

**33.** All deeds and conveyances of property to the company for the purposes of this act shall, in so far as circumstances permit, in the discretion of the company, be in notarial form or in any other form to the same effect. Form of deeds of conveyance of lands.

**34.** The company shall pay to the registrar for all fees the sum of fifty cents for each registration. Fee for registration.

**35.** Such registration shall be deemed valid in law and shall, as regards rights of ownership, servitudes, hypothecs and other real rights, have the same effect as the registration prescribed by the Civil Code. Registration to be deemed valid.

**36.** The provisions now in force of the railway law of this Province and of its amendments shall apply to the company, except in so far as they may derogate herefrom or be inconsistent herewith. Application of general law.

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

## C A P. L X V

An act to amend and consolidate the act incorporating the Chambly Manufacturing Company, 51-52 Victoria, chapter 73, as amended by the act 59 Victoria, chapter 97

[Assented to 15th January, 1898]

**W**HEREAS the Chambly Manufacturing Company has, by its petition, prayed that its act of incorporation, as amended, be further amended and consolidated, and that its powers be increased; and whereas it is expedient to grant its prayer; Preamble.

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

**1.** The acts passed by the Legislature of this Province, 51-52 V., c. 73, 59 V., c. 97, are replaced by the present act. 51-52 V., c. 73, 59 V., c. 97, repealed.

**2.** The company hereby constituted is substituted to all intents and purposes for that which existed under the acts repealed by the foregoing article, and succeeds to it in all its rights, privileges, powers and obligations, and all its property and assets are hereby vested in this company, and this company shall be held to have assumed all its obligations or liabilities of every nature and kind. Present company substituted to former one, &c.

By-laws, &c.,  
already made,  
&c., to remain  
in force.

**3.** The by-laws of the company, bonds or debentures issued, agreements, contracts or other acts, lawfully passed, adopted, consented or made in virtue of the acts repealed by article 1, shall continue to have force and effect until cancelled, modified, replaced, repealed or executed by or in virtue of the provisions of this act.

Present officers.

The present officers of the company shall remain in office until replaced in virtue of this act or of the by-laws.

Members  
constituted a  
corporation.

**4.** The present members of the company and those who hereafter may become members thereof, in virtue of the provisions of this act, shall be and are constituted a corporation and body politic under the name of "The Chambly Manufacturing Company."

Name.

General powers.

Such corporation shall continue and shall have perpetual succession, and a corporate seal, with power to alter and change the same at pleasure, and may sue or be sued, plead and be impleaded in all courts of law, as other corporations may do, and shall have power to acquire and hold real or immoveable estate, for the purpose of their business, not exceeding the yearly value of one hundred and fifty thousand dollars, and may sell, alienate, exchange and let or lease the same.

Head office.

**5.** The head office of the company shall be in the city of Montreal.

Powers of  
company.

**6.** The company shall have power to erect, construct and maintain a dam or dams along the rapids of the River Richelieu, at or in the neighborhood of Chambly, and also to conduct water from the said river, by canals or flumes, to be made by the company at any place on the said rapids 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 upon and take possession of the bed and beach of the said river at the entrance of the said canals or flumes, also for the foundations of the same in their entire length, and at any point at which it may be found expedient to provide outlets for the waters of such canals or flumes, or tail-races for water-powers taken from the said canals or flumes; may enter upon and survey all lands on the line of the said rapids; 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 necessary along the banks of the said river, and for a road on either or both sides thereof; and may make all bridges, intersections, crossings, whether through, under or upon public or private roads, or any aqueduct or canal, provided that the lands so to be taken for the canals and for the ditches on either side thereof, and for such road or roads, shall not exceed six hundred feet English measure in width,

and may erect all necessary dams, piers, wharves, flumes, or other works, to secure the necessary supply of water for the said works.

**7.** The company may 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; may purchase, acquire, hold or possess lands along the sides of the said flumes, dams or canals on either side, or both sides thereof, and down to the said river, and may sell, dispose of, or let and lease the said lands, with or without the water-power, on such terms and conditions as it may think fit; may construct and maintain stores, warehouses, sheds, and other buildings for the reception and storing of goods, and may 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. Power to use, &c., water, &c.

