

C A P . X L V I I .

An Act to incorporate the " St. Lawrence Bridge Company."

[Assented to 23rd February, 1875.]

WHEREAS it has been represented that a bridge over ^{Preamble.} the River St. Lawrence, made from one shore to the other, passing above St. Helen's Island or near this place, near the city of Montreal, has become an absolute necessity both to establish a connection between the railways on the North of said River St. Lawrence and the Railway system on the South of said river, as also to procure to horse or street railways, carriages, vehicles of all kinds, pedestrian, &c., a constant and easier mode of crossing the said river St. Lawrence at all seasons of the year; and whereas certain persons hereinafter named (amongst others) have petitioned for an act of incorporation for facilitating that object; and whereas it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. " The Quebec Railway Act, 1869," is hereby incorporated, except as hereinafter mentioned, with this act, and shall form part hereof; and the several provisions of " The Quebec Railway Act, 1869," applicable to a railway company, and to a railway, shall, except as varied by this act, apply to the company hereby incorporated, and to the bridge hereby authorized to be constructed. But the sections of " The Quebec Railway Act, 1869," headed " Highways and Bridges," " Fences," " Working of the Railway," " General Provisions," " Application of Penalties," shall not apply hereto or be incorporated with this act. ^{Interpretation.}

2. Sir Hugh Allan, Hon. John Young, Aldis Bernard, ^{Incorporation.} General Samuel J. Anderson, of Portland, state of Maine, United States, the Hon. John J. C. Abbott, the Hon. Gédéon Ouimet, the Colonel A. B. Jewett, the Hon. J. A. Chapleau, William Workman, Waldo Brigham, Louis Beaubien, Samuel Thomas Willett, Henry Mulholland, C. J. Coursol, Ashly Hilbard, P. S. Murphy, Edward L. de Bellefeuille, Henry Pangman, P. H. Moore, together with such persons and corporations as shall, under the provisions of this act, become shareholders in the company hereby incorporated, are hereby constituted and declared to be a body corporate and politic, by the name of " The St. Lawrence Bridge Com- ^{Name of the company.}pany," and shall as such be invested with all the powers, privileges, and immunities necessary to carry into effect their

Its general powers.

project and the intention and objects of this act, and of "The Quebec Railway Act, 1869," in so far as the last mentioned act is applicable, and all the powers which are incident to a similar corporation.

Power to build a bridge on the river St. Lawrence.

3. The company, as far as the Quebec legislature may authorize, shall have full power and authority to build, construct, maintain, work and manage a bridge across the River St. Lawrence, from a point on the north shore passing on or near the island called *Isle Ronde*, to the St. Helen's Island or near it, near the city of Montreal, to or near the parish of Longueuil or St. Lambert, in the county of Chambly, and may purchase, acquire, hold real and personal property as may be requisite for the object aforesaid, according to the provisions of "The Quebec Railway Act, 1869."

Capital of the company.

4. The capital of the company shall be five million dollars, divided into fifty thousand shares, of one hundred dollars each.

Provisional directors.

5. The said Sir Hugh Allan, Hon. John Young, Aldis Bernard, General Samuel J. Anderson, of Portland, state of Maine, United States, the Hon. John J. C. Abbott, the Hon. Gédéon Ouimet, the Colonel A. B. Jewett, the Hon. J. A. Chapleau, William Workman, Waldo Brigham, Louis Beauvieux, Samuel Thomas Willett, Henry Mulholland, C. J. Coursol, Ashly Hilbard, P. S. Murphy, Edward L. de Bellefeuille, Henry Pangman, P. H. Moore, are hereby constituted the board of provisional Directors of the company.

Duration of their charge.

Their powers.

6. The provisional directors of the company shall hold office as such until the first election of directors under this Act; and shall have power and authority to open stock books and procure subscriptions of stock for the undertaking, giving at least four weeks previous notice in the *Quebec Official Gazette*, and in one newspaper in the city of Montreal, of the time and place of their meeting to receive subscriptions of stock; and the said provisional directors may cause surveys and plans to be made and executed, and may acquire any plans and make use of surveys now existing; and it shall be their duty, as hereinafter provided, to call a general meeting of shareholders for the election of directors.

Who can be a shareholder.

7. All shareholders in the company, whether British subject or aliens, or residents in Canada or elsewhere, shall have equal right to hold stock in the company, and to vote on the same, and to be eligible to office in the company.

8. So soon as two hundred thousand dollars of the said capital stock shall have been subscribed as aforesaid, and ten per centum *bonafide* paid thereon, and deposited in one or more of the chartered banks of Canada, for the purposes of the company, the directors or a majority of them, shall call a meeting of the shareholders of the company at such time and place as they may think proper; giving at least two weeks notice in the *Quebec Official Gazette*, or in one newspaper in the city of Montreal; at which meeting the shareholders shall elect eleven directors from the shareholders possessing the qualifications hereinafter mentioned; which directors shall hold office until the next annual meeting of the shareholders as hereinafter provided; and any provisional director may vote by proxy, and shall be eligible as a director; and six shall be the quorum of the board of directors.

