

of such rivers, or interfere with other lumber business done thereon, or the rights of proprietors.

10. The company may construct and maintain railways ^{Power to construct railways.} for the purpose of connecting the property or properties to be acquired and held by them under this act with any existing railway, and with any river or navigable water, at such points respectively, as the directors may deem most convenient for the said purposes of the said company, such railways to be run either by horse or steam power, as may be found most expedient, and shall have power also to construct all such other works and erections as shall be requisite to give effect to the full intent and meaning of this act; provided always, that such railways shall not exceed in all six miles in length, and shall not be built without the consent of the lieutenant-governor in council having been first obtained, and the order in council thereon duly published for one month in the Quebec Official Gazette. ^{Proviso.}

11. The several clauses of the Quebec Railway Act of 1869, passed during the thirty-second year of Her Majesty's reign, under the several heads of "Powers," "Plans and Surveys," "Lands and their valuation," and "Fences," shall be incorporated with this act and apply to the provisions of the preceding section. ^{Part of general railway act incorporated with this act.}

CAP. LI.

An Act to amend the Act Incorporating the Montreal Warehousing Company.

[Assented to 1st February, 1870.]

WHEREAS the Montreal warehousing company has, by ^{Preamble.} its petition, represented that it is necessary for the proper conduct and management of its affairs, that certain further powers be granted to it, for the insurance of goods entrusted to its safe-keeping and the making of promissory notes under certain circumstances; and has, by the said petition, prayed that its act of incorporation be so amended as to give it such powers; and, whereas it is expedient to grant its prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said company is hereby authorized to make contracts of insurance against all loss, damage or injury of the goods and effects entrusted to its safe-keeping, or upon which it may have made advances, to the full amount of the value of such goods and effects, and may obtain poli- ^{Company authorized to insure, in its own name, goods in its possession as bailee, and}

may recover
insurance as
owner thereof.

cies in the name of the company, evidencing such insurances, and shall have a right to recover from the insurers the full amount of damages or loss caused by any accident or casualty against which it shall have been insured, notwithstanding that it may not be interested in such goods and effects to the extent of such loss or damage, and notwithstanding that at the time of such insurance, and at the time of such accident or casualty, it was only bailee of such goods and effects, and it may sue for and recover the amount of such loss and damage, as owner of such goods and effects, and shall be deemed for the purpose of such recovery, to be owner of such goods and effects, any law, usage or custom to the contrary notwithstanding.

Company may
transfer, by
certificate, a
portion of the
policy, to
owner of cer-
tain goods;—
rights of owner
in such case.

2. The said Montreal warehousing company may also transfer, to the owners or pledgors of such goods and effects, its claim against the insurers under any such policy of insurance, to the extent of any amount agreed upon between the company and such owners or pledgors; and such transfer may be made by means of a certificate, signed by the company, purporting that the effects held by the company and mentioned in such certificate are insured under the policy, (describing it), to the amount agreed upon and set forth in the certificate, the loss upon which effects (if any) may be made payable to the holder or endorsee of such certificate, provided such holder or endorsee, be also at the same time the holder of the warehouse receipt representing such effects; and thereafter the right of action of the company, under the policy, shall be reduced by the amount mentioned in the certificate, and the holders of the certificate shall be entitled to recover from the insurers, who issued the policy, such amount of loss or damage, as the goods purporting to be insured may have suffered, and as may be recoverable under the policy.

Privilege, &c.,
for money ad-
vanced on
goods, to apply
to advances
made by nego-
tiating paper.

3. All the rights, powers and privileges belonging to the said company for moneys advanced, upon goods and effects in its possession, to the owners of such goods and effects, shall also avail to their benefit for advances made by means of promissory notes of the company, payable to the order of such owners, or obtained by means of the endorsement by the company of any negotiable paper, and the negotiation of such paper by or for the owners or holders of such goods and effects.

Sec. 21 of said
act, to be con-
strued so as to
assimilate
privilege of
company to
that of indi-
viduals.

4. Section twenty-one of the said act shall not be so construed as to give to any person holding a mortgage or lien upon goods and effects, or to any purchaser or pledgee of goods and effects upon which the company claims any privilege any greater, further or better right, as pledgee, mortgagee or purchaser, than such person, purchaser or pledgee, would have against any individual holding the privilege

claimed by the company. The true intent and meaning of the said section being that the respective rights of the company and of any such mortgagee, pledgee or purchaser shall stand in the same position towards each other as they would be, according to the laws of this province, in the case of individuals holding similar conflicting claims.

CAP. LII.

An Act to amend the Act of the 32nd Victoria, chapter 72, respecting the Cemetery of Notre-Dame des Neiges.

[Assented to 1st February, 1870.]

WHEREAS in and by an act passed by the Legislature of Quebec, in the thirty-second year of Her Majesty's reign, chapter seventy-two, the fabrique of the parish of Notre-Dame de Montréal were authorized to acquire by expropriation, land on both sides of the cemetery of Notre-Dame des Neiges; and whereas it is expedient to amend the provisions thereof, relating to such expropriation; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section eight of said act is hereby amended, so that the court or judge to whom the petition is presented for the appointment of commissioners shall make such appointment, as follows: one to be named by the fabrique, one by the interested parties, and the third by the said court or judge.

Sec. 8. of 32
Vic., chap. 72,
amended.

2. Section thirteen is hereby amended, and the examination and interrogatories shall be made *vivâ voce*, the witnesses being previously sworn before the said commissioners, any of whom is hereby authorized to administer the oath to such witness or witnesses.

Sec. 13 of the
same act,
amended.

3. The following words are added to the fifteenth section: "such commissioners so to be appointed shall, in the case of a vacancy occurring in the nomination made by the fabrique or the interested parties, be replaced upon the nomination to be made by the fabrique or the interested parties as the case may be."

Addition to sec.
15 of the said
act.

4. The powers of expropriation and all provisions relating thereto in the said act, are hereby limited to three years from the passing of this act; after the expiration of which time all the provisions of the said act and of the present amending the same, relating to such expropriation, shall be inoperative and repealed.

Powers of ex-
propriation
limited.

