

CH A P. 84

An Act to incorporate the Temiscamingue, Chibougamou and James Bay Railway Company

[Assented to 14th March, 1907]

Preamble.

WHEREAS the Honorable Edouard B. Garneau, Legislative Councillor, of the city of Quebec; Gaspard DeSerres, alderman and financial agent of the city of Montreal; J. Marcellin Wilson, merchant; Gaston Maillet, dentist, both of the city of Montreal; and John A. Kelly, broker, of the city of New York, in the State of New York, in the United States of America, have presented a petition praying that a company be incorporated for the purpose of locating, constructing and operating two lines of railway as hereinafter described, and representing that such lines of railway would develop territories actually inhabited;

Whereas the development of these new territories would be a source of great benefit to all the rest of this Province;

Whereas 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:

Persons incorporated.

1. The persons above named, together with all such other persons, firms and corporations as may hereafter become shareholders in the company, are hereby constituted a body corporate and politic under the name of "The Temiscamingue, Chibougamou and James Bay Railway Company," hereinafter called the company.

Name.

Provisional directors.

2. The persons mentioned in the first section of this act shall be the provisional directors of the company.

Head office.

3. The head office of the company shall be at Montreal or at such other place in the Province of Quebec as the company by by-law shall determine.

Company may lay out two lines of railway, &c.

4. The company may lay out, construct and operate two lines of railway of the standard gauge of four feet eight and one-half inches as follows:—

Route of first line.

1. Commencing at a point on the east side of Lake Temiscamingue, in the Province of Quebec, and following a north-easterly direction to the Harricanaw river, thence along the valley of the said river to James Bay, with a branch line from the source of the Harricanaw river to Lake Manouan

2. Commencing at Lake Manouan in the county of Cham-Route of
plain, and running in a north-eastern direction to Lake second line.
Wattagami, and following the Nottaway river, to James Bay,
with a branch to Chibougamou and Lake Mistassini.

5. The motive power of the said railways may be steam, Motive
electricity or any other motive power. power.

6. The company may, in the course of or as needed for its The company
operations, construct and operate telegraph and telephone may const-
lines upon and along the whole length of its railways, and ruct, &c.,
establish offices for the transmission of messages for the pub- telegraph and
lic, and collect tolls for so doing ; and for the purpose of oper- telephone
ating such telegraph and telephone lines, the company may lines, &c.
enter into a contract with any other company, or may lease
the company's lines or any part thereof, and may connect its
lines with the lines of any telegraph or telephone company.

2. The company may enter into agreements with any tele- May make
graph or telephone company or companies, for the exchange agreements
and transmission of messages, or for the working in whole or with tele-
in part of the lines of the company. graph, &c.,
companies,
&c.

3. No rates or charges shall be demanded or taken from Rates subject
any person for the transmission of any message by telegraph to approval
or telephone, or for leasing or using the telegraphs or tele- of and revi-
phones of the company, until such rates or charges have been sion by Lt.-
approved of by the Lieutenant-Governor in Council, and such Gov. in
Council.
rates and charges shall be subject to revision from time to
time, by the Lieutenant-Governor in Council.

7. The capital stock of the company shall be one million Capital stock.
dollars, and may be called up by the directors, from time to
time, as they deem necessary.

8. The annual meeting of the shareholders shall be held in Annual share-
Montreal on such date, not later than the 30th of September, holders' meet-
as shall be fixed by the directors. ing.

9. At such meeting the subscribers to the capital stock Election of
assembled, who have paid all calls due on their shares, shall directors, &c.
choose not less than three nor more than seven persons, as
may be fixed by resolution of the company, to be directors of
the company, one or more of whom may be paid directors.

10. The company may issue bonds, debentures or other Bonds, &c.
securities, to the extent of forty-five thousand dollars per mile
of the railway, and such bonds, debentures or other securit-
ies may be issued only in proportion to the length of the
railway, constructed or under contract to be constructed, and

shall be secured by mortgage upon the railway and all property incident thereto.

Company
may sell, &c.,
its railway,
&c.

11. The company may sell, dispose of, and transfer or lease, its railway and all its franchises and property to any other railway company, or may acquire, lease and operate the railways of any other railway company, provided that all agreements entered into between the companies for such sale or transfer or lease, or operation hereby authorized, have been first sanctioned by two-thirds of the votes of shareholders of the companies interested, at a special meeting called for the purpose of considering the same, at which meeting shareholders, representing at least two-thirds of the subscribed stock, are present or are represented by proxy.

May build,
&c., vessels,
&c.

12. The company may, for the purposes of its railway business, build, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels for the carriage of passengers, mails and cargoes, on any lakes, rivers or other navigable waters adjoining the said lines of railway in the Province of Quebec as is found expedient, and may enter into agreements with owners of such vessels for any of such purposes; and may purchase grain and other freight for cargo, and sell or otherwise dispose thereof, and of such vessels, and may generally carry on the business of ship-owners and carriers by water in connection with its undertaking, and may take and hold, either in the name of the company or in the name of some person as trustee for the company, and dispose of, shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the company.

