

Property may be transferred to trustees to secure payment of bonds.

machinery, works and materials; and all such properties may be transferred by deed to one or more trustees to secure the said bonds, upon such terms and conditions as may be approved by the directors authorized by a general meeting of shareholders.

Certain sale to company of 3rd May, 1900. of certain property, &c., confirmed.

4. The sale of the moveable and immoveable property, assets, rights, franchises and good-will of the Chicoutimi Pulp Company, incorporated by Letters Patent of the 18th May, 1897, whose powers were increased by supplementary letters-patent of the 8th November, 1897, made on the 3rd May, 1900, to the Chicoutimi Pulp Company incorporated by letters patent of the 23rd January, 1900, is confirmed and shall have full and entire effect.

Coming into force.

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

CHAP. 78

An Act to incorporate the Metabetchouan Pulp Company

[Assented to 26th March, 1902]

Preamble.

WHEREAS André E. Vallerand, merchant; Jean Elie Martineau, merchant, François Xavier Drolet, mechanical engineer, C. Emile Morissette, contractor, Archange Racine, founder, Fidèle Blouin, manufacturer, Charles A. Paquet, merchant, all of Quebec, Joseph Edouard Caron, farmer, of Ste. Louise de l'Islet, and Basile Néron, merchant, of St. Jérôme, Lake St. John, have by petition represented that they are already incorporated by Letters Patent under the name of the "Metabetchouan Pulp Company" and desire to be incorporated by an act of the Legislature of this Province for the manufacturing of pulp, with power to purchase and acquire, on the Metabetchouan river and its tributaries or in any other place hereinafter designated in the counties of Chicoutimi and Lake St. John, water-powers, timber limits and the lands required for building the necessary mills and dams for the manufacture of pulp; to produce electricity, to put up the necessary installation for lighting by means of electricity, in the aforesaid counties; to build and own pulp mills, saw mills and grist mills; to construct and maintain dams for supplying water; to carry on the business of lumbering in all its branches; to build and own stores for general trade; to lay out and undertake the construction and operation of branch

railways for the purpose of connecting the mills and other industrial establishments of the company with the railway or tramway lines already in existence or that may hereafter be built ; and to build telegraph and telephone lines for the use of the company ; and whereas it is expedient to grant the prayer of the said petition ;

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

1. The said André E. Vallerand, Jean Elie Martineau, François Xavier Drolet, C. Emile Morissette, Archange Racine, Fidèle Blouin, Charles A. Paquet, Joseph Edouard Caron, Basile Néron, and such persons as are now associated with them and those who may hereafter become shareholders of the corporation hereby incorporated, are constituted a corporation under the name of "The Metabetchouan Pulp Company," the head office whereof shall be in the city of Quebec, or in any other place determined by the directors by by-law ; and the said corporation is for all purposes substituted to the company created by the letters patent above mentioned and succeeds it in all its property, rights, privileges, franchises, claims and obligations.

Persons
incorporated.
Name.
Head office.
Substituted
to company
incorporated
by letters-
patent.

2. The company shall have power to appear before the courts, to purchase, lease, or acquire moveable and immoveable property, right of way and timber limits, from time to time, according to its needs, for the purpose of erecting mills and dams on the Metabetchouan river and its tributaries in the county of Lake St. John, and of carrying on the industry that the company proposes to establish, for making and selling pulp wood, and for carrying on any other business connected with such trade, and shall moreover have power, at any time, to sell or hypothecate the lands now held by the company as well as the other property it may acquire ; it shall likewise have power to purchase, lease, build or otherwise acquire and work saw and grist mills at the same place, as well as power to purchase, lease, build or otherwise acquire stores and warehouses or other buildings for receiving and storing its goods, and power to carry on the business of lumbering in all its branches as well as a general trade.

Corporate
powers, &c.

3. The capital stock of the company shall be one hundred and fifty thousand dollars, divided into fifteen hundred shares of one hundred dollars each, which capital may, from time to time, be increased to one million dollars as may be required by the company, by a resolution adopted by a vote of two thirds in value of the shareholders at a general meeting called for the purpose.

Capital stock
Shares.
Increase
of capital

Company may build, &c., dams, &c., on Metabetchouan river, &c.

4. The company may, in order to procure a sufficient supply of water and motive power and for all hydraulic and manufacturing purposes, erect, build and maintain, on the lands belonging to it, dams and dykes on the Metabetchouan river and its tributaries, and flumes at the same places on the Metabetchouan river; it is likewise authorized to build all dams and piers and do all other works required for the said dykes and flumes, provided such works do not injure present or future works nor the floating of wood.

