

the publication of a notice in French and in English, on two consecutive occasions in a newspaper of the municipality, or, in default thereof, of the district, in which such systems are situated.

29. It shall be lawful for the said company, in the event of voluntary liquidation or amalgamation with another company incorporated for the same purpose, to transfer the privileges and powers conferred upon it by the present act, and the company to which such powers shall have been transferred, may exercise and enjoy the same as if directly conferred upon it by this Legislature. Transfer of privileges, &c.

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

CAP. LXXXII

An Act to amend the act 56 Victoria, chapter 78, incorporating the Lake Megantic Pulp Company.

[Assented to 10th March, 1899]

WHEREAS the Lake Megantic Pulp Company has, by its petition, represented that it is desirous of obtaining and has prayed for the passing of an act amending its act of incorporation contained in the act 56 Victoria, chapter 78, for the purpose of increasing the powers to it granted by the said act of incorporation, for the purpose of creating water-powers, and constructing dams, for the erecting of bridges upon the banks of and over the river Chaudière and Lake Megantic and in the vicinity of Lake Megantic, and for the erection and working of manufacturing establishments, water-works, and workshops, for the manufacture of paper, pulp and lumber, for making electrical apparatus, and producing electricity for lighting, and for motive power in connection with such water-powers, dams and bridges, and to construct and operate a branch or branches of railway from the lines of the Quebec Central Railway and the Canadian Pacific Railway to the company's works; Preamble.

And it is expedient that the prayer of the said petition be granted:

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

I. Section 3 of the act 56 Victoria, chapter 78, is replaced by the following: 56 V., c. 78, s. 3, replaced.

“3. The capital stock of the said company shall be fifty thousand dollars, divided into five hundred shares of one hundred dollars each: which capital may, from time to time, be increased there- Capital stock, shares and increase thereof.

be increased to one million dollars according to the requirements of the company, as shall be decided by a vote of the holders of the majority in value of the shares at a general meeting or at a meeting convened for that purpose."

Power of company to erect dams, &c., in Chaudiere at certain places.

2. The said corporation, hereinafter called "the company," shall have power to erect, construct and maintain a dam or dams along the river Chaudiere, between the townships of Whitton and Spalding, on lands belonging to it, to obtain and secure sufficient supplies of water and power for the purposes of the company, and also to conduct water from the said river and from Lake Megantic, by canals and flumes, to be made by the company at any place on the said river along the banks thereof, for hydraulic and manufacturing purposes; and may also construct all necessary locks, piers, and other works on the said canals; may enter and take possession of the bed and beach of the said river at the entrance of the said canals or flumes, or tail races for water-powers taken from the said canals or flumes, or to deliver water on the wheels, or build a power-house or power-houses; may enter upon and survey all lands on the line of the said river, and, from time to time, may purchase, acquire, hold and enjoy all lands necessary for the said purposes, and for such ditches as may be along the banks of the said river and for a road on either or both sides thereof; and may, provided it does not interfere with navigation, make all bridges, intersections, and crossings, whether through, under or upon public or private roads, or any aqueduct or canal; and may erect all necessary dams, piers, wharves, flumes or other works, to secure the necessary supply of water for the said works.

Company may :
Use, &c.,
water, &c.

3. The company may :

(a). Use, sell, dispose of or lease water from the said flumes, dams or canals, which may be found useful and applicable to drive any machinery in mills, warehouses and manufactories; purchase, acquire, hold or possess lands along the sides of said flumes, dams or canals on either side or both sides thereof, and down to the said river; sell, dispose of, or let and lease the said lands, with or without water-power, on such terms and conditions as it may think fit; construct and maintain stores, warehouses, sheds or other buildings for the reception and storing of goods; and construct elevators, cranes and weigh-beams, and all such other works and erections as shall be requisite to give effect to the full intent and meaning of this act;

Manufacture wood pulp, &c. :

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

(c). Acquire, manufacture, construct, erect, maintain and operate all buildings, works, structures, apparatus, meters, pipes, wires, appliances, fittings, supplies and machinery, necessary or advisable in connection with the said business, and deal with or dispose of the same in any manner that the directors deem advisable ; Acquire, &c., buildings, &c. ;

(d) 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., inventions, &c. ;

(e) Acquire and operate the works, stock, property franchises, assets and business of any person, company, city, town, village or municipality, and whether incorporated or not, authorized to carry on any business, comprised in the subjects of this act ; or enter into any arrangements for such purpose or in connection therewith and for assuming the liabilities of such person, company, city, town, village or municipality in respect thereof ; and acquire, hold or dispose of the whole or any part of the shares, debentures, and securities of such person, company, city, town, village or municipality, with which the company has entered into an arrangement or contract ; Acquire, &c., works, &c., of other corporations, &c. ;

(f) Construct tramways within the limits of the townships of Ditchfield and Whitton, wharves, docks, offices, and all necessary buildings, and purchase, hire, build and repair steam and other vessels for the services of the company ; Construct tramways, &c. ;

(g) Grant licenses to any person, company or municipal corporation to use any patent, license or right held and owned by the company, and receive payment therefor, either in cash or in 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 persons for certain purposes ;

(h) Locate, construct and operate a branch or branches of railway from points on the Quebec Central Railway and on the Canadian Pacific Railway in the township of Whitton, to any industrial establishments of said company in the townships of Whitton and Spalding ; and the provisions of the railway law of this province shall apply to the company for the purposes of this section ; Locate, &c., branch lines of railway to works ;

(i) Acquire, construct and maintain any dam, slide, pier, boom, or other work necessary to facilitate the transmission of timber down any river or stream, and for the purposes of blasting rocks, dredging, or otherwise improving the navigation of such streams for said purpose. Acquire, &c., dams, &c.

