

crossing and ferrying the public over the said rivers, within a certain distance above and below the said bridges, as prayed for by the said company; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. So soon as the Richelieu, Drummond and Arthabaska Counties' Railway Company shall have constructed bridges across the rivers Yamaska and St. Francis, at the villages of Yamaska and Drummondville respectively, adapted to the passage of horses, vehicles and foot passengers, and as long as the same shall be passable and open for the use of the public, no person or company other than the Richelieu, Drummond and Arthabaska Counties' Railway Company, shall erect or cause to be erected any bridge or bridges, nor use, by way of ferry, any boat or vessel of any kind for the carrying of any person, cattle or vehicle whatsoever, for hire or otherwise, across either of the said rivers, within the distance of two miles above and two miles below either of the said bridges so constructed, or to be constructed by the said company; and if any person shall erect a bridge or bridges of any kind, or establish a ferry of any kind, or ferry over or upon either of the said rivers within the said limits, he shall pay to the said company triple the amount of tolls which the said company may have the right to impose under the provisions of their charter on all persons availing themselves of the said respective bridges of the said company, for each and every person, horse, cattle or other animal and vehicle which shall pass over any such bridge or ferry so erected, or established in contravention of this act.

When company shall have completed certain bridges, &c., they shall have exclusive right of conveyance across the rivers Yamaska and St. Francis within certain limits.

Liability of persons infringing said right.

2. If the municipalities of the parish of Yamaska and the village of St. Michel de Yamaska require it, the said company shall be bound to pay them each year an amount equal to that which they have until now received annually for the ferrys actually existing within their respective limits.

Certain municipalities may demand certain amounts from the company.

## C A P . X X X I .

**An Act to incorporate the Philipsburg, Farnham and Yamaska Railway Company.**

[Assented to 23rd December, 1871.]

**W**HEREAS Jonathan W. Eaton, Thomas R. Roberts, Malcolm R. Meigs, M.D., Robert McCorkill, P. L. G. Auger, Antoine Casavant, A. Beauchamp, J. B. Bourgeois,

Preamble.

E. Lafontaine, Nathaniel C. Fisk, F. X. Cadieux, Gaspard A. Massüe, Norbert Fagnant and Louis Marin, père, esquires, and others, have petitioned for incorporation as a company to construct the railway hereinafter described, and the construction of such railway would be of great benefit to the commerce and for the advantage of the several districts through which the said railway would pass, and would be of great utility, and would afford railway communication to a large section of country now without the same, and afford increased facilities for colonization; 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:

Certain persons incorporated.

1. Jonathan W. Eaton, Malcolm R. Meigs, M. D., Robert McCorkill, Nathaniel C. Fisk, Antoine Casavant, J. B. Bourgeois, advocate, E. Lafontaine, P. L. G. Auger, F. X. Cadieux, Gaspard A. Massüe, Norbert Fagnant, P. S. Gendron, M.P.P., Antoine Cabana, Euclide Roy, Louis Cusson, André Bélauger, George Casimir Dessaulles, William Willard Smith, Josiah Sandford Brigham and Thomas Russel Roberts, esquires, with all such other persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of "The Philipsburg, Farnham and Yamaska Railway Company."

Power to construct railway over a certain line,

2. The said company and their servants shall have full power and authority to lay out, construct, make and finish a double or single track iron or steel railway, of such width or gauge as the company sees fit, from the waters of Missisquoi Bay at some point in the parish of St. Armand west or village of Philipsburg, in the county of Missisquoi, with the right of extending the same to the province line in said parish, and running by way of Bedford and Farnham, in said county, in a northerly direction, on the east side of Yamaska river, and passing through the counties of Rouville, St. Hyacinthe, Bagot, Drummond, Richelieu, Yamaska and Nicolet, as far as the river St. Lawrence opposite Three Rivers, and shall also have power to construct the said railway in the town of St. Hyacinthe or in its neighborhood to the west of the said river Yamaska, if they think proper.

and branch roads.

Capital of the company.

3. The capital stock of the said company shall be the sum of one million dollars, (with power to increase the same as provided by the Quebec Railway Act, 1869), to be divided into twenty thousand shares of fifty dollars each, which amount shall be raised by the persons hereinbefore named, and such other persons and corporations as may become shareholders in such stock, and the

money so raised shall be applied in the first place towards the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards the making, completing and maintaining the said railway and other purposes of this act; provided always, that until the said preliminary expenses shall be paid out of the capital stock, it shall be lawful for the municipality of any county, city, town, township or parish interested in the railway, or otherwise, to pay out of the general funds of such municipality, such preliminary expenses, which sums shall be refunded to such municipality from the stock of the said company, or be allowed to them in payment of stock.

4. Jonathan W. Eaton, Malcolm R. Meigs, M.D., Robert McCorkill, P. L. G. Auger, Antoine Casavant, J. B. Bourgeois, advocate, E. Lafontaine, Nathaniel C. Fisk, F. X. Cadieux, Gaspard A. Massûe, Norbert Fagnant, P. S. Gendron, M.P.P., Antoine Cabana, Euclide Roy, Louis Cusson, André Bélanger, George Casimir Dessaulles, William Willard Smith, Josiah Sandford Brigham and Thomas Russel Roberts, esquires, are hereby constituted and appointed the first board of directors of the company, and any nine of them shall form a quorum for the transaction of business.

