

within three years and be completed within ten years from the first of July, 1906." ment and completion of road.

**4.** Notwithstanding anything to the contrary, the charter of the said company is declared to have not ceased to exist, and to be valid for all the purposes mentioned therein, saving the acquired rights of third persons and the enactments of the present act. Declaration as to charter. Acquired rights protected.

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

## CHAP. 64

An Act to incorporate the North Eastern Railway Company

*[Assented to 9th March, 1906]*

**WHEREAS** the persons hereinafter mentioned have presented a petition representing that the construction of a railway as hereinafter set forth would be of advantage to the region through which it would run, to its local trade, to colonization and industries, and have prayed for the incorporation of a company with the object of building and operating a railway as hereinafter set forth and of utilizing the numerous water-powers along the line of the said railway, and whereas it is expedient to grant the prayer of the said petition; Preamble.

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

**1.** John C. Heintz and Philip Harnischfeger, manufacturers of the city of New York; J. T. Marchand and Jean B. Lapointe, of the city of Montreal, and R. Chevrier, M.D., of the city of Ottawa, together with such persons as may become shareholders in the company, are incorporated under the name of the "North Eastern Railway Company," hereinafter called the "company." Persons incorporated. Name.

**2.** The persons named in section 1 of this act are constituted the first directors of the company. First directors.

**3.** The capital stock of the company shall be one million dollars; no one call thereon shall exceed ten per cent. on the shares subscribed. Capital stock. Calls.

**4.** The head office of the company shall be in the city of Montreal. Head office.

- 5.** The annual meeting of the shareholders shall be held on the third Wednesday in September.
- 6.** The number of directors shall not be less than five and not more than nine, one or more of whom may be paid directors.
- 7.** The company may lay out, construct and operate a railway from a point on the east shore of Lake Temiskamingue, at or near the village of Ville Marie, thence in an easterly direction passing the southern bays of Lakes Des Quinze, Victoria and Kakebonga, in the county of Pontiac, and continuing to a point at or near the city of Quebec.
- The company may also construct the following additional lines of railway:
- a.* From a point, at or near Lake Temiskamingue, northerly, to a point on the National Transcontinental Railway in the vicinity of Lake Abittibi;
- b.* From a point on the main line of the company, at or near Lake Kakebonga, to a point at or near the village of Maniwaki in the county of Ottawa;
- c.* From a point, at or near the intersection of the Gatineau river by the main line of the company, to a point at or near the village of Nomingue in the county or Terrebonne.
- In addition to the above, the company may further construct branch lines from any point or points along its main line or extensions, provided no one of said branch lines shall exceed a distance of fifteen miles, except for the purpose of connecting with another railway or some manufactory, mine, water-power or commercial enterprise.
- 8.** 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 whatsoever; 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.
- 9.** The company may, within the territorial limits hereby assigned to it, acquire, maintain and operate hotels, parks and places of amusement in connection with its undertaking.
- The company may acquire, by purchase, lease or otherwise, water-power privileges and easements, and construct, maintain and improve dams, piers and channels and other works necessary to develop such water-powers and to generate electric and other power.
- The company shall not have power to sell or lease electricity to any person, company or corporation.

Annual meeting when to be held.

Number of directors.  
Paid directors.

Power to lay out, &c., certain line of railway.

Certain other lines may also be built.

Construction of branch lines authorized.

Power to build bridges, &c.

Tolls thereon.

Power to acquire, &c., hotels, &c.

Power to acquire, &c., water-power privileges, &c.

Not to lease, &c., electricity to any person, &c.

**10.** The company shall have and enjoy all rights, powers, privileges and immunities essential to the construction, operation and carrying on of the different branches of its undertaking.

General powers of company.

The company may build such railway, extensions and branches in sections and in such order as it may deem proper.

Railway may be built in sections.

**11.** 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 over any line of railway which its own line may cross or join, as well as for the running of the trains of any other railway company over its own line, and to facilitate connections with any other railway company, and also for acquiring the property, powers, rights, franchise, privileges and rolling stock of any other railway company or companies, or for leasing any other railway or any part thereof.

Power to amalgamate, &c.

**12.** The company may enter into arrangements or agreements with any other railway company for leasing, selling or otherwise alienating the whole or part of the railway, extensions, branches, rights, franchise and privileges to such other company, under such conditions as the company deems expedient.

Power to lease, sell, &c., road, &c.

**13.** The company may, from time to time, issue securities for the purposes of the acquisition, by purchase, construction or otherwise, of vessels, hotels, terminals, parks and other properties required or used in connection with the undertaking of the company, and secure them by mortgage on the properties so acquired; and the limit to the amount of securities which the company may issue and secure in respect to said purposes and the construction of the company's authorized lines of railway, shall be fixed at thirty thousand dollars per mile of such lines of railway, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed.

Power to issue bonds, &c.

**14.** The company may acquire, construct and maintain docks, dock-yards, wharves, piers, warehouses and elevators at any point or in connection with its railway and at all termini thereof on navigable waters for the convenience and accommodation of vessels, and may acquire, own, hold, charter, work and run steam and other vessels for cargo and passengers upon any navigable waters to and with which said railway, branches and extensions may reach and connect, within the limits of the Province of Quebec.

Power to acquire, &c., dock-yards, &c.

Power to purchase shares, &c. of other companies.

**15.** The company may purchase the shares or securities and claims of all kinds against any company with which it is authorized to enter into an agreement, and may pay therefor, partly or wholly, in bonds and fully paid up shares of the capital stock of the company.

Issue of stock, in payment of right of way, &c.

**16.** The directors may make and issue, as paid up stock, shares of the company whether subscribed for or not, and may allot and hand over such stock as paid up stock and the mortgage bonds of the company in payment for right of way, plant, rolling stock or materials of any kind and also in payment of the shares, securities and claims mentioned in section 15 of this act, and also for the services of contractors or employees, and may also allot and hand over such shares and mortgage bonds to the creditors of the company, whether such creditors are directors or shareholders of the company, in payment of any indebtedness of the company, and such issue and allotment of bonds shall be binding on the company and such stock shall not be assessable for calls.

Application to company of law governing railways.

**17.** The provisions of the law now in force respecting railways in this Province and its amendments shall apply to the company as regards its railway only, except in the case of derogation to or incompatibility with this act; but shall not apply to the said company as regards the other powers which are hereby granted to it.

Exception.

R. S. 5176, § 3, replaced, for company. Commencement and completion of road.

**18.** Paragraph 3 of article 5176 of the Revised Statutes is replaced, for the company, as follows:

“ 3. The company shall commence the construction of its railway within three years after the passing of this act and complete the same within seven years from the passing of this act; and if the said railway is not so commenced and completed and put in operation within the said periods respectively, the powers of construction conferred upon the company shall cease and be null and void.”

Interpretation.

**19.** Nothing in this act contained shall be construed as giving to any municipality any powers which it has not under the laws which govern it, nor to any company any powers which it has not under its charter.

Coming into force.

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