

C H A P. 86

An Act to incorporate *La Compagnie Générale du Port de Chicoutimi*

[Assented to 2nd June, 1904]

Preamble.

WHEREAS a petition has been presented by the persons hereinafter mentioned, praying for the passing of an act to incorporate a company with the object of promoting the maritime and commercial interests of the town and port of Chicoutimi, by providing for the loading and discharging of ships, the construction of the necessary railways and securing traffic therefor ; 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 incorporated.

1. J. E. A. Dubuc, manager ; Edmond Savard, physician ; Joseph Tremblay, merchant ; J. E. Cloutier, broker ; L. E. Dubuc, merchant ; Elzéar Boivin, merchant ; T. D. Pontbriand, manager ; F. X. Gosselin, prothonotary ; Eugène Audet, manager ; Simon Lapointe, advocate ; J. D. Guay, journalist ; R. H. Beaulieu, merchant ; Ant. Larouche, farmer ; Elzéar Levesque, advocate ; Wm. Tremblay, surveyor ; all of Chicoutimi, and B. A. Scott, lumber merchant, of Roberval, and such other persons as shall become shareholders of the corporation hereby created, are constituted a corporation under the name of "*La Compagnie Générale du Port de Chicoutimi*."

Name.

Head office.

2. The head office of the company shall be in the town of Chicoutimi, in the county of Chicoutimi.

Provisional directors and term of office.

J. E. A. Dubuc, Elzéar Boivin, Jos Tremblay, B. A. Scott, R. H. Beaulieu, J. D. Guay, and Anthime Larouche above named, shall be the provisional directors of the company and shall remain in office until the first election of directors.

First general meeting of shareholders.

3. The first general meeting of the shareholders shall take place on a day to be fixed by the provisional directors within twelve months following the coming into force of this act, and the subsequent annual meetings shall be held on such day and at such place and such hour as may be fixed by the by-laws of the company or by the directors in the absence of by-laws.

Subsequent annual meetings.

4. At such first meeting and at the following annual meetings, five directors shall be elected who shall choose one of their members as president ; three directors shall constitute a quorum of the board of directors and may exercise all the powers conferred upon the directors.

Election of directors.
President.
Quorum and powers.

5. The capital stock of the company shall be one hundred and twenty-five thousand dollars, divided into twelve hundred and fifty shares of one hundred dollars each, and it may be increased up to one million dollars with the consent of two-thirds in value of the shareholders.

Capital stock and shares.
Increase thereof.

6. The company may issue ordinary, preferred or other shares, with such privileges, rights or conditions as it may deem expedient.

Issue of ordinary and preferred shares.

7. The company may borrow for its purposes and procure money in such manner as it may deem expedient, and in particular by mortgage or by the issue of bonds, debentures or shares.

Power to borrow and issue debentures, &c.

The bonds or debentures shall be issued under the signature of the president and the seal of the company for not less than one hundred dollars, and be countersigned by the secretary and be payable to bearer in this province or elsewhere.

Form of debentures, &c.

8. The shareholders of the company shall be bound to pay the amount of their subscription according as calls may be made from time to time by the directors ; but the directors shall be obliged to make such calls, only in such manner and at such times as it may deem advisable for the purposes of the company.

Shares payable by calls.

9. The company may :

Power to :

1. Construct, equip, establish, or acquire by purchase, lease or otherwise, sidings connecting the port of Chicoutimi with any railway passing in or near the town of Chicoutimi and with all municipalities within a radius of ten miles of the limits of the town of Chicoutimi ;

Construct certain sidings ;

2. Establish or acquire by purchase, lease or otherwise, railways, operated by electricity, steam or otherwise, connecting the various municipalities and parishes of the counties of Chicoutimi and Lake St. John with the port of Chicoutimi ;

Establish, &c., certain railways, &c. ;

3. Establish one or more lines of steamers for the conveyance of freight between the port of Chicoutimi and the various localities situated on the rivers Saguenay and the St. Lawrence to the wharf at the Point of river du Loup inclusive, and receive passengers on board their boats ;

Establish, &c., certain lines of steamers, ;

- Acquire, &c., steam tugs, &c. ; 4. Acquire, construct and possess one or more steam tugs for towing timber, boats, lighters or other vessels and for the transshipment of freight and passengers ;
- Purchase, &c., plant for loading, &c., vessels ; 5. Purchase, build, lease, possess and operate all the plant necessary for loading and discharging vessels, lighters and railway trains ;
- Acquire lands, &c., for electric power, &c. ; 6. Acquire lands, construct, utilize and operate works, machinery and plant for the production, transmission and distribution of electric or other power, the whole within the counties of Lake St. John and Chicoutimi ;
- Acquire lands for wharves, &c. ; 7. Acquire lands for building thereon and in fact build thereon for the purpose of leasing, operating and disposing of wharves, lighters, jetties, basins, storehouses, warehouses, elevators, cold-storage, and tramways, and levy tolls and fares for the use of the said jetties, wharves, lighters, storehouses, elevators, cold storage and tramways ;
- Acquire patents, &c. ; 8. Acquire exclusive rights, obtain privileges and patent rights of inventors for the requirements of the undertakings and works authorized by this act, and ultimately dispose of the same ;
- Construct, &c., lighters, &c. ; 9. Construct, acquire, charter and operate lighters for railways and boats for the conveyance of goods in the rivers Saguenay and St. Lawrence as far as the wharf at the Point of river du Loup and receive passengers on board of their boats and dispose of such boats, collect the tolls or fares for such conveyance of goods and passengers, without nevertheless being able to establish a ferry for passengers between Tadoussac and Fraserville.
- Acquire lands for certain purposes ; 10. If the company requires land for the purposes mentioned in paragraph 1 of this section, and cannot come to an agreement with the owners thereof, for the purchase of the same, it may cause a plan and a book of reference thereof to be prepared, and all the provisions of the Revised Statutes respecting railways shall apply to what is referred to in this section as regards the obtaining of such lands and the fixing of the compensation to be paid to the owners ;
- Carry on certain business, &c. 11. Carry on the business of ship-owner, shipping merchant, stock-broker, insurance-broker, shipping agent, forwarder, common carrier on land and water, boat-owner, express agent, ice merchant, general merchant and warehouse owner ;
- Purchase, &c., ships, &c. ; 12. Purchase, build, receive in exchange, charter or otherwise acquire and possess ships or vessels or shares or interests in ships or vessels, or in the insurance thereon, in their freight and charters, or in the insurance thereon, and also shares, bonds or securities of companies possessing or having an interest in one or more vessels or ships, and maintain,