5. The said directors are hereby empowered to take all necessary steps for opening the stock books for the subscriptions of persons desirous of becoming shareholders in the said company, and all persons subscribing to the capital stock of the said company shall be considered proprietors and partners in the same, but shall be liable only to the extent of their stock therein.

6. All manufacturing or other corporations carrying on their operations, in whole or in part, within the counties traversed, or to be traversed by the said line of railway, whether incorporated by special act or under any general act, may subscribe for or otherwise acquire and may hold any number of shares of the capital stock of the said company, and may dispose of the same at pleasure.

7. When and so soon as one-tenth part of the said capital stock shall have been subscribed as aforesaid, and so soon as one-tenth part of the subscribed stock shall be paid up, it shall and may be lawful for the said directors or any nine of them, to call a meeting of the shareholders at such place in the city of St. Hyacinthe, and at such time as they may think proper, giving at least fifteen days' notice in both lan-

guages in one or more newspapers published in each of the judicial districts through which said railway passes, at which general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present either in person or by proxy, shall elect nine directors in the manner and qualified as hereafter provided, which said nine directors shall constitute a board of directors, and shall hold office until the first Monday of March in the year following their election.

Meetings for  
election of  
subsequent  
directors.

8. On the said first Monday of March, and on the first Monday of March in each year thereafter, shall be holden a general meeting of the shareholders of the said company, at the principal office of the said company, at which meeting, the shareholders shall elect nine directors for the then ensuing year, in the manner and qualified as hereinafter provided. And public notice of such annual general meeting shall be published in both languages fifteen days before the day of election, in one or more newspapers published in each judicial district, upon the line of the said railway, and the elections of directors shall be by ballot, and the persons so elected shall form the board of directors.

Quorum of  
directors.

9. Five directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided however, that no such person shall be elected a director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls on the said stock.

Form of  
conveyances.

Registration  
thereof.

Charges for  
registration.

10. All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form given in schedule A to this act subjoined, or in any other form to the like effect, and for the purposes of due enregistration of the same, all registrars in their respective counties, shall be furnished, by and at the expense of the said company, with a book, with copies of the forms given in the said schedule A, one to be printed on each page, leaving the necessary blanks to suit the circumstances upon each separate conveyance, and shall, upon the production and proof of the due execution of any such conveyance, enter the same in the said book without any memorial, and shall minute the enregistration or entry on the deed, and the registrar shall charge and receive from the said company, for all fees on every such registration, fifty cents and no more, and such enregistration shall be deemed to be valid in law, any statute or provision of law to the contrary notwithstanding.

**11.** The directors of the said company shall have the power, upon being duly authorized thereto by a vote of a majority of stockholders in the said company, present at any annual meeting in the month of March, for the purpose of electing directors, or at any special meeting called for the purpose, having had fifteen days' notice in both languages in one or more newspapers in each judicial district upon the line of the road, to issue their bonds made and signed by the president and vice-president of the said company, and countersigned by the secretary and treasurer, and under the seal of the said company, for the purpose of raising money for prosecuting the undertaking, and such bonds shall be and be considered to be privileged claims upon the property of the said company, and shall bear hypothec upon the said railway without registration; provided, however, that no such bonds, bearing such hypothec, shall be issued until after twenty-five per cent of the whole capital stock of the said company, as provided by this act, shall have been expended in and upon the said railway, and provided also that the amount raised upon such bonds shall not exceed three hundred and fifty thousand dollars, unless and until the capital stock shall be increased, and thereafter the amount of said bonds so to be issued, shall not exceed the proportion of sixteen thousand dollars for each mile in length of said road.

Power to issue debentures.

Hypothec without registration. Proviso.

Proviso.

**12.** The said company shall have power and authority 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, or any such bill of exchange, drawn, accepted or endorsed, by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the authority of a majority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority, until the contrary be shewn, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or the secretary or treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the board of directors, as herein provided and enacted.

Power to issue promissory notes.

Without individual responsibility.

**13.** The directors or a majority of them may supply the place or places of any of their number, from time to time, dying or declining to act as such directors, from among the several persons being subscribers for, or owning and holding shares in the said company, sufficient to qualify him or

Vacancies among directors.

them to act as directors as aforesaid, said director or directors so appointed to hold office till the next annual meeting, in the month of March following.

As to agree-  
ments with  
other com-  
panies.

14. It shall be lawful for the said company to enter into any agreement with any other railway company, for leasing the said railway or any part thereof or the use thereof, at any time or times, or for any period, to such other company, or for leasing from such other company any railway or part thereof, or the use thereof, or for the leasing or hiring any locomotives, tenders or movable property, and 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 railway, or movable property of either or 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 agreements shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof.

15. The said railway shall be commenced *bonâ fide* within two years and completed within six years from the date of the passing of this act.

## SCHEDULE A.

### FORM OF DEED OF SALE.

Know all men, by these presents, that I., A. B., of  
do hereby and in consideration of  
paid to me by the Philipsburg, Farnham and Yamaska  
Railway Company, the receipt whereof is hereby acknow-  
ledged, grant, bargain, sell and convey unto the said Phi-  
lipsburg, Farnham and Yamaska Railway Company, their  
successors and assigns, all that tract or parcel of land (*de-  
scribe the land*), the same having been selected and laid out  
by the said company for the purpose of their railway; to  
have and to hold the said land and premises, unto the said  
company, their successors and assigns for ever.

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

day of

Signed, sealed and delivered  
in presence of

A. B. (L. S.)