

chises, surveys, plans, works, plant, material, machinery and property to it belonging; or for making agreements for running arrangements over the railway of such company, or for running arrangements by such company over the railway company hereby incorporated; and may enter into any such agreement with the Great Northern Railway of Canada or the Canadian Pacific Railway Company on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors of both companies seem fit; but any such agreement, to be binding on the company, must be approved by two thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two thirds in value of the stock are present or represented by proxy. Proviso.

10. The company may, moreover, enter into agreements with the council of the village of Shawinigan Falls, or with the council of any town or municipality within the limits of the territory within which the company is authorized to construct and operate its railway, for the use of the municipal roads, streets, lanes and bridges situated within the limits of the said municipality; also for the placing of poles and wires in the said streets and highways; also for exemptions from taxes and assessments; and, generally for the safety of the business and passengers carried on the said railway. Company may agree with certain municipalities as to use of streets, roads, &c., for railway, poles, &c.

11. The provisions of the Revised Statutes respecting railways, not inconsistent with this charter, shall apply to the company, and all the powers, privileges and franchises, by the said Revised Statutes granted to railway companies, shall belong to the company. Law to apply to company.

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

C H A P. 64

An Act to incorporate the Kamou-Tem Littoral Electric Company

[Assented to 25th March, 1902]

WHEREAS J. B. Morneau, farmer, of Notre-Dame du Lac; the Honorable H. G. Carroll, Solicitor-General, advocate, Napoléon Dion, M. P. P., merchant, David Cook, manager, J. E. Frenette, journalist, G. A. Binet, Alfred Fortin, Alphonse Hudon, Polycarpe Nadeau, Magloire Des- Preamble.

chênes, gentlemen, Jos. Viel, merchant, F. J. Michaud, merchant, S. Belle, photographer, J. Camille Pouliot, advocate, J. T. Bertrand, civil engineer, C. G. Grundy, railway superintendent, D. B. Lindsay manager, L. H. Levasseur, merchant, all of the town of Fraserville ; Sir Alphonse Pelletier, senator, advocate, Rodolphe Roy, M. P. P., advocate, René P. Lemay, architect, Félix A. Larue, N. P., C. R. Paquin, M. D., N. Rioux, merchant, L. A. Cannon, advocate, George Garneau, merchant, the Hon. Jos. Shehyn, senator, Victor Lemieux, merchant, Cyrille Tessier, N. P., F. Carrel, journalist, H. D. Barry, manufacturer, Georges Darveau, accountant, S. A. Grondin, merchant, Siméon Fortin, electrician, Ernest Pacaud, journalist, F. S. Stocking, agent, all of the city of Quebec ; J. D. Guay, journalist, Chicoutimi ; N. K. Laflamme, advocate, Antoine Hudon, merchant's clerk, L. E. A. Chollette, manager, John McFarlane, gentleman, Rodolphe Lemieux, M. P., advocate, all of the city of Montreal : Jules Paradis, M. D., J. A. Blanchet, N. P., Jos. Beaulieu, farmer, Alfred Tremblay, manufacturer, all of St. Louis de Kamouraska ; Calixte Duval, Alphonse Duval, Xavier Hudon, mill-owners, B. M. Deschênes, M. D., P. J. Bérubé, merchant, A. N. Labrie, cheese manufacturer, all of the parish of St. Paschal ; Abdon Moreau, farmer, J. A. Moreau, merchant, of St. Germain de Kamouraska ; Luc Lizotte, merchant, Elzéar Lebrun, merchant, of the parish of St. Pacôme ; J. E. Leclerc, Alphonse Leclerc, gentlemen, Napoléon Dussault, merchant, of l'Islet ; J. A. Blais, manufacturer, J. N. Cloutier, commercial traveler, of Levis ; E. W. Tobin, M. P., of Brompton Falls ; Auguste Tessier, M. P. P., advocate, of Bimouski ; A. C. Beaubien, prothonotary, of Montmagny ; the Reverend Mr. J. H. Fréchette, parish priest of St. Malachie ; E. A. Villeneuve, M. D., of St. Romuald ; A. Gustave Verrault, registrar, of St. Jean Port-Joli ; Auguste Dupuis, horticulturist, of the village des Aulnets ; and C. A. Desjardins, manufacturer, of St. André, have by their petition prayed to be incorporated under the name of the " Kamou-Tem Littoral Electric," for the purpose of developing, establishing, acquiring, erecting and constructing, extending, keeping, maintaining, operating, leasing and transmitting electric, hydraulic and other power ; for the purpose of supplying electric and other light, motive power, heat, telephone transmission, water supply and all other industries, connected with or resulting from the various applications of electricity in the counties of L'Islet, Kamouraska, Temiscouata and the district of Rimouski, including one or more systems of electric tramway or locomotion ; for the purpose of connecting together the parishes of Kamouraska and St. Paschal, in the said county of Kamouraska, and

all the different municipalities or portions thereof situated in the said territory ; with power to erect, establish and operate, within the limits of the said territory, one or more telephone systems, pulp factories, water-works systems, making use for such purposes of all the water-powers situate in the parish of St. Paschal in the district of Kamouraska, where the company shall have its first works for electric and hydraulic power, and all other powers whatever which it may acquire, with all the rights, powers and privileges necessary for such purposes ;

