

Witness my hand and seal, at _____, this _____ day of
 one thousand nine hundred and _____

Signed, sealed and delivered }
 in presence of _____ } A. B.
 [L. S.]

C. D.
 E. F.

CHAP. 61

An Act to incorporate the Levis County Railway Company

[Assented to 26th March, 1902]

Preamble.

WHEREAS, by their petition, the persons hereinafter mentioned have represented :

That it is in the interest of the district of Quebec and of the districts of Beauce and Montmagny that a railway be built and operated in order to bring the various towns and parishes of the counties of Levis, Dorchester, Beauce, Lotbinière and Bellechasse into communication with one another ;

That the promoters of the present company have made preliminary arrangements with the Canadian Electric Light Company to obtain the necessary power for operating an electric railway within the limits of the county of Levis, and there is reason to hope that such railway may be extended in such manner as to place in communication with the city of Quebec and town of Levis important parishes of the counties of Beauce, Dorchester, Levis, Lotbinière and Bellechasse which so far have no short and direct railway communication with the large centres ;

Whereas Alfred Collyer, agent, of Montreal ; William J. Remick, banker, of New York, Richard D. Wyckoff, banker of New York, Cléophas Blouin, manufacturer, of Levis, Joseph Paquet, contractor, of Levis, Philippe Edouard Bourassa, clerk, of Levis, George W. Holman, engineer, of Quebec, have prayed for the passing of an act incorporating them, under the name of the Levis County Railway Company, to build and operate the said railway, and it is expedient to grant their prayer ;

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

- 1.** The said Afred Collyer, agent, of Montreal, William J. Remick, banker, of New-York, Richard D. Wyckoff, banker, of New York, Cléophas Blouin, manufacturer, of Levis, Joseph Paquet, contractor, of Levis, Philippe Edouard Bourassa, clerk, of Levis, George W. Holman, engineer, of Quebec, and all other persons who may afterwards form part of the company, are incorporated under the name of the "Levis County Railway Company."
- Persons incorporated.
Name.
- 2.** The company shall have power to build a railway in the town of Levis and in and between the various parishes of the counties of Levis, Bellechasse, Beauce and Dorchester, with the consent of the municipalities as regards the location of the said railway ; which municipal authorities are hereby authorized to give such consent, to exempt the company from taxation if they deem advisable, and to grant it such privileges and advantages as they may deem in the interest of the public and of the municipality ; and whatever may have been done in this respect by the various municipal authorities is hereby authorized and ratified, except as to the town of Levis, whose relations with the company are regulated by section 33 of this act.
- Power to build certain railway with consent of municipalities as to location.
Power of such municipalities to aid road, &c.
- 3.** The chief place of business of the company shall be in the city of Quebec.
- Head-office.
- 4.** The first directors of the company shall be the persons mentioned in section 1 of this act, and they shall remain in office until the election of their successors, which shall take place in accordance with the by-laws which the company is authorized to pass. The quorum of the board of directors and of the general meetings shall also be fixed by by-law. The number of subsequent directors shall be determined by the by-laws of the company.
- First directors.
Quorum.
Number of subsequent directors.
- 5.** The company may locate, build and operate its railway and branches for facilitating the operation of the main line ; such branches shall not exceed fifteen miles in length from the main line.
- Power to build, &c., railway and branches, &c.
- 6.** The company is also empowered to build the necessary bridges for its railway and branches over any river, at such places as it may deem expedient, and to make such bridges suitable for the passage of foot passengers.
- Power to build bridges, &c.
- 7.** It is further empowered to erect and operate the telegraph and telephone lines necessary for operating its railway.
- Power to erect telegraph and telephone lines, &c.

- Capital stock. Shares.** **8.** The capital stock of the company shall be one hundred and fifty thousand dollars, divided into fifteen hundred shares of one hundred dollars each.
- Increase of capital.** Such capital may be increased, from time to time, by the vote of a majority in value of the shareholders present in person or represented by proxy at any meeting called for that purpose.
- When company may commence operations and first meeting be called.** **9.** As soon as the sum of twenty-five thousand dollars shall have been subscribed and five 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.
- Calls.** **10.** The directors may, at any time, call up instalments on the stock in such proportions as they may deem expedient.
- Limit of calls, &c.** Nevertheless, no instalment shall exceed ten per cent. of the subscribed capital, and shall not be exigible unless notice has been sent by registered letter at least one month previous to the date fixed for the payment of such instalment.
- Term of office of provisional directors.** **11.** The first provisional directors shall remain in office until the first election of directors to be held in accordance with this act.
- Powers of board.** After the passing of this act, they shall have power to fill vacancies occurring in the board of directors, to open stock subscription books, to obtain subscriptions to the capital stock of the company, to call up instalments from subscribers, and have plans and surveys made in order to commence and carry on the building of the railway.
- Company not dissolved if no meeting held. Directors then in office continue.** **12.** The fact that no general meeting has been held shall not have the effect of dissolving the company. The directors in office shall, in such case, continue to perform their duties until they are replaced at a subsequent meeting which may be called at any time, in the same manner as the annual meeting.
- Qualification of directors.** **13.** No one can be elected or appointed a director unless he holds in his own name at least ten shares in the capital stock of the company and has paid up all calls thereon.
- Vacancies in board.** **14.** The directors or the majority thereof may fill vacancies occurring in the board of directors through death or resignation, by choosing duly qualified shareholders to fill such vacancies.