Company may :

5. The company may :

Manufacture wood pulp, &c. ;

(a) Manufacture mechanically ground wood pulp, chemical pulp, paper, lumber, and all products incidental thereto, in all its branches; manufacture, supply, sell and dispose of electricity for the purposes of light, heat or motive power, and for any other purpose for which the same may be used;

Acquire, &c., buildings, &c.

(b) Acquire, manufacture, construct, erect, maintain and operate, at the same place, all buildings, works, structures, apparatus, meters, wires, appliances, supplies and machinery, necessary in connection with the said business, and dispose of and use the same in any manner that the directors deem advisable;

Acquire, &c., letters patent ;

(c) Acquire, by purchase, license or otherwise, and use, license or otherwise dispose of, any invention or letters patent, or any right to use or employ any inventions in connection with the production, manufacture or supply of electricity;

Acquire, &c., works, &c., of other companies, &c.

(d) Acquire and operate the works, stocks, property franchises, assets and business of any person, company, city, town, village or municipality, whether incorporated or not, authorized to carry on any business comprised in the objects of this act; enter into any arrangements for such purpose or in connection therewith or for assuming the liabilities of such person, company, city, town, village or municipality with which the company has entered into an agreement or contract in respect thereof;

Construct at certain places offices, &c. ;

(e) Construct and maintain, at the places above mentioned, along its railway, offices, stores, warehouses, sheds or other buildings for the reception and storing of goods; and construct thereon elevators, cranes and weigh-beams, and all such other works and structures as shall be requisite to give effect to the full intent and meaning of this act;

Construct tramway, &c. ;

(f) Construct tramways, in as direct a line as possible, to connect the company's various mills at St. André de l'Épouvante, and from the latter point to or near Lake Bouchette,

on the Quebec and Lake St. John Railway, and purchase, hire, build and repair scows, steam and other vessels for the service of the company ;

(g) Grant licenses to any person, company or municipal corporation to use any patent, license or right held or owned by the company, and receive payment therefor, either in money, bonds or debentures, or fully paid up shares of the capital stock of any other such company or corporation, and, to such extent, become a shareholder in any such company ;

Grant licenses to use patents, &c.

(h) Locate, construct, and operate, in as straight a line as possible, branches of railway for the purpose of connecting the mills and industrial establishments of the company at St. André and from the latter place to the line of the Quebec and Lake St. John Railway, at or near Lake Bouchette station, and expropriate for the purposes of such branches ; the provisions of the law of this province respecting railways applying to the company for the purposes of this section ;

Locate, &c., branch railways, &c. between certain points, &c.

(i) Acquire, construct and maintain any dam, slide, pier, boom or other works necessary to facilitate the transmission of timber down any river or stream, and for the purposes of blasting rocks, dredging such streams or of otherwise improving the navigation thereof for said purpose, the whole at the places specified in section 4 of this act ;

Acquire &c., dams, &c., for floating timber down streams, &c. ;

(j) Acquire, construct and maintain, for the purposes of its undertaking, telegraph and telephone lines for connecting its various establishments at St. André and from the latter place to Lake Bouchette and along the railways above mentioned.

Acquire, &c., telegraph and telephone lines, &c.

Provided that the company shall not construct any such works over and upon, or otherwise interfere with or injure any private property, without having obtained the consent of the owner or occupant thereof, nor interfere with works already existing or in process of construction or those in the future on the said lakes and rivers, nor levy any tolls or injure the floating of wood belonging to other proprietors.

Proviso.

6. With the consent of the municipal council or other authority having jurisdiction over any highway or public place, the company may enter thereon for the purpose of constructing and maintaining lines for the conveyance of electric power in St. André de l'Épouvante to Lake Bouchette ; and, when deemed necessary by the company for the purpose of its system for supplying electric power, may erect, equip, and maintain poles and other works and appliances, and stretch wires and other electrical contrivances thereon in

Com: any may erect upon streets, &c, poles, &c., for conveying power, &c., in certain places, &c.

St. André de l'Épouvante and along its railway to Lake Bouchette ; and, as often as the company thinks proper, may enter upon, use, break up and open any highway or public place, subject however to the following provisions :

Right of travel not to be interfered with ; (a) The company shall not interfere with the public right of travel, or in any way obstruct the entrance to any door or gateway, or free access to any building ;

Wires not be below certain height from ground, &c. ; (b) The company shall not permit any wires to be suspended less than twenty feet above the level of the street or highway, nor, without the consent of the municipal council, erect more than one line of poles along any highway ;

Poles to be straight, &c. ; (c) All poles shall be, as nearly as possible, straight and perpendicular, and shall be painted if so required by any by-law of the council ;

