



## CHAPTER 7

An Act respecting the ferry service between the Island of Orleans and the city of Quebec

[Assented to, the 18th of May, 1935]

**W**HEREAS in virtue of a contract entered into on the 16th of January, 1925, between the Municipality of the County of Montmorency No. 2 and *La Traverse de l'Île d'Orléans, Limitée*, the latter undertook, on the conditions stipulated in such contract, to maintain a regular ferry service between the Island of Orleans and the city of Quebec, until the 1st of January, 1945;

Whereas the said contract was ratified by the act 15 George V, chapter 150, and is still in force;

Whereas under the act 15 George V, chapter 5, the Lieutenant-Governor in Council was authorized to grant annually, for a period of twenty years, a subsidy of four thousand dollars to the corporation of the Municipality of the County of Montmorency No. 2, in order to assist the establishment and maintenance of the regular ferry service above mentioned, and such subsidy was granted by the Lieutenant-Governor in Council under an order bearing No. 564, dated the 24th of April, 1925;

Whereas the Government of this Province has undertaken the construction of a bridge over the north channel of the St. Lawrence river, between the Island of Orleans and the Beaupré shore, and the use of the said bridge will render the carrying on of a regular ferry service between such island and the city of Quebec more onerous for the company which is bound to carry on such service until the 1st of January, 1945;

Whereas the continuance of such a service is warranted notwithstanding the construction of the bridge aforesaid and for such purpose the parties to the contract of the 16th

of January, 1925, entered into a new contract on the 18th of December, 1934, amending the original contract, with a view to rendering less onerous the obligations assumed thereunder by the company, *La Traverse de l'Île d'Orléans, Limitée*; and

Whereas it is expedient that the Legislature of this Province do ratify and validate the aforesaid contract of December 18th, 1934, in order to give effect to the modifications made thereby to the original contract already validated by the Legislature; the said contract of December 18th, 1934, not to come into force and effect, however, until the opening of the above-mentioned bridge to traffic;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Validation  
of certain  
amended  
contract.

**1.** Subject to the provisions of the following paragraph of this section, the contract entered into between the Municipality of the County of Montmorency No. 2 and *La Traverse de l'Île d'Orléans, Limitée*, on the 18th of December, 1934, (reproduced as a Schedule to this act), amending the contract originally passed between the same parties on the 16th of January, 1925, and ratified by the act 15 George V, chapter 150, is hereby ratified, confirmed and declared valid for all legal purposes, striking therefrom the words "including the paid-up capital of the company", and the said original contract, as so amended, shall, for all intents and purposes, take the place of and be substituted for the original contract.

Coming into  
force of such  
contract.

The said contract of the 18th of December, 1934, shall come into force and effect only from and after the date of the opening to traffic of the bridge over the north channel of the St. Lawrence river, between the Island of Orleans and the Beauré shore.

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## SCHEDULE

ON the eighteenth day of the month of December in the year one thousand nine hundred and thirty-four,

BEFORE Claude Taschereau, Notary Public for the Province of Quebec, practising in Quebec,

## APPEARED:

THE MUNICIPALITY OF THE COUNTY OF MONTMORENCY No. 2, (Island of Orleans), a legal corporation herein represented by Mr. J. P. Blais, Warden, duly authorized for the purposes hereof under a resolution passed at a meeting of the members of the County Council, held on the twelfth day of the month of December one thousand nine hundred and thirty-four; a certified copy of which resolution has been attached to the minute hereof, after having been signed by the parties and the undersigned notary, for identification, party of the first part,

*Hereinafter called the Municipality,*

## AND

LA TRAVERSE DE L'ILE D'ORLÉANS, LIMITÉE, a body politic and corporate having its principal place of business in Quebec, herein represented by the Rev. Abbé Joseph Paradis, its secretary, duly authorized for the purposes hereof under a resolution adopted at a meeting of the directors, held on the fourteenth day of the month of December one thousand nine hundred and thirty-four; a certified copy of which resolution has been attached to the minute hereof, after having been signed by the parties and the undersigned notary, for identification, party of the second part,

*Hereinafter called the Company,*

Which parties have declared and covenanted between themselves as follows, to wit:

Whereas by the terms of a contract passed before Claude Taschereau, notary, on the sixteenth of January, one thousand nine hundred and twenty-five, the parties made certain covenants respecting the operating of a ferry service between the Island of Orleans and the city of Quebec;

Whereas, through the construction that the Government of the Province of Quebec is now carrying on of a bridge to connect the Island of Orleans with the north shore of the River St. Lawrence, the conditions imposed on the company by the aforesaid contract have become too

burdensome and the parties wish to change them in the manner hereinafter stated.

Therefore, these presents witness that the above contract is modified in the manner following, to wit:—

1. The clause (a) of the Second Paragraph of such contract is replaced by the following:

“To operate a boat of sufficient size to accomodate the public properly at normal times, in the event of circumstances compelling the company, through lack of reasonable traffic, to no longer maintain a boat of the size and tonnage of that which it now operates.”

2. Clause (b) of the Second Paragraph of the said contract is replaced by the following:

“To keep such a boat until the first of January, one thousand nine hundred and forty-five, date of the expiration of the contract, and to operate it as long as the needs of normal traffic may justify it, without affecting the financial position of the company.”

3. Clause (h) of the Second Paragraph of the said contract is replaced by the following:

“To have the boat insured to guarantee the payment of the bonds.

