

they may further contain stipulations as to forfeiture of rights and fines and penalties, in default of payment; and they shall generally provide for the maintenance of all obligations stipulated by the company in favor of all bondholders, so as to render every security given valid and obligatory.

It shall not be necessary, in order to preserve the priority lien, charge, mortgage or privilege purporting to appertain to or be created by, any bond issued, or mortgage deed executed, under the provisions of this act, that such bond or deed should be registered in any manner or in any place whatever; a copy of any such mortgage deed or agreement, certified to be a true copy by the secretary shall be received as *prima facie* evidence of the original in all courts of justice, without proof of the signature or seal upon such original.

Bonds and trust deeds need not be registered.

Copy thereof prima facie evidence.

**18.** The railway shall be completed before the first day of June, nineteen hundred and thirteen.

Date of completion of railway.

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

Coming into force.

## CHAP. 88

An Act to incorporate *La Compagnie du Chemin de Fer de Québec et de l'Ile d'Orléans*

[Assented to 28th February, 1907]

**W**HEREAS the persons hereinafter mentioned have, by petition, represented that the construction of the railway hereinafter described will be advantageous to the region through which it will pass, to its local trade and to the trade of the Province;

Preamble.

Whereas they have prayed for the incorporation of a company for the purpose of constructing and operating a railway and for other purposes as hereinafter described, and whereas they have further prayed that certain clauses of the general law respecting railways be amended for the purposes of the undertaking, and it is expedient to grant the prayer of said petition;

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 Honorable Edouard B. Garneau, the Honorable Charles Eugène Dubord, Stuart H. Dunn, Felix Turcotte, Philéas Corriveau, D. Ovide Lespérance, Napoléon Pelletier, Narcisse Morin, J. Alphonse Lefebvre, all of Quebec, and Gaston Maillet, of Montreal, together with such other persons as may become shareholders in the company, are hereby incorporated under the name of "*La Compagnie du Chemin de Fer de Québec et de l'Île d'Orléans*," hereinafter called "the Company."

Name.

Provisional directors, their powers, &c.

**2.** The persons mentioned in section 1 of this act are hereby constituted provisional directors of the company, with power to act as directors until the first meeting of shareholders of the company, and in particular to open subscription books for the stock of the company.

Head office.

**3.** The head office of the company shall be in the city of Quebec.

Capital stock.

**4.** The capital stock of the company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, and may be called up by the directors, from time to time, as they deem necessary, but no one call shall exceed ten per cent. on the shares subscribed.

Preference stock.

**5.** The company may, under the authority of a resolution passed by the ordinary shareholders at an annual general meeting or at a special general meeting duly called for that purpose, at which meeting shareholders representing at least one-half in value of the subscribed stock of the company are present or represented by proxy, issue any portion of its capital stock, not exceeding one hundred thousand dollars, as preference stock, and such preference stock shall have such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the resolution.

Status of holders thereof.

Holders of such preference stock shall be shareholders within the meaning of this act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this act.

First annual meeting.

**6.** The first annual meeting of the shareholders for the election of directors shall take place on the second Tuesday of October, one thousand nine hundred and seven.

Subsequent annual meetings.

The subsequent annual meetings of shareholders shall be held on the second Tuesday of September in each year.

**7.** At the first annual meeting the shareholders in the capital stock, so assembled and who shall have paid the calls on their shares called in by the provisional directors, shall select seven persons to be directors of the company; five directors shall constitute a quorum.

Election of directors.

Quorum.

**8.** The company may acquire, build and maintain docks, yards, wharves, jetties, warehouses and elevators within the territorial limits assigned to it by this act.

Building of docks, &c.

**9.** The directors of the company may issue debentures or fully paid and unassessable shares, or both, whether subscribed for or not, and may allot and hand over any such shares or debentures in payment for all or any of the undertakings, properties, moveable and immoveable, rights, powers, franchises, plant, rolling stock, docks, elevators, wharves, jetties, warehouses, vessels or materials of any kind and also for the *bonâ fide* claims of contractors and engineers or other persons having claims against the company for services rendered or work done, due regard being had to the then market value of the said stock or bonds.

