

C H A P . 13

An Act to grant certain powers to the Quebec Streams Commission, relating to the storing of the waters of Lake Kenogami

[Assented to 9th February, 1918]

Preamble.

WHEREAS the Quebec Streams Commission recommends the construction of works required for the storing of the waters of Lake Kenogami and its tributary lakes and rivers in order to better regulate the flow thereof; and

Whereas it is in the public interest to carry out the said recommendation, and to grant the commission the powers necessary for that purpose;

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

Authoriza-
tion to do
work.

1. The Quebec Streams Commission, after having deposited in the Department of Lands and Forests all the plans and specifications necessary to precisely indicate the work which it wishes to undertake under the authority of this act, and the probable cost thereof, may be authorized by the Lieutenant-Governor in Council to do the work necessary for the erection of storage dams or other works in Lake Kenogami and in the Chicoutimi and Au Sable rivers, for the purpose of storing the waters of such lakes and rivers and of their tributary lakes and rivers, and of regulating their flow, both from the point of view of the lessening of floods, and for the better utilization of the water-powers to be obtained from such lakes and rivers and their tributaries.

Tenders,
contracts,
&c.

2. The commission shall give out the works authorized by this act, by means of tenders and contracts, after public advertisements and notice that the plans and specifications have been deposited in the office of the commission for examination.

Contract.

The giving out of the work shall be evidenced by a contract which shall be awarded to the contractor making the lowest tender, and who also, in the opinion of the commission, has sufficient ability, experience and means to do the work properly.

Proviso.

Nevertheless, no contract shall be entered into by the commission except with the approval of the Lieutenant-Governor in Council.

3. 1. The commission may, with the approval of the Lieutenant-Governor in Council, acquire, either by mutual agreement or by expropriation: Acquisition of certain dams, etc.

a. The existing dams and works at lake Kenogami in the Chicoutimi river and the Rivière Au Sable;

b. All the immoveable property required for the carrying out and upkeep of the work it is authorized by this act to execute;

c. All the immoveable property that may be flooded or otherwise affected through the execution and upkeep of the said works;

d. All the immoveable property required for the making of public or private roads to give access to the said works or to replace roads flooded or otherwise destroyed or damaged;

e. All the immoveables required for establishing the necessary servitudes;

f. All the servitudes, real rights, rights conferred by the Legislature, rights resulting from contracts, and all other rights of any kind whatsoever.

2. Every expropriation under this act shall be effected in accordance with the Quebec Railway Act, and the Superior Court of the district or a judge of that court may grant immediate possession on such conditions as it or he may deem advisable.

3. When it is necessary to expropriate only a piece of a lot, whether cadastral or not, the commission, with the consent of the Lieutenant-Governor in Council, may acquire the whole of such lot and afterwards sell such portions thereof as it does not require.

4. So soon as the plans and specifications mentioned in section 1 are deposited, it shall be the duty of the commission, after hearing the parties interested, to submit to the Minister of Lands and Forests: Documents to be submitted to Minister.

a. All forms of contracts to be entered into between the commission and any person, company or association, who may benefit by the works for the storing and regulating of the waters coming within the scope of this act;

b. A general tariff fixing the rates, prices and conditions which may be demanded from or imposed upon any person, company or association, as regards any matter not governed by the contract mentioned in paragraph *a*, for the use of the said waters.

No contract passed in virtue of paragraph *a* shall have any force or effect until approved by the Lieutenant-Governor in Council. Approval by Lt.-Gov. in C.

The tariff to be established in virtue of paragraph b, after having been approved by the Lieutenant-Governor in Council, shall not come into force until published in the *Quebec Official Gazette*.

Government loans.

5. To ensure the construction of the works and the acquisition of the immoveables coming within the scope of this act, the Lieutenant-Governor in Council may authorize the Provincial Treasurer to contract, from time to time, such loan or loans as he thinks necessary, but the loan or loans so contracted shall not exceed the sum of one million eight hundred thousand dollars.

The said loan or loans may be effected by means of debentures or inscribed stock issued for a term of not more than fifty years, and at a rate of interest of not more than five per cent per annum.

The said debentures or inscribed stock shall be in the form and for the amount that the Lieutenant-Governor in Council may determine, and shall be payable, in principal and interest, annually or semi-annually, at the place mentioned by him.

The debentures or inscribed stock issued under this act shall not be subject to the duties imposed by the Quebec Succession Duties Acts.

Provisions applicable.

6. Sections 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of the act 3 George V, chapter 6, shall apply, *mutatis mutandis*, to the present act, as if they had been specially enacted therefor.

Certain property not to be expropriated.

7. Nothing in this act shall authorize the commission to acquire by expropriation any of the property or rights mentioned in section 3 of this act, belonging to the companies called "The Jonquieres Pulp Company" and "Price Brothers & Company, Limited."

Coming into force.

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