

## CHAP. 66

## An Act to incorporate the Montreal Light, Heat and Power Company

[Assented to 28th March, 1901]

## Preamble.

**W**HEREAS a petition has been presented praying for the passing of an act incorporating a company for the purpose of creating and supplying light, heat and power; and whereas it is expedient to grant such petition;

Therefore His Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Persons incorporated.

**1.** James Ross, H. S. Holt, H. Montague Allan, Hector McKenzie, L. J. Forget, F. C. Henshaw, R. Forget, J. R. Wilson, George Caverhill, James Wilson, H. B. Rainville, all of Montreal, and others who may associate themselves with them, their successors and assigns, are hereby constituted a body politic and corporate under the name of "The Montreal Light, Heat and Power Company."

## Name.

Head office.  
Provisional directors.

**2.** The head office of the company shall be at Montreal, and the persons above named shall be the provisional directors of the company and shall hold office until the first election of directors.

Capital stock.  
Shares.

**3.** The capital stock of the company shall be one million dollars, divided into shares of one hundred dollars each.

## Power to manufacture, &amp;c., gas, &amp;c.

**4.** The company may manufacture, buy or otherwise acquire and dispose of, in any manner whatsoever, gas, electricity or any other source of heat, light or power, and all kinds of apparatus and supplies used in connection therewith, and may make and dispose of any by-products arising from their manufacture.

## Power to acquire, &amp;c., property, &amp;c.

**5.** The company may acquire such property as may be necessary for the purposes of its business, by purchase, lease or otherwise, and may construct, purchase or lease, all such buildings, apparatus, plant and machinery as it may deem expedient to have or use in connection with its business, and the same may sell, lease or otherwise dispose of in whole or part as it may see fit.

## Power to acquire, &amp;c., patents of invention, &amp;c.

**6.** The company may acquire, by purchase, license or otherwise, patents of invention or licenses to use or dispose of any patent of invention for any process or manufacture.

7. The company may lease and operate the works or undertakings, in whole or in part, of any person or corporation carrying on or authorized to carry on any business within the purposes of the company, and may acquire and hold the stock or bonds of any corporation having the power to carry on any like business.

Power to lease, &c., works, &c., of other companies, &c.

8. The company may exercise the franchise and charter rights of any company whose business and undertaking it may acquire by lease or purchase.

Power to exercise franchise, &c., of other companies.

9. The company may amalgamate or consolidate with any corporation, in the stock or bonds of which it is authorized to invest, upon such terms as may be agreed upon between the two companies and set out in a notarial deed to be deposited in the office of the Provincial Secretary.

Power to amalgamate with other companies.

10. The company may, in the city of Montreal, or at any place in the province of Quebec within a radius of one hundred miles from the said city, enter upon and construct, under or over the streets and public highways, all such pipes, lines, conduits and other constructions as may be necessary for the purposes of its business, all such work to be performed with as much expedition as possible and under the directions of the municipality in which the works are situated, provided that the company be responsible for all damages which it may occasion.

Power to build, &c., pipes, &c., lines, &c., for its business in Montreal and other municipalities.

Provided always that the company cannot place its wires, poles, conduits or other structures necessary for the purposes of this act in the streets of the city of Montreal or of any other municipality without giving previous notice of one month to that effect to the municipal authority; and provided :

Proviso as to notice to be given to municipal authority. Further proviso.

(a) That in executing its works or installing its material or apparatus it shall cause no useless damage ;

(b) That it shall take all possible care to leave the streets or public highways free and uninterrupted ;

(c) That it shall protect its works and accessories by all suitable means ;

(d) That it shall repair the streets and public highways with due diligence ;

(e) That it shall repair all damage which it may have caused by its works or by the installation of the accessories ;

(f) And that it shall be responsible for all negligence in respect thereof.

11. The company may issue debentures to an amount not exceeding seventy-five per cent of its capital stock, in one or

Power to issue debentures, &c.

more series, and may secure the same by transferring to trustees the whole or such parts of the assets or property of the company as may be deemed advisable.

Shares to be payable in cash.

Proviso.

**12.** All shares in the company shall be deemed to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless it has otherwise been agreed upon or determined by a contract duly made in writing and filed with the Provincial Secretary at or before the issue of such shares.

Issue of paid up stock, &c.

**13.** The directors may make and issue as fully paid up and unassessable shares of the capital stock of the company in payment for all or any of the undertakings, properties, moveable or immoveable, rights, powers or franchises which the company has authority to acquire in virtue of this act.

Increase of capital stock and decrease thereof.

**14.** With the approval of two thirds in amount of the shareholders assembled at a special general meeting held for that purpose, the company may increase or reduce its capital stock to such amount as may be deemed necessary for the purposes of its undertakings.

Power to qualify persons as directors of certain companies.

**15.** The company may transfer to its nominees such stock as may be necessary to qualify them as directors of any other company in which it may hold stock.

Streets to be replaced in former condition.

Proviso as to cutting of wires of company in cases of fires.

**16.** The streets or highways shall, in all cases, be put back into their original condition by the company at its cost.

The wires of the company may be cut by order of the chief of the fire-brigade, or, if there is no chief of fire-brigade, by order of the mayor of the municipality, if he shall deem it necessary for the purpose of extinguishing fire; and, in such case, the company shall not be entitled to any compensation for the loss of such wires, but shall not be liable to its customers for any interruption or non-execution of its contracts by reason thereof.

Fruit, &c., trees.

**17.** The company shall not cut down or mutilate any fruit or oramental tree except when necessary.

Certain right not affected.

**18.** Nothing herein contained shall affect any vested rights conferred upon or acquired by any person or company.

Coming into force.

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