



CHAPTER 64

An Act to amend the acts respecting telegraph and telephone companies

[Assented to, the 7th of March, 1934]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Division 1 of the Telegraph Companies' Act (Re- R. S., c. 235, vised Statutes, 1925, chapter 235) is replaced by the fol- Division 1, lowing: replaced.

"DIVISION 1

"FORMATION OF THE COMPANY

"2. Any number of persons of the age of majority, not less than three, may, by observing the formalities herein-after required, apply to the Lieutenant-Governor in Council and obtain a charter authorizing them to build a line or lines of electric telegraph, with branches leading to or from the same, from one point to another in this Province. Who may obtain charter.

"3. The application for incorporation shall be made by Application by petition. petition containing:

1. The proposed corporate name of the company; Contents of petition.
2. A description of the line or lines of telegraph to be built, and the route or routes by which such lines are to pass;
3. The capital of the company;
4. The amount of each share;
5. The names in full, callings and addresses of the provisional directors;

6. The name of the municipality in which the operations of the company are intended to be carried on.

Signature. The signatures to the petition shall be subscribed before a notary or two witnesses.

Production of information, etc. “4. The Minister of Public Works may call for the production of any information, documents, evidence and affidavits that he may deem necessary or expedient in order to satisfy himself of the truth of the facts alleged in the petition.

Granting of charter by letters patent. “5. 1. After the above formalities have been observed, and on the report of the Minister of Public Works, the Lieutenant-Governor in Council may grant to the petitioners, by letters patent under the Great Seal, a charter constituting them a corporation for the objects set forth in their petition.

Contents thereof. 2. The letters patent shall recite the principal facts alleged in the petition.

Publication thereof. 3. The letters patent shall immediately thereafter be published in the *Quebec Official Gazette*, and, from the date of such publication, the petitioners and such others as may afterwards become shareholders in the company shall be a corporation, with the name mentioned in the letters patent.

No change without certain consent, etc. “6. 1. No change in the provisions of the letters patent shall be made without the consent of two-thirds of the shareholders, and the approval of the Lieutenant-Governor in Council.

Formalities required for changes. 2. Whenever changes are to be made in the provisions of the letters patent, the directors, with the consent of two-thirds of the shareholders, shall present a petition to the Lieutenant-Governor in Council, setting forth the changes asked for, the object of such changes and the consent of two-thirds of the shareholders; and the Lieutenant-Governor in Council, on the report of the Minister of Public Works, may grant supplementary letters patent amending the first, which supplementary letters patent shall be published in the *Quebec Official Gazette*, and shall take effect from the day of their publication.”

R. S., c. 235, s. 9, am. 2. Section 9 of the said act, as amended by the act 20 George V, chapter 89, section 1, is again amended:

a. By replacing the word: “certificate”, in the second line of the first paragraph thereof, by the words: “letters patent”;

b. By striking out the third, fourth and fifth paragraphs thereof.

3. Section 11 of the said act is repealed.

R. S., c. 235,
s. 11, re-
pealed.
Id., s. 14,
replaced.

4. Section 14 of the said act is replaced by the following:

"14. Any telegraph association or company, organized on or before the 7th of March, 1934, and operating at such date, shall continue to exist notwithstanding the date fixed in the memorandum filed in the office of the Provincial Secretary, as being that on which such association or company shall cease to exist.

Certain
companies,
etc., to con-
tinue to
exist.

Any such telegraph association or company, so continued, shall cease to exist when the majority of the partners decide, at a meeting regularly called for such purpose, to wind-up the business of the association or company."

Winding-up
of such com-
panies, etc.

5. Section 15 of the said act is amended by replacing the words: "The owner of or the", in the first line thereof, by the word: "Every".

R. S., c. 235,
s. 15, am.

6. Section 21 of the said act is amended by replacing the words: "articles of association", in the fourth line of the second paragraph thereof, by the words: "by-laws of the company".

Id., s. 21.
am.

7. The Telephone Companies' Act (Revised Statutes, 1925, chapter 236) is amended by adding thereto, after section 4 thereof, the following section:

R. S., c. 236,
s. 5, added.

"5. Any telephone association or company, organized on or before the 7th of March, 1934, and operating at such date, shall continue to exist notwithstanding the date fixed in the memorandum filed in the office of the Provincial Secretary, as being that on which such association or company shall cease to exist.

Certain
companies,
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tinue to
exist.

Any such telephone association or company, so continued, shall cease to exist when the majority of the partners decide, at a meeting regularly called for such purpose, to wind-up the business of the association or company."

Winding-up
of such
companies.

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

Coming into
force.

