



63 VICTORIA

CHAP. 72

An Act to incorporate the Labrador Electric and Pulp Company

[Assented to 23rd March, 1900]

WHEREAS the persons hereinafter named, to wit : Raymond F. Préfontaine, advocate, Queen's Counsel, and mayor of the city of Montreal ; Joseph Alexandre Camille Madore, advocate, and Queen's Counsel ; Réal Angers, merchant ; Octavien Rolland, manufacturer ; Jérémie Louis Décarie, advocate ; James L. Warren, physician ; Alcide Beauvais, broker ; Joseph Alphonse Drouin, advocate, all of the city and district of Montreal ; Paul Vilmond Savard, advocate, of the town of Chicoutimi, in the district of Chicoutimi, and John Warren, merchant, of La Pointe au Pic, in the district of Charlevoix ; have, by petition, represented that they propose to form a joint stock company under the name of the Labrador Electric and Pulp Company with the view of possessing, manufacturing, purchasing and selling in the counties of Chicoutimi, Charlevoix and Saguenay, water, electric, steam and other powers, as well as electricity, gas and other light ; of possessing, renting and working mills, timber limits, factories and other workshops and plant, and for all purposes connected with such powers and light ; whereas they have, by their petition, prayed for an act of incorporation, and it is expedient to grant the prayer contained in the said petition ;

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

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| Persons in-
corporated. | <p>1. Raymond F. Préfontaine, advocate, Queen's Counsel, and mayor of the city of Montreal ; Joseph Alexandre Camille Madore, advocate, and Queen's Counsel ; Réal Angers, merchant ; Octavien Rolland, manufacturer ; Jérémie Louis Décarie, advocate ; Alcide Beauvais, broker ; James Louis Warren, physician ; Joseph Alphonse Drouin, advocate, all of the city and district of Montreal ; Paul Vilmond Savard, advocate, of the town of Chicoutimi, and John Warren, merchant, of la Pointe au Pic, in the district of Charlevoix, together with all other persons who now are or may hereafter become shareholders, shall be and are hereby constituted a body politic and corporate under the name of "The Labrador Electric and Pulp Company," with power to acquire moveable and immoveable property, to lease and alienate or otherwise dispose thereof, and to hypothecate the same in favor of trustees or otherwise, provided the total value of the real estate shall not exceed the value of the capital stock of the company.</p> |
| Name.
General
powers. | |
| Head office. | <p>2. The head office or place of business of the company shall be in the city of Montreal, but it may be removed to any other place that may be decided upon at a meeting of the shareholders, after a notice of one month in the <i>Quebec Official Gazette</i>.</p> |
| Capital stock
and shares. | <p>3. The capital stock of the company shall be fifty thousand dollars, divided into five hundred shares of one hundred dollars each.</p> |
| Increase of
capital stock. | <p>The capital stock may be increased from time to time by a vote of the majority in value of the shareholders, present in person or represented by proxy at a meeting convened for the purpose, to an amount not exceeding five hundred thousand dollars.</p> |
| Provisional
directors. | <p>4. The said Raymond F. Préfontaine, Joseph Alexandre Camille Madore, Réal Angers, Octavien Rolland and James Louis Warren, shall be the first or provisional directors of the company, three of whom shall constitute a quorum.</p> |
| Power in cer-
tain counties
to acquire,
&c., water-
power, &c. | <p>5. The company, within the limits of the counties of Charlevoix, Chicoutimi and Saguenay, may acquire, possess, operate, lease, transmit, furnish, sell, purchase and otherwise use water-, electric-, steam- and other power for light, heat,</p> |

the manufacture of pulp and paper and for other industrial and useful purposes, to which such powers may be applied.

It shall have the right to possess, purchase, lease, operate and sell timber limits and timber; carry on the lumber trade; manage, build, purchase and possess saw-mills, factories and other plant and apparatus required for such purposes.

Power to possess, &c., timber limits, &c.

It shall have the right to manufacture lumber and carry on trade therein in all its branches; build, purchase, construct, lease and run in connection with such business steamboats, barges and other vessels; build, erect, construct and sell or lease houses, sheds, and stores for its employees and others, and generally carry on the business of merchants and dealers in provisions and merchandize of all kinds.

Power to manufacture lumber, &c.

It may, with the consent of the proprietors and municipal corporations interested, lay its pipes and wires underground, as the same may be necessary, and in so many of the streets, squares, highways, lanes and public places, as may be deemed necessary, for the purpose of supplying light, heat and power, taking care, as far as may be, to preserve a free and uninterrupted passage through the said streets, squares, highways, lanes and public places while the works are in progress.

Power to lay pipes, &c., underground with certain consent.

6. The company may also, with the permission of the proprietor, erect above ground and above buildings all necessary constructions, including poles and supports intended for holding up wires, and conducting the electricity or other power along or across public roads and highways, or over any water-course in the said counties, with the consent of the proprietor and municipal corporations interested; provided that they shall not be so erected as to inconvenience the public using the said public roads, highways or water-courses, nor interrupt the navigation of the said waters; provided also that the municipal councils of all villages or incorporated towns shall, if they deem advisable, have the right to locate, oversee and prescribe the manner in which such roads, highways and streets shall be opened for the erection of poles and the placing of wires; provided also that the surface of the street shall, in all cases, be as far as possible replaced by the company in its former state at its expense; and provided also that the wires may be cut when necessary for the extinction of fires, on the order of the officer in charge of the fire brigade or of a municipal councillor or officer, in which case the company shall not be entitled to any compensation for the loss of its wires, but shall not be responsible to its customers for any interruption or non-performance of its contracts.

Power to make certain erections aboveground, with certain consent, &c.

Proviso.

Expropriation in certain cases.

