

hold the said land and premises, unto the said company, their successors and assigns forever.

Given under my hand and seal, this day of
one thousand eight hundred and

Signed, sealed and delivered in presence of

A. B.
(L. S.)

C A P. X L I V.

An Act to incorporate "The Laurentian Railway Company."

[Assented to 24th December, 1872.]

WHEREAS John Henry Pangman, the Honorable Louis Archambeault, Louis A. Jetté, M. P., Firmin Dugas, M. P. P., Joseph Adolphe Chapleau, M. P. P., Peter S. Murphy, Onulphe Pelletier, M. P. P., Jean-Baptiste Deslongchamps and Charles Guillemot have, by their petition, prayed that they, as well as their legal representatives and such other persons or corporations as may, together with them, become shareholders in the said company, be incorporated for the purpose of constructing a railway from the city of Montreal, from or near the village of Hochelaga, to or in the direction of St. Lin, in the district of Joliette, and further northwards, and as far as the interests of colonization may require, or as it may be deemed useful, and of the working of the said railway when completed; and whereas, it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The persons above mentioned, together with such other persons as may become shareholders of the said company to be created under this act, shall be and are hereby constituted and declared to be a body politic and corporate, by and under the name of "The Montreal and Laurentian Colonization Railway Company," "*La Compagnie du Chemin de fer de Colonisation de Montréal et des Laurentides*," and they shall constitute such corporation, and shall have perpetual succession, and a corporate seal, with power to alter and modify the same at their pleasure, and to plead and be impleaded, answer and be answered unto, defend and be defended in all courts of justice, in their corporate name, in the same manner as corporations generally may do, to purchase and hold lands and real estate, and also to sell, alienate, exchange or lease such lands and real estate.

Certain persons incorporated.

Powers of the
Company and
line of railway.

2. The company is hereby authorized to lay out and construct, make and finish, run and work an iron railway from the village of Hochelaga, in the parish of Montreal, near the city of Montreal, with the right of continuing the said railway to the city of Montreal, across the Island of Montreal to the river des Prairies, thence across said river and the river Jésus at or near the village of Lachenaie, thence passing through or near the village of St. Henri de Mascouche and Grace Hall, and thence to the village of St. Lin. From the village of St. Lin the said railway may be continued further northwards to the village of Rawdon, and thence following the valley of the lake Ouareau river to the lake of the same name; and with power, if the said company should find more expedient, to run the said railway from St. Henri de Mascouche to some point of junction with the North Shore railway at or near Bout-de-l'Isle or Lachenaie, or further north as the case may be, there to unite with said North Shore railway; or from said village of St. Henri de Mascouche to Porteous crossing, or the river Mille-Isles, or north branch of the Ottawa, there to unite with the Montreal Northern Colonization railway; with such curves, lines or deviations as may be deemed necessary for the purpose of passing at or near the town of Terrebonne, in the district of Terrebonne, or through any such other places as the company shall decide upon laying out the said railway; and for the working of the said railway, it shall be lawful for the said company to use steam-engines, or horse-power on part or whole of the said line; and the said company is also empowered to lay out and construct a double track, on part or the whole of said railway, if deemed necessary by the directors. And the gauge 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.

Land for sta-
tions, &c.

3. The said 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, lands to the extent of twenty acres, without the consent of the proprietor or proprietors thereof, but otherwise subject to the provisions of the Quebec railway act, 1869, in that behalf.

Power to build
bridges.

4. The company shall have the right to build all such bridges as shall or may be deemed necessary for the said railway, over any part of any river; but the company shall not commence the construction of any bridge over any river or stream exceeding fifty yards in breadth, at high water, until the plans thereof, and of all the works con-

nected therewith, shall have been submitted to the lieutenant-governor in council, and by him approved. Provided that nothing herein contained shall be construed to authorize the said company to interfere in any way with the navigation of the said rivers; and provided further, that public notice shall be given in the Official Gazette, under the signature of the provincial secretary, of the said plans being submitted to the lieutenant-governor in council, and that the said plans shall remain deposited in the office of the commissioner of public works for the period of three months before being so approved. Proviso.

