

C H A P. 91

An Act to incorporate the Red Falls Electric Company

[Assented to 25th April, 1903]

WHEREAS a petition has been presented by the persons hereinafter mentioned, praying for the incorporation of a company for the purpose of producing electricity and supplying heat, light and motive power, as well as for a telephone service; and whereas it is expedient to grant such prayer;

Preamble.

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

1. Georges Turcotte, M.P., Eusèbe Roberge, Dr. J. Z. Triganne, of St Julie de Somerset; Dr. L. O. Noel, L. J. Fréchette, ex-M.P., Dame Emma R. Pelletier, of St. Ferdinand' Halifax; the Honorable N. C. Cormier, F. J. Savoie, J. B. Dupuis, of Plessisville; Joseph Demers, of Thetford Mines, in the county of Megantic; Paul Tourigny, M.P.P., L. P. DeCourval, of Victoriaville; L. Lavergne, M.P., of Arthabaskaville, county of Arthabaska; Alfred Girard, M.P. P. of Marieville, county of Rouville; Napoléon P. Tanguay, of Weedon, county of Wolfe; Eugène Roberge, of Lambton, county of Beauce; I. L. Lafleur, of Montreal, and such other persons as shall become members of the company hereby incorporated, are constituted a corporation under the name of the "Red Falls Electric Company."

Persons incorporated.

2. The head office of the company shall be at Plessisville, in the county of Megantic, but may be changed for the convenience of the company on the decision of a majority of the regular directors; and Napoléon P. Tanguay, Alfred Girard, M.P.P., Paul Tourigny, M.P.P., Joseph Demers, Georges Turcotte, M.P., aforesaid, shall be the provisional directors of the company and shall remain in office until the first election of directors.

Head office and change thereof.

Provisional directors.

3. The first general meeting of the shareholders shall take place, on such day as shall be designated by the provisional directors, within twelve months following the coming into force of this act, and the subsequent annual meetings shall be held, in each following year, on such day, at such place, and at such hour as may be indicated by the by-laws of the company, or by the directors in the absence of by-laws.

First general meeting of shareholders when and where to be held.

Election of
directors.
President and
quorum.

4. At such first meeting and at the subsequent annual meetings, five directors shall be elected, who shall choose one of their number as president; three directors shall form a quorum of the board, and may exercise all the powers conferred upon the directors and with which they are vested.

Capital stock
and shares.
Increase of
capital.

5. The capital stock of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, and it may be increased with the consent of two-thirds in value of the shareholders.

Issue of pre-
ferred shares.

6. The company may issue preferred stock, to an amount not exceeding one hundred and fifty thousand dollars of its capital stock, in one or more series, and bearing interest not exceeding six per cent.

Interest
thereon
cumulative.

The interest on its preferred stock shall be cumulative, that is to say, before any interest is paid to the holders of ordinary shares, the holders of preferred stock must have received all the interest due them with the arrears thereof.

Power to bor-
row and issue
bonds.

7. The company may borrow for its purposes, to the extent of one hundred thousand dollars, at a rate of interest not exceeding five per cent. and for such period as may be deemed necessary; and it may issue, under the hand of the president and the seal of the company, bonds or debentures, in amounts of not less than one hundred dollars, countersigned by the secretary, for the amounts so borrowed, payable to bearer, in this province or elsewhere, and such loans shall constitute a first lien on the assets of the company.

Payment of
calls upon
shares.

8. The shareholders of the company shall be bound to pay the amount of their subscriptions according to the calls made, from time to time, by the directors; but the directors shall be bound to make such calls only at such times and in such manner as they may deem expedient for the purposes of the company.

Power to
manufacture,
&c., elec-
tricity, &c.

9. The company may manufacture, at Red Falls on the Becancour river, situated at Lyster, in the county of Megantic, purchase or otherwise acquire or in any manner dispose of electricity, light and motive power, as well as all kinds of apparatus and articles connected with such industry; establish a tariff and collect the tolls therein prescribed for such supply of electricity as it may furnish either for lighting, heating, or motive power, or for a telephone, or for the sale and hire of any machinery or other electrical apparatus.

Establish
tariff for sup-
ply of elec-
tricity, &c.

10. It shall be lawful for any municipal corporation to subscribe to the company's stock, or to grant it such bonuses, loans, advances, privileges and exemptions as may be deemed advisable by the council of such municipal corporation, provided it be without prejudice to the rights and privileges of other persons or companies legally acquired from such municipal corporation, and that the by-law to that effect be approved by the majority in number and value of the electors who are owners of real estate, and be ratified by the Lieutenant-Governor in council, except as regards privileges and exemptions.

Municipal councils may take stock in and otherwise aid company.