**8.** After having acquired the land or property necessary, the company shall have power to erect engines, or employ hydraulic power, and for such purpose, erect, construct and maintain a dam or dams across the rapids of any river, and also to conduct water from any such river by canals or flumes to be made by the company, at any place on the said rapids along the bank thereof, for hydraulic purposes; and may also construct all necessary locks, piers, and other works on the canals. Power to erect, &c., engines, &c.

It may extend its work into and take possession of the bed and beach of any river, at the entrance of the canals or flumes, also for the foundations of the same, in their entire length, and at any point at which it may be found expedient to provide an outlet or outlets for the waters of the canals or flumes, or tail-races for water-powers taken from the said canals or flumes. Power to take possession of beds, &c., of rivers, &c.

It may enter upon, in order to survey, all lands on the line of rapids, and from time to time may purchase, acquire, hold and enjoy all lands necessary for all the above purposes, and such ditches as may be necessary along the banks of any such river, or for a road on either or both sides thereof. Survey, &c., of lands.

It may make all bridges, intersections, crossings, whether through, under, or upon public or private roads, or any aqueduct or canal, and may erect all necessary dams, piers, wharves, canals, flumes or other works to secure the necessary supply of water for the works. Bridges.

The company shall be responsible for all damages arising from inundations which its dams may cause, or the carrying out of any of its works. Company responsible for damages.

It shall also obtain from competent authority, in the Dominion of Canada, permission to make use of and utilize any public property within the jurisdiction of the Dominion. Permission required for certain works, &c.

53 V., (C.) c.  
96, to apply to  
company.

The company shall continue to have the benefit of the act 53 Victoria, chapter 96 (Canada), so long as the same remains in force, and shall be subject to all the provisions of the said act.

Company may  
operate ma-  
chinery, &c.,  
for supply of  
water, electri-  
city, &c.

9. The company may make, construct, maintain and operate all necessary works, machinery and apparatus for the use and supply of water and for the production and utilisation of electricity and power, and may use, sell, lease or otherwise dispose of the same.

Company may  
purchase ma-  
chinery for  
that purpose,  
&c., patents,  
&c.

The company may purchase, sell or lease such machinery, apparatus and instruments and rights relating thereto, and acquire, by purchase or lease or otherwise, any patents of invention of, or affecting any of the same or improvements thereof.

Company may  
sell, &c., pa-  
tents, &c.,

The company may sell, lease or otherwise dispose of such patents of invention, in whole or in part, or lease or grant rights thereunder.

Company not  
to operate  
railways, tele-  
graphs, tele-  
phones for  
general pur-  
poses.

Nothing herein shall, however, empower the company to construct, acquire and operate railways or tramways nor telegraph or telephone lines, except telegraph or telephone lines for the purposes of the company only.

Company may  
use or sell, &c.,  
water-power,  
for :

10. The company may itself use the said water-power, or lease and transfer the privilege of using the same to other persons or companies for the following purposes only :

Pumping wa-  
ter for use of  
municipal cor-  
porations,  
&c. ;

1 For pumping water, placing it in a reservoir or driving it so as to supply it to municipal corporations, public bodies or citizens generally for a consideration or payment, and, for that purpose, to distribute such water over an extent of fifteen miles in any direction by means of underground pipes, which the company shall have power to lay along public or private roads and by-roads; but the laying of such underground pipes cannot be done without the permission of the municipalities, corporations or private individuals interested.

Arrange-  
ments which  
company may  
make.

The company and its assigns and grantees may make arrangements in this connection on such conditions as shall be agreed upon between the contracting parties.

Producing  
electricity.

2. For producing electricity for public or private lighting purposes or to be used as motor power and, for that purpose, to set up and establish all necessary apparatus for transmitting such electricity to a distance not exceeding twenty miles in any direction by means of wires or metallic cables on posts or underground along all public and private roads, streets and by-roads, by obtaining the consent of the corporation and individuals interested, and, when necessary, it may place such wires on posts and on private property by paying for damages caused thereby to the interested parties.

Arrange-  
ments which  
company may  
make.

The company and its assigns and grantees may make arrangements in this connection, upon conditions to be agreed upon between the interested parties.

