

C H A P . 82

An Act to incorporate the Shawinigan Electric Company

[Assented to 2nd June, 1904]

Preamble.

WHEREAS a petition has been presented by J. E. Aldred, Wallace C. Johnson and Howard Murray, of the city of Montreal, praying for the passing of an act, incorporating a company for the purpose of creating and supplying light, heat and power, 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 :

Persons incorporated.

1. Beaudry Leman, civil engineer, Frederick A. Stoughton, manager, Vivian Burrill, merchant, and George S. F. Robitaille, banker, all of the town of Shawinigan Falls, and Wallace Clyde Johnson, civil engineer, of Montreal, and others who may associate themselves with them, their successors and assigns, are hereby constituted a body politic and corporate under the name of the "Shawinigan Electric Company."

Name.

Head office, &c., provisional directors and term of office.

2. The head office of the company shall be at Shawinigan Falls, and the persons herein named, shall be the provisional directors of the company, and shall hold office until the first election of directors.

Capital stock and shares.

3. The capital stock of the company shall be one hundred and fifty thousand dollars, divided into shares of one hundred dollars each.

Power to buy electricity, &c., in certain towns, &c.

4. The company may, in the town of Shawinigan Falls and in that of Grand'Mère and other municipalities situated in the counties of Maskinongé and Berthier, in the Province of Quebec, buy or otherwise acquire, and dispose of, in any manner whatsoever, electricity for the purpose of producing light, heat or power, and all kinds of apparatus and supplies used in connection therewith, and may make and dispose of any by-products arising from their manufacture.

Three Rivers excepted.

The powers conferred by this section cannot be exercised in the city of Three Rivers.

Power to acquire, &c., property, &c.

5. The company may acquire such property as may be necessary for the purpose of its business, and may construct,

purchase and lease, all such buildings, apparatus, plant or machinery as it may deem necessary for the purpose of its business, and the same may sell, lease or otherwise dispose of in whole or in part as it may seem fit.

6. The company may lease or operate the undertakings of any person or corporation, carrying on or authorized to carry on any business within the purpose of the company, and may acquire and hold the stock and bonds of any corporation having the power to carry on any like business.

Power to lease certain undertakings, &c.

7. The company may exercise the franchise and charter rights of any company, possessing powers of a like nature within the territorial limits assigned to the company by this act, whose business it may acquire by lease or purchase.

Power to exercise franchise of other companies.

8. The company may amalgamate or consolidate with any corporation, having powers of a like nature within the territorial limits assigned to the company by this act, whose stock or bonds it is authorized to hold, upon such terms as may be agreed upon between the two companies.

Power to amalgamate.

9. The company may, in the town of Shawinigan Falls and that of Grand'Mère and in other municipalities situated in the counties of Maskinongé and Berthier, in the Province of Quebec, enter upon and construct, under or over the streets and public highways all such pipes, lines, conduits and other constructions as may be necessary for the purpose of its business, and under the direction and supervision of the engineer or of such other officer which the council may designate.

Power to erect lines, &c., in roads, &c., in certain municipalities.

The powers conferred by this section cannot be exercised in the city of Three Rivers.

Exception for Three Rivers.

The streets, lanes and public roads shall in all cases be replaced in their original state by the company and at its expense.

Streets, &c., to be replaced in former condition.

10. The company shall not exercise the powers conferred upon it by sections 4 and 9 of this act without having previously obtained the consent of the municipal council of any municipality in which it desires to exercise such rights,—such consent shall be given by by-law upon the terms and conditions therein set forth.

Consent of municipality required for exercise of certain powers by company.

11. The directors may issue, as paid up stock, shares of the capital stock of the company in payment of and for all or any of the business, franchises, undertakings, properties, rights, powers, privileges, letters-patent, contracts, immoveable property, stock and assets, and other property of any

Issue of paid up stock, &c.

person, company or municipal corporation which the company may lawfully acquire in virtue of this act, and may allot and hand over such shares to any such person, company or corporation, or to its shareholders, and issue, as paid-up and unassessable stock, shares of the capital stock of the company, and allot and hand over the same in payment for right of way, lands, rights, plant, property, letters-patent of invention, rolling stock or materials of any kind, or services rendered to the company, and such stock shall not be assessable for calls, nor shall the holders thereof be liable in any way thereon; and the company may pay for any such property or services rendered to the company wholly or partly in paid-up shares or wholly or partly in debentures as the directors may deem proper.

Wires of com-
pany may
be cut in cases
of fire.

No compen-
sation to be
allowed.
Proviso.

Power to
issue deben-
tures.

Additional
powers not
conferred
upon mu-
nicipalities,
&c.

Coming into
force.

12. The wires of the company may be cut by order of the chief of the fire-brigade or, if there be no chief, by order of the mayor of the municipality or any member or officer of the council whenever he shall consider it necessary for the putting out of a fire, and in that case the company shall have no right to any compensation for the loss of its wires; but shall not be responsible as regards its customers for the interruption or non-execution of contracts resulting therefrom.

13. The company may issue debentures to an amount not exceeding seventy-five per cent. of its capital stock, in one or more series, and may secure the same by hypothecating or transferring to trustees the whole or such parts of the assets or property of the company as may be deemed advisable.

14. Nothing in this act contained shall be interpreted as giving to any municipality powers which it has not under the laws that govern it, nor to any company powers which it has not under its charter or act of incorporation.

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