Whereas it has also been represented that great advantages will result from the incorporation of the said company, the operation of the said hydraulic powers and the development of the said industries by the company, as regards the progress of that section of the province and of the said counties in particular ; and whereas it is expedient to grant such

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

1. The persons above mentioned and all other persons who shall become shareholders of the said company are incorporated under the name of the " Kamou-Tem Littoral Electric." Persons incorporated. Name.

2. The head office of the company shall be in the town of Fraserville, and the first electric and hydraulic works shall be situated in the parish of Saint Paschal, in the district of Kamouraska. Head office and situation of first works.

3. The capital of the company shall be fifty thousand dollars, divided into one thousand shares of fifty dollars each, which capital may be increased from time to time to an amount of five hundred thousand dollars, in shares of fifty dollars each ; provided the by-law ordering any such increase shall be approved by the vote of the shareholders representing two thirds in value of the then issued and paid up stock, present or represented by proxy at a general meeting specially convened for the purpose of considering such by-law. Capital stock Shares. Increase of capital. Proviso.

The shareholders, who are promoters of the company, shall have the right to take, in preference to all other persons, such number of shares as they desire in each said new issue of stock. Rights of promoters.

4. The capital of the company shall be divided into two classes, respectively designated under the name of " Electric Power Stock " and " Tramway Stock ; " and, out of the capital stock of fifty thousand dollars authorized by the foregoing Capital to be divided into two classes. Names of such.

section, twenty thousand dollars shall be issued in electric power shares and thirty thousand dollars in tramway shares.

Separate accounts to be kept for each.

The directors shall cause separate and distinct accounts to be kept for the operations of the company, with respect to the installation and development of electric light, heat, motive power and telephone transmission, and all purposes other than those of the tramway, charging to the "electric power stock" two fifths of the general expenses of the company; and the shareholders in such class shall have the right to receive the dividends on the profits realized from that branch in preference to and by priority over the shareholders of the other class.

Expenses how divided between classes of stock.

Dividends thereon.

Preferential rights of railway stockholders to certain dividends, &c.

The shareholders in the tramway stock class shall also be entitled to the preferential dividends on the profits resulting from the operations of the company in connection with the establishing, constructing and operating of any tramway or system of locomotion and conveyance; three fifths of the general expenses of the company shall be charged to such branch.

Deposit of surplus after payment of preferential dividend.

Every surplus derived from any of the said branches, after payment of the preferential dividend above mentioned, shall be paid into and form part of the general funds of the company, for allotment or distribution among all the shareholders generally.

New shares how allotted.

When new capital is issued from time to time, the directors may issue new shares in either or both of the above classes.

Powers of company within territory above mentioned.

5. The company shall possess, within the territory mentioned in the preamble, all the powers, rights, immunities and privileges granted by law to similar companies, and necessary for the purposes for which it is incorporated and by the joint stock companies' general clauses' act, in so far as they may be applicable to and not inconsistent with the provisions of this act, and shall, moreover, be subject to and be governed by the clauses of the general railway act, as regards the said tramway stock.

Laws to govern.

R. S., 4722, not to apply to company.

6. Article 4722 of the Revised Statutes shall not apply to the company.

When and where annual general meeting to be held.

7. The annual general meeting of the shareholders of the company shall be held each year on the second Tuesday in December, at the place, time and hour indicated in a notice calling such meeting, in the manner prescribed by the by-laws of the company.

Number of directors and increase thereof.

8. The board of directors shall consist of five members; such number may be increased to nine by by-law.

No person shall be appointed a director or act as such, unless he possesses, in his own name and for himself, at least ten shares in the capital stock of the company and has paid up all instalments due on said shares.

Qualification
of directors.

A simple majority of the directors shall constitute a quorum for the transaction of business. The directors shall choose one of their number as president, another as vice-president, and a third as managing director, the latter of whom shall receive such salary as may be determined by the board of directors.

Quorum of
board.

Officers.
Paid director.

9. The directors shall have power to order and issue privileged stock and ordinary stock, according to amounts as they may deem expedient and desirable, and may determine and establish the conditions and restrictions under which such shares may be taken, granted, assigned and transferred, and the manner and time of paying such shares. They shall also have power to make all such by-laws as they deem advisable for the declaration and allotment of the dividends in each class.