11. The company may lay its 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, from the works of the company to the place where such electricity is to be consumed, without doing any unnecessary damage to the streets, lanes, squares, highways and public places, and taking care, as far as may be, to reserve a free and uninterrupted passage through the said streets, squares, highways, lanes and public places while the works are in progress.

Power to lay wires underground, &c.

The company may also erect above ground all necessary constructions, including posts, piers and abutments intended for holding up the wires conducting the electricity along or across public roads and highways, or over any water-course in this province, provided that they shall not be so erected as to inconvenience the public using the said public roads, bridges or banks, nor to prevent free access to any house or other building erected in the vicinity, nor interrupt the navigation of the said waters.

Power to erect posts, &c., above ground.

The company shall in no wise interfere with public traffic or the use of such streets, squares, public places, roads, highways; and, in cities, towns and incorporated villages, the company shall not erect any posts of a greater height than forty feet, nor extend wires at a lesser height than twenty-two feet above the level of the street, nor erect more than one line of posts in any street, unless it shall have the consent of the municipal council for so doing: and, in all cities, towns or incorporated villages, the poles shall be as straight and as perpendicular as possible, and shall be painted in cities, if any by-law of the council require it.

Traffic not to be interfered with. Height of posts in cities, &c.

Poles in cities, &c., to be painted if required.

The company shall not cut down or injure any tree in cities, towns or incorporated villages; the opening of streets for the planting of posts or conducting wires underground shall be made under the direction and supervision of the engineer or other officer whom the council may appoint, and in such manner as the town or municipal council may prescribe; and the surface of the street shall, in all cases be replaced in its former state by the company and at its expense.

Trees not to be cut down in streets.

Municipal officer to supervise certain words.

Whenever, in the event of fire, it shall become necessary, for its extinction, or in order to save property, to cut the wires, the fact that such wires have been cut, under such circumstances and by the order of the engineer or other officer in charge of the fire brigade, shall not entitle the company to any claim for compensation for the damages it may have suffered; provided that the company shall not be responsible to consumers of electricity for any interruption in the supply of light, arising from that cause for the carrying out of the purposes herein mentioned.

Damages not to be claimed if wires, &c., cut down in cases of fire, &c.

Power to sell, &c., surplus water, &c.

**12.** The company may use, sell, dispose of, or lease the surplus water from the flumes, dams or canals, but which might be found useful and applicable to drive any machinery in mills, warehouses, and manufactories; and may purchase, acquire, hold, or possess lands along the sides of the flumes, dams, or canals, on either side or both sides thereof, and down to the river, and may 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.

Reports to Commissioner of Public Works, &c., before commencing certain works, &c.

**13.** Before commencing the laying of wires underground 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 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 happens that such works are situated in more than one municipality, then to the municipal council of each municipality within the limits of which the proposed works are situated.

Approval of Commissioner before commencing works.

**14.** The company shall have no right to commence constructing such flumes and laying such wires underground, before the approval of the Commissioner of Public Works has been signified in writing, nor before the expiration of thirty days from the day on which the report or reports aforesaid shall have been presented to the municipal council or councils (as the case may be), although the approval of the Commissioner may have been signified in writing before the expiration of such period.

Public health, &c., safety not to be endangered by works.

**15.** The company shall construct and locate its works and all apparatus and appurtenances thereunto belonging or appertaining so as not to endanger the public health or safety.

Works subject to inspection by municipal authorities, &c.

The works, apparatus and appurtenances shall, at all reasonable times, be subject to visit and inspection of the municipal authorities of the municipality, within the limits whereof they are situate, reasonable notice thereof being previously given to the company.

Company, &c., to obey orders of municipal authorities, &c.

The company, its servants and workmen shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

R. S. 5164 to apply to expropriations.

**16.** Article 5164 of the Revised Statutes shall apply to this act and form part thereof, in the event of its being necessary for the company to take proceedings for taking possession of property, including the bed and the shore of the said river, as well as the water powers on the said river, by forced expropriation, in the carrying out of the works which

it is authorized to do, and for the use which it intends to make of the same.