Wires, &c., may be cut without recourse by company in certain event ; (d) The company shall not be entitled to any damages on account of poles or wires being cut by the direction of the officer in charge of the fire-brigade at any fire, if, in the opinion of such officer, it is advisable that such poles or wires be cut ;

Opening of streets, &c., to be subject to municipal control, &c. ; (e) The opening up of the streets for the erection of poles, or for carrying wires underground, shall be subject to the direction and approval of such person as the municipal council appoints and shall be done in such manner as the said council directs ; the council may also designate the places where such poles shall be erected, and the streets shall, without any unnecessary delay, be restored, as far as possible to their former condition, by and at the expense of the company ;

If company obliged to place wires, &c., below the ground, not to be deemed an interference with company's rights ; (f) In case efficient means are devised for carrying telegraph and telephone wires underground, no act of the Legislature requiring the company to adopt such means, and abrogating the right given by this section to carry lines on poles, shall be deemed an infringement of the privileges granted by this section, and the company shall not be entitled to damages therefor ;

No damages to be claimed by company, if wires cut by municipal authority for certain purposes, &c., after notice. (g) If, for the purpose of building, or in the exercise of the public right of travel, it is necessary that the said wires or poles be temporarily removed, by cutting or otherwise, the company shall, at its own expense, upon reasonable notice in writing from any person requiring it, remove such wires or poles, and, in default of the company so doing, such person may remove such wires and poles at the expense of the company.

Notice how to be given. The said notice may be given either at any office of the company or through any agent or officer of the company, in the nearest adjoining municipality to that in which such wires and poles are.

7. The directors may, whenever authorized for that purpose, borrow such sums of money not exceeding in amount two thirds of the subscribed capital stock of the company as the said directors deem necessary, and may issue bonds or debentures therefor, in sums of not less than one hundred dollars each, at such rate of interest, payable at such times and places, and secured in such manner by mortgage or otherwise upon the whole or any portion of the property and undertaking of the company, as may be decided upon by the directors. The company may make such provision respecting the redemption of such securities as may be deemed proper.

Power to borrow and issue bonds, &c.

How bonds must be issued.

Redemption of bonds.

8. The directors may make and issue, as paid up and un-assessable 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, real estate, stock and assets or other property of any person, company, or municipal corporation, which it 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 they are also authorized to issue, as paid up and unassessable stock, shares of the capital stock of the company, and may allot and hand over the same in payment for right of way, lands, rights, plant, property, letters patent of invention, rolling stock or material of any kind, of service to the company; and any such issue and allotment of stock shall be binding on the company, and such stock shall not be assessable for calls, nor shall the holders thereof be liable in any form thereon, and the company may pay for any and each of the objects above-mentioned wholly or partly by means of debentures, as the directors may deem proper.

Issue of paid up stock for certain payments.

9. The mortgage bonds and debentures of the company may be so issued either in Canadian currency or in sterling or in both at the option of the company.

In what currency bonds to be issued.

10. The company may receive from any government, or from any person, city, town, village or municipal corporation, whether incorporated or not, and having power to make or grant the same, in aid of the construction, equipment and maintenance of the said works, grants of land, exemptions from taxation, loans, gifts of money, guarantees and other securities for money, and may hold and dispose of the same for the purposes of the company.

Aid may be received by company.

11. Before commencing the laying of wires, or the building of flumes, the company shall be bound to make to the Minister of Colonization and Public Works a report of the

Report of works to be made to Minister of

Public Works before they are begun and also to the municipal councils affected.

works which it proposes to undertake, and to send a copy of the same to the municipal council of the municipality in which the projected works are to be made, or, if it happen that such works are situated in more than one municipality, then to the municipal council of each municipality within the limits of which the projected works are situated, except on its own lands.

Company may cut off supply, if rates not paid.

12. If any person, supplied by the company with electricity, neglects to pay the rent, rate or charge due to the company, at any of the times fixed for the payment thereof, the company or any person acting under its authority, on giving forty-eight hours' notice, may stop the supply of electricity or power from entering the premises of the person in arrears, as aforesaid, by cutting off the service pipe or wires, or by any other lawful means as the company or its officers see fit ; and may recover the rent or charge then due, together with the expenses of cutting off the electricity, notwithstanding any contract to furnish the electricity, water or power for a longer time.

Company may remove its property in such case.

13. As soon as the company has cut off and taken away the supply of electricity from any house, building, or premises, the company or its agents and workmen, may enter into the house, building, or premises, between the hours of nine o'clock in the forenoon and four in the afternoon, making as little disturbance and inconvenience as possible, and may remove and take away any wire, meter, cock, branch, lamp, or apparatus which is the property of the company.

