

## C H A P . 108

## An Act to amend the charter of the Shawinigan Water &amp; Power Company

[Assented to 9th February, 1918]

Preamble.

**W**HEREAS the Shawinigan Water & Power Company has, by its petition, represented that it was incorporated by the act 61 Victoria, chapter 70, which has been amended by the act 62 Victoria, chapter 80; by the act 4 Edward VII, chapter 81; by the act 7 Edward VII, chapter 104; by the act 1 George V (second session), chapter 86, and by the act 7 George V, chapter 95; and

Whereas the business of the company is increasing and its sphere of activities is becoming larger; and

Whereas the authorized capital stock of the company now amounts to twenty million dollars, of which fifteen million dollars has been subscribed and fully paid up; and

Whereas it is in the interest of the company and essential for its proper development and advantage that its borrowing powers be increased and more fully defined; and

Whereas the said company has prayed that its said charter be amended in the manner hereinafter mentioned; and

Whereas it is expedient to grant the prayer of the said petition;

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

61 Vict., c. 70, s. 10. re-placed. **1.** Section 10 of the act 61 Victoria, chapter 70, as replaced by the act 4 Edward VII, chapter 81, section 2, is again replaced by the following:

R. S., 5988, replaced for the Co. **"10.** Article 5988 of the Revised Statutes, 1909, is replaced for the company by the following:

Directors may, on certain conditions: **"5988.** If authorized by by-law, sanctioned by vote of not less than two-thirds in value of the subscribed stock of the company, represented in person or by proxy at a general meeting duly called for considering the by-law, the directors may, from time to time:

Borrow money, &c.: (a) Borrow money upon the credit of the company;

(b) Limit or increase the amount to be borrowed;

Issue, &c., &c.: (c) Issue bonds, debentures or other securities of the company, and pledge or sell the same for such sums and at such prices as may be deemed expedient, but no such bond, debenture or other security shall be for a less sum than one hundred dollars each;

(d) Hypothecate, mortgage or pledge the moveable or immoveable property of the company, or both, present or future, to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the company;

(e) Give through their duly authorized officers to one or more trustees, to secure the payment of the bonds or debentures, a hypothec upon the immoveable property of the company, mentioning the issue or the amount of bonds or debentures so secured, and such hypothec after having been registered shall, notwithstanding article 2017 of the Civil Code, be a valid security in favour of the holder of such bonds or debentures whether issued before or after the execution of such hypothec.

The company may, however, without any by-law or resolution, from time to time, borrow money on bills of exchange or promissory notes made, drawn, accepted or endorsed on behalf of the company by the officer or officers of the company thereto authorized by a general or special resolution of the directors."

**2.** Section 4 of the act 7 Edward VII, chapter 104, is replaced by the following:

**4.** The company may from time to time create and issue debenture stock payable either in Canadian currency or in sterling money of Great Britain, bearing interest, to an amount not exceeding in the aggregate fifty per cent of the value of the common stock outstanding; which debenture stock—subject to the priorities created by a deed of trust to the Royal Trust Company, executed before Dunton, Notary, on the 14th day of June, 1904, in favour of the holders of the company's consolidated thirty-year mortgage bonds, or to like priorities which the company may hereafter create in favour of the holders of other mortgage bonds which it may hereafter issue to replace the bonds now outstanding, provided that the total amount of such replacing bonds shall never exceed the amount now outstanding, and that the priorities to be created under any future deed shall not be more favourable to the bondholders than those mentioned in the said deed,—shall become a first charge upon and over the undertaking, works, property and effects from time to time belonging to the company, including the rights of the company as a shareholder or bondholder in other companies, or as the lessee of any property, moveable or immoveable."

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