

Approval of proprietors and Lieutenant-Governor for all loans effected.

“**4529.** Loans, whether by the issue of debentures or otherwise, are only made under a by-law of the council, passed to that effect, approved by the majority in number and in real value of the proprietors who being municipal electors have voted thereon, and also approved by the Lieutenant-Governor in Council.”

Coming into force.

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

CHAPTER 41

An Act to amend the joint stock companies' incorporation act

[Assented to 25th April, 1903]

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

R.S. 4697 and 4698, replaced.

1. Articles 4697 and 4698 of the Revised Statutes are replaced by the following :

Petition for letters patent.

“**4697.** 1. The persons desiring to be incorporated may, by petition, apply to the Lieutenant-Governor, through the Provincial Secretary, for the issue of such letters patent, and in such petition they must indicate :

Contents of petition.

- (a) The corporate name of the proposed company, which shall not be that of any other company, or any name liable to be confounded therewith or otherwise on public grounds objectionable ;
- (b) The object for which the incorporation is sought ;
- (c) The place, within the limits of the province, selected as its chief place of business ;
- (d) The proposed amount of its capital stock ;
- (e) The number of shares and amount of each share ;
- (f) The name in full and the address and calling of each of the applicants, with special mention of the names of not less than three or more than nine of their number who are to be the first directors of the company,—the major part of such directors to be resident in Canada and to be subjects of His Majesty
- (g) The amount of stock taken by each applicant, and by all other persons therein named, and also the amount paid in upon the stock of each applicant, and the manner in which the same has been paid in, and is held for the company ;

2. The aggregate of the stock so taken must be at least one half of the total amount of the stock of the company ;

Amount of subscriptions required.

3. The aggregate so paid in thereon must be at least ten per cent. thereof, or five per cent. of the total capital; unless such total exceeds five hundred thousand dollars, in which case the aggregate paid in upon such excess must be at least two per cent. thereof ;

Amount required to be paid.

4. Such aggregate must have been paid in to the credit of the company or of trustees therefor, and must be standing at such credit, in some chartered bank within the province ; unless the object of the company is one requiring that it should own real estate, in which case not more than one half thereof may be taken as invested in real estate suitable to such object, duly held by trustees therefor, and being fully of the required value over and above all incumbrances thereon.

How to be paid.

“ **4698.** The petition may ask the embodying in the letters patent of any provision which, otherwise under this section, might be embodied in any by-law of the company when incorporated.”

Other provisions of petition.

2. Article 4699 of the Revised Statutes is amended by R. S., 4699, striking out the words : “ notice and,” in the fifth line thereof

amended.

3. Article 4700 of the Revised Statutes is amended by R. S., 4700, striking out the words : “ notice and,” in the second line thereof.

amended.

4. Article 4701 of the Revised Statutes is amended by R. S., 4701, repealing the words : “ provided that they be of the same nature as that given in the notice,” at the end thereof.

amended.

5. The following article is inserted in the Revised Statutes, after article 4704 :

Art. added after R. S., 4704.

“ **4704a.** Whenever a company, incorporated under this section, desires to obtain additional powers, the Lieutenant-Governor may, on petition for that purpose, grant supplementary letters patent conferring such powers, which letters patent shall be made in the manner provided by article 4702.

Additional powers may be granted by supplementary letters patent.

Notice of the granting of the supplementary letters patent is forthwith given by the Provincial Secretary in the *Quebec Official Gazette*.”

Notice in such case.

6. The following article is inserted in the Revised Statutes, after article 4705 :

Art. added after R. S., 4705.

“ **4705a.** The directors of any company, the capital whereof has, either by the letters patent constituting the

Division into preference and ordinary

shares may be cancelled.

Approval by shareholders, and supplementary letters patent to be issued in certain event.

Approval without supplementary letters patent.

Coming into force.

company or by by-law, been divided into preferred and ordinary shares, may, with the consent of two-thirds of the holders of such preferred shares, by by-law, cancel such division into preferred and ordinary shares, and declare that thereafter all the shares shall rank equally.

But no such by-law shall have any force or effect whatsoever until after it has been sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy at a general meeting of the company duly called for considering the same, and has afterwards been confirmed by supplementary letters patent.

If, however, such by-law has been unanimously sanctioned at such meeting, no supplementary letters patent are necessary."

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

CHAP. 42

An Act respecting electric telephone companies

[Assented to 25th April, 1903]

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

Art. added after R. S., 4920.

1. The following provisions are inserted in the Revised Statutes, after article 4920 :

"SECTION VIII^a

ELECTRIC TELEPHONE COMPANIES

Application of preceding section to telephone companies.

Coming into force.

"4920^a. All the provisions of section VIII of this chapter also apply *mutatis mutandis* to electric telephone companies."

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