

## C H A P. 81

## An Act to incorporate the Valleyfield Electric Tramway Company

[Assented to 25th April, 1903]

**W**HEREAS Solyme Augustin Brodeur, notary, Daniel Dion, merchant, Joseph Miville Deschênes, merchant tailor, Michel Lefebvre, physician, Georges H. Thibault, manufacturer, and C. Adolphe Lavimodière, notary, all of the town of Salaberry de Valleyfield, have, by their petition, represented that the building of a railway or tramway, as hereinafter 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 :

**1.** Solyme Augustin Brodeur, notary, Daniel Dion, merchant, Joseph Miville Deschênes, merchant tailor, Michel Lefebvre, physician, Georges H. Thibault, manufacturer, and C. Adolphe Lavimodière, notary, all of the town of Salaberry de Valleyfield, together with such other persons, corporations and municipalities as may become shareholders in the company, are hereby incorporated under the name of "The Valleyfield Electric Tramway Company."

**2.** The company shall be vested with all the necessary powers for building and operating a railway or tramway propelled by electricity for the conveyance of passengers, running through all and every the parishes of the counties of Beauharnois, Huntingdon and Chateauguay, and through the towns of Beauharnois, Huntingdon and Salaberry de Valleyfield, with tracks running through all or some of their streets to be designated and regulated by the said towns, and along the river St. Lawrence from the parish of Chateauguay to a point in Caughnawaga, near the line of the Canadian Pacific Railway.

**3.** 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 section 2.

- Erection of bridges. **4.** The company shall also have power to erect the bridges necessary for its railway and branches over all rivers and streams, at such spots as may be deemed suitable, and to make such bridges suitable for the passage of horses, vehicles and foot passengers.
- Purchase of water-powers along Beauharnois canal. &c. **5.** The company may purchase, lease, hold, develop and operate water-powers along the Beauharnois canal or the river St. Lawrence, opposite such canal or on the Chateauguay river at Huntingdon, Howick, Ste. Martine or Chateauguay.
- Sale of surplus electricity. **6.** It may also 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, as well as along its railway between the termini thereof.
- Erection of telegraph, &c., line. **7.** The company may also erect and operate along its line, as above described, telegraph and telephone lines.
- Power to make excavations, &c., for certain purposes in certain places. **8.** The company may make and maintain, in the places mentioned in section 5 of this act, excavations, canals, flumes, dams, jetties, dykes, embankments and other works considered necessary for increasing and maintaining the capacity of its water-powers, after having acquired the lands necessary for the execution of such works.
- Sale of surplus water, &c. **9.** The company may use, sell or lease the surplus water which it cannot use coming from its dam, flumes, dykes and other works under its control.
- Head office. **10.** The head office of the company shall be in the town of Salaberry de Valleyfield.
- Capital stock, shares and increase thereof. **11.** The capital stock of the company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, with power to increase the same to five hundred thousand dollars, with the consent of two-thirds of the shareholders.
- When company may commence operations. **12.** As soon as the sum of one hundred thousand dollars shall have been subscribed and ten thousand dollars paid up on account thereof, the company may commence operations, and the directors or the majority thereof shall call the first meeting of the shareholders at the head office of the company, when they deem it expedient, by notice sent by registered letter to each shareholder at least eight days previously.
- Calling of first meeting. Notice therefor.

**13.** Calls on stock shall not be for more than ten per cent. Calls nor shall they exceed, during the course of any one year forty per cent. of the amount subscribed.

**14.** The persons mentioned in section one of this act are constituted a board of provisional directors. Provisional directors.  
Four of them shall form a quorum. Quorum.

**15.** The provisional directors shall remain in office until the first election of directors to be held under this act. Term of office of provisional directors.

**16.** The subsequent board of directors shall consist of seven directors elected in the manner hereinafter provided. Subsequent directors.  
Four of them shall constitute a quorum. Quorum.

**17.** Such directors shall be elected every year, at the annual general meeting to be held on the second Tuesday in May at the head office of the company, at the hour indicated in the notice convening the meeting; which notice shall be sent by registered letter addressed to each shareholder as indicated in the company's stock book, and be sent by mail at least fifteen days before the meeting. Annual election of directors. Notice therefor.