11. The company, for the purpose of supplying electricity for light, heat and motive power to the localities, mines, and works situated along its lines, may construct a first electric line from its works at Red Falls to Warwick, passing through the town and villages of Ste. Julie de Somerset, Laurierville, Plessisville, Stanfold, Victoriaville, and Arthabaskaville; a second electric line from the said works to East Broughton Mines, passing through Leeds, and amalgamating with the St. Francis Water Power Company, as far as Thetford Mines and Black Lake; it may also, within a radius of twenty miles from the said two lines, construct branches of electric lines from any point on the two main lines to reach the villages, mines, and workshops, where light, heat and motive power may be required, such as Kinnear's Mills, Inverness and St. Ferdinand d'Halifax, and may, moreover, acquire by purchase and add to such various lines and branches the Lysander Falls as auxiliary water-power to the Red Falls; provided the works be done with the consent of the municipal council and under the direction and supervision of the engineer or of such other officer as the council may designate, and in such manner as the council may prescribe; provided also that the company shall not carry on business in, nor supply electricity within the limits of any municipality having an established electric light system except Arthabaskaville, until the expiration of the exclusive privileges now existing.

Power to erect lines throughout certain territory.

Acquire certain water power.

Proviso.

Proviso.

12. The company may, for the purpose of maintaining the capacity of its water-powers, build dams on Black River to utilize the waters of lakes à la Vase, Joseph William, Black, and Trout, situated on the tributaries of the Bécancour river, and flowing through the water-powers of the company; provided that nothing in this act shall in any way affect rights acquired under the common law.

Power to dam certain waters, &c.

Proviso.

13. The company may, as regards the territory mentioned in sections 11 and 12, acquire by purchase, lease or other-

Power to acquire lands,

&c., in certain territory wise, the property, lands and water-powers necessary for the purposes of its business.

Power to exercise, &c., franchise of other companies acquired, &c., by company.

14. The company may exercise the franchise and rights conferred by the charter of any water-power and electric company, whose business it may acquire by contract with any corporation or private individual, and, in particular, may purchase all the rights, privileges, property, and charter of the Plessisville Electric Company, and the latter company is hereby authorized to make such sale; and the company incorporated by this act shall have the right to amalgamate with any other company on such terms as may be agreed upon and set forth in a notarial deed, which shall be deposited in the office of the Provincial Secretary.

Power to erect, &c., poles, &c., along streets, &c.

15. The company may, at any place which it may deem necessary, from the company's works to the places where the electricity is to be consumed, lay its wires, pipes, or conduits, including poles, piers or abutments for receiving or supporting the cables or wires conducting electricity or the telephone line along or across public lands, or across any non-navigable stream, establish its wires under and above public roads, streets, lanes, bridges and non-navigable rivers, provided they be not erected so as to inconvenience the public using the roads, bridges or banks, nor prevent access to any houses or other buildings erected in the vicinity, provided the company shall in nowise impede public traffic or the use of streets, lanes, or public roads; and provided that the company be liable for all damages caused by it.

Proviso.

Streets to be replaced by and at expense of company.

The streets and public roads shall in all cases be replaced in the same condition as they previously were by the said company and at its expense.

Power to sell, &c., surplus water.

16. The company may employ, sell, assign or lease the surplus water derived from its canals, flumes, or dams, which it cannot use and which may be utilized for supplying motive power to machinery in mills, warehouses and factories; it may also purchase, acquire, hold and possess the lands situated along its water-powers, as well as its electric lines, and sell or dispose of the same and lease them, upon such terms and conditions as may be deemed expedient.

Company's property not liable for rent of premises occupied by third persons, &c.

17. The wires supplying the lamps for producing light or the apparatus for producing heat or supplying motive power, as well as the connecting lines of the company, the meters, lamps, apparatus of all kinds, as well as the other property of the company, shall not be security for the payment of rent, nor can they be seized or pledged in any

manner by the possessor or owner of a house in which they may be, nor can they be in any manner pledged to any person as security for the debts of another person, to whom or for whose use or for the use of whose house or building they have been furnished by the company, notwithstanding the apparent and actual possession thereof by such person.

18. The provisions of the Joint Stock Companies' General Certain act Clauses' Act shall apply to this act and form part thereof, to apply. except in so far as they may be contradictory to or inconsistent with the provisions of this act.

19. This act shall come into force on the day of its sanc- Coming into tion. force.

CHAP 92

An Act to incorporate *La Compagnie d'Electricité de Roberval*

[Assented to 25th April, 1903]

WHEREAS a petition has been presented by B. A. Scott, Preamble. manufacturer, L. E. Otis, merchant, L. P. Bilodeau, merchant, Simon Cimon, electrician, and E. F. Fluhmann, physician, all of the village of Roberval, praying for the passing of an act to incorporate them as a company for the purpose of producing and supplying light, heat and motive power, and also of buying and operating telephone lines, 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. B. A. Scott, manufacturer, L. E. Otis, merchant, L. P. Persons incor Bilodeau, merchant, Simon Cimon, electrician and E. F. porated. Fluhmann, physician, all of the village of Roberval, and such other persons as may become members of the said company, are incorporated under the name of *La Com-* Name. *pagnie d'Electricité de Roberval.*

2. The head office of the company shall be in the village Head office of Roberval, but may be transferred to such other place as and change may be decided at a meeting of the shareholders; notice of thereof. such change shall be given in the *Quebec Official Gazette* and Notice to be in a newspaper of the locality. given.

3. The capital stock of the company shall be fifty thou- Capital stock sand dollars, divided into shares of twenty dollars each. and shares.