lease, repair, improve, change, sell, exchange, charter, load on commission or otherwise, and generally dispose of any such vessels or ships, shares, bonds or securities ;

13. Purchase or otherwise acquire and possess, in whole or in part, the business, assets and liabilities of any person, or companies carrying on any of the kinds of business that the company is authorized to do, possessing property that may serve to attain the objects of the company, within the said counties of Chicoutimi and Lake St. John ;

Purchase, &c.,
assets of other
companies,
&c. ;

14. Enter into partnership or make arrangements for the division of the profits and losses by combining its interests or co-operating with any persons or companies, doing or about to do any business which the company is authorized to undertake, or calculated to benefit the company, directly or indirectly, within the limits of the said counties of Chicoutimi and Lake St. John ;

Enter into
partnership
with other
companies for
certain pur-
poses ;

15. Purchase, sell, lease or exchange moveable and immoveable properties, rights or privileges which the company may deem necessary or advantageous for the attainment of any one of such objects ;

Purchase, &c.,
property, &c. ;

16. Sell and dispose of all the company's undertakings, or any portion thereof, for such consideration as it may deem advisable and, in particular, for shares, bonds or securities of any other companies, whose objects are wholly or partly identical with those of the company ;

Sell com-
pany's under-
takings, &c. ;

17. Establish or organize any company with the object of acquiring, in whole or in part, the property, rights or bonds of any company or for any other object which may seem, directly or indirectly, to the advantage of the company ;

Establish
companies to
acquire prop-
erty, &c. ;

18. Sell, improve, manage, develop, exchange, lease, mortgage, dispose of, realize, wholly or in part, the property or rights of the company, and distribute the property of the company in kind amongst the shareholders ;

Sell property,
&c., of com-
pany ;

19. Draw, make, accept, endorse, discount, execute, and issue promissory notes, drafts, bills of lading, charter-parties, mandates, bonds and other negotiable or transferable documents, for the purposes of the said company ;

Draw, &c.,
promissory
notes, &c. ;

20. Remunerate, by means of commission or otherwise, any persons or companies for services rendered or to be rendered by acting as trustees for the bondholders or by investing or aiding investments or securing the investment of the shares or bonds or other securities of the company, or by aiding the formation, organization and management of the affairs of the company, or guaranteeing the payment of the company's bonds and the interest thereon ;

Remunerate
for services
performed ;

21. Make arrangements with any government or public authorities, federal, provincial, municipal or others, which may seem to be in the interest of the company and calculated

Make certain
arrangements
with govern-
ments, &c. ;

to facilitate the attaining of its objects, and to obtain from all such governments or public authorities, all rights, privileges, concessions and subsidies which the company may desire to obtain, and execute all such agreements and exercise such rights and privileges;

Pay in paid up shares obligations ; Operate quarries, &c ;

22. Pay in paid up shares all obligations it may have contracted ;

Promote colonization. &c ;

23. For the purpose of securing traffic for its railway and navigation lines, operate quarries, timber limits, carry on a general lumber trade, and manufacture and operate pulp-wood or any other industry whatever ;

Law to apply to railway lines ;

24. Promote and take the necessary measures for promoting and assisting colonization and the development of the county of Chicoutimi and the surrounding region ;

25. All the provisions of articles 5125 to 5223, inclusively, of the Revised Statutes shall apply to the company, for the construction and operation of its railway lines, except in so far as such provisions, may be inconsistent with this act.

Law to apply.

10. The provisions of the Joint Stock Companies Act shall apply to this act and shall form part of the same, save in so far as they may contravene or be inconsistent with the provisions thereof.

Appointment of administrator, if company makes default to carry out its obligations.

11. In case the company should neglect to fulfil its obligations and to give satisfaction to its customers, the Lieutenant-Governor in council, upon the application of any person interested, may, in his discretion, appoint for a period of twelve months an interim administrator who shall see to the carrying out of the obligations of the company, manage its affairs and take over the control of all its undertakings.

Continuation in office.

After such period of twelve months, such interim administrator may be continued in office for such other period, not to exceed one year, as the Lieutenant-Governor in Council may be pleased to fix.

Coming into force.

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