“To declare no dividend on the capital-stock of the company, during the existence of the contract, if such dividend will have the effect of reducing the surplus of assets over liabilities, including the paid-up capital of the company, to a sum lower than fifty-four thousand dollars (\$54,000.00)”.

4. It is agreed by the parties hereto that they shall jointly apply to the Quebec Legislature for an act to ratify and confirm the present contract, and the by-law set forth in the attached schedule, the company hereby undertaking to pay all the fees, including the publishing and printing necessary for the passing of an act to such effect.

Done and Passed at Quebec, on the day and year above stated, under the number four thousand seven hundred and sixty-two of the minutes of the undersigned notary.

In Witness whereof, the parties have signed with the said notary, after due reading.

(Signed) THE MUNICIPALITY OF THE COUNTY OF  
MONTMORENCY, No. 2

per J. P. BLAIS, *Warden*.

“ LA TRAVERSE DE L'ILE D'ORLÉANS, LIMITÉE,  
per JOSEPH PARADIS, *Priest*,

“ CLAUDE TASCHEREAU, *N.P.*

True copy of the minute remaining of record in my office.

CLAUDE TASCHEREAU, *N.P.*

Province of Quebec,  
County of Montmorency No. 2.

### RESOLUTION

Contract between the Island and *La Traverse de  
l'Ile d'Orléans, Ltée.*

Whereas the conditions under the contract between the Island and the Island Ferry have been changed by the construction of a bridge.

Whereas it is necessary to modify such contract to protect the company, it was moved by Mr. A. Paquet, mayor of St. Jean, seconded by Mr. Alm. Blouin, mayor of Ste. Famille, that clauses A, B and H be amended in the following sense:

For clause A. To operate a boat of sufficient size to accomodate the public properly and comfortably at normal times, in the event of circumstances compelling the company, through lack of reasonable traffic, to no longer maintain a boat of the size and tonnage of that which it now operates.

For Clause B. To keep such a boat until the first of January, one thousand nine hundred and forty-five, date of the expiration of the contract, and to operate it as long as the needs of normal traffic may justify it, without endangering the financial position of the company.

For Clause H. To declare no dividend on the capital-stock of the company, during the existence of the present contract, if such dividend will have the effect of reducing the surplus of assets over liabilities to a sum lower than \$54,000.00.

That the Warden be authorized to carry this resolution into effect, *i. e.* to sign the said changes on behalf of the County.

Further, the County Council, on the motion of Mr. A. Paquet, requests that the company, in the event of its realizing a sum from the sale of boat, shall deposit such sum in a bank as a guarantee to the County Council.

Adopted.

JOSEPH PRUDENT BLAIS,

JOSEPH AUBIN, *Secretary.*

True copy of the minutes passed on the 12th of December, 1934.

(Signed) J. P. BLAIS, *Warden.*

This is the resolution passed by the Municipality of the County of Montmorency No. 2, referred to in the hereto annexed contract, between the latter and *La Traverse de l'Île d'Orléans, Limitée*, executed before Claude Taschereau, the undersigned notary, on the eighteenth day of the month of December, one thousand nine hundred and thirty-four.

Signed: "J. P. BLAIS, *Warden.*"  
 " "JOSEPH PARADIS, *Priest.*"  
 " "CLAUDE TASCHEREAU, *N.P.*"

True copy of the original remaining of record in my office.

CLAUDE TASCHEREAU, *N.P.*

LA TRAVERSE DE L'ÎLE D'ORLÉANS, LIMITÉE

Extract from the minutes of the meeting of the Board of Directors, held on the fourteenth of December, one thousand nine hundred and thirty-four.

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It was moved by Mr. Joseph Emond and seconded by Mr. Napoléon Gagnon, that the draft modification of the contract between this company and the Municipality of the County of Montmorency No. 2, prepared by Mtre. Claude Taschereau, notary, containing the following changes, be approved:

Change in clause A of the 2nd paragraph of the said contract, the following text:

"To operate a boat of sufficient size to accomodate the public properly and comfortably at normal times, in the event of circumstances compelling the company, through lack of reasonable traffic, to no longer maintain a boat of the size and tonnage of that which it now operates".

And, as amendment to clause B, the following text:

"To keep such a boat until the first of January, one thousand nine hundred and forty-five, date of the expiration of the contract, and to operate it as long as the needs of normal traffic may justify it, without endangering the financial position of the company".

Lastly, as amendment to clause H of the said paragraph, the following text, being the same as the said clause except the amount \$125,000.00.

“To declare no dividend on the capital-stock of the company, during the existence of the present contract, if such dividend will have the effect of reducing the surplus of assets over liabilities to a sum lower than fifty-four thousand dollars (\$54,000.00)”.

And that the secretary of the company, Rev. *Abbé* Joseph Paradis, priest, be authorized to sign the said changes on behalf of the company before the said Notary Claude Taschereau, and that application be made to the Legislature to obtain ratification of the present changes.

True copy,

Signed: “JOSEPH PARADIS, *Priest*”.

*Secretary.*

This is the resolution passed by the directors of *La Traverse de l'Ile d'Orléans, Limitée*, referred to in the annexed contract between the latter and the Municipality of the County of Montmorency No. 2, executed before Claude Taschereau, the undersigned notary, on the eighteenth day of the month of December, one thousand nine hundred and thirty-four.

“Signed: “JOSEPH PARADIS, *Priest*”.

“ “J. P. BLAIS, *Warden*”.

“ “CLAUDE TASCHEREAU, *N.P.*”

True copy of the original remaining of record in my office.

CLAUDE TASCHEREAU, *N.P.*