

CAP. XXVIII.

An Act to amend the Act of incorporation of the Montreal and Laurentian Colonization Railway Company.

[Assented to 28th January, 1874.]

WHEREAS the Montreal and Laurentian Colonization Preamble.
Railway Company, has represented, by petition, that it was necessary to make certain amendments to their charter; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said company is authorized and empowered to Power to make a branch line.
construct a line of railway from the village or parish of St. Jérôme, or from the village or parish of Ste. Thérèse de Blainville, or from Porteous Crossing on the *rivière* Jésus, in the county of Terrebonne, to the parish of St. Lin, in the county of l'Assomption.

2. The name of the said company shall be hereafter the Change of name of the Company.
"Laurentian Railway Company."

CAP. XXIX.

An Act to amend the Act to incorporate the Terrebonne Turnpike Road Company.

[Assented to 28th January, 1874.]

WHEREAS it is considered necessary to extend the Preamble.
Terrebonne turnpike road, from St. Louis Street, in the town of Terrebonne, to the town of Joliette, and thus to improve the means of communication between the city of Montreal and the said town of Joliette, in passing through the said town of Terrebonne, and the village of the parish of St. Henri de Mascouche, in the county of l'Assomption, and that the extension of the Terrebonne turnpike road in the direction of the said town of Joliette, would much contribute materially to the interest of the inhabitants residing along the lines of said road, as well as to the prosperity of the adjoining country;

And whereas it is desirable that certain sections of the act of incorporation of the said company, (twenty-fifth Victoria, chapter seventy-six, one thousand eight hundred and sixty-two,) ought to be amended so as to define clearly the rights and privileges of the said company;

And whereas Madame Marie Geneviève Sophie Raymond, widow of the late the Honorable Joseph Masson, John Paul Romuald Masson, the Reverend Mr. Joseph Graton, Ptre., Superior of the College Masson, John Atkinson, Joseph Cyrille Auger and others, shareholders in the said Terrebonne turnpike road company, have prayed and asked the right to extend their said road to the said town of Joliette, with all the same powers and privileges to them already granted by the said act twenty-five Victoria, chapter seventy-six, to make and maintain the aforesaid extension of said road, and also to amend certain clauses of said act;

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

Power to make
a new macada-
mized road.

1. All powers and privileges granted to the Terrebonne turnpike road company, by and in virtue of the act, of the late province of Canada, twenty-fifth Victoria, chapter seventy-six, (one thousand eight hundred and sixty-two,) as amended by this act, on that part of the said turnpike road already made under the authority of the said act, are by these presents granted to the said company for all the part of said road between the north-west side of St. Louis street, in the said town of Terrebonne, to the said town of Joliette, passing through the village of the parish of St. Henri de Mascouche.

Line of road.

2. The said company, by their servants or agents, shall have full power to trace and construct, make and complete, at their own costs and expenses, a macadamized road from St. Louis street, in the limits of the town of Terrebonne, by passing either on the lot of land of Joseph Beauséjour, or on that of the said Madame Masson, or on any other lot of land adjoining thereto, and thence by an oblique line, crossing the lands of the corporation of the college Masson (Provençal's,) and also crossing the lands of Paul Eloy Marier, and the lands (Turgeon and Auger,) now belonging to and owned by the said corporation of the college Masson, and the lands of the different proprietors in the "Pointe à Rochon," in the parish of Lachenaie, to the line which separates the last named parish from that of Mascouche; from thence crossing almost at right angles the lands of the lower part of Mascouche, to the angle of the land of Charles Crépeau, in the centre of which land it shall come down to the village of St. Henri de Mascouche aforesaid, where the said road shall curve to the south-east, at its connection with the main street in the said village, passing along the streets of said village, and taking the direction of the Grand Côteau road, to the embranchment which this last road makes with the road of "Côte St Philippe"; thence the said road shall

take the direction towards the town of Joliette, following the public highways or such other roads as the said company shall deem advisable. The said company may, in virtue of the provisions of the above mentioned act, twenty-fifth Victoria, chapter seventy-six, as amended by this act, avail themselves of all public means of communication throughout the length of their road, and acquire or possess all lands necessary to them to locate such road for their greatest advantage; and in all cases where the above named macadamized road shall replace the public roads on which it may pass, the company shall have no indemnity to pay to the proprietors of the land on which such new road shall pass, and such part of the said roads so replaced shall become by right the property of the proprietor of the land on which the said road exists, provided that the proprietor of such land, be also the owner of the land taken for the new road.