5. None of the bridges to be thus constructed by the company shall be adapted to the passage of horses, animals, vehicles or passengers, except in the trains of the said company, but such bridges shall be so constructed as not to obstruct the navigation of the rivers over which they shall be built, nor to impede the passage of any rafts that may be brought down the said rivers, and the principal arch of the said bridge crossing over the channel, shall not be less than two hundred feet, if the said bridge is not erected at a distance of one hundred feet from the present bridge, and if the bridge to be erected is so erected at a distance of one hundred feet from the present bridge, the piers to be erected shall correspond with the piers of the bridge now already erected there, with regard to the distance between the piers; provided also, that should it be deemed necessary by the board of trade of the city of Quebec, the company shall be bound and obliged to place sufficient booms on each side of the principal channel to facilitate the passage of rafts under or beneath the main or principal arch, the whole under and in conformity with instructions of the commissioner of public works of this province; and the company after having erected the said bridge in conformity with the plans approved by the lieutenant-governor in council, shall not be liable for any damages suffered by the breaking of rafts or otherwise. How bridges shall be constructed.
Proviso.

6. The said company shall also have the right to establish a telegraph line along the whole extent of the said railway, at such places along the said line, and with offices at such places, as shall be determined upon by the directors, and the said telegraph may be used by the public generally, in conformity with the rules and regulations that the company may adopt; the whole subject to the provisions of chapter sixty-six of the consolidated statutes of Canada. Telegraph line.

7. If any person or persons shall wilfully, or maliciously, or to the prejudice of the said company, break down, Punishment for injury to works

damage or destroy any works, machine, or device to be erected or made by virtue of this act, or do any other wilful act, hurt or mischief, to disturb or prevent the carrying into execution, or completing, supporting or maintaining the said railway or works hereinbefore referred to, every such person or persons so offending may be summoned by the president or any of the officers of the said company to be and appear before any one of the justices of the peace for the district in which such offence shall have been committed, and on proof of such offence to the satisfaction of the court, such person or persons shall be adjudged and condemned to pay a fine or penalty not exceeding fifty dollars and costs, which shall be levied in due course of law, and in default of paying such fine and costs within fifteen days after judgment, the person or persons so offending shall be imprisoned in the common gaol of the district within which such offence shall have been committed for a period not exceeding three months.

Form of
deeds of con-
veyance.

8. All deeds and conveyances for lands to be conveyed to the said company for the purpose of this act, shall and may, as far as the title to the said lands or the circumstances of the party making such conveyance will admit, be made in the form given in the schedule of this act marked A, and need not be executed before a notary; and for the due registration of the same, the said company is hereby required to furnish, at its own expense, to the registrar of each county wherein such deeds and conveyances must be enregistered, a book containing copies of the form given in the said schedule A, one to be printed on each page, leaving the necessary blanks for each case of conveyance, and in such book to enter and register the said deeds upon production thereof, and proof of execution, without any memorial, and to minute such entry on the deed; and the company shall pay the said registrar for so doing the sum of fifty cents and no more; which said enregistration shall be held and deemed to be valid in law, the provisions of any act for the enregistration of deeds now in force in this province, to the contrary notwithstanding.

Capital stock.

9. The capital stock of the company shall be half a million of dollars, to be divided into fifty thousand shares of ten dollars each, with the right of increasing the said capital stock to one million of dollars when deemed advantageous by a majority of the stockholders of the said company. The said capital stock shall be raised by the persons and corporations who may become shareholders in such stock; and the said 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 hereby authorized, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the said railway, and for no other purpose whatsoever incompatible with this act or the law.

