

CHAP. 76

An Act to amend the charter of The Canadian Light and Power Company

[Assented to 4th June, 1910]

WHEREAS The Canadian Light and Power Company Preamble. incorporated by the act 4 Edward VII, chapter 78, as amended by the acts 5 Edward VII, chapter 64 and 9 Edward VII, chapter 107, has presented a petition praying for the passing of an act to amend its charter; and whereas it is expedient to grant such petition :

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

1. The following section is inserted in the act 4 Edward VII, 4 Ed. VII,, chapter 78, after section 8a thereof as enacted by section 1 of the act 9 Edward VII, chapter 107 : c 78, s. 8b added.

“ **Sb.** The company may acquire and hold stock and bonds Acquisition, of electric railways and other corporations using electricity &c., of certain works, &c. within the territorial limits assigned to the company, subject to the exceptions contained in sections 8 and 8a as to the Montreal, Light, Heat & Power Company and the companies affiliated to it. Nothing in this section shall be taken to authorize or permit the company to operate an electric railway.”

2. The following section is inserted in the act 4 Edward VII, Id., s. 14a VII, chapter 78, after section 14 thereof as replaced by section 3 of the act 9 Edward VII, chapter 107. added.

“ **14a.** For the purpose of establishing the amount for which How bonds issues of bonds subsequent to the first issue may be made, the to be issued. following procedure shall be adopted by the company;

a. The hydraulic horse-power already developed and owned by the company at the date of the proposed issue shall be evidenced by the sworn statement of a qualified engineer.

b. The hydraulic horse-power to be developed by additional plant to be provided out of the proceeds of such proposed issue shall be estimated by such engineer, and such estimate shall be verified by the sworn statement of the engineer that the estimate has been carefully and conservatively made and in his opinion is a fair estimate.

c. The cost price to the company of any real estate acquired by it subsequent to the 27th April, 1909, shall be verified by a certificate signed by the president or vice-president of the company and by the secretary of the company.

d. The actual cost to the company of subsidiary undertakings acquired by the company for the purposes of its business subsequent to April 27th, 1909, shall be established and verified by a like certificate.

e. The statements, estimates and certificates referred to in sub-paragraphs *a*, *b*, *c* and *d*, hereof shall be deposited with the trustees for the bondholders.

f. The amount for which any issue subsequent to the first issue may be made, shall be computed by multiplying the hydraulic horse power as established under sub-paragraphs *a* and *b* hereof by two hundred dollars per horse power and by adding thereto seventy-five per cent. of the cost price of real estate and subsidiary undertakings as established under sub-paragraphs *c* and *d* hereof, and the aggregate amount of any issue or issues of bonds made subsequent to the first issue shall not at any one time exceed the amount so ascertained."

9 Ed. VII, c. 107, s. 6, replaced. **3.** Section 6 of the act 9 Edward VII, chapter 107, is replaced by the following:

Expropriation.

"**6.** The company is authorized to expropriate the land or right of way required for the installation of one or more lines for the transmission of electricity through the territory in which it has the right to operate under its charter. The expropriation, as well as the proceedings respecting the immediate taking possession of the land or right of way required shall take place in accordance with the provisions of the Revised Statutes, 1909, respecting railways."

Expropriation for power houses &c.

4. The company is authorized to expropriate, in the county of Beauharnois, immovable property, or any part thereof, and riparian rights necessary for the construction and maintenance of power-houses, factories, transformer-houses, drains, canal sluices, pipes, flumes and dams. The expropriation, as well as proceedings respecting the immediate taking possession of the land or right of way required, shall take place in accordance with the provisions of the Revised Statutes, 1909, respecting railways.

2 Ed. VII, c. 72, s. 32, repealed.

5. Section 32 of the act 2 Edward VII, chapter 72 is repealed.

Guarantee of certain stock &c.

6. The company may guarantee the stock and bonds of any corporation the stock and bonds of which the company is authorized to acquire and hold.

Coming into force.

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