**18.** The company may hypothecate or otherwise pledge the bonds which it is authorized to issue for the construction, maintenance and operation of its railway, and all moveable and immoveable property belonging or which may hereafter belong to the company. Power to hypothecate bonds, &c.

**19.** The company is authorized to enter into arrangements with any other railway company for the purpose of leasing, selling, or transferring its railway, in whole or in part, or any interest it may have therein, to any other such company, on such conditions as the company may deem expedient; provided it be operated in the same manner as herein provided. Arrangements with other company for leasing road, &c.

**20.** The company may, within the counties of Beauharnois, Huntingdon and Chateauguay, and in all other places where it is authorized to furnish electricity, 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 company 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. Power to have access to and establish pipes, lines of wire, &c., over streets, &c. Proviso.

Roads, &c. to be restored to original condition. **21.** The public roads and streets shall, in all such cases, be restored to their original condition by the company and at its expense.

Wires, &c. may be cut in cases of fire. **22.** The wires of the company may be cut by order of the chief of the fire-brigade, or if there be no chief, by order of the mayor of the municipality, whenever he may deem it necessary for extinguishing fire; in such case the company shall have no right to compensation for the loss of its wires but shall not be responsible to its customers for the interruption or non-execution of contracts arising from such circumstances.

Proviso.

Trees may be cut down, &c. **23.** The company may cut down all trees, except ornamental trees, impeding its wires or the transmission of light, heat or motive power, but it is bound to pay the value thereof to the persons entitled thereto.

Tariff for supply of electricity. **24.** 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.

If person supplied with electricity, &c., do not pay, company may cut off supply, &c. **25.** 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 arrear 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.

Removal of company's property in such case. **26.** 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.

Examination of property by company's agent. 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 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.

Penalty on persons refusing such examination.

**27.** The company may acquire, lease and operate the workshops, undertakings, property or plant, in whole or in part, of any person or corporation, carrying on or authorized to carry on any business in any part of the counties of Beauharnois, Huntingdon and Chateauguay connected with the purposes of the company hereby incorporated or any one or more of such purposes, and may acquire and hold stock or bonds of any corporation empowered to do any business of the same kind.

Power to acquire, &c., plant, &c., of certain other companies in certain counties.

**28.** The company may acquire and exercise the franchises and rights conferred by the charter of any corporation whose business or undertakings it may acquire by lease or purchase.

Power to acquire, &c., franchise of other companies.

**29.** The company may amalgamate with any company whose stock or bonds it is authorized to take, on such terms as may be agreed upon between the two companies, and also with any railway company crossing its line, or with whose line it may connect.

Power to amalgamate with other companies.

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

Issue of paid up shares for certain purposes.

**31.** The company may transfer to its representatives such stock as may be necessary to qualify them as directors of any other corporation whose shares it may hold.

Power to qualify directors in other companies.

**32.** 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, grant it exemptions from taxation or other advantages, on such conditions as the council of such municipality may deem advisable to impose.

Municipalities authorized to aid company, &c.

**33.** 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

Form of deeds of land to company.

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.

Fee of registrar for registration.  
Effect of registration.

The company shall pay to the registrar for all fees, the sum of fifty cents for each registration.

Such registration shall be deemed as valid in law and shall, as regards rights of ownership, of servitude, mortgages, and other real rights, have the same effect as the registration prescribed by the Civil Code.

Law applicable to company.

**34.** The company shall be subject to articles 5125 to 5220 of the Revised Statutes, except where the same may be inconsistent, but the expropriation authorized under such articles can take place only in so far as the railway of the company is concerned.

Coming into force.

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

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## SCHEDULE A.

### DEED OF SALE

Know all men by these presents, that, I, A. B., of.....  
.....in consideration of the sum of..... to me paid  
by the Valleyfield Electric Tramway Company, which....  
hereby acknowledge to have received, grant, sell and convey  
to the said Valleyfield Electric Tramway Company, its successors and assigns, the whole of that lot of land (*here describe the land*) chosen and designated by the said company for the purposes of its railway, to have and to hold the said land, its successors and assigns for ever.

Witness my hand and seal, at.....this.....  
day of.....19....

A. B. (L. S.)

Signed and sealed in the presence of }  
C. D. }  
E. F. }