10. All manufacturing companies or other companies carrying on business in whole or in part in the city of Montreal, or at any place within the limits of the counties of Hochelaga, Laval, or the districts of Joliette and Terrebonne, whether incorporated by special or general act, may, by a vote of the shareholders, representing at least three-fourths in value of the shares, but not otherwise, subscribe or otherwise purchase and hold any number of shares in the capital stock of the said company, which they may deem advisable, and may divest themselves thereof by transfer in the form hereinafter provided. Other companies may take shares.

11. The said John Henry Pangman, the Honorable Louis Archambeault, Louis A. Jetté, M.P., Firmin Dugas, M. P. P., Joseph Adolphe Chapleau, M. P. P., Peter S. Murphy, Onulphe Pelletier, Jean-Baptiste Deslongchamps and Charles Guillemot, are hereby constituted and appointed the first directors of the company, and until others shall be appointed as hereinafter prescribed, they shall constitute the board of directors of the said 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 provided, and with all such other powers as by the Quebec railway act, 1869, and the act thirty-first Victoria, chapter twenty-four of the statutes of Quebec, are conferred upon such board of directors. Provisional directors.

12. When and so soon as one hundred thousand dollars of the said capital stock shall have been subscribed, the company may enter upon its duties, and it shall be lawful for the said directors, or a majority of them, to call the general meeting of the shareholders at such place and time as they shall think proper, giving at least thirty days' public notice of the same in the Quebec Official Gazette, and also a previous notice not less than fifteen days in two newspapers published in the city of Montreal, one in the French language and the other in the English language, and at such meeting, such number of the directors as shall be fixed by a by-law of the company shall be elected to act until the annual general meeting, and until their successors shall have been appointed ; and at each such meeting any mu- Meeting for election of directors.

municipal or other corporation holding shares in the said company to the amount of five thousand dollars or more, and not being in arrears for any calls on their shares, may act at such election as any other shareholder, and shall be each represented at such meeting by some one person authorized by them for such purposes.

Annual general meetings.

13. The annual general meetings shall be held on the first Thursday of June each year after the first meeting hereinabove mentioned, or on such a day and at such place as shall be appointed by any by-law, and at such meeting the shareholders there present shall in the manner hereinbefore mentioned, elect such number of directors as shall have been prescribed by the by-laws of the company, which number shall not be less than five nor more than nine, and notice of such annual meeting shall be published one month previously in the Quebec Official Gazette, or in any other manner that may be prescribed by the by-laws of the company.

Qualification of directors.

14. No person shall be chosen or appointed director unless he hold, in his own right, shares in the capital stock of the said company to the amount of one thousand dollars, and have paid up all calls on such shares.

Quorum.

15. Five of the said directors shall form a quorum for the transaction of business; and the said directors shall choose among themselves a president and a vice-president, and may employ one of their number as managing director, who may have a salary to be determined by the board of directors.

Powers given by 31 V., c. 24.

16. The directors shall have all the powers mentioned in the statute thirty-first Victoria, chapter twenty-four of the province of Quebec.

Corporations holding stock, how represented.

17. Municipal corporations subscribing for stock in the capital stock of the said company shall be represented by the mayors and wardens of such corporations for the time being, or by such persons as may be specially appointed by each municipality, according to a by-law for that purpose.

Voting.

18. 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 the calls due upon his or their stock, at least twenty-four hours before the hour appointed for such meeting.

19. It shall be lawful for the directors of the said company, from time to time, to fix, regulate and receive the tolls and charges to be received for the transmission of property or persons on the said railway, subject always to the approval of the lieutenant-governor in council, and to be published in the Quebec Official Gazette. Regulation of tolls.

20. In case of refusal or neglect to pay the toll or freight due to the said company on any goods, the said company shall have the power to detain the same until payment of such toll or freight be made, and in the meantime, such goods shall be at the risk of the owner; and if such goods be of a perishable nature, the said company shall have the right to sell the same forthwith on the certificate of two competent persons establishing the fact of their being so perishable; and if such goods be not of a perishable nature, and shall remain unclaimed for a period of twelve months, it shall be lawful for the said company, after giving one month's notice in two newspapers, one in the French language and the other in the English language, published at or near the locality where such goods may be, to dispose of the same by public auction, and to hand over to the owner the produce of such sale if he shall claim the same, after the deduction of the said tolls and freight and of the expenses incident to any such sale. Proceedings in default of payment of tolls.