Meeting for the election of the directors.

Duration of their charge.

Quorum.

9. Any railway company whose road now has, or shall hereafter have, a terminus or station at or near the city of Montreal, or shall connect with any railway having such terminus, or whose trains are or shall be run to the localities aforesaid, may, with a consent of the majority of the shareholders of its stock, loan its credit to the corporation hereby created, and may subscribe to, or become the owner of the stock thereof in like manner and with like rights as individuals; and any municipal corporation, either city, county, town, township or village, interested in the said bridge, may also subscribe to, and become the owner of such stock, in the manner and with the rights aforesaid, or give any land or lands, or *bonus*, or sum or sums of money towards the undertaking, subject to the provisions of the municipal laws in force in the province of Quebec. And every such railway company so subscribing to the capital stock, shall have the right to vote for election of directors, by the president or vice-president of such railway company, acting on its behalf at any meeting held for such election, and the president or vice-president of such company, shall be eligible for election as a director; provided the railway company, of which he is president or vice-president, is the owner of at least one hundred shares in the stock of the company, and shall have paid up all calls made thereon.

Rights granted to certain companies, &c., at certain conditions.

10. The annual general meeting of the shareholders for the election of directors and other general purposes, shall be held on the second Wednesday of June, in each year, at the city of Montreal or elsewhere, as may be appointed by by-law; and two weeks previous notice thereof, shall be given by publication as provided in the sixth section, or by by-law.

Time of the general meeting.

Notice thereof.

Qualification
of the direc-
tors.

11. No person shall be elected a director of the company, unless he shall be the shareholder of at least fifty shares in the stock of the company, and shall have paid up all calls made thereon.

Calls, and lia-
bility of share-
holders.

12. No call to be made at any time upon the said capital stock shall exceed ten per centum on the subscribed capital; and no stockholder shall be liable for the debts or obligations of the company beyond the unpaid amount of any stock held by him.

Power to
borrow.

Debentures.

13. The power to borrow money conferred by the eleventh sub-section of the seventh section of "The Quebec Railway Act, 1869," may be exercised by the company in the issue of bonds under the seal of the company, and made and signed by the president or vice-president of the company, and countersigned by the secretary, and with or without coupons; and such bonds shall, without registration, or formal conveyance, or instrument of hypothec, mortgage or pledge, be and be taken as an hypothec, mortgage and pledge, according to the rank and priority which may be therein mentioned, upon the bridge and undertaking and the real and personal property, franchises, tolls and revenues of the company then existing and thereafter acquired; and each holder of the said bonds, shall be deemed to be a mortgagee and incumbrancer, *pro rata*, with all the other holders of bonds of the same issue, rank and priority, upon the said bridge and undertaking, and all and every the property of the company hereinbefore mentioned; and such bonds may be sold and disposed of by the company at their marketable value; provided that the sanction of the shareholders or a majority thereof, be first obtained at any special general meeting, called for carrying into effect the powers in this section contained.

Proviso:

Power to be-
come party to
promissory
notes, &c.

14. The company shall have the power to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made or endorsed, and such bill of exchange drawn, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary-treasurer, shall as such, be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the company, until the contrary be shown; and in no case shall it be necessary to have the seal of the company affixed to any such bill of exchange or promissory note; nor shall the president, vice-president, or secretary-treasurer of the company, so making, drawing, accepting or endorsing any such promissory note or bill of exchange, be thereby subjected individually to any liability whatever; provided

Proviso:

always, that nothing in this section shall be construed to authorize the said company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank.

15. The company shall not commence the said bridge, or any work thereunto appertaining, nor until such plans and the site of such bridge shall have been approved by the lieutenant-governor in council, and such conditions as he shall have thought fit for the public good to impose touching the said bridge and works shall have been complied with; nor shall any such plan be altered, nor any deviation thereon allowed except by the permission of the lieutenant-governor in council, and upon such conditions as he shall impose.

Plans and sites must be approved by the Lieut.-Gov.

16. The company shall, three months before any steps are taken in erecting the piers of the said bridge, cause to be published in two of the public newspapers in the city of Montreal, a notice in which shall be stated the particular location of the said bridge, with reference to known land marks, the number of its piers, the length of its piers and the distances between them, the width in the clear, and the entire length of the bridge from land to land, and its height above the ordinary stages; and a copy of this notice, the facts of which shall be verified by the oath of the engineer, signed by the president and secretary of the company, and acknowledged by them before a magistrate or notary public, shall be filed in the office of the clerk of peace of the district of Montreal.

