



CHAPTER 125

An Act to amend the charter of the Levis Tramways Company

[Assented to, the 19th of February, 1932]

WHEREAS the Levis Tramways Company has, by its Preamble. petition, prayed for the passing of an act to amend its charter, the act 9 George V, chapter 119, and it is expedient to grant the prayer contained in the said petition;

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

1. Section 5 of the act 9 George V, chapter 119, is re-9 Geo. V, c. 119, s. 5, placed by the following: replaced.

"5. The annual meeting of the shareholders shall be Annual held on the date and at such place as may be fixed by the meeting. board of directors."

2. Section 6 of the act 9 George V, chapter 119, is re-9 Geo. V, c. 119, s. 6, placed by the following sections: replaced.

"6. The company may acquire, own, hold and operate Powers of the railway now owned by The Levis County Railway as company. the same now exists, and as operated, and may run any kind or kinds of cars thereon by means of electricity or other mode of locomotion, or carry on any other operation of transportation by land or water in the counties of Levis, Dorchester and Beauce as well as in the municipalities of Bergerville and Sillery, except that in the last two municipalities, the company cannot extend its tramway service east of the present terminus of the Quebec County Railway Company. The above-mentioned powers may also be exercised within the limits of the city of Quebec, but only from and to a stopping point, without the com-

pany being entitled to do any local transportation within the limits of the said city. The above operations shall, however, be subject to the approval and permission and under the control of the Quebec Public Service Commission. The company may also acquire all or any of the property, real and personal, moveable and immoveable, assets, rights, privileges and franchises, whether derived from the charter of The Levis County Railway, or granted by municipal or other corporations or persons, or otherwise acquired, presently belonging to or enjoyed by The Levis County Railway, including the agreements and covenants contained in schedules A, B and C annexed to the act incorporating The Levis County Railway, 6 Edward VII, chapter 68.

Validation
of certain
agreements.

The amendments respectively made to the said agreements and covenants by the resolutions of the council of the city of Levis of the 2nd of April, 1918, the 8th of April, 1918, and the 25th of November, 1918, annexed to the act 9 George V, chapter 119, as schedule A; the resolutions of the council of the town of Lauzon, of the 26th of April, 1918, and the 9th of May, 1918, annexed to the said act as schedule B; the resolution of the council of the village of Bienville, of the 22nd of April, 1918, annexed to the said act as schedule C; and the resolution of the council of the parish of St. Romuald d'Etchemin, of the 30th of April, 1918, annexed to the said act as schedule D, are hereby ratified and declared valid and binding upon the several municipalities. Alterations and additions to the said agreements, covenants and amendments may be made from time to time and new agreements entered into with all or any of the said municipalities or with other municipalities or corporations, with the authorization or approval and permission and under the control of the Quebec Public Service Commission.

Alterations,
etc.

Additional
powers.

“6a. The company may acquire, own and operate omnibusses, auto-cars, autobusses, taxicabs, motor trucks or any other motor vehicle of any kind whatsoever, for the transportation of passengers and merchandise for a pecuniary consideration, in the counties of Levis, Beauce and Dorchester, as well as in the municipalities of Bergerville and Sillery, and within the limits of the city of Quebec, as provided in section 6, with the approval and permission and under the control of the Quebec Public Service Commission.

Idem.

The company may also acquire all or any of the property, real and personal, moveable and immoveable, assets, rights, privileges and franchises of any transportation company conveying passengers and merchandise by motor

vehicle, or of any person doing such business or carrying on the same industry, and purchase, sell or own motor vehicles and their accessories, or purchase, sell, by wholesale or retail, gasoline (*essences*) and lubricants, or their by-products; acquire, own, construct or lease garages, stores, service stations, waiting-rooms, sheds, or acquire, own, exchange, purchase, sell or lease any moveable and immoveable property, rights or privileges, franchises, property personal and real, for the purposes of its operation.

The company may also acquire, own, hold and operate all or any of the property, real and personal, moveable and immoveable, assets, rights, privileges and franchises, of any company or person carrying on or authorized to carry on the business of transportation of passengers and merchandise by water, between the counties of Bellechasse, Levis, Dorchester, Beauce and Lotbinière, and the city of Quebec, with the approval and permission and under the control of the Quebec Public Service Commission, and perform any operation generally connected with the exploitation of a transportation company by water.”

3. Section 7 of the act 9 George V, chapter 119, is replaced by the following:

“**7.** The company shall have power to extend the said railway, when it shall have acquired the same, and to operate it as aforesaid as well as any land or water operations, in the city of Levis and in and between any of the various municipalities of the counties of Levis, Dorchester and Beauce, and in the municipalities of Sillery and Bergeville, except that in the last two municipalities the company cannot extend its tramway service east of the present terminus of the Quebec County Railway Company, and within the limits of the city of Quebec, in accordance with the provisions of section 6 of this act, the whole subject to the approval and permission and under the control of the Quebec Public Service Commission. The municipal councils of the above-mentioned municipalities and cities are hereby authorized to exempt by resolution the company from taxation on the said railway and its property, or any extension of the railway or property acquired, in the future, for such period of time, not exceeding forty years, as they shall deem advisable, and to grant it such privileges and advantages as they may deem in the interest of the population of the municipality. For any roads which may be under the control of any person or corporation other than the municipalities through which they run, or of the Crown, the company may make arrangements with those in such

9 Geo. V, c.
119, s. 7,
replaced.
Additional
powers.

control for the location, construction, maintenance and right of way of its railway as well as for the maintenance of the roads on which the said railway is or shall be built. The company may build and operate branches for facilitating the operation of the main line or acting as feeders to it, and also all switches and sidings required."

9 Geo. V, c.
119, s. 8,
replaced.

4. Section 8 of the act 9 George V, chapter 119, is replaced by the following:

Fares, etc.,
on railway,
etc.