**17.** The water and electricity supplied by the company or its grantees shall be supplied upon the terms and conditions to be agreed upon in this connection between the parties interested.

Water, &c., to be supplied under contract.

The company shall always have the right to have all the apparatus examined and repaired, which is used for the purpose of distributing such water and such electricity; and its employees shall have the right to enter upon private property for such purposes only.

Power of company to inspect apparatus used.

**18.** The company shall not erect any dams across the river Richelieu nor do anything affecting the navigation of the said river or the Chambly canal, without the authority or consent of the Government or of the Parliament of Canada first obtained.

Authority required before erecting dams, &c., on Richelieu river or Chambly canal.

**19.** The affairs of the company shall be managed by a board of nine directors, which number may, however, be increased or decreased by the by-laws of the company.

Board of directors.

**20.** The directors may enact by-laws for the regulation of the affairs and procedure of the company, including the number, qualification, and remuneration of directors, the names and functions of the officers of the company, the transfer of shares, the time and place of shareholders' and directors' meetings, and the general details of the company's business.

Power to make by-laws, &c.

**21.** The directors may also, by by-laws, change or convert the shares or capital stock of the company from Canadian currency to sterling, and *vice versa*, and even increase or decrease the par value of such shares.

Conversion of stock into sterling and *vice versa*.

**22.** The directors may, in the name of the company, take and hold shares in any company furnishing light, motive power or any other advantage resulting from or in connection with electricity or its use, and, generally, in any company in payment or on account of all rights or for privileges purchased, leased or otherwise acquired from this company, or in payment for apparatus or machinery, or to save or protect some claim of the company; but any such acquisition of shares cannot, at any time, exceed three hundred thousand dollars, unless the consent of the majority in value of the shareholders be obtained.

Power to hold shares in other companies.

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

Capital stock and shares.

which shares shall be and are hereby vested in the several persons who may have subscribed or shall subscribe for the same, their legal representatives and assigns.

Increase of capital stock.

**24.** The directors of the company, if they see fit, may, at any time after the whole capital stock of the company shall have been allotted and paid in, but no sooner, make any by-law for increasing the capital stock of the company to any amount which they may consider requisite for the due carrying out of the purposes of the company.

Approval required.

No such by-law shall have any force or effect whatever until after it shall have been sanctioned by a vote of not less than two-thirds in amount of the shares held by shareholders present or represented and voting at a general meeting of the company duly called for the purpose of considering such by-law, nor until a copy thereof, duly authenticated, shall have been filed, as hereinafter mentioned, in the office of the Provincial Secretary or such other officer as the Lieutenant-Governor in Council may direct.

By-law, what to declare.

Every by-law for increasing the capital stock of the company shall declare the number and value of the shares of the new stock, and may prescribe the manner in which the same shall be allotted, and in default of its so doing the control of such allotment shall be held to vest absolutely in the directors.

Notice in *Quebec Official Gazette* of approval of by-law.

**25.** The company may, within six months after a duly authenticated copy of such by-law has been filed in the office of the Provincial Secretary, or such other person as the Lieutenant-Governor in Council may have named for the purpose, require and cause a notice, under the signature of the Provincial Secretary or other proper officer, to be inserted in the *Quebec Official Gazette*, that such by-law has been passed and filed as aforesaid, and stating the number and amount of the shares of new stock, the amount actually subscribed, and the amount paid in, in respect thereof; and, from the date of such notice, the new stock shall become subject to all provisions of law in like manner (as far as may be) as though the same had formed part of the stock of the company originally subscribed.

Issue of preference stock.

**26.** For the purpose of providing for the liabilities of the company at any time existing, or for the purpose of redeeming its bonds or debentures, or of providing any additional capital required, the directors, under the authority of the shareholders to them given at a general meeting specially called for the purpose, at which meeting, shareholders holding at least four-fifths in value of the capital stock of the company are present or represented, may issue preference

stock to an amount not exceeding the liabilities of the company for the time being. The provisions contained in articles 23 and 24 of this act shall also apply to the present article.

Such stock shall be divided into shares of the par value of one hundred dollars each, and shall entitle the holders thereof to such right of priority over the non-preferred stock of the company in dividends or otherwise as may be prescribed by the by-law authorizing the same.

