

C H A P . 100

An Act to amend the act incorporating the "Matane and Gaspé Railway Company"

[Assented to 27th April, 1909]

Preamble.

WHEREAS, the Matane and Gaspé Railway Company has, by its petition, represented that it is desirable that its charter, the act 2 Edward VII, chapter 60, amended by the act 6 Edward VII, chapter 61, should be further amended and where as it is expedient to grant such prayer ;

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

New name of company.

1. The company shall hereafter be called: "The Canada and Gulf Terminal Railway Company," instead of the "Matane and Gaspé Railway Company."

2 Ed. VII, c. 60, s. 2, replaced.

2. Section 2 of the act 2 Edward VII, chapter 60, as amended by the act 6 Edward VII, chapter 61, section 1, is replaced by the following :

Route of railway.

"**2.** The company shall have the power to construct and operate:

a. A line of railway from a point of intersection with the Intercolonial Railway of Canada, at or near Ste. Flavie, and proceed in an easterly direction, following as much as possible the maritime road, to a point in the county of Matane, at or near the village of Matane, proceeding thenceforth up the valley of the Matane river, to a point at or near the head waters thereof ; thence in a northeasterly direction, in the rear of the townships of St. Denis, Cherbourg, Dalibaire and Romieu, in the county of Matane, and the townships of Cap Chat, Tourelle, Christie and Duchesnay, in the county of Gaspé, to a point in the rear of any one of the last named three townships and from such point to the village of Mont Louis in the county of Gaspé, following the most direct and feasible route through such territory ; thence to Gaspé Basin, in the county of Gaspé, following the maritime road as much as possible ; or, as an alternative to the latter part of this route, to proceed from the said point on its line, in the rear of the townships, called : Tourelle, Christie, or Duchesnay, by the most feasible and direct route, to Gaspé Basin ;

b. Proceeding from a point on its line at or near the village of Matane in the county of Matane, in an easterly direction, following as much as possible the maritime road, to the village of Mont Louis in the county of Gaspé, with the right to construct a branch line up the valley of the St. Anne river, to

a point of junction with its line in the rear of the townships of Tourelle, Christie, or Duchesnay in the county of Gaspé ;

c. A line of railway from a point of intersection with the Intercolonial Railway, at or near Ste. Flavie, following the most direct and feasible route, to a point of junction with the National Transcontinental Railway in the counties of Temiscouata or Kamouraska ;

d. A line of railway from a point on its line at or near Ste. Flavie on the Intercolonial Railway, proceeding in a westerly direction to the town of Rimouski, and thence southward up the valley of the Rimouski river, to a point of junction with its line between Ste. Flavie and the National Transcontinental Railway.”

3. Sections 4 and 5 of the act 2 Edward VII, chapter 60, Id., ss. 4 and 5, replaced. are replaced by the following :

“ **4.** The capital stock of the company shall be four million dollars, divided into shares of one hundred dollars each and it may be increased at pleasure in the manner provided by paragraph 19 of article 5132 of the Revised Statutes. It shall be lawful for the company to receive as aid any lands or other real or personal property or any sum of money, either as gifts or grants or by way of bonus, or in the payment of stock ; and the majority of the directors may dispose of or alienate the said lands and other real or personal property for the purposes of the company.”

4. Section 11 of the said act, is replaced by the following : Id., s. 11, replaced.

“ **11.** The chief place of business and the head office of the company shall be in the city of Quebec, or in any other place in the Province of Quebec fixed by the board of directors,” and such change shall be advertised in the *Quebec Official Gazette*. Chief place of business.

5. Paragraph 2 of section 6 of the said act is replaced by the following : Id., s. 6, amended.

“ 2. While in office, they shall have power and authority to fill vacancies which may arise in the board, to open stock books and have stock taken in the company, to call up and cause to be paid up instalments on the stock subscribed, to issue bonds or debentures, to subscribe, endorse, draw and accept promissory notes and bills of exchange, and to commence and carry on the building and working of the said railway.” Powers of provisional directors.

6. Section 7 of the said act is replaced by the following : Id., s. 7, replaced.

“ **7.** The first general meeting of the shareholders for the First general meeting.

Notice there-
of. ~~of. of. of. of.~~
Subsequent
general
meetings,
&c.

election of directors, shall be held on the first Wednesday, in June, in the parish of Matane, at the place and hour specified in the notice calling such meeting. Such notice shall be inserted in two newspapers published in the city of Quebec in the French and in the English languages during two weeks previous to the meeting. All subsequent general meetings of shareholders shall be held on the first Wednesday in September of each year, but the place and hour shall be fixed by the board of management. The other meetings of the shareholders shall be announced and held according to the by-laws of the company."

Id., s. 10,
replaced.
Replacing of
directors.

7. Section 10 of the said act is replaced by the following :
" 10. Notwithstanding paragraph 3 of article 5134 of the Revised Statutes, the directors or the majority of them may replace directors who are deceased or have refused to act, by shareholders duly qualified to be directors. The directors so appointed shall remain in office until the ensuing election in September."

Id., s. 13 re-
placed.
Borrowing of
money, ~~and~~
bonds, &c.

8. Section 13 of the said act is replaced by the following :
" 13. The directors of the company are authorized to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain and work the railway ; to issue mortgage bonds, bearing the seal of the company and signed by the president or other officer acting as president and countersigned by the secretary. Such bonds shall be payable in such manner, at such places, in Canada or elsewhere, and bear such rate of interest as the directors may fix, and the latter may sell or pledge the same at such price and on such terms and conditions as they may deem expedient. The amount of such bonds shall not exceed thirty thousand dollars per mile for mileage under construction or under contract for construction."

Proviso.

Id., art. 13a,
13b, enacted.
Certain obli-
gations, &c.,
continue in
force.

9. The following is inserted in the said act after section 13 :
" 13a. The notes, bonds, obligations, undertakings, covenants subscribed and accepted, endorsed or consented to, and by-laws and resolutions passed by the said company, up to the time of the coming into force of this act, shall continue to be in force and have their legal effect."

Certain
grants, &c.,
payable to
company un-
der new
name, &c.

13b. All grants, bonuses, aid or subsidies, either in lands or monies or otherwise voted or granted to the company by the Provincial or Federal Governments or by various municipalities, shall be payable to the "Canada and Gulf Terminal Railway Co" as if granted or voted to that company, and all

contracts or undertakings in respect to such grants, bonuses, aid or subsidies shall be completed and executed under the name of the "Canada and Gulf Terminal Railway. Co."

- 10.** This act shall come into force on the day of its sanction. Coming into force.

CHAP. 101

An Act respecting the North Eastern Railway Company

[Assented to 27th April, 1909]

WHEREAS the North Eastern Railway Company has, by Preamble. its petition, prayed for the passing of an act to amend its charter, the act 6 Edward VII, chapter 64, and whereas it is expedient to grant the prayer to that effect 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 18 of the act 6 Edward VII, chapter 64, is replaced by the following :

" **18.** Paragraph 3 of article 5176 of the Revised Statutes is replaced, for the company, by the following :

" 3. The company shall commence the construction of its railway within three years from the sanction of this act and shall complete it within ten years from the sanction of this act, and if the said railway is not so commenced and completed and put in operation within the said delays respectively, the power of building conferred upon the company shall lapse and become null and void."

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