

CHAP. 107

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

[Assented to 27th April, 1909]

WHEREAS The Canadian Light and Power Company 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 follows :

1. Section 8 of the act 4 Edward VII, chapter 78 is replaced by the following : 4 Ed VII, c. 78, s. 8, replaced.

“ **8.** The company may, in the same places, acquire, lease and operate the works or undertakings in whole or in part, of any person or corporation other than the Montreal Light, Heat and Power Company, or the companies which are affiliated to it, doing or authorized to do any business relating to the purposes of the company, and may acquire and possess the stock or the bonds of any corporation other than the Montreal Light, Heat and Power Company or the companies affiliated to it, having the power to carry on operations of the same kind. Operation of works, &c., of other companies, &c.

“ **8a.** The company shall not sell, lease or alienate any of the rights or franchises which are conferred by its charter and amendments thereto, to the Montreal Light, Heat and Power Company or any of the companies affiliated thereto, nor amalgamate directly or indirectly with any of said companies.” Not to sell, &c., rights, &c., to M. L. H. and P. Co., &c.

2. Section 9 of the said act is replaced by the following : Id., s. 9, replaced.

“ **9.** The company may exercise the franchise and charter rights of any company other than the Montreal Light, Heat and Power Company or the companies affiliated thereto, having like powers to those hereby granted within the territorial limits assigned to it, whose business and undertaking it may acquire by lease or purchase.” Exercise of franchise of certain other companies.

3. Section 14 of the said act is replaced by the following : Id., s. 14, replaced.

“ **14.** The company may borrow money and may issue bonds or debentures from time to time and pledge or sell the same upon such terms and conditions and at such prices as the board of directors may see fit, and such bonds or debentures may be secured by the conveyance to trustees of the whole or any part of the company's property, present or future. The Borrowing money. Bonds, &c. Trust deed of conveyance, &c.

deed of conveyance in trust shall secure a first issue of four million dollars of bonds or debentures and shall provide for power to issue further bonds or debentures to rank *pari passu* with the above mentioned issue of four million dollars, provided that the further amount of first mortgage bonds or debentures at any time issued shall not exceed : (a) two hundred dollars per horse-power developed or to be developed by additional plant to be provided out of the proceeds of such further issue, and (b) seventy-five per centum of the actual cost price to the company of any real estate (other than the company's present power site) which may be hereafter be acquired, and (c) seventy-five per centum of the actual cost to the company of subsidiary undertakings that the company may acquire for the purposes of its business."

Id., s. 16,
replaced
On Montreal
building con-
duits, &c.,
&c., com-
pany :

4. Section 16 of the said act is replaced by the following :

" 16. As the city of Montreal shall build underground conduits or parts thereof in certain streets or parts of streets, and in public or private lanes, thoroughfares, or other places, the company shall :

In certain
parts of city
to put wires,
&c., in con-
duits, with-
out compen-
sation.

a. In that part of the city bounded as follows, namely : To the southeast by the river St. Lawrence ; to the southwest by Inspector street ; to the northwest by St. Antoine and Craig streets ; to the northeast by the Berri street tunnel ; and in St. Catherine street between de Lorimier and Guy streets ; and in the Boulevard St. Lawrence between Craig street and Pine Avenue, remove such overhead wires and cables, poles, and transmission lines, and replace them by transmission wires installed in the said underground conduits, the whole without indemnity if such conduits have been begun within five years from the coming into force of this act ;

Proviso.

In other parts
to put them
in conduits
upon certain
compensa-
tion.

b. In every other part of the city the company shall remove such overhead wires and cables, poles and transmission lines, and replace them by transmission wires installed in the said underground conduits, at the same time that the wires of all other companies, persons or corporations, carrying on an electrical business in the city of Montreal, are put underground, but in such case, in consideration of a previous indemnity and upon like terms and conditions to those imposed upon all other persons, companies or corporations. Nevertheless, no indemnity shall be paid for the said wires, overhead cables, poles and transmission lines placed or installed since at least two years.

Proviso.

Consent of
certain mun-
icipalities re-
quired.

Nevertheless outside the island of Montreal, and outside the counties of Beauharnois and Chateauguay, the company shall not place its poles on the roads, streets or public squares, without the consent or authorization of the municipal authority in each municipality interested."

5. Section 17 of the said act, is replaced by the following : Id, s 17, replaced.

" 17. Nothing herein contained shall affect any vested Vested rights rights conferred on or acquired by any person or company." not affected.

6. The company is authorized to expropriate the land or Expropria- right of way required for the installation of one or more lines tion of cer- for the transmission of electricity through the territory in &c certain lands &c which it has the right to operate under its charter outside the Law appli- island of Montreal. The expropriation as well as the proceed- cable. ings 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 respecting railways.

7. Nevertheless the company, before using the streets, lanes, To obtain avenues and squares of the city of Westmount, so long as it consent of has not been annexed to the city of Montreal, must obtain the council of previous consent of the city of Westmount expressed by by- Westmount. law of the council. But the council shall permit the construc- Proviso. tion over a route which it shall designate, of a transmission line traversing the municipality in order to allow the company to reach a neighboring municipality.

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

CHAP. 108

An Act to amend the act incorporating the Laval Electric Company

[Assented to 29th May, 1909]

WHEREAS the Laval Electric Company has, presented a Preamble. petition praying for the amendment of its charter as contained in the act 4 Edward VII, chapter 83, in order to give it power to increase its capital stock and to extend the scope of its operation ;

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. Section 4 of the act 4 Edward VII, chapter 83, is re- 4 Ed. VII, c. placed by the following : 83, s. 4, re- placed.

" 4. The company may, in the counties of L'Assomption, Powers of Terrebonne, Two Mountains, Laval, Montcalm, Joliette, company.