How divided  
and rights  
thereunder.

The by-law authorizing the issue of preference stock shall also determine the rights, privileges and qualifications, if any, of holders of said stock for voting at meetings of the company or for being directors or for any other purpose.

What by-law  
to determine.

The company shall have the right at any time to redeem and cancel such preference stock or any portion thereof, upon the terms and conditions stipulated and set forth in the by-law authorizing its issue.

Cancellation  
of preference  
stock.

The company, instead of selling such preference stock, may pledge all or any part thereof, at the best price and on the best terms and conditions obtainable, to raise money for its undertaking, and, in that case, may issue the said preference stock as paid up.

Pledging of  
preference  
stock.

**27.** Every share in the capital of 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 the same shall have been otherwise agreed upon and determined by a contract duly made in writing and filed with the Provincial Secretary, on or before the issue of such shares.

Shares to be  
payable in  
cash.

Proviso.

**28.** It shall be lawful for any municipal corporation to give the company such bonus, loan or advances, or grant it such privileges and exemptions as may be deemed advisable by the council of such municipal corporation.

Municipal  
corporations  
may make  
grants, &c., to  
company.

**29.** The directors of the company are authorized to effect a loan or loans on bonds or debentures to the extent of seven hundred and fifty thousand dollars, or such further sum not exceeding seventy-five per cent of the paid up stock, (common and preferred), of the company at such time as the loan or loans is or are effected, in such amounts and for such periods of time as they may deem expedient.

Power to bor-  
row to certain  
amount.

Such bonds or debentures shall be issued under the signature of the president or vice-president and under the seal of the company, and shall be signed by the secretary for the amount or amounts so loaned. 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 if there be coupons, they shall bear the engraved signature of the secretary, and such bonds or debentures shall become due at the dates, and be drawn up in the form prescribed by a resolution of the directors.

Bonds how  
issued and  
signed, &c.

Approval re- Such bonds or debentures shall not be issued until such  
quired before issue has been approved by the holders of at least two-thirds  
issue. in value of the stockholders present or represented at a meet-  
ing of the company, called for the purpose of considering  
such issue.

Proviso. Provided the total amount of bonds or debentures of the  
company, at any time outstanding, does not exceed seventy-  
five per cent of the then paid up stock, (common and prefer-  
red), of the company, the said directors may, with the ap-  
proval of the shareholders, as aforesaid, whether to pay off  
former loans or bonds or debentures, or for any of the purposes  
aforesaid, effect as many loans and make as many issues of  
bonds or debentures as they may think proper.

Mortgage deed as secu- As security for the payment of such bonds or debentures,  
rity for bonds. the directors of the company are authorized to grant a mort-  
gage by notarial deed, to one or more trustees, in favor of  
the holders of such bonds or debentures, upon the immove-  
able property of the company, describing it as required by  
law, and mentioning the issue and amount of the bonds or  
debentures secured thereby. Such bonds or debentures shall  
further be a preferential charge upon the machinery, plant,  
rates, revenues, rents, rights and other assets of the company.

Deposit of plan of works with Commissioner of Colonization and Mines. **30.** It shall be lawful for the company to deposit in the  
office of the Commissioner of Colonization and Mines, a plan  
and book of reference, certified by the secretary of the com-  
pany, of any of its systems or works, indicating the systems  
and their location and giving all information necessary to  
make the description thereof understood, and to designate  
such systems, on the said plan and book of reference, by one  
or more special numbers or designations different from the  
numbers and designations on the official plan of the cadastre  
of the municipality or municipalities in which such systems  
are situated: and the Commissioner of Colonization and  
Mines shall receive such plan and book of reference, and,  
if found correct, shall send a certified copy to the registrar  
of the division or divisions in which such systems are situ-  
ated.

How changes on plan are made. **31.** All changes, extensions and corrections in the said  
plan and book of reference may be made in the same man-  
ner.

Notice of deposit of plan. **32.** The Commissioner of Colonization and Mines shall  
cause a notice to be published in the *Quebec Official Gazette*  
of the deposit of any plan and book of reference so trans-  
mitted to him by the registrar as aforesaid.