"**8.** The company may charge such fares, tolls and rates on its railway, or on any other land or water transportation, as shall be determined and fixed by the Quebec Public Service Commission."

9 Geo. V, c.
119, s. 9,
replaced.

5. Section 9 of the act 9 George V, chapter 119, is replaced by the following:

Amalgama-
tion.

"**9.** The company, with the approval and permission and under the control of the Quebec Public Service Commission, may amalgamate with any other tramway or railway company or with any other company or person carrying on transportation by land or water."

9 Geo. V, c.
119, s. 10,
replaced.

6. Section 10 of the act 9 George V, chapter 119, is replaced by the following:

Arrange-
ments with
other com-
panies for:

"**10.** The company is authorized to enter into arrangements with other tramway or railway companies or with any other company doing the business of transportation by land or water:

Passage of
cars, etc.;

1. For the passage of its cars and the running of its trains over any tramway or railway which its lines may cross or with which it may connect, as well as for the running of the trains of any other tramway or railway or company carrying on transportation by land or water over its lines;

Acquisition
of branch
lines;

2. For acquiring branch lines of transportation companies, by land or water;

Facilitating
connections;

3. For facilitating connections between its own and any other tramway or railway or with any other company doing the business of transportation by land or water;

Acquisition
of rights,
etc.

4. For acquiring the ownership, powers, rights, franchises and privileges as well as the rolling-stock of other tramway or railway companies or company carrying on transportation by land or water and for leasing any other tramway or railway, or other transportation concern by land or water, wholly or in part."

7. Section 11 of the act 9 George V, chapter 119, is re-9 Geo. V, c.
placed by the following: 119, s. 11,
replaced.

"11. The company is further authorized to make ar-Additional
rangements with any other tramway, railway, electric or powers.
transportation company by land or water, for transferring
its property, franchises, rights and powers, in whole or in
part, to it, or acquiring those of the said other company or
amalgamating together on such conditions as the respective
directors of both companies may deem expedient; but the
decisions of the board of directors must be ratified by the
majority in value of the shareholders present or repre-
sented by proxy at an annual general meeting or at a
special meeting called for the purpose. The company may
acquire by purchase or otherwise shares of any company
manufacturing electric power, or in any tramway or rail-
way, or in any other company carrying on transportation
by land or water; it may purchase water-powers for the
generation of electric power and light, whether such water-
powers are developed or are undeveloped; but the fran-
chises of the company cannot be transferred without the
approval of the Quebec Public Service Commission."

8. Section 14 of the act 9 George V, chapter 119, is re-9 Geo. V, c.
placed by the following: 119, s. 14,
replaced.

"14. Notwithstanding any provisions to the contrary Tax exemp-
or the omission of any provision authorizing it so to do, tion by cer-
any corporation of a city, town, village, county or parish, tain cor-
or any municipality interested in the construction or opera- porations.
tion of the said railway may, by resolution of its council,
grant it or any other company carrying on transportation
by land or water exemption from taxation and other
advantages; and the councils of such various municipalities
are hereby authorized to make such arrangements with the
company as they may deem advantageous for facilitating
and securing the construction or operation of the road.
But in the case of any grant of a bonus, either in money or Approval.
otherwise, the by-law or resolution authorizing the same
shall be approved by the municipal electors in accordance
with articles 372 to 387 of the Quebec Municipal Code or
with sections 379 to 410 of chapter 102 of the Revised
Statutes, 1925, (Cities and Towns' Act), as the case may
be, and by the Lieutenant-Governor in Council.

9. Section 18 of the act 9 George V, chapter 119, is re-9 Geo. V, c.
placed by the following: 119, s. 18,
replaced.

"18. Notwithstanding anything in this act contained, Power to
in default of the company and the respective municipalities continue

operation,
etc., of
system.

of Levis, Bienville, Lauzon and St. Romuald d'Etchemin and any other municipality mutually agreeing to renew the agreements and covenants cited in section 6 hereof, or any others entered into, at or before the expiration of the same, the company shall have the right, with the approval and permission and under the control of the Quebec Public Service Commission, to continue to operate and maintain its system in each of the said municipalities as if it were operating there without agreement with that municipality."

9 Geo. V, c.
119, s. 22,
replaced.

10. Section 22 of the act 9 George V, chapter 119, is replaced by the following:

Provisions
not ap-
plicable.

"**22.** The Municipal Franchise Act (Revised Statutes, 1925, chapter 118); sections 65 to 70, both inclusive, sections 130 to 135 both inclusive, subsection 1 of section 137, section 138 except sub-paragraphs *a*, *b* and *d* of subsection 1 thereof, section 141, subsection 1 of section 150, sections 155, 156, 157, 179 and 180 and subsection 2 of section 240 of the Railway Act (Revised Statutes, 1925, chapter 230) shall not apply to the company, notwithstanding any law to the contrary, and notwithstanding the contracts which the parties may have signed."

Rights, etc.,
not affected.

11. None of the powers conferred upon the company by this act shall affect the rights and privileges enjoyed by the Levis Ferry Company, Limited, under any act or contract whatsoever, and no amendments enacted by this act shall be deemed to deprive the Levis Tramways Company of the right to operate its tramways in the county of Bellechasse or to deprive it of the rights or privileges which the Levis Tramways Company previously possessed under any act whatsoever, insofar as such rights and privileges previously acquired are not inconsistent with the provisions of this act.

Rights safe-
guarded.

12. Nothing in this act contained shall authorize the company to operate a ferry service on the St. Lawrence river in opposition to the rights conferred upon the cities of Quebec and Levis and the joint committee, by their respective charters, which service shall remain subject to the charters of the two cities.

Coming into
force.

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