13. The company may, in the operation of its ship business, in conformity with the next preceeding section.

May make
storage charges,
&c.

(a) Charge on all property placed with it, or in its custody, such fair remuneration as may be fixed by the directors, for storage, warehousing, wharfage, dockage, cooperage, or any other care or labor in or about any such property on the part of the company, over and above the regular freight and primage upon any such property carried, or contracted to be, or intended to be carried by it;

May recover
moneys paid,
&c., to get
possession of
goods and ac-
quire lien of
original pos-
sessor, &c.

(b) Recover all charges and moneys paid or assumed by the company, subject to which goods come into its possession, and, without any formal transfer, shall have the same lien for the amount thereof upon such goods as the persons to whom such charges were originally due had upon such goods while in their possession, and the company shall be subrogated to such payment to the rights and remedies of such persons for such charges;

(c) On non-payment of freight advances, and other charges due upon goods or property in the possession or under the control of the company, the company may sell by auction the goods whereupon such advances and other charges have been made or incurred, and retain the proceeds, or so much thereof as is due to the company, together with the costs and expenses incurred in and about such sale, and shall return the surplus (if any) to the owner of such goods or property ; but before any such sale takes place, thirty days' notice of the time and place thereof and of the amount of the charges or moneys payable to the company in respect of such goods or property, shall be given by registered letter, transmitted through the post office to the last known address of the owner of any such goods or property, except in the case of perishable goods or effects which may be sold after the expiration of one week, or sooner, if necessary, unless otherwise provided in the contract between the parties.

May sell goods by auction for non-payment of freight, &c.
Notice thereof, &c.

14. The company may, in connection with the railways and for the needs of its operations, along or near the said lines of railways, or of any lands it may receive as subsidies :

(a) Acquire lands, water-courses and water-powers and erect, make use of and administer shops and works, manufacture machines and machinery for producing, transmitting and distributing electric and any other motive power, or for other purposes ;

Acquisition of lands, water-powers, &c.

(b) Build and maintain works and stations for developing electric power, and acquire or lease works and stations from any other company ;

Building of power stations, &c.

(c) Acquire exclusive rights in patents of invention, franchises, or patent rights, for the purposes of the works and undertakings of the company, and dispose of such rights ;

Acquisition patents, &c.

(d) Sell or lease any surplus power it may produce or acquire, either water or other power, by converting it into electricity or other power, for the distribution of light, heat or motive power or for any purposes to which electricity or any other power may be applied, with the right to transmit such power ;

Sale of surplus power converted into electricity, &c.

(e) Build, acquire, maintain operate and dispose of factories, mills, water-works and works for manufacturing purposes ;

Building, &c., of factories, &c.

(f) Acquire, develop, work and dispose of mines, minerals, mining rights, timber, timber lands and colonisation lands, and crush, smelt, reduce, amalgamate or otherwise treat and dispose of the ores and products of any such mines, or engage in general mining and lumbering operations, or in the manufacture and sale of the products thereof, or settle, cultivate or colonise such lands ;

Acquisition, &c., of mines, &c.

Building, &c.,
of tramways,
docks, &c.

(g) Build, acquire, maintain, and use tramways, basins, docks, jetties, wharves, sheds, viaducts, aqueducts, mill-races and dams, ditches, water-courses, mills, grain elevators, ware-houses or other buildings and works, along its line or at its termini, as may be deemed necessary by the directors.

Making ad-
vances to
settlers, &c.

15. The company, for the purpose of promoting the settlement and cultivation of any lands served by its railway, or acquired by the company, or granted to the company as subsidies, may enter into agreements with actual or intending settlers, and, for this purpose, may aid such settlers by making advances secured upon such lands or otherwise, and may construct and operate, or aid in or subscribe towards the construction, maintenance and improvement of roads, viaducts, aqueducts, ditches, flumes, saw and grist mills and other similar works.

Quebec Rail-
way Act to
apply in cer-
tain cases.

16. The provisions of the law now in force as regards railways in the Province, and its amendments, excepting paragraph 16 of article 5134 of the Revised Statutes, shall apply to this company as regards its railway, except in the case of incompatibility or derogation, but shall not apply to the said company as regards the other powers conferred by this act.

R.S.Q., 5132,
par. 11, not
to apply.

17. The limitation of the rate of interest, contained in paragraph 11 of article 5132 of the Revised Statutes, shall not apply to the company.

Coming into
force.

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

CHAP. 85

An Act to incorporate the Pontiac Central Railway Company

[Assented to 14th March, 1907]

Preamble.

WHEREAS a petition has been presented by the persons hereinafter mentioned, praying for the incorporation of a company to construct and operate a railway, as hereinafter set forth, and it is expedient to grant the prayer of 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 :