21. The said company shall have 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 any such bill of exchange drawn, accepted or endorsed by the president or the vice-president of the company, and countersigned by the secretary and treasurer, and under the authority of a majority of a quorum of the directors, shall be binding upon the said company; and every such promissory note or bill of exchange so made, drawn, accepted or endorsed by the president or vice-president of the said company, and countersigned by the secretary and treasurer as such, after the passing of this act, shall be presumed to have been properly made, drawn, accepted or endorsed, as the case may be, for the company, until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any such promissory note or bill of exchange; nor shall the president, vice-president or secretary and 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. Power to sign promissory notes.

22. In the borrowing of moneys by way of loan, the debentures of the said company shall and may be in the Form of debentures and effect thereof.

form contained in the schedule B annexed to this act, or in any other form similar thereto, and need not be before a notary, and shall have the effect of creating a hypothec and mortgage upon the said railway and the lands and property thereof, and the registration at full length of a debenture (without the interest coupons thereto attached) in the said form in the registry office for the counties in which part of the said railway may lie, which said registration for the purposes of this act and of the loan to be made in virtue thereof, shall be held and deemed to be a special registration of the said railway and of all the lands and property thereof, in each county or locality through which such railway may pass or lie, shall perfect the hypothec and mortgage created by such debenture as regards all parties whatsoever, and the debenture and hypothec and mortgage thereby created shall be to all intents and purposes binding upon the said company in favor of the holder of the debenture, and have the effect of mortgaging and charging all the lands and property of the said company without any other more formal or particular description, but the description in the said schedule B shall be held to comprehend all the lands and tenements of the said company, all wharves and buildings of every nature thereon, and, in short, all the immovable estate belonging to the said company, including the rails and iron thereto affixed, any law or usage to the contrary notwithstanding.

How registration thereof may be cancelled.

23. If after the registration in the registry office of the said county of a debenture of the said company creating a mortgage and hypothec, such debenture shall be presented at the said registry office with the word *cancelled* and the signature of the president, or other duly authorized director of the said company, or of the secretary and treasurer of the said company, written across the face of the said debenture, the registrar or his deputy, on receiving the fee of twenty-five cents in that behalf, and on proof of the cancellation by the oath of one credible witness, (which oath the registrar or his deputy is hereby authorized to administer,) shall forthwith make an entry in the margin of the register against the registry of such debenture, to the effect that the same has been cancelled, adding to such entry the date thereof and his signature, and thereupon the cancelled debenture shall be filed and remain of record in the said registry office.

Mode of registration of debentures.

24. And to facilitate the registration of the debentures of the said company creating a hypothec and mortgage and the cancellation thereof, be it enacted that they, if they deem proper, may, at their own expense, deposit in

the said registry office wherein such their debentures are hereby required to be registered, any number of their printed blank debentures in the form of the said schedule annexed to this act, without its being necessary to add the *coupons* thereto, bound together in a book, and having the pages thereof numbered and signed by the secretary of the company, and thereupon the registrar or his deputy shall be bound to receive and retain the same as one of the registry books of his office, and to register therein the said debentures of the company instead of registering them in the ordinary registry books of the office, receiving for the registration of each such debenture a fee of twenty-five cents and no more; any ordinance or law to the contrary notwithstanding.

25. It may and shall be lawful for the said company to cross, intersect, join and unite their railway with any other railway, at any point on its route, and upon the lands of such other railway, with the necessary conveniences for the purpose of such connection, and the owners of both railways may unite in forming such intersection and in granting the facilities therefor; and in case of 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 according to the provisions of the general railway act in relation to this subject.