The directors so appointed shall remain in office until the following general election. Term of office of replacing director.

15. The directors may appoint one or more of their number as paid director or directors, subject to the ratification of such decision by the shareholders at a general meeting held immediately after such appointment and duly called for the purpose. Paid directors, &c.

16. The company may :

1. Acquire, receive and own lands for the purpose of supplying itself with the gravel, stone and earth required for its works, stations, warehouses and other purposes, and sell or alienate such lands or any portion thereof when it has no further need of the same ; Company may : Acquire, &, lands, &c. ; for gravel, &c. ;

2. Acquire, receive and own lands for the purpose of erecting thereon warehouses, docks, stations, workshops, offices and other constructions, and dispose of any right of ownership connected therewith when it has no further use for the same ; Acquire, &c., lands for warehouses, &c. ;

3. Sell or lease all lands and other property belonging to it and of which it has no further need for the purposes of its undertaking ; Sell &c. lands, &c. ;

4. Mortgage or pledge the bonds it is authorized to issue for the building of its railway or for other purposes. Mortgage, &c., bonds.

17. The company may subscribe to, endorse, draw and accept promissory notes and bills of exchange of not less than one hundred dollars each. Company may sign promissory notes, &c.

Such notes or bills of exchange subscribed, drawn, accepted or endorsed by the president or vice-president or any other officer authorized to that effect by the by-laws of the company and countersigned by the secretary or treasurer, shall be binding on the company. Notes binding on company.

18. All notes or bills of exchange complying with such conditions shall, until proof to the contrary, be deemed to have been duly made with the required authority ; in no case shall it be necessary to affix the seal of the corporation to such notes and bills of exchange. Notes, &c , to be deemed as duly made, &c. Seal.

19. The president, vice-president, secretary, or other officer thereunto authorized shall incur no personal responsibility in connection with such notes and bills of exchange complying with the required conditions. Officers signing incur no personal liability.

20. The company may amalgamate with any other railway company whose line may be crossed by the company's railway or branches or with which the latter may join or unite. Power to amalgamate.

Company may enter into arrangements for :
Passage of its cars, &c. ;

Acquiring branch lines ;
Facilitating connections ;
Acquiring ownership &c., of other railway companies, &c.

Company authorized to make arrangements for transferring its powers, &c.

Issue of shares and bonds in payment of right of way, &c.

Issue to bind company.
Shares not liable for calls.

Certain municipal corporations may aid railway, &c.

21. The company is authorized to enter into arrangements with other railway companies :

1. For the passage of its cars and the running of its trains over any railway which its line may cross or with which it may connect, as well as for the running of the trains of any other railway company over its line ;

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 the rolling stock of other railway companies, and for leasing any other railway wholly or in part.

22. The company is further authorized to make arrangements with any other railway, electric, or transportation company for transferring its powers to it or acquiring those of the said other company or of amalgamating together on such conditions as the respective directors of both companies may deem expedient ; but the decisions of the boards of directors must be ratified by the majority in value of the shareholders present at an annual general or at a special meeting called for the purpose.

23. The directors may issue shares of the company as paid up stock, and may allot and transfer the same as paid up shares, as well as the mortgage bonds of the company, in payment of right of way, plant, rolling stock or other materials and to pay the company's employees and contractors.

24. Such issue and allotment of shares or bonds shall be binding on the company, and such paid up shares shall not be liable thereafter for any calls.

25. Notwithstanding any provision to the contrary or the omission of any provision authorizing it so to do, any corporation of a city, town, village, county, or parish or any municipality interested in the construction of the projected railway, may subscribe for shares in the capital stock or give free grants of money to the company either for facilitating the preliminary works or for aiding the construction of the railway or for giving it lands, granting it exemption from taxation and other advantages ; and the councils of such various municipalities shall be authorized to make such arrangements with the company as they may deem advantageous for facilitating and securing the construction of the road, the whole, nevertheless, in accordance with the provisions of article 481 of the Municipal Code or the acts governing the said corporations, as the case may be.

