

shall obtain, from the Council of the said city, a consent to that effect, and the same shall be authorised by a by-law of the city of Montreal on such conditions as to the Council shall seem fit."

Motive power to be used. **2.** For the working the said railway, it shall be lawful for the said company to use dummy or other engines, propelled by steam, or other motive power, or horse power, on part or the whole of the said railway, if deemed necessary by the directors; and the guage of the said railway shall be of the breadth to be determined by the directors of the said company; and the building of the said railway may be commenced, at such point or points, as shall be decided upon by the directors of the said company."

Guage.

Where railway to be commenced.

C A P . X X X V I I .

An Act to incorporate "The Mountain Park Railway and Elevator Company."

[Assented to 30th June, 1881.]

Preamble. **W**HEREAS, Joseph Alderic Ouimet, Queen's Counsel, Charles Peers Davidson, Queen's Counsel, William Wingfield Bonnyer, Civil Engineer, Hubert R. Ives, Merchant, and Selkirk Cross, Advocate, all of the city of Montreal, and George C. Cooke, aforesaid, of Outremont, Gentleman, have, by their petition, prayed that they, and such other persons as may, together with them, become shareholders in the Company, be incorporated for the purpose of constructing and building elevators and railways or tramways (either upon the surface of the ground or as elevated roads) from points in the City of Montreal up to and upon the Mountain Park, and from the city to any points on the Island of Montreal;

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

Persons incorporated. **1.** The persons above mentioned, together with such other persons as may become shareholders, are constituted

Name of corporation. a corporation by the name of "The Mountain Park Railway and Elevator Company."

General powers of Company. **2.** The Company is authorized to lay and construct, make and finish, run and work elevators and railways or tramways (either upon the surface of the ground or as elevated roads), from points in the City of Montreal, up to and upon the Mountain Park and from the city to any points on the Island of Montreal, and for the

working of the said railways, elevators and tramways, it shall be lawful for the Company to use dummy-engines or horse power on part or the whole of the said line; and the Company is also empowered to lay out and construct a double track on part or the whole of the said railway, if deemed necessary by the Directors, and the gauge of the railway shall be of the breadth to be determined by the Directors; and the building of the said railway and elevator may be commenced at such point or points, within the above-mentioned limits as shall be decided upon by the Directors of the said Company. Provided, however, that the said railway shall not pass through Mount Royal Cemetery, nor through the Cemetery of Côte des Neiges, nor through any of the avenues leading to the said cemeteries, nor, without the consent of the trustees of the Montreal Turnpike Trust, along or upon any road under their control, and that, before laying out, constructing and making any of the said railway within the limits of the city of Montreal or Mount Royal Park, it shall obtain from the council of the said city a consent to that effect, and the same shall be authorized by a by-law of the city of Montreal, on such conditions as to the council shall seem fit.

3. The Company is empowered to take and appropriate for its stations or depots, where such stations or depots may be required for any of the works by this act authorized, such immovable property as may be required therefor, subject to the provisions in that behalf of the Quebec Consolidated Railway Act, 1880. Power of appropriation for stations, &c.

4. The capital stock of the Company shall be one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with the right of increasing the capital stock to two hundred thousand dollars, when deemed advantageous by a majority of the stockholders. The money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates relating to the works, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the railway and elevator. Capital stock of the Company.

5. J. Alderic Ouimet, Charles Peers Davidson, William Wingfield Bonnyer, Hubert R. Ives, Selkirk Cross, and George C. Cooke, are appointed the first directors of the Company, with power to fill any vacancies that may occur therein, to open stock-books and make a call on the shares therein subscribed, to call a meeting of subscribers for the election of directors, in the manner hereinafter pro- First directors of the Company. Stock-books.

vided, and all such other powers as are conferred upon boards of directors by the Quebec Consolidated Railway Act, 1880.

Commence-
ment of opera-
tions.

6. When and so soon as ten thousand dollars of the capital stock shall have been subscribed, the Company may commence operations, and the directors or a majority of them shall call the first general meeting of the shareholders at such place and time as they shall think proper, giving not less than fifteen days public notice in two newspapers, published in the City of Montreal, one in the French language and the other in the English language.

Annual gene-
ral me. tings.

7. The annual general meetings after the first meeting hereinabove mentioned, shall be held on the first day of February each year, or if such day be a holiday, on the next juridical day or on such day and at such place as shall be

Notice.

appointed by by-law, and notice of such annual meeting shall be published one month previously in two newspapers, published in the City of Montreal, one in the English language and one in the French language, that may be prescribed by the by-laws of the Company.

Board of direc-
tors.

8. The board of directors shall consist of six directors, but this number may be diminished to five or increased to nine, from time to time, by by-law. No person shall be appointed a Director, unless he holds, in his own name and right, shares in the capital stock of the Company to the amount of twelve hundred and fifty dollars and has paid up all calls on such shares.

Qualification.

Quorum.

9. Three of the Directors shall form a quorum for the transaction of business, and the Directors may employ one of their number as Managing Director, who may have a salary to be determined by the Board of Directors.

Managing
director.

Right of share-
holders to vote.

10. Each shareholder shall be entitled to a number of votes equal to the number of shares he shall have had in his own name, at least two weeks prior to the time of voting; provided that no party or parties shall be entitled to vote at the meetings of shareholders who shall not have paid up all calls due upon his or their stock at least twenty-four hours before the hour appointed for the meeting.

Proviso.

Power to cross,
&c, lines of
other compa-
nies.

11. It may and shall be lawful for the Company to cross, intersect, join and unite their railway with any other railway or tramway at any point on its route, and upon the lands of such other railway or tramway, with the necessary conveniences for the purposes of such con-

nection, and the owners of both railways or tramways may unite in forming such intersections, and in granting facilities therefor, and in case of any disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing and connection, the same shall be determined by arbitrators, to be appointed by one of the Judges of the Superior Court for the Province of Quebec.

Case of disagreement.

12. It shall be lawful for the Company and the Montreal City Passenger Railway Company to enter into any agreement or agreements for the use, by the one or the other of the companies or both companies, at the same time, of the railroad of such other company or of any part thereof, or of any station, cars or any other immovable property of either or both such companies, or touching any service to be rendered by the one company to the other, and the price and compensation for such services, or for the construction of one or more branch roads, one or more tramways, in order to facilitate the junction of the railroads of both companies; and any such agreement, executed in due form of law by the two companies, shall be valid and binding, subject, however, to any statute now in force in reference to the powers and obligations of the said Montreal City Passenger Railway.

Power to make arrangements with Montreal City Passenger Railway Company, &c.

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

Quebec Consolidated Railway Act, 1880, to apply.

CAP. XXXVIII.

An Act to amend the Act of Incorporation of the St. Johns and Sorel Railway Company.

[Assented to 30th June, 1881.]

WHEREAS the St. Johns and Sorel Railway Company have prayed to be authorized to amend their Act of Incorporation, 43-44 Victoria, chapter 53, and whereas it is expedient that their prayer be granted;

Preamble.

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

1. * It shall be lawful for the St. Johns and Sorel Railway Company to change the route of their railway, as fixed in their charter, between St. John's and Sorel, passing *viâ* St. Hyacinthe or Ste. Madeleine or any other place in the

Power of company to change its line.

* See next chapter, amending this section.