The co. may avail themselves of public roads, and acquire lands.

3. The said company shall be bound to complete that part of the road from the town of Terrebonne, to the bridge in the centre of the said village of Mascouche, within five years from the day of the passing of this act, and the rest of the said road to the town of Joliette, within ten years, counting from the same date, in default whereof, this act and every matter and thing therein contained, shall cease and be null and void as regards the part not completed only, but shall maintain all their rights as regards the whole portion so made.

Delay given to finish the road.

4. The capital of the said company shall hereafter be increased to the sum of fifty thousand dollars, instead of fifteen thousand dollars, as mentioned in the seventh section of said act, twenty-fifth Victoria, chapter seventy-six, divided into shares of fifty dollars each, with power, at a general meeting of shareholders of the said company, to increase the same to the sum of sixty-five thousand dollars, and shall be collected as provided for by the seventh section above mentioned; however, the present shareholders shall have the preference before any others to subscribe for the stock as increased under this act, and in proportion to their shares respectively.

Increase of capital.

5. The eighth and ninth sections of said act (twenty-fifth Victoria, chapter seventy-six,) shall be amended by striking out in the same, the words: "County of Laval," wherever they may be, and adding in lieu thereof, the words: "Counties of Laval, Terrebonne, L'Assomption and Joliette."

25 Vict., c. 76, secs. 8 and 9, amended.

6. The directors of the Terrebonne turnpike road company, who shall be in office at the time of the passing of

Powers of the directors on the new road.

this act, shall have the same powers on the extension of said road as on the part of the said road already made, until the next general election of the board of the directors of the said company.

25 Vict., c. 76,
sec. 27,
amended.

7. The twenty-seventh section of the said act, (twenty-fifth Victoria, chapter seventy-six,) is repealed, and the following substituted therefor :

Fences.

" 27. Whenever the road constructed by the company runs through the property of private individuals, proceedings shall be taken to establish the indemnity which shall be given to such proprietors for the making and maintaining of the fences dividing their lands from said road, at the same time and by the same means as for determining the price of lands, and for damages caused thereto, in the exercise of the powers of the said company, according to the manner expressed in the twenty-third, twenty-fourth, and twenty-fifth sections of such act.

Sec. 30 repeal-
ed.

8. Section thirty of the said act is repealed.

Tolls levied.

9. The tolls which the company is empowered to levy, as well upon the now existing road, as on the continuation of such road to the town of Joliette, shall not exceed two cents per mile, (reckoning from any gate where the toll is to be paid, to the next gate, in the direction from where the vehicle or animal, for which such toll is to be paid shall have come, whether in going or returning,) for every vehicle drawn by two horses or other draught animals, for each time that such vehicle passes over the said road, whether loaded or not ; and for every vehicle drawn by more than two horses or other draught animals, one cent per mile for each additional draught animal ; for every vehicle drawn by one horse or other draught animal, for each horse without a rider, for each ox, cow or other horned cattle, for each horse and rider, one cent per mile ; and for every vehicle belonging to any person resident in the parish of St. Vincent de Paul, when proceeding to the north of the county of Laval, for wood, or returning therefrom loaded with wood, and for each vehicle belonging to any person residing in the parish of St. François de Sales, when proceeding to the north of the said county of Laval, for wood, or returning therefrom loaded with wood, provided that such wood be for personal consumption, half the tolls hereinabove respectively setforth ; for each sheep, goat or pig, one third of a cent per mile ;

Proviso :

Proviso :

Provided that it shall be lawful for the said company to make such arrangements for stated periods with all persons as may be agreed upon between them ;

Provided always, that the tolls which the company shall Proviso :
levy under this section, shall be at the same rate per mile
throughout the whole length of the road, and on each and
every part thereof;

Provided also, that the total amount of tolls exigible in Proviso :
future, upon the company's road within the limits of the
county of Laval, shall not exceed the total amount of tolls
exigible before the passing of this act, in virtue of section
thirty of the act twenty-fifth Victoria, chapter seventy-six,
repealed by this act.