Power to
issue ordinary
and privileged
stock.

Power to
make by-laws
for certain
purposes.

10. The company shall have power and authority to establish, maintain, extend and operate one or more systems of hydraulic and electric works, including the establishing of electric tramways or locomotion systems, mills, workshops, pulp factories, water-works in all or any part of or any of the municipalities and places included in the counties of L'Islet, Kamouraska, Temiscouata and the county of Rimouski, and may, with the consent of the municipality in which the company shall operate, lay its wires, pipes, poles, supports and other electric appliances, for its electric wires, for electric or other light, motive power, heat, telephone transmission and other industries connected with or resulting from the various applications of electricity, above or underneath the soil, along and across all streets, public places and highways, through or over all water-courses in the said counties, for each and every of the aforesaid purposes, without, however causing any damage to the said streets, squares, public roads, highways and water-courses, and provided, that the municipal council of every corporation shall have the privilege of indicating the spots where, and of superintending and prescribing the manner in which, such works shall be done so as to cause no damage and not to impede traffic or affect public safety.

Power to
establish, &c.,
hydraulic and
electric
works, &c.,
in certain
counties, &c.

Proviso.

11. The company shall have power, after acquiring the water powers or properties required for the carrying out of any of the works, necessary for any of the aforesaid purposes, on obtaining permission from the Minister of Lands,

Power to
erect dams,
dykes, &c.

Mines and Fisheries, to convey thither the water of any river, lake and stream situated and being on Crown lands and adjacent to the said water powers or which may be conveyed there, and to build and maintain one or more dykes, flumes or other water courses, bridges, crossings, passages and other necessary structures, and to that end may enter upon all lands and have all the plans and surveys made, which may be necessary or useful in connection with the said works; provided, however, that if any real damage be caused to property, the company shall be bound to pay for the same according to decision of experts.

Lease, &c.,
surplus water.

The company may sell or lease the surplus of any water powers so increased or accumulated in consequence of the works done by it and of which it has no need, and it may dispose of the same.

Expropriation for
tramway.

12. It may also effect the expropriations necessary for operating the tramway.

Law to apply.

In such case the expropriation shall be effected under the act 54 Victoria, chapter 38, and its amendments.

Acquisition,
&c., of patent
rights, &c.

13. The company may acquire the ownership or use of any patent whatever, relating to electric or other light, heat, water power or motive power and any general application of electricity and telephone transmission; it may also manufacture any patented machine, the ownership whereof it has acquired.

Company may sub-
scribe to capi-
tal stock in
other com-
pany.

It may also
connect its
lines with
those of other
companies,
&c.

14. The company may subscribe to the capital stock or accept shares of any person, company or corporation on account of all rights or privileges purchased, leased or otherwise acquired from such company. It shall also have the right and power to establish communications, connections, or junctions with electric or telephone systems, operated by any person, firm or company, or amalgamate with any other firm or company.

Power to re-
ceive grants
of land, &c.,
from persons,
&c.

15. The company may, notwithstanding any concessions, and franchises heretofore granted to other persons or companies, receive from all persons, cities, towns, municipalities, or corporations, as aid towards the operation and maintenance of the said systems and industries, grants of land, exemptions from taxation, exclusive and other privileges, advantages, loans, gifts in money or other securities, and it may hold and dispose of the same for the requirements of the said company, subject to the application of the acts 62 Victoria, chapter 41, and 1 Edward VII, chapter 28.

Certain acts
to apply, &c.

16. The directors may, from time to time, borrow money on the credit of the company, issue bonds, debentures or other securities for all sums borrowed which shall not exceed the capital stock of the company. Such bonds shall bear the signature of the president or of the vice-president and of the secretary-treasurer and also the seal of the company. No issue of bonds shall be effected until it has been approved by a vote of the shareholders, representing at least two thirds in value of the subscribed stock, present or represented at a meeting called for the purpose.

Power to borrow and issue debentures.

Form of bonds, &c.

Approval of shareholders required previous to issue.

17. Such bonds shall constitute a first lien upon the machinery, franchises and revenues of the company, without prejudice to other privileges.

Bonds a first charge on property, &c.

The said bonds shall be payable and negotiable in the manner indicated in the company's by-laws.

How payable, &c.

18. The company shall have the right to establish a tariff, to determine and receive the amount for water supply, electric or hydraulic power which it may furnish in streets, public places, buildings, manufactories, workshops, private houses, and to all persons, companies or corporations for domestic or other consumption, light, heat, motive power, locomotion, telephone transmission and for all other objects specially connected with electricity or gas, or for the sale, lease or use of machinery, apparatus and instruments connected with electricity, gas or telephone.

Company may fix tariff for water supply, &c.