Provided that the company shall not construct any such work over or upon, or otherwise interfere with or injure any private property or the property of the Crown, without Proviso.

having obtained the consent of the owner or occupant thereof, or of the Crown, or having acquired the right so to do, as hereinafter provided.

Certain articles of Revised Statutes to apply.

Articles 4970, 4972, 4973, 4974, 4975, 4976, 4977, 4978, 4979, 4980, 4981, 4982 and 4983 of the Revised Statutes of the Province of Quebec, shall apply, *mutatis mutandis*, to such works in the same manner and to the same extent as provided by such articles.

Power to enter on highways, &c., for certain purposes.

4. 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; 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 devices, and stretch wires and other electrical contrivances thereon, may supply electricity to any municipal corporation, or to any unincorporated town or village, and, as often as the company think proper, may enter upon, use, break up and open any highway or public place, subject however to the following provisions:

Conditions:

Public 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 to be suspended at less than certain height:

(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, &c., 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;

Company not to be entitled to damages if poles, &c., cut, &c., during fires:

(d) The company shall not be entitled to any damages on account of its 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 to be under direction of municipal authorities:

(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;

Wires may be ordered to be placed underground:

(f) In case efficient means are devised for carrying telegraph or 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;

(g) If, for the purpose of removing buildings, 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. 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 municipality to that in which such wires and poles are.

Company to remove wires, &c., for certain purposes.

How notice to be given.

5. The directors may, whenever authorized by a by-law for that purpose, approved by the votes of holders of at least two-thirds in value of the subscribed stock of the company present or represented by proxy, at a special general meeting called for considering such by-law, borrow such sums of money, not exceeding in amount seventy-five per cent. of the paid-up capital stock of the company, as the shareholders deem necessary, and may issue bonds or debentures therefor, in sums of not less than one hundred dollars each, at such rate of interest, and 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 prescribed by such by-law, or decided upon by the directors under the authority thereof. The company may make such provision respecting the redemption of such securities as may be deemed proper.

Power to borrow.

6. The directors may make and issue, as paid-up and unassessable stock, shares of the capital stock of the company in payment of and for all or any of the businesses, 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 may also 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 materials of any kind, or services rendered 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 such property or services rendered to the company,

Power to issue paid-up stock for certain purposes.

wholly or partly in paid-up shares, or wholly or partly in debentures, as the directors may deem proper.

Bonds to be
in sterling or
currency.

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

Power to re-
ceive aid, &c.

8. The company may receive from any government, or from any person, city, town, village or municipal corporation, and 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, guarantees and other securities for money, and may hold and dispose of the same for the purposes of the company.

Report to
Commissioner
of Public
Works, &c.

9. Before commencing the laying of wires, or the erection of flumes, the company shall be bound to make to the Commissioner of Public Works a report of the 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 land.

Power to cut
off supply for
non-payment
of rent.

10. If any person, supplied by the company with water or electricity, neglect 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 water or 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 legal 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 water or electricity; notwithstanding any contract to furnish electricity or water or power for a longer time.

Removal of
fittings, &c.,
when supply
cut off.

11. As soon as the company has cut off and taken away the supply of water or 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 are the property of the company.

Examination
of meters, &c.

Any servant of the company, duly authorized, may, between the hours aforesaid, enter any house into which water or electricity has been taken, for the purpose of examining

any meter, wire or apparatus belonging to the company, or used for the water and 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 not exceeding forty dollars, and a further penalty not exceeding four dollars for every day during which such refusal or obstruction remains.

Penalty for refusing permission, &c.

12. When the lands adjacent to or connected in any manner and to any extent with the water powers on the Chaudiere River and around Lake Megantic are or shall be inundated by the development of these water-powers, or when it shall be necessary to obtain land or right of way for laying lines for transmission of electricity, or for building dams, piers, booms or other works necessary to facilitate the transmission of timber, and to attain the object for which the company has been incorporated, an indemnity to cover once for all the depreciation of these lands caused by the exercise of its rights by the company shall be determined by experts in accordance with the provisions of the expropriation law of the Province of Quebec and not otherwise.

Authorization to expropriate certain lands in Chaudiere river and Lake Megantic for certain purposes.

13. Whenever it shall be necessary to have recourse to any expropriation, the expropriation shall only be effected in accordance with the provisions of the Expropriation Act of the Province of Quebec ; with the exception of land expropriated for the construction of a branch or branches of railway.

Law to govern expropriations.

14. Nothing in this act shall be interpreted as conferring upon the company any powers outside of the counties of Beauce and Compton, to which counties this act is limited.

Powers of company confined to certain counties.

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

Coming into force.

CAP. LXXXIII

An Act respecting the issue of bonds by the Merchants' Cotton Company.

[Assented to 10th March, 1899.]

WHEREAS by act of this Legislature, 49-50 Victoria, chapter 67, the Merchants' Manufacturing Company was authorized to issue bonds ; and whereas the said company, now the Merchants' Cotton Company, has presented a petition setting forth that by-law No. 22 has been passed by the directors of the said company, and confirmed at a

Preamble.