- 26.** All deeds and transfers of property to the company for the purposes set forth in this act shall be executed, in so far as circumstances may permit, at the discretion of the company either in notarial form or in any other form of like tenor. Form of deeds of land.
- 27.** The company shall pay to the registrar a fee of fifty cents for each registration. Registrar's fee for registration.
- 28.** Such registration shall be deemed valid in law, and shall, as regards the right of ownership, servitude, hypothec, and other real rights, have the same effect as registration prescribed by the Civil Code. Effect of registration.
- 29.** The provisions of the law respecting railways in this province and of its amendments now in force shall apply to the company except where they are derogatory or inconsistent. Law applicable to company.
- 30.** The South Shore Turnpike Road Trustees are authorized to make such arrangements as they may deem proper with this company for the construction and right of way of the projected railway. Arrangements with South Shore Turnpike Road Trustees.
- 31.** The construction of a portion of the said electric railway or tramway authorized by this act shall be begun within three years and completed within six years from the coming into force of this act. When road to be begun and finished.
- 32.** The company is authorized to build and operate one or more elevators or hoists for passengers, freight, vehicles or animals or for all such purposes combined. Company may build, &c., elevators.
- 33.** Without prejudice to acquired rights, if any there be, and without prejudice to such rights as may appertain to any other company under the common law or by statute, and which they may exercise without the concurrence, consent or participation of the town of Levis, the arrangements and contract contained in the resolution reproduced in Schedule A are so validated and confirmed as to be binding upon the corporation of the town of Levis and the company. Arrangements with town of Levis declared binding.
- 34.** The corporation of the town of Levis is authorized to grant and give such aid, privileges or exemptions from taxation as it may deem expedient for the construction and operation of an electric tramway and of one or more elevators or hoists within the limits of the town of Levis, on Corporation of town of Levis authorized to aid company, &c.

such conditions as have already been or may hereafter be agreed upon between the contracting parties.

Coming into
force.

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

SCHEDULE A

At a session or special meeting of the council of the corporation of the town of Levis, held at the ordinary place of meeting at the town hall, in the said town of Levis, on Thursday, the 20th day of March, 1902

Were present : His Worship the Mayor, NAP. LAMONTAGNE and Councillors J. E. MERCIER, J. EDMOND ROY, JOS. GOSSELIN, CLÉOPHAS AUGER, LOUIS BÉGIN and NAP. LAINÉ, all members of the said council and forming the majority thereof.

It was moved by councillor Roy, seconded by councillor Bégin :

That seeing the understanding arrived at between the mayor and the representatives of the Levis County Railway Company ;

It is ordained and enacted that the said town of Levis and the said railway company shall be and are mutually bound to each other as follows :

The company undertakes to build its electric railway on one side of the street as much as possible ; to stop its cars at each railway crossing ; to charge a maximum rate of five cents within the town limits ; to leave eight feet of the street clear, or less with the consent of the council, outside of the track in all the streets ; to give a service fifteen minutes from six o'clock in the morning to seven o'clock at night, of thirty minutes from seven o'clock to ten o'clock at night, of sixty minutes from ten o'clock at night until midnight ; to build within a distance of not more than eight hundred feet from one side or the other of the ferry wharf an elevator giving communication between the upper and the lower town ; to establish at least two waiting rooms in the busiest and most populous parts of the town.

The company may build an elevated railway track on St. Henry street to communicate from Wolfe street to Eden street. It shall pass free of toll through the toll gate on St. Lawrence street and enjoy exemption from taxation on all its property and effects used in its business and an exclusive privilege for a period of twenty years.

The works shall be finished and the railway in operation in the autumn of 1903, at the latest. The construction, road bed, rolling stock and service generally shall be first class.

The route to be followed shall include Commercial street throughout its whole length ; St. Lawrence street (the beach road), throughout its whole length continuing eastward and westward to the limits of the town of Levis ; Fraser street from Commercial street to St. John street ; St. John street to Wolfe street ; Wolfe street to Notre-Dame and Guenette streets ; the latter to Eden street ; Eden street throughout its whole length ; La Côte du Passage to St. Louis street, and the latter to a point near the Notre-Dame market, and, if the company wishes, through the whole length of St. Louis street ; Wolfe street from St. Henry street to Notre-Dame street ; St. Henry street from the top of the cliff to Wolfe street, throughout the whole length of this latter street and its prolongation, if the company so wishes.

The company shall throughout the whole year maintain that part of the road which is between the rails, and it shall keep its road clear of snow in winter, and four feet on each side thereof when its line is in the middle of the street.

As to places where its line is not in the middle of the street, the company shall clear the snow to the sidewalk on the side where the line passes and on the other side it shall, with the wings of its snow plough or otherwise, push the snow back six feet from its rails.

The company may build a siding on Notre-Dame market place and at any other place where the town council will permit it.

This resolution will avail only when it shall have been adopted by the Legislature of the Province of Quebec at its session now being held.

(Signed)

NAP. LAMONTAGNE,

Mayor.

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J. EUGÈNE ROY,

Secretary-Treasurer.

True extract from the minutes of a session or special sitting of the council of the corporation of the town of Levis, held in the place where the sittings are usually held in the town-hall of the said town of Levis, on Thursday, the twentieth day of March, in the year one thousand nine hundred and two.

J. EUGÈNE ROY,

Secretary-Treasurer.