19. In the event of any person, firm or company refusing to pay to the company the rent, rates or amount due on the dates fixed for such payment, the company or other person acting in its name and under its control, after a previous notice to the owner and the occupant of forty-eight hours, may discontinue to supply the matters and things aforesaid, put an end to and cut off all connections with the company's generators without prejudice to the right to recover the amount due; and, in all cases where the company may lawfully suspend or stop the use and supply of the said matters and things, the company may, through its employees as aforesaid, enter, between nine o'clock in the morning and four o'clock in the afternoon of any day, any house, building or premises and disconnect or remove the pipes, wires, appliances and instruments belonging to the company.

Power to cut off supply, if rates not paid.

Removal of pipes &c., in such cases.

20. Every authorized employee may, outside the above hours, enter any building or premises, receiving any of the said matters and things in any manner whatsoever, for the purpose of examining, repairing and putting in good order any appliance or instrument belonging to the company where

Employees of company may enter premises to examine company's property.

Fine on persons refusing admission.

it supplies any of the said matters or things. Whosoever shall refuse, without reasonable cause, to allow the company's employees to perform such acts, shall be liable, for each offence, to a fine not exceeding forty dollars, without prejudice to the damages caused by such refusal for which he shall be responsible to the company.

Fine for wilfully damaging company's property.

21. Whosoever wilfully damages any of the wires, appliances, instruments, buildings or other property of the company, or allows them to be damaged or disturbed, shall be liable to a fine not exceeding fifty dollars for each offence, and shall be responsible towards the company for all costs and damages it may suffer.

Suit for penalty before what court brought.

22. The penalty may be claimed before the Circuit Court, or before any justice of the peace of the district wherein the offence is committed.

Wires, &c., of company not liable for rent, &c.

23. The wires, pipes, meters, and instruments belonging to the company placed in its customers' premises shall not be subject nor liable for the payment of rent or any other debt or any seizure whatsoever, contrary to the rights of the company.

Company may sell and dispose of franchises, &c.

24. The company may assign, dispose of and sell the whole or any part, in any manner it may deem advisable, on the vote of the shareholders representing at least two thirds in value of the shares subscribed as aforesaid, of all or any of its said rights, privileges and franchises, moveable and immoveable property and accessories to any person or company, and the latter may enjoy and dispose of the same separately on the conditions agreed upon between the parties.

Company may unite all its operations into one concern, or divide the same.

25. It shall be lawful for the company, on a vote of the shareholders representing two thirds in value of the shares subscribed as aforesaid, to unite and combine into a single concern, or to separate, into two or more distinct classes, the various operations which the company is authorized to carry on. Then and in the latter case there shall be a distinct and separate subscription book for each of said operations and each such class of operations; and the shareholders thereof shall, from the day of the separation, separately and distinctly enjoy the fruits and revenues derived from the said separate branch of operations, without being bound to contribute to the debts and charges of any other class.

Proviso in such case.

Power to issue part of stock for certain payments, &c.

26. The directors may order, issue and allot, at par, as paid up and unassessable stock, shares of the company, in payment of the whole or of part of the business, franchises, undertak-

ings, properties, services rendered, patent and other rights, privileges, powers, letters patent, contracts, immoveables, stock and assets of any person, firm or corporation which the company may lawfully acquire; and every such issue and allotment shall be a lien upon the company, and such stock shall not be liable to any calls, and the holders thereof shall not incur any responsibility under that head.

27. The first directors of the company shall be Poly-
carpe Nadeau, J. Camille Pouliot, David Cook, C. R. Paquin,
and C. A. Desjardins, and they shall be vested with all the
powers conferred by this act upon the directors of the com-
pany, and shall remain in office until the first annual general
meeting of the company.

First direct-
ors and their
powers.

28. The franchises and privileges already granted by cer-
tain municipalities situated in the said territory to Jean
Baptiste Morneau, farmer, of Notre-Dame du Lac, and
connected with the objects of the present company, may
lawfully be assigned and transferred to the said company by
the said J. B. Morneau.

Certain fran-
chises may be
assigned to
company.

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

Coming into
force.

CHAP. 65

An Act to amend the act 45 Victoria, chapter 64, relating to
the Liverpool and London and Globe Insurance Company.

[Assented to 26th March, 1902]

WHEREAS the Liverpool and London and Globe Insur-
ance Company has, by its petition prayed for amend-
ments to the act 45 Victoria, chapter 64, and it is expedient
to grant its 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. Section 3 of the act 45 Victoria, chapter 64, is replaced
by the following:

45 V., c. 64,
s. 3. replaced.

“3. All obligations for the payment of money, contracts
and other securities, which have been or may at any time
hereafter be taken or executed in favor of the said company,
or in favor of any persons as the trustees, for the time
being, in this Province, of the said company, or of any

Obligations,
&c., executed
in favor of
corporation,
&c., valid.