

In addition to the amounts which the company may, from time to time, borrow, secured or unsecured as aforesaid, the company may borrow, on current account or on promissory notes or other negotiable instruments, such further sums as the directors may decide are required for the operations of the company, or for the acquisition of its property or its assets.

Power to borrow on current account, &c.

8. The powers of the company to build mills and operate railways, telegraph and telephone lines shall be limited to the county of Montmorency and the first ten miles of the western extremity of the county of Charlevoix.

Powers of company for certain purposes limited to certain counties.

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

Coming into force.

## CHAP. 76

### An Act to incorporate the Saint Francis Water Power Company

[Assented to 26th March, 1902]

WHEREAS a petition has been presented by the persons hereinafter mentioned, praying for the passing of an act incorporating a company for the purpose of producing and supplying light, heat and motive power, 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. Napoléon P. Tanguay, trader, of Weedon ; J. Eugène Roberge, trader, of Lambton ; Louis I. Lafleur, trader, of Montreal ; Alfred Girard, advocate, M.P.P., and Edmond Guillet, manufacturer, both of Marieville ; Louis J. Roberge, trader, Joseph Demers, trader, Antoine O. Vachon, notary, George R. Smith, M.P.P., mine manager, all of Thetford Mines ; and Tancred Fontaine, physician, and J. L. Morin, hotel keeper, both of Black Lake, and all other persons who shall become members of the corporation hereby established are constituted a corporation, under the name of the " Saint Francis Water Power Company."

Persons incorporated.

Name.

2. The principal place of business of the company shall be in Kingsville, in the county of Megantic, and the persons above-mentioned shall be the provisional directors of the company, and shall remain in office until the first election of directors.

Head office and provisional directors.

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

Election of directors.  
Quorum, &c.      **4.** On such first and at all subsequent annual meetings, five directors shall be elected, who shall choose one of their member as president ; three directors shall constitute a quorum of the board of directors, and may exercise all the powers conferred upon the directors and vested in the same.

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 ; but it may be increased with the consent of two thirds in value of the shareholders.

Issue of privileged shares.      **6.** The company may issue privileged shares to an amount not exceeding one hundred and fifty thousand dollars of its capital stock, and bearing interest not exceeding six per cent., in one or more series, and may secure the same by transferring to trustees the whole or such portion of the assets or such property of the company as may be deemed advisable. The interest on such privileged shares shall be cumulative, that is to say, that before any interest is paid to the holders of ordinary shares, the holders of privileged shares must have received all their interest due and the arrears thereof.

Power to borrow in certain cases, and to issue bonds, &c.      **7.** Should the company not issue privileged shares, it may, under the authority of this act, and with the view of carrying out the same, borrow to the extent of one hundred and fifty thousand dollars, in amounts of not less than one hundred dollars, and at such rate of interest not exceeding six per cent., and for such period as may be deemed necessary, and issue bonds or debentures under the signature of the president and the seal of the company, countersigned by the secretary, for the sums to be borrowed, payable to bearer at such time or times, in this province or elsewhere, in currency or sterling, or in the currency of any foreign country, with interest payable at the time therein specified, and with or without coupons, and if with coupons, the same shall be signed by the secretary, and shall be payable at their respective dates of maturity and one of the signatures on the bonds or debentures may be lithographed as may also the signature on the coupons. Nevertheless, such bonds or debentures shall become due at the time prescribed by the by-laws of the com-

pany, provided such condition be inserted in the debenture, and they may be redeemed and other debentures issued in their stead ; and the amounts so borrowed shall be paid out of the property and revenue derived from the company's said works ; and for the payment of such debentures, if the same be stipulated therein, the bearer shall have a special privilege or mortgage on such property and revenues, and the total amount so borrowed shall not at any time exceed the sum of one hundred and fifty thousand dollars.

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

**9.** The company may manufacture, purchase or otherwise acquire or in any way dispose of electricity, or any kind of heat, light or motive power, as well as all other kinds of appliances and plant connected with such industries, and may also acquire, manufacture, purchase or lease the machinery or appliances necessary for manufacturing lumber, pulp and paper, as well as of all the by-products of such industries. Power to manufacture, &c., electricity, &c.

**10.** The company may, for a radius of thirty miles around the village of D'Israeli and for D'Israeli, establish a tariff and collect the rates therein prescribed for any supply of electricity and for the telephone which it shall provide, either for light, heat or motive power, or for the telephone service or for the running of electric cars or boats, or for any other purpose for which electricity can be used or for the sale or rent of any electric machinery or appliances. Power to make certain tariff for supplying electricity.

**11.** It shall be lawful for any municipal corporation to subscribe for shares of the company, or to grant it such bonuses, loans, advances, privileges and exemptions as may be deemed advisable by the council of such municipal corporation, provided the by-law to that effect shall be approved by a majority in number and in value of the electors who are proprietors of immoveable property and be ratified by the Lieutenant-Governor in Council. Municipal corporations may take shares or otherwise aid company.

**12.** The company may, for the territory mentioned in section 10, acquire, by purchase, lease or otherwise, all properties, lands, lots, timber-limits, wood-lands which may be necessary for the purpose of its business, all buildings, apparatus, materials and machinery and patents of invention it may Power to acquire certain property in certain territory, &c.

deem expedient to have or use for its business, and it may sell, lease or otherwise dispose of the same, wholly or in part, as it may deem expedient. The company may also lease, purchase and operate, wholly or in part, any factory or undertaking belonging to other persons or corporations authorized to do any business connected with the objects of the company.

