by both companies at the same time of the railway of the other company or of any part thereof, or of any station, cars or other property of either of such companies or of both of them, or with reference to any service which may be rendered by one of such companies to the other, with reference to the price or compensation to be paid for such services, or for the construction of one or more branch railways, or of one or more tramways, to facilitate the connection between the railways of the two companies.

Every such agreement made according to law by the two companies shall be binding, subject, however, to any statute now in force respecting the powers and obligations of the Montreal Street Railway Company.

14. The provisions of the Quebec Consolidated Railway Act, 1880, in so far as they are not inconsistent with this act, shall apply to the Company.

15. This act shall come into force if the Company, incorporated under the act 48 Victoria chapter 74, has failed to begin its works within the year following the permission previously obtained from the council of the city of Montreal, and provided that such permission be asked for and obtained within a year from the sanction of this act.

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

C A P . L X X I I I .

An act to authorize Hugh Paton to build a bridge over a branch of the Rivière des Prairies.

[Assented to 18th May, 1887.]

WHEREAS Hugh Paton, of the City of Montreal, Manager of the Shedden Company, has, by his petition, represented that he is the owner of an island by the name of Bourdeau's Island (Isle à Bourdeau) situated in the Parish of St. Martin, in the County of Laval, and lying in a branch of the Ottawa River, known by the name of Rivière des Prairies and bearing the number 678 on the Official plan and in the Book of Reference of the said parish of St. Martin, and containing about sixty arpents; and is also the owner of two lots of land contiguous to each other, situated and being in the said parish of St. Martin, and known and designated as numbers 63 and 64 on the said Official Plan and in the said Book of Reference of the said parish of St. Martin, and containing together about thirteen arpents; and whereas the said last mentioned lots of land