Notice required before the comm. of the works.

17. The company shall have power to use any of the public highways for the construction and maintenance of the bridge or the works authorized by this act, with the consent of the municipal council having jurisdiction over such highways.

Use of public roads.

18. Whenever it shall become necessary to procure sufficient lands for stations or gravel pits, or other purposes, for constructing, maintaining and using the said bridge, the company may purchase more land than is required for such stations or gravel pits, or other purposes. The company may purchase, hold, use, or enjoy such lands, and also the right of way thereto, if the same be separated from their bridge, in such manner, and for such purposes connected with the constructing, maintenance or use of the said bridge, as they may deem expedient, and may sell and convey the same, or parts thereof, when not required for use of the said bridge.

Power to acquire, &c., for stations, &c.

19. It shall be lawful for the company to enter into any agreement with any railway company or companies for

Power of leasing said bridge, &c.

leasing the said bridge or the use thereof, at any time or times, or for any period to such railway company or companies; and for leasing or hiring from such company or companies any railway, or part thereof, or the use thereof; or for leasing or hiring any locomotives, tender, steam vessels or movable property; and generally to make any agreement or agreements with any such company or companies, touching the use by one, or the other or others, of the bridge or railway or railways, or movable property or of all together or of any of them, or any part thereof, or touching any service to be rendered by the one company to the other or others, and the compensation therefor; and any such railway company or companies, may agree for the loan of its credit by direct guarantee or traffic contract or otherwise to, or may subscribe to or acquire the stock of the company hereby created, in like manner and with like rights as individuals; and any such agreement shall be valid and binding, and shall be enforced by courts of law, according to the terms and tenor thereof in compliance with the said acts; and any company accepting and executing such lease, shall be and is empowered to exercise all the rights and privileges hereby conferred.

Power of companies, leasing.

Right of certain companies to cross such bridge.

20. When the said railway bridge is completed and open to traffic, all trains of all railways terminating at or near the city of Montreal aforesaid, now constructed or hereafter to be constructed, shall have the right to pass over the said bridge, including the cars of any other railway company which may be brought over such railways, —at corresponding tariff rates, for the persons and property transported so that no discrimination in tariff rates, for such transportation, shall be made in favor of or against any railway whose trains or business pass over the said bridge.

Case of disagreement as to that right.

21. In case of any disagreement, and as often as the same may arise, as to the rights of any railway whose trains or business shall pass over the said work hereby authorized to be constructed, the same shall be determined by arbitrators, one to be appointed by the company and another by the company with whom the disagreement shall have arisen, and a third (who shall be some person experienced in railway affairs) by a judge of the superior court of the province of Quebec, upon application to such court, — due notice thereof having been given to the parties interested; and the award of the said arbitrators, or the majority of them, shall be final; provided that the terms of the said award shall not be binding for a longer term than five years.

Arbitration.

Their decision.

proviso :

22. Whenever the said bridge is so completed as to admit of the passage of railway trains, the company may erect upon the bridge, as the said directors may deem proper; and make such by-laws, rules and regulations, not inconsistent with the provisions of this act, in relation to the use of the said bridge, its machinery, appurtenances, and approaches, by railway companies, their trains and carriages, as well as by passengers on foot or on horseback or in vehicles, and by vehicles of all kinds, as the directors may think proper, and the tolls or charges therefor.

Power to erect gates.

And make by-laws.

23. If any person or persons shall force, or attempt to force any gate or guard of the said bridge, or the approaches thereto; or if any person shall wilfully do, or cause to be done, any act or acts whatsoever, whereby the said bridge, its lights, stations, works, machinery, fixtures or other appurtenances thereto, shall be obstructed, impaired, weakened, destroyed or injured, the person so offending shall forfeit to the company treble the damages sustained by means of such offence or injury, to be recovered in the name of the company with costs of suit, by any proper action for that purpose.

Entry inforced.

Depredations

Penalty.

24. At all the meetings of the shareholders of the company hereby incorporated, each shareholder shall be entitled to cast one vote for each share of stock held by him, and to vote either in person or by proxy; and the directors of the company may also, at any meeting of the board, vote by proxy, such proxy be held by another director; provided that no more than two proxies be held by one director, and not less than six directors shall be present in person at any meeting of the board of directors convened for the transaction of business.

Right to vote.

Proxy.

Proviso:

25. The work shall be commenced within four years and completed within seven years from the coming into force of this act.

Time for the completion of the work.

C A P . X L V I I I .

An Act to amend the Act intituled: "An Act to incorporate the Montreal Omnibus and Transfer Company."

[Assented to 23rd February, 1875.]

WHEREAS by petition of the Montreal Omnibus and Transfer Company, it hath been represented that it is desirable to amend their act of incorporation as made and

Preamble.