

Arrange-
ments that
company may
make.

14. The company is authorized to enter into arrangements with any other railway company :

1. For the passage of its cars and the running of its trains over any other railway which its line may join, as well as for the running of any other railway company's cars or trains over its lines ;

2. For acquiring branch lines ;

3. For facilitating connections between its own and any other railway ;

4. For acquiring the ownership, powers, rights, franchises and privileges, as well as rolling stock, of other railway companies and for leasing any other railways wholly or in part ;

5. For transferring its powers to any other company or acquiring those of the said other company or of amalgamating together on such conditions as the respective boards of directors of both companies may deem expedient ; but the decision of the boards of directors must be ratified by the majority in value of the shareholders present at an annual general meeting or at a special meeting called for the purpose.

Coming into
force.

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

CHAP. 76

An Act to incorporate the Terrebonne Electric Railway Company

[Assented to 2nd June, 1904]

Preamble.

WHEREAS Louis Payette, contractor, Heliodore Fortier, merchant, both of the city of Montreal, and John E. E. Dickson, of the town of Westmount, in the district of Montreal, insurance manager, have, by their petition, represented that the building of a railway or tramway, as herein-after set forth, would be very advantageous to the region through which it would pass, and whereas they have prayed for the passing of an act to constitute them a corporation authorized to build and operate such railway and for other purposes, and 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 incor-
porated.

1. Louis Payette, contractor, Heliodore Fortier, merchant, Richard Wilson Smith, broker, H. A. Ekers, brewer, all of

the city of Montreal, and John E. E. Dickson, insurance manager, and Alexander R. Johnson, advocate, of the town of Westmount, in the district of Montreal, together with such persons as may become shareholders in the company, are hereby incorporated under the name of the "Terrebonne Electric Railway Company," hereinafter called "the company."

2. The first five persons mentioned in section 1 of this act are constituted provisional directors of the company, three of whom shall form a quorum.

Provisional
directors.
Quorum.

3. The capital stock of the company shall be two million dollars, 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.

Capital stock.
Calls.

The company shall not begin the construction of the railway until two hundred thousand dollars of the capital stock of the company shall have been subscribed, and thirty thousand dollars shall be paid up.

When construction of railway to be commenced.

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 first Tuesday in March in each year.

Date of annual meeting.

6. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the company, one or more of whom may be paid directors.

Election of directors thereat, &c.

7. The company shall be vested with all the necessary powers for building and operating a railway (for carrying passengers only), propelled by electricity, for the convenience of the public, through any or all of the parishes, villages, towns and cities of the counties of Hochelaga, Jacques-Cartier, Laval, Argenteuil, Wright, Labelle, Terrebonne, L'Assomption and Montcalm, with tracks running through all or some of the streets of the said cities, towns and villages; the terminal points of the road to be at a point in or near the city of Montreal, and a point on the river Lièvre in or near the township of Pope, in the county of Wright; the said company to have the power to build tracks between the two said terminal points by different routes and to erect dams and water-powers in the counties aforesaid. From St. Jérôme and upwards the said company is authorized to use its railway for all purposes.

Power of company to build, &c., certain line of electric railway through certain cities and in certain counties.

Branch lines.

8. The company may locate, build and operate any other branches, from one point to another within the limits of the aforesaid counties, to facilitate the operation of its main line, subject to the conditions contained in sections 7 and 24.

Bridges, &c.

9. The company shall also have power to erect the bridges necessary for its railway and branches over all rivers and streams at such places as may be deemed suitable and to make such bridges suitable for the passage of horses, vehicles and foot passengers, and collect tolls on such bridges according to a tariff established by the company, the whole to be approved by the Lieutenant-Governor in council.