Plan, &c., to be evidence. **33.** Such plan and book of reference, or any portion  
thereof, certified by the registrar, shall be received as  
evidence in all courts of justice.

**34.** Every registrar, who receives the said plan and book of reference, shall make the ordinary entries thereof in his office books, and shall receive and register, in the usual manner, any deed of mortgage, transfer or other deed respecting the systems described in the said plan and book of reference or any portion thereof.

Duty of registrar after receiving plan, &c.

**35.** By the registration of every such mortgage deed against all of the systems in the form above provided, a lien shall be established upon all moveable and immoveable property, rights, concessions, advances, servitudes, rents, revenues and other accessories constituting any such systems or forming part thereof, or connected therewith as described in the plan and book of reference and in the mortgage deed; and all the moveable and immoveable property, rights, concessions, advances, servitudes, rents, revenues and accessories aforesaid, may be judicially sold in the same manner as immoveables by the mortgages or the trustees mentioned in the said mortgage deed.

Effect of registration.

**36.** If any person shall, by any means or any manner or way whatsoever, obstruct or interrupt the free use of the said canals, flumes, or works, or the works connected therewith, or do damage thereto, or to any of the docks, piers, wharves, warehouses, sheds, buildings, tanks, cranes, weigh-beams, elevators, or other erections or works of the company, such person shall, for every such offence, incur a forfeiture or penalty of not less than five dollars, nor exceeding forty dollars, to be recovered before one or more justices of the peace for the district, one-half of which shall go to the prosecutor or informer, and the other half to Her Majesty, her heirs and successors, and shall be paid into the hands of the Treasurer of the Province and be applied for the public uses of the Province and the benefit of the Government.

Penalty on persons obstructing, &c., canals, &c.

In default of the payment of such fine within fifteen days of the rendering of the judgment, the person so condemned may be imprisoned for a period of not less than fifteen days and not more than two months, which imprisonment shall cease upon payment of the said fine with costs.

Imprisonment in default of payment.

**37.** If any person place, allow, suffer, or cause to be placed or facilitate the placing of any wire or other means of communication to connect with any wire or conductor belonging to the company, or in any way make use of, divert or facilitate to be made use of or diverted, the electric current or other production of the company, or interfere with the meters or other appliances of the company, without the latter's written consent, he shall forfeit and pay to the company the sum of not less than ten nor more than one hundred

Penalty on persons connecting with company's wires, &c., without consent.

dollars and also a further sum of four dollars for each day during which the acts of commission or omission above mentioned may exist, and in addition an amount equal to three times the value of the current used, the whole exclusive of all damage caused.

When person  
to be pre-  
sumed guilty.

Any of the above mentioned acts, whether of commission or omission, which may be found to have taken place, shall be held to have been done by the occupant or joint occupants of the premises where such acts have taken place, or by the user of the electric current obtained as aforesaid.

Penalty for  
wilful damage  
&c., to compa-  
ny's property.

**38.** If any person wilfully or maliciously break up, pull down or damage, injure, put out of order or destroy any wire, engine, pipe or plug used for an electric circuit, or any instrument, meter, lamp, post, abutment, pier, or the materials connected therewith, or any other works or apparatus, appurtenances or dependencies thereof, or any matter or thing made and provided for the purposes aforesaid, or any of the materials used and provided for the same, or ordered to be erected, laid down, or belonging to the company, or shall, in any wise wilfully do any other injury or damage, for the purpose of obstructing, hindering or embarrassing the construction, completion, maintaining or repairing of the works, or causes or procures the same to be done by others, or increases the supply of electricity or the number of lamps agreed for with the company, by increasing the number or size of the conducting wires, or using the electric current after having removed the apparatus belonging to the company, or in using such electric current unnecessarily, negligently or wastefully, such person shall incur, for the benefit of the company, a penalty of not less than ten nor more than one hundred dollars, together with costs; provided always that, in the event of the gas companies or municipal authorities deeming it advisable or necessary to do underground work which might expose any of the wires of the company, it shall be lawful for such gas company and such municipal authorities to do so without incurring the penalty above mentioned, if it give notice to the company, at its office, of its intention to perform such work, before commencing the same.