Issue of debentures, or paid-up stock for property, franchises, &c.

**10.** The company may locate, construct and operate by steam, electricity or otherwise, a railway of the gauge of four feet eight and one half inches for the conveyance of passengers, mails, merchandise or other effects from a point in or near the city of Quebec, thence passing north of the turnpike trust road in the parish of Beauport, as far as the Montmorency river, thence by the shortest and most convenient routes to a point of crossing to the Island of Orleans, which crossing shall not be further east than the Chateau Richer church, then crossing over to the Island of Orleans over which it may run, either passing around the same or otherwise, as far as the parish of St. François, and also do all things necessary to or connected with the said railway, and acquire or lease water-powers for producing electric or other motive power, and establish works for the operation of its railway and distribute such electricity along the line of the road.

Location of railway, &c.

Acquisition, &c., of water-powers, &c.

**11.** The company may issue bonds, debentures or other securities to the amount of thirty thousand dollars per mile of railway.

Bonds, &c.

**12.** The company may construct, maintain and operate all bridges required for the purposes of its undertaking, which bridges may be constructed for the accommodation of passengers, electric cars, carriages and all other vehicles whatso-

Bridges.

Tolls thereon  
and how ap-  
proved, &c.

ever; and the company may charge reasonable tolls for the use thereof, such tolls to be subject to the approval of the Lieutenant-Governor in Council, and, for such purposes, issue the debentures required for the construction of the said bridges.

Building, &c.,  
of vessels,  
hotels, &c.

**13.** The company may, within the territorial limits assigned to it by this act, build, lease, acquire, maintain and operate vessels for the conveyance of passengers, mails and freight, hotels, parks and places of amusement to be open daily to the public in the discretion of the company, and generally do all express and transportation business connected with its undertakings, and, for such purpose, the company may, from time to time, issue bonds and secure them by mortgage upon the properties so acquired and built, and give all kinds of securities approved by the directors.

Proviso

The company, however, shall not serve intoxicating liquors, without being, either itself or through any of its officers, the holder of a restaurant license, at each of the places where it shall carry on such business, in accordance with the License Law, and it shall be subject to the provisions of the law respecting the closing of premises where intoxicating liquors are sold. Such places of amusement shall not be kept open on Sunday until noon, and shall be subject to municipal regulations.

Amalgama-  
tion with  
other railway  
companies,  
&c.

**14.** The company may amalgamate with any other railway company and also enter into agreements with other railway companies for the passage of its cars and running of its trains, as well as for the running of the trains of any other railway company over its own line, and also for acquiring the property, powers, rights, franchises, privileges, and rolling stock of any other railway company or companies, or for leasing any other railway or any part thereof.

Leasing, &c.,  
of railway.

**15.** The company may enter into arrangements or agreements with any other railway company or any persons for leasing, selling or otherwise alienating the whole or part of the railway, rights, franchises and privileges, under such conditions as may be deemed expedient.

**16.** The company may in the operation of its railway :

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, consignment or any other care or labour in or about any such property on the part of the company over and above the regular freight :

Sale of goods  
for non-pay-

*b.* On non-payment of charges due upon goods or merchandise in its possession or under its control, sell the said

goods or merchandise at public auction, 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 as soon after as the same becomes necessary, unless otherwise provided in the contract between the parties.

**17.** The company may for its own purposes, construct, maintain and operate such telegraph and telephone lines within the territorial limits assigned to it, and may enter into agreements with any other company, or may lease the company's lines or any portion thereof, and may connect its lines with the lines of any companies having authority to operate telegraph or telephones lines, and may enter into arrangements with any such companies for the exchange and transmission of telegraph or telephone messages or for the working in whole or in part of the lines of the company.

**18.** The provisions of the law now in force as regards railways in the Province and its amendments, except 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 which are hereby granted to it.

**19.** The limitation representing rates of interest, contained in paragraph 11 of article 5132 of the Revised Statutes, shall not apply to the company.

**20.** 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 complete the same within seven years also from the sanction of this act ; and if the said railway be not so commenced, completed and put in operation within the said delays respectively, the power of construction conferred on the company shall lapse and be null and void."

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