10. Section thirty-seven of the said act shall be amended, Addition to
by adding after the last word of the said section, the sec. 37 of said
following words and proviso : act.

“ In the said parish of St. Vincent de Paul only ; pro- Proviso :
vided also, that the said preceding provisions be not under-
stood in such manner as to hinder the passing over or the
permission to pass over the lands comprised between the
base road and the river Jésus, in the parish of St. François
de Sales, and over those comprised between St. Louis street
and its continuation in the town of Terrebonne, and in the
parish of Lachenaie, or the river Jésus, for the purpose of
reaching the ice or returning therefrom.”

11. Section forty-one of the said act is amended, by strik- Sec. 41
ing out the words : “ excepting along the by-roads where this amended.
work shall be done at the expense of the company,” and by
substituting therefor the following words : “ except in that
portion of the by-road *Monette*, which the company's road
traverses in the parish of St. Vincent de Paul, and in the
by-road *Masson*, in the parish of St. François de Sales.”

12. The corporation of any local or county municipality Corporations
may acquire, by agreement, that part of the company's road may acquire
situated within the limits of such municipality ; and the the road.
corporation of such municipality shall thenceforward have all
the rights and privileges, and be subject to all the obliga-
tions of the said company, in respect of the portion of road
so acquired by it.

13. The company shall, in all cases, establish one trans- Toll gates.
versal toll-gate in each parish and no more, between the
towns of Terrebonne and Joliette ; and in such case, the in-
habitants of each of the parishes traversed by the said road,
shall have the same rights and privileges as those granted
to the inhabitants of the parishes of St. François de Sales
and St. Vincent de Paul, by the forty-ninth section of the
said act, twenty-fifth Victoria, chapter seventy-six, each in
their respective parishes only.

Exemption of
toll

14. And considering that the local municipality of St. Henri de Mascouche has bound and obliged itself to repay to the said company, the total amount of damage occasioned to the owners of lands, through which the said road shall be opened in the said municipality, this company, in consideration of the action of such municipality as aforesaid, shall open gratuitously the toll-gate which they may hereafter construct on the road of *Côte St. Philippe*, to all inhabitants of the parish of St. Henri de Mascouche, who possess wood lands on the said *Côte St. Philippe*, whenever they go themselves to their said lands, to cart wood for their own consumption only, and are returning loaded therefrom.

Mascouche
road closed.

15. As soon as the intended road between the town of Terrebonne and the village of St. Henri de Mascouche shall have been completed, that part of the road now existing and known under the name of "Mascouche road" lying within the parish of Terrebonne, from the outer limits of the town of Terrebonne to the limits of the parish of Lachenaie shall be closed to the public, and the land thereof shall be returned to the proprietor of the lands bordering the said road.

General appli-
cation of 25
Viet., ch. 76.

16. And further, all the provisions of the act hereinbefore cited, twenty-fifth Victoria, chapter seventy-six, as amended by this act, shall apply to the continuation of the said company's road, from the town of Terrebonne to that of Joliette, as if they had been herein again enacted.

Coming into
force of this
act.

17. This act shall enter into force, so soon as the same shall be sanctioned.

C A P. X X X.

An Act to amend the Act incorporating the Montreal City Passenger Railway Company.

[Assented to 28th January, 1874.]

Preamble.

WHEREAS the Montreal city passenger railway company has petitioned the legislature for certain amendments to its act of incorporation; and whereas it is expedient to grant the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Increase of
capital.

1. The said company is hereby authorized to increase its capital stock to the extent of seven hundred thousand