Powers of
company :
To Acquire,
&c., water-
powers ;

10. The company may :

1. Acquire, lease, develop and operate water-powers anywhere within the limits of the said counties ; construct dams, canals and other works considered necessary for increasing and maintaining the capacity of its water-powers after acquiring the lands necessary for the execution of such works, and establish works and shops for the generation of electricity required for the working of the railway and other purposes mentioned in this act ;

To acquire
patent rights,
&c. ;

2. Acquire, by license, purchase or otherwise, all exclusive rights in patents, privileges and patent rights for the purposes of the works hereby authorized, and resell and dispose of the same ;

To build tele-
graph and
telephone
lines, &c. ;

3. Build, equip, maintain and work telegraph and telephone lines throughout the whole length of its road and branches for its own purposes, and enter into a contract or contracts with other companies for the establishment and working of such telegraph and telephone lines ; provided that the company may do a public telephone business from the parish of Ste. Agathe towards the north and in the townships of Abercrombie, Wexford, Kilkenny and Montcalm ;

To sell sur-
plus elec-
tricity ;

4. Sell or lease the surplus electricity it may produce to be used for heat, light or motive power within the limits of the counties aforesaid ;

To use, &c.,
surplus water.

5. Use, sell or lease the surplus water under its control.

Company may
exercise
powers, &c.,
on streets, &c.

11. The company may, within the counties aforesaid, have access to and establish above, beneath and upon the public streets and roads, all pipes, lines, wires, conduits, poles and other appliances which may be necessary for the distribution of electricity, all such work to be done as rapidly as possible and under the direction of the municipality wherein such works are situated ; provided that the com-

Proviso.

pany shall be responsible for all damages which it may cause, and provided it shall not establish its pipes, lines, wires, conduits, poles or other appliances without previously giving notice of at least one month to that effect to the municipal authorities.

12. The wires of the company may be cut by order of the chief of the fire-brigade, or, if there be no chief of the fire-brigade, by the order of the mayor of the municipality or other member or officer of the council, whenever he shall consider it necessary for the putting out of a fire, and in such case the company shall have no right to any compensation for the loss of its wires, but shall not be responsible as regards its customers for any interruption or non-execution of contract resulting therefrom.

Wires may be cut by order of chief of fire-brigade, &c.

Proviso.

13. The public roads and streets shall, in all cases, be restored to their original condition by the company and at its expense.

Roads to be restored to their original condition.

14. The company may establish a tariff and collect the rates therein established for any supply of electricity, or any other source of heat or motive power which it may furnish.

Tariff for supplying electricity, &c.

15. If any person supplied with electricity or any other source of heat, light or motive power by the company, neglects to pay the rent due the company at any of the dates fixed for the payment thereof, the company or any person acting under its authority, on giving forty-eight hours' previous notice, may stop the supply of electricity or other source of heat, light or motive power, and prevent the introduction thereof into the houses of the person so in arrears as aforesaid by cutting the pipes or service wires, or by any other legal means; and it may recover the rent at the same time, as well as the costs incurred for intercepting the electricity, notwithstanding any contract for the supplying of electricity or any other source of heat, light or motive power for a longer period.

Supply may be cut off if not paid for, &c.

16. So soon as the company shall have cut off the supply of electricity, motive power, heat or light from a house, building or any immovable whatever, its agents or employees may enter such house, building or immovable, between the hours of nine o'clock in the morning and four in the afternoon, causing as little disturbance as possible, to remove and carry away all wires, meters, branches, lamps and apparatus, belonging to the company.

Removal of company's fittings if supply cut off.

Any agent or employee of the company thereunto duly authorized may, between the hours aforesaid, enter any house into which electricity has been introduced to examine any meter, wire or apparatus belonging to the company or used

Power to enter premises for examination of meter, &c.

Penalty in case of refusal.

for electricity ; and if any person refuses to allow and does not allow such agents or employees of the company to enter and perform the acts aforesaid, the person so refusing or opposing shall incur for each such offence a fine not exceeding four dollars for every day that such refusal or such opposition shall last.

Power of municipalities to subscribe for shares, &c., in company.