Power of com-  
pany to stop  
supply if rates  
not paid.

**39.** If any person supplied by the company, neglect to pay the rent, rate, or charges 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' previous notice, may stop the supply to the person in arrear as aforesaid, by cutting off the pipes or wires and by any such other means as the company or its officers see fit, and the company may recover the rent or charges then due, together with the expenses of cutting off, notwithstanding any contract to furnish for a longer time.

**40.** In every case where the supply of water or electricity may be cut off or taken away 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 in the afternoon, making as little disturbance or inconvenience as possible, and may remove and take away any wire, meter, motor, cock, branch, lamp, fittings or other apparatus, which are the property of the company.

Power to remove company's wires, &c., if supply has been stopped.

Any servant of the company, duly authorized, may, between the hours aforesaid; enter any house into which water or electricity has been taken from the company, for the purpose of repairing or examining any meter, wire, or apparatus belonging to the company or used for the water and electricity; and, if any person refuse, without reasonable cause, to permit or do not permit the servants or 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 forty dollars and the further penalty of four dollars for every day during which such refusal or obstruction continues, and in addition shall be responsible to the company for all actual damages suffered by reason of such refusal or obstruction.

Entry of company's servants into houses, &c., for such purpose.

Penalty for refusal.

This and the immediately preceding article shall not prevent any of the provisions therein contained being altered or modified by contract.

Proviso.

**41.** The wires, pipes, lamps, meters and other appliances and apparatus of any kind of the company shall not be subject or liable to rent or any other privilege, 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, provided the landlord be previously notified of such installation.

Company's property not liable to seizure for rent, &c.

**42.** The company shall not be deemed to have exhausted any of its powers by the exercise thereof.

Company's powers not exhausted by use.

**43.** All penalties and forfeitures imposed by this act may be sued for and recovered with costs by the company, either before the Circuit or Superior Court, according to the amount demanded, or before one or more justices of the peace of the district where the offence has been committed.

Penalties how recovered.

**44.** The provisions of the Joint Stock Companies' General Clauses Act shall form part of this act, except in so

Law to apply.

far as they are in contradiction to, or inconsistent with any provisions of this act.

Act not to apply to certain districts.

**45.** This act shall not apply to that part of the Province which forms the judicial district of Quebec, as fixed for the jurisdiction of the Court of Review.

Consent required for certain works.

**46.** Nothing in this act shall be construed as permitting the company to traverse or cross the Harbour of Montreal with any of its appliances, without having previously obtained the consent of the Harbour Commissioners of Montreal or the Governor General.

Existing rights not affected.

**47.** Nothing in this act shall in any manner affect any vested rights existing in favor of any other company.

## CAP. LXVI

An Act to amend and consolidate the act incorporating the Royal Electric Company, 47 Victoria, chapter 55, as amended by the acts 51-52 Victoria, chapter 116, 52 Victoria, chapter 47, 54 Victoria, chapter 76 and 55-56 Victoria, chapter 76

[Assented to 15th January, 1898]

Preamble.

**WHEREAS** The Royal Electric Company has, by its petition, prayed that its act of incorporation, as amended, be further amended and consolidated and that its powers be increased; and whereas it is expedient to grant the said prayer;

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

47 V., c. 55:  
51-52 V., c.  
116; 52 V., c.  
47; 54 V., c.  
76; 55-56 V.,  
c. 76, repeal-  
ed.

**1.** The act passed by the Legislature of this Province, 47 Victoria, chapter 55, as amended by the acts 51-52 Victoria, chapter 116, 52 Victoria, chapter 47, 54 Victoria, chapter 76, and 55-56 Victoria, chapter 76, is repealed and replaced by the present act.

Present company substituted to former one, &c.

**2.** The company hereby constituted is substituted to all intents and purposes for that which existed under the acts repealed by the foregoing article, and succeeds to it in all its rights, privileges, powers and obligations, and all its property and assets are hereby vested in this company, and this company shall be held to have assumed all its obligations or liabilities of every kind and nature.

By-laws, &c., already made.

**3.** The by-laws of the company, bonds or debentures issued, agreements, contracts or other deeds, lawfully passed, adopt-