In the event of the company being unable to come to an understanding with the owners respecting the amount of the indemnity or damage to be paid, the company may expropriate, according to the provisions of the Municipal Code (article 640a and following of the said Code) before entering upon the grounds for the purpose of erecting its poles and placing its wires upon them and afterwards for repairs or alterations.

No inconvenience to be caused.

The poles and wires shall be so placed as not to inconvenience the owners of the land with respect to existing buildings or to those which they may erect on their properties.

Company may with certain consent, purchase, &c., dams, &c., on certain rivers, &c.

7. The company may, with the consent of the Crown, or the proprietors and municipal corporations interested, purchase, construct and maintain such dams, flumes and other structures, canals or water-conduits as may be required for the purposes of its undertaking either on the rivers mentioned in section 17, or in the bed of the said rivers, and for such purpose it may enter upon and survey lots on the banks of the rapids or along such rivers, and erect all such structures and crossings through, below or over public or private lands or any water-works or canal, and may erect all structures necessary for the improvement of water-powers and supplying water to the rapids, or at any places in such streams.

Lease, &c., surplus water.

8. The company may lease or sell the surplus water belonging to it which it cannot use or dispose of.

Removal of fittings if electricity, &c., cut off.

9. In every case where the supply of electricity, gas or other product may be cut off or taken away by the company from any house, building or premises, the company, its agents, or workmen, upon giving forty-eight hours' previous notice to the person in charge or the occupant, may enter into the house, building or premises, between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, causing as little disturbance as possible, and may remove and take away any wire, pipe, meter, lamp, apparatus and other fittings which are the property of the company; any servant of the company, duly authorized, may, between the hours aforesaid, enter any house or premises into which electricity, gas or other product has been taken from the company, for the purpose of repairing or examining any wire, pipe, meter, lamp or other apparatus belonging to the company.

Company's, &c., wires, &c., not re-

10. The wires, pipes, lamps, and other appliances and apparatus of the company shall not be subject to or liable for

rent, nor liable to be seized or attached in any way by the possessor or owner of the premises wherever the same may be, nor be liable in any way to any person for the debt of any other person to or for whose use, or for the use of whose household, building or premises the same may be supplied by the company, notwithstanding the actual or apparent possession thereof by such person.

11. The provisions of the Joint Stock Companies General Laws to Clauses Act shall form part of this act, except in so far as they may be inconsistent therewith.

12. The company may acquire the ownership or use of all patents for the manufacture of pulp and paper in all its branches, electricity, gas and other light or motive power; acquire the rights, privileges, franchise and contracts, hitherto granted to other companies and individuals within the limits of the counties of Charlevoix, Chicoutimi and Saguenay; issue paid up stock, bonds or debentures in payment of such purchases or contracts, of all rights of way, materials, charters, franchises, privileges, all moveable or immovable property, acquired; and manufacture machinery protected by patents, the ownership whereof it may have acquired.

13. The company may receive from any government, or from any person, city, town, or municipal corporation, or village 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, exemption from taxation, loans, gifts of money, and other securities for money, and may hold and dispose of the same for the purposes of the company.

14. The directors are authorized, from time to time, to effect loans on the credit of the company and to issue bonds, debentures or other securities for all sums borrowed; but the amount borrowed shall not at any time exceed two-thirds of the value of the shares; this restriction shall not, however, apply to negotiable securities discounted by the company.

Such bonds or debentures shall be issued under the signature of the president or vice-president, countersigned by the secretary, and be under the seal of the company.

They shall be payable either within the limits of the province, or elsewhere, in current money or in sterling, with

interest payable at definite periods, with or without coupons, and may be made payable by annuities, including principal and interest; and, if there be coupons, they may bear the lithographed signature of the secretary.

When to become due.

Such bonds or debentures shall become due at the dates, and be drawn up in the form prescribed by the directors.

Approval of issue required.

Such bonds or debentures shall not be issued until such issue has been approved by the vote of the holders of at least two-thirds in value of the subscribed stock of the company, present or represented at a meeting called for the purpose of considering such issue.

Mortgage may be granted as security for bonds, &c.

As security for the payment of such bonds or debentures, the directors of the company are authorized to grant a mortgage, by notarial deed, to one or more trustees, in favor of the holders of such bonds or debentures, upon the immoveable property of the company; mentioning the issue and amount of the bonds or debentures secured thereby; and such bonds or debentures shall further be a preferential charge upon the machinery, plant, franchises, rates, revenues, and rents of the company, without prejudice to any other privileges already existing.

Public safety not to be interfered with, &c., works subject to municipal inspection.

Notice to company.

15. The company shall construct all its works so as not to endanger public safety, and the works and apparatus necessary shall, at all reasonable times, be subject to the inspection of the municipal authorities of the municipality, within the limits whereof they are situate.

Reasonable notice thereof shall previously be given to the company.

Power to run, &c., tramways.

16. The company may construct, maintain and run tramways on its property for the purposes of its undertaking, using as motive power, animals, electricity, steam, gasoline or other motors.

Expropriation of land on certain rivers.

17. The company is authorized to expropriate on the Murray river at the place called Nairn's Falls, and on the Manicouagan and Outarde rivers, such land adjacent to or connected with the water-powers on such rivers as may be required for installing machines and buildings and for flumes to carry the water to the power-houses to be erected for the development of such powers.

Rules governing expropriations.

Such expropriation shall be made in conformity with the provisions of the Revised Statutes respecting railways.

18. The directors may open stock books and receive subscriptions to stock, and they shall deposit the sums paid on the latter into a Canadian bank and withdraw them solely that they may be applied to the objects of the company.

Power of directors to open stock books and receive subscriptions, &c.

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

Coming into force.

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