26. It shall be lawful for the said company to enter into any agreement with any other railway company in this province, for leasing the said railway or any part thereof, or the use thereof, at any time or times to such other company, or for leasing or hiring out to such other company any locomotives, cars, carriages, tenders or other movable property of the said company, either altogether or for any time or times, or occasions, for leasing or hiring from such other company any railroad or part thereof, or the use thereof at any time or times, or for leasing or hiring from such other company any locomotives, cars, carriages, tenders or other movable property, or for using either the whole or any part of such other railroad, or of the movable property of such other company, in common by the two companies, or generally to make any agreement or agreements with any such other company touching the use by one or the other, or by both companies, of the railroad or movable property of either or of both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor; and any such agreement shall be valid and binding, and shall be enforced by all courts of justice in this province according to the terms and tenor thereof.

Amalgamation
with other
companies.

27. And whereas it may conduce to the interests of the said "The Montreal and Laurentian Colonization railway company," hereafter to unite and form a junction and amalgamation with other railway companies in this province; Be it enacted, that it shall be lawful for the said "The Montreal and Laurentian Colonization railway company" to form such union, junction and amalgamation at any time hereafter, with any other company which is also hereby authorized to form such amalgamation, upon such terms and conditions as may be agreed upon at a general meeting of the stock-holders of the said company, specially called for that purpose by a majority of such stockholders, and thereafter the companies thus united and amalgamated shall form but one and the same company upon the terms, stipulations and conditions agreed upon between the said companies. And for the purpose of effecting such amalgamation, the other companies with which this said company may consent to be amalgamated, are hereby authorized to stipulate and determine the conditions of such amalgamation at a general meeting of their stockholders specially called for that purpose by a majority of such stockholders.

Agreements
with the Mon-
treal City Pas-
senger R. Co.

28. It shall be lawful for the said company, and for the Montreal City Passenger railway company, to enter into any agreement or agreements for the use by the one or the other of said companies or of 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 movable or immovable object of either of such companies or of both such companies, or touching any service to be rendered by the one company to the other, and the price or compensation for such services; or for the construction of one or more branch roads, one or more tram-ways in order to facilitate the junction of the railroads for both companies; and any such agreement executed in due form of law by the two companies, shall be valid and binding and shall be enforced by all courts of justice according to the terms and tenor thereof; and if any such agreement be entered into between the two companies, the cars and rolling stock, but not the locomotives, of the Montreal and Laurentian Colonization railway company may pass along the track of the Montreal City Passenger railway, and *vice versa*. The company may, after being authorized to that effect by the corporation of the city of Montreal, lay a track in any street parallel with St. Mary street in the said city, as far as Visitation street, so as to run its cars as far as Visitation street aforesaid.

SCHEDULE B.

FORM OF DEBENTURE.

"The Montreal and Laurentian Colonization Railway Company," Number \$

This debenture witnesseth that "The Montreal and Laurentian Colonization railway company," under the authority of the provincial statute passed in the year of Her Majesty's reign, intituled: "An act to incorporate the Laurentian railway company," have received from of the sum of as a loan, to bear interest from the date hereof, at the rate of per centum per annum, payable half-yearly, on the day of and on the day of which sum of the said company bind and oblige themselves to pay on the day of to the said or to the bearer hereof at Montreal, and to pay the interest thereon half-yearly as aforesaid on the production of the coupon therefor, which now forms part of this debenture.

And for the due payment of the said sum of money and interest, the said company, under the power given to them by the said statute, do hereby mortgage and hypothecate the real estate and appurtenances hereinafter described, that is to say: *The whole of the railroad from to including all the lands at the termini of the said road, and all lands of the company within these limits, and all buildings thereon erected, and all and every the appurtenances thereto belonging.*

In testimony whereof, president of the said company hath hereto set and affixed his signature, and the seal of the said company, at this day of one thousand eight hundred and

President,
(L. S.)

Contersigned and entered

Secretary.

I certify that this debenture was duly registered in the registry office for the county of in the district of on the day of one thousand eight hundred and at of the clock in the noon, in register page.

Registrar.