Power to  
exercise, &c.,  
franchise of  
other com-  
panies pur-  
chased by  
company, &c.

**13.** The company may exercise the franchises and rights conferred by the charter of any company whose business it may acquire by lease or contract, and it shall have the right to amalgamate with any other corporation on such terms as may be agreed upon and be set forth in a notarial deed to be deposited in the office of the Provincial Secretary.

Power to  
erect poles  
upon streets,  
&c.

**14.** The company may, in D'Israeli or in any other place within a radius of thirty miles from D'Israeli, establish its wires in and over the public streets and roads, lanes, yards, non-navigable rivers, bridges, and public roads, as may be deemed necessary from the works of the company to the places where the electricity is to be consumed ; lay its wires, pipes or conduits, including posts, piers or abutments intended for receiving or supporting the ropes or wires to bear the electric or telephone wires along or across public lands, or across any non-navigable stream ; provided they be not erected in such manner as to inconvenience the public using the said roads or bridges or shores, nor impede access to any houses or other buildings erected in the vicinity, or interrupt the navigation of the said waters ; and provided the company shall in no wise impede the public traffic in or the use of the public streets, lanes or roads, and that, in cities, towns or incorporated villages, the opening of streets for erecting poles, and for laying wires, pipes or conduits shall be effected with the consent of the municipal council, and under the direction and supervision of the engineer or such other officer as the council may indicate, and in such manner as the council shall prescribe.

Power to  
erect certain  
electric lines.

**15.** The company may, within a radius of thirty miles from D'Israeli, erect a first electric line from the water-powers it owns on the river Saint Francis, in the counties of Wolfe, Megantic and Beauce, between D'Israeli and Lake Saint Francis, to the village of Broughton, passing by Colrairie, Black Lake, Kingsville or Thetford Mines, and Robertson, running as much as possible along the line of the Quebec Central Railway ; a second electric line from the said water-powers leading directly to the village of Black Lake ; a third electric line from the said water-

powers leading directly to Kingsville or Thetford Mines ; finally, a fourth electric line from the said water-powers to Bull's Head Falls and Weedon ; it may also, within a radius of thirty miles from D'Israeli, construct branch electric lines from any point whatsoever on the four main lines to reach the villages, towns, mines, and works, where light, heat or motive power may be required.

**16.** The company may, within a radius of thirty miles from D'Israeli, build dams to utilize the waters of Lake Caribou and Little Lake Saint Francis, flowing into Lake Saint Francis by the river Ashberham, and of Lac à la Truite flowing into the same by the Coldstream, as well as of Lac des Îles discharging by the Rivière Sauvage, in order to increase and maintain the permanent strength of the said Saint Francis water-powers. Such dams shall be provided with slides sufficient to allow of the floating of wood as in the past, and without the proprietors of such wood being liable to pay any charge, toll or money whatsoever.

Power to dam certain waters.  
Dam to have slides for passage of wood free of all charge.

**17.** After having acquired the lots or properties necessary for carrying out the works above-mentioned, the company shall have power to erect machinery for utilizing the water-powers and to that end may construct, build and maintain one or more dams on the water-powers belonging to it, and situated on the River St. Francis, between D'Israeli and Lake St. Francis, as well as piers, flumes and other works necessary for providing a sufficient supply of water for the undertaking.

Power to erect machinery, &c., for utilizing water-powers.

**18.** The company may use, sell, transfer or lease the surplus water from its canals, flumes and dams which it cannot use and which may be useful and suitable for driving any machinery used in mills, warehouses and factories ; it may also purchase, acquire, hold and possess lots and lands along its water-powers and its electric lines, sell or dispose thereof and lease the same on the terms and conditions it may deem advisable.

Power to sell, &c., surplus water.

**19.** Before beginning to lay its wires or to build its dams, the company shall be bound to deposit with the Minister of Colonization and Public Works a report of the works to be done and a copy thereof with the municipal council of the municipality in which the proposed works are to be done ; or in the event of the work being in more than one municipality, then to the municipal council of each municipality within the limits of which said projected works may be.

Company to deposit report &c., with Minister of Colonization and Public Works before beginning dams, &c.

Working of  
mining lands  
not to be in-  
terfered with.

**20.** The company shall so build and place its works, offices, electric lines and all accessories and appliances belonging thereto, as not to interfere with the working of the mining lands on which they may be erected. Every owner of mining lands may require the removal of the company's works for the purpose of extracting the ores that may be underneath them.

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

**21.** The wires for supplying lamps or apparatus for heating or motive power, as well as the conducting wires of the company, the meters, fixtures, lamps, appliances of all kinds, and any other property whatsoever of the company, shall not be security for the payment of rent, and cannot be seized or pledged in any manner by the possessor or proprietor of any house in which they may be, nor can they be in any way pledged to any person as security for the debt of another person to whom or for the use of whom or for the use of whose house or building they have been supplied by the company, notwithstanding the apparent and actual possession thereof by such persons.

Certain acts  
to apply.

**22.** The provisions of the joint stock companies' general clauses' act shall apply to the present act and shall form part thereof, except in so far as they may be inconsistent or incompatible with the provisions of this act.

Railway act  
applies to  
company.

**23.** All the provisions of the law of the Province of Quebec respecting railways are incorporated in this act, but only for the construction and running of the lines mentioned in section 15.

Liability of  
company for  
damages.

**24.** Nothing in this act shall exempt the company from its liability in damages to all those who may be injured or prejudiced by the company in the exercise of any of the powers herein granted.

Coming into  
force.

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

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