17. Notwithstanding any provision or the absence of any provision authorizing the same, any municipality interested in the construction of the projected railway may subscribe for shares in the capital stock, or give sums of money gratuitously to the company, either for the purpose of facilitating the preliminary work or as aid towards the construction of its railway, or give it lands, or grant it exemptions from taxation or other advantages, on such conditions as the council of such municipality may deem advisable to impose.

Issue &c., of bonds, &c.

18. The company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches, and may dispose of them as it sees fit, and may sign promissory notes.

Promissory notes.

Issue of paid up stock for certain purposes.

19. The directors may issue paid-up unassessable shares in the capital stock of the company in payment of services and of all or any of the undertakings, moveable and immoveable property, rights, powers and franchises which the company may acquire under this act.

Agreements which company may make respecting lease of road, &c.

20. The company may enter into agreements with any other railway company for conveying or leasing to such company the railway of the company, in whole or in part, or any rights or powers acquired under this act, as also the franchise, surveys, plans, works, material, machinery, and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as may be agreed upon, and subject to such restrictions as to the directors seem fit.

Agreements for :

21. The company may enter into agreements with other railway companies :

Passage of cars ;

(a) For the passage of its cars, and running of its trains over any line of railway which its own line may cross or join with, as well as for the running of the trains of any other railway over its own line ;

Acquiring branch lines ;

(b) For acquiring branch lines ;

Facilitating connections ;

(c) For facilitating connections between its railway and any other ;

(d) For acquiring the property, powers, rights, franchises and privileges and rolling stock of other railway companies, and for leasing the same or any part thereof.

Acquiring property of other companies.

22. All deeds and conveyances of property to the company for the purposes mentioned in this act shall, as far as circumstances permit, be executed, at the discretion of the company, either in notarial form or according to the form given in schedule A to this act or in any other form of like tenor.

Form of deeds for lands.

23. The railway hereby authorized shall be commenced within three years from the passing of this act.

Commencement of railway.

24. The rights, privileges and franchises conferred by this act shall not be exercised, without the consent, given by by-law of the council, of the municipalities interested, within the limits of their respective territories.

Consent of municipal councils required.

25. Notwithstanding anything in this act contained, the company shall not have the right to build a line in any part whatever of the parish of Pointe aux Trembles, or in any part of the parish of Longue Pointe, within two miles of the existing line of the Montreal Terminal Railway, nor shall it do any local business in either direction between any part or parts of either of said parishes and the city of Montreal.

Company not to build line in certain parishes, &c.

26. The company shall not construct, maintain or operate any railway, tramway or electric lighting or power system within the limits of the Island of Montreal, save and except one main line for a tramway of single or double track for the purpose of reaching a terminus in the city of Montreal, with such sidings as may be necessary for the company's terminal business.

Company not to construct line on Island of Montreal. Exception.

27. The company shall respect the vested rights of companies operating railways, tramways or electric lighting systems in the streets of any city, town or village on the Island of Montreal.

Certain vested rights to be respected by company.

28. Nothing in this act contained shall be construed as giving to any municipality any powers which it has not under the law which governs it, nor to any company any powers which it has not under its charter or act of incorporation.

Additional powers not conferred upon municipalities or companies by this act.

29. Nothing in this act contained shall affect acquired

Acquired rights not

affected. rights possessed by or conferred upon any person, company or corporation.

Coming into force. **30.** This act shall come into force on the day of its sanction.

SCHEDULE A

FORM OF DEED OF SALE OF LANDS

KNOW ALL MEN, by these presents, that I.....
of the..... in the county of,
for and in consideration of the sum of.....dollars
to.....paid by the Terrebonne Electric Railway Company,
which..... acknowledge to have received, hereby grant,
bargain, sell and convey unto the said Terrebonne Electric
Railway Company, all that tract or parcel of land known
and described as follows, to wit :
the same having been selected and laid out by the said
company for the purposes of its railway ; to have and to hold
the said land and premises unto the said company, its suc-
cessors and assigns forever.

Witness.....hand and seal at.....
this day of.....one thousand nine
hundred and

Signed, sealed and delivered }
in the presence of } A. B.

.....
L. S.
.....