Examination of company's property by employees.

Any servant of the company, duly authorized, may between the hours aforesaid, enter any house into which electricity has been taken, for the purpose of examining any meter, wire or apparatus belonging to the company, or used for electricity ; and, if any person refuse to permit, or do not permit the servants and officers of the company to enter and perform the acts aforesaid, the person so refusing or obstructing shall, for every such offence, incur a penalty in favor of the company of not more than forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction continues.

Penalty on person refusing to permit such examination.

If lands adjacent to company works become flooded, &c., arbitration to be held under Municipal Code.

14. When the lands, adjacent to and connected in any manner or to any extent with the water-powers on the river Metabetchouan or the other lakes and rivers above mentioned or at a place where they discharge or around the same, are or shall be flooded by the development of such water-powers, or whenever it may be necessary to obtain a piece of land or passage for the placing of its lines for trans-

mitting electricity, for building its dams, wharves, booms or other works necessary to facilitate the transportation of timber, and to attain the objects for which the company is incorporated, an indemnity, covering forever the depreciation of the value of the land caused by the works then existing, by reason of the exercise of such rights by the said company, shall be determined by experts, in accordance with the provisions of articles 640a and following of the Municipal Code.

This section shall not affect the rights of Theodule Vandal and Joseph Vandal, as stipulated in the deed passed between them and the company, dated on the 26th March, 1902.

Rights under deed of 26th March, 1902, not affected.

15. Each shareholder shall have a right to vote by proxy given to a shareholder in person at the meetings, and shall have a vote for each share.

Right to vote, &c.

16. The company shall have nine directors until such time as their number is otherwise fixed by by-law.

Number of directors.

17. No one shall be appointed a director, unless he be a shareholder and possessed of at least five shares in the capital.

Qualification of directors.

18. The directors may make by-laws for the management of the affairs and business of the company, including the number, the qualifications required by and the remuneration of the directors and employees, for determining the time and place of directors' and shareholders' meetings, and in general for regulating the details of the company's business.

By-laws for management of company.

19. The law respecting joint stock companies shall apply to this company, except when its provisions are incompatible with those of this act.

Law to apply.

20. The by-laws, agreements, contracts and other deeds passed or adopted by the petitioners and those who are now associated with them shall continue in force and effect until annulled, modified, replaced, repealed, or executed under the provisions of this act or of the by-laws; the officers and employees chosen by the petitioners and their associates shall remain in office until replaced under this act or the by-laws.

Certain by-laws &c., to continue in force, &c.

21. The present directors shall be the provisional directors of the new corporation, and a majority of the directors shall constitute a quorum.

Provisional directors.

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

Coming into force.

C H A P. 79

An Act to incorporate the Power, Pulp and Paper
Company of North America

[Assented to 26th March, 1902]

Preamble.

WHEREAS Robert J. Campbell, capitalist, New York ; John Foster, contractor, Montreal ; Joseph Eloi Gauthier, accountant, Montreal ; Edward John Charles Kennedy, physician, Montreal ; Côme Seraphin Cherrier, M. P. P., Laprairie ; J. Morin, notary public, M. P. P., St. Hyacinthe, have by their petition prayed that they and their successors be incorporated for the purposes hereinafter mentioned, with the powers necessary for their corporate existence, and it is expedient to grant their prayer :

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

Persons incor-
porated.

1. Robert J. Campbell, capitalist, New York ; John Foster, contractor, Montreal ; Joseph Eloi Gauthier, accountant, Montreal ; Edward John Charles Kennedy, physician, Montreal ; Côme Seraphin Cherrier, M. P. P., Laprairie ; J. Morin, notary public, M. P. P., St. Hyacinthe, and all others who may become shareholders of the corporation hereby created, are by this act constituted a body politic and corporate under the name of the " Power, Pulp and Paper Company of North America ".

Name.

Power, to pur-
chase, &c.,
certain prop-
erty, &c.

2. The company shall have power to purchase, lease or otherwise acquire moveable and immoveable property, right of way and timber limits, from time to time, as may be deemed requisite for its purposes, with power at any time to operate, lease, sell and mortgage the same ; to acquire water-powers at or near La Tuque, in the county of Champlain, and on or near the line of the Quebec and Lake Huron railway, by purchase or otherwise ; to own, develop, build, equip, lease and sell the same, and to do all acts and to make all constructions necessary or useful for the development or utilization thereof ; to enter upon and survey all lands on the line of the said water-powers, to acquire the same by purchase ; to make roads on either or both sides of rivers, and to make bridges, dams, piers, wharves, flumes, booms or other works to secure the necessary supply of water for the said works.