

CAP. LXXIX.

An Act to incorporate the Coaticook Electric Light and Power Company.

[Assented to 9th January, 1897.]

Preamble.

WHEREAS the persons hereinafter named propose to form a joint stock company to be called the Coaticook Electric Light and Power Company, for the purpose of, in and near the town of Coaticook, owning, manufacturing, and dealing in water, electric, steam, and any other power, electricity, gas, and other illuminants; of owning, leasing, and operating mills, factories, and other works and plant, and for other purposes connected with such powers and illuminants; and whereas they have petitioned for an act of incorporation, and it is expedient to grant the prayer of the said petition;

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

Persons incorporated.

1. Henry Lovell, manufacturer, Charles Henry Lovell, manufacturer, Fritz Ernest Lovell, manufacturer, John Henry Morgan, mill-owner, and Parker Tabor Baldwin, trader, all of the town of Coaticook, and all other persons who are now or may hereafter become shareholders, shall be and are hereby created a body politic and corporate, under the name of the "Coaticook Electric Light and Power Company," with power to acquire property, moveable and immoveable, and the same to lease, alienate and otherwise dispose of, and to hypothecate in favor of trustees or otherwise, provided that the immoveable property shall not exceed a total value of thirty thousand dollars.

Name.

Powers.

Head office.

2. The head office or principal place of business of the company shall be at the town of Coaticook, but may be changed to such other place as may be determined at a meeting of shareholders.

Capital stock and shares.

3. The capital stock of the company shall be fifty thousand dollars, divided into five hundred shares of one hundred dollars each.

Increase thereof.

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 any meeting called for such purpose, to any amount not exceeding one hundred thousand dollars.

First directors

4. The said Henry Lovell, Charles Henry Lovell, Fritz Ernest Lovell, John Henry Morgan and Parker Tabor

Baldwin shall be the first or provisional directors of the company.

5. The company may acquire, own, operate, lease, manufacture, transmit, supply, and deal in and otherwise use water, electric, steam, and any other power for lighting, heating, manufacturing, and other industrial or useful purposes to which such power may be applied ; electricity, gas, and other illuminants ; mills, factories, and all other works, plants and appliances required for such purpose, and may lay its wires and pipes underground, as the same may be necessary, and in so many streets, squares, highways, lanes, and public places as may be necessary for the purpose of supplying light, heat and power, without however doing any unnecessary damage, and on providing all proper facilities for free passage through the said streets, squares, highways, lanes and public places while the works are in progress.

Power to acquire, &c., water powers, &c.

Proviso.

6. The company may also erect above ground, and, with the permission of the proprietor, above buildings, all requisite constructions, including posts and supports for conducting wires and electricity or other power along or across streets, public roads and highways, or over any water-course in the town of Coaticook ; provided that the public shall not be put to any unnecessary inconvenience in using any such streets, roads, highways or water-courses, and that navigation shall not be interrupted ; provided also that the municipal council in all cities, towns or incorporated villages, if it deem necessary, shall have the right to oversee and prescribe the manner in which such streets, roads and highways shall be opened for the erection of poles and for the placing of wires underground ; provided also that the surface of the streets shall in all cases be put back into their original condition by the company, at its own cost, as near as possible ; and provided also, that the wires may be cut in case it may be necessary for the purpose of extinguishing fires by order of the official in charge of the fire brigade ; in which case the company shall not be entitled to be compensated 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.

Power to make certain constructions &c., above ground.

Proviso.

7. The company may purchase, construct and maintain such dams, locks and other constructions, canals and waterways as may be required for the purpose of its work, either along the bank or in the bed of the stream ; and for such purpose may enter upon and survey lots on the lines of rapids or watercourses, and may make all such construc-

Power to purchase, &c., dams, locks, &c.

Powers for such purpose.

tions and crossings, whether across, under, or over public or private grounds, or any aqueduct or canal, and may erect all constructions requisite to improve the water-power and supply of water at rapids or other places on the stream ; provided, however, that public or private property shall not be made use of without permission first obtained from the competent authorities and the proprietors.

Proviso.

Power to sell surplus water.

8. The company may lease, sell or dispose of any surplus water which it may not require.

Penalty on persons placing pipes, &c., in communication with company's pipe, &c.

9. If any person place or cause to be placed any wire, pipe or other means of communication to communicate with any wire, pipe or conductor belonging to the company, or in any way make use of the electric current, gas, or other production of the company without the latter's consent, he shall forfeit and pay to the company the sum of one hundred dollars, and also a further sum of four dollars for each day during which such communication may exist and, in addition, double the value of any electricity, gas or other manufacture which has been so wrongfully consumed.

Penalty for damaging company's wires, &c.

10. If any person wilfully or maliciously damage or cause to be damaged, or put out of order any wire, pipe, engine or other appliance used by the company for the supply of electricity, gas, or other manufacture of the company, or any materials connected therewith, or wilfully impair or knowingly suffer the same to be altered or injured, he shall incur a penalty, to be forfeited to the company, of not less than four dollars or more than one hundred dollars, and shall also pay all charges necessary for the repairing or replacing of the said wires, pipes, engines, or appliances, together with all actual damage suffered by the company.

Power of company to cut off supply of gas, &c., in default of payment of rates.

11. If any person supplied by the company with electricity, gas, or other manufacture, neglect to pay the rent, rate or charge due to the company at the time 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 of electricity, gas or other manufacture from entering the premises of the person in arrears, as aforesaid, by cutting off the supply thereof, and by any such other means as the company or its officers see fit ; and the company may recover the rent or charge due up to such time, together with the expense of cutting off the electricity, gas, or other manufacture, in any competent court, notwithstanding any contract to furnish for a longer time.

12. In every case where the company may cut off and take away the supply of electricity, gas, or other manufacture from any house, building or premises, the company, its agents and workmen, on giving forty-eight hours' previous notice to the person in charge or to 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, making as little disturbance as possible, and may remove and take away any wires, pipes, meters, lamps, fittings, and other appliances which are the property of the company; and any servant of the company, duly authorized, may, between the hours aforesaid enter, into any house or premises in which electricity, gas or other manufacture has been taken from the company for the purpose of repairing or examining any such wires, pipes, meters, lamps or other appliances; and if any person refuse, without reasonable cause, to permit the servants and officers of the company to enter and perform such acts, the person so refusing or obstructing shall incur a penalty, in favor of the company, for every such offence, not exceeding four dollars, and a further penalty, not exceeding four dollars, for every day during which such refusal or obstruction may continue, and, in addition, shall be responsible to the company for all actual damage suffered by reason of such refusal or obstruction.

Power to remove fittings in case of non-payment of rates.

Penalty for refusing permission to enter.

13. The wires, pipes, lamps and other appliances and apparatus of any kind 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 or building the same may be supplied by the company, notwithstanding the actual or apparent possession thereof by such person.

Wires, &c., not liable to seizure for rent, &c.

14. The provisions of the Joint Stock Companies' General Clauses Act shall form part of this act, except in so far as they are in contradiction to or inconsistent with any provisions of this act.

Certain act to apply.

15. The company may acquire the ownership or use of any patents in respect of electricity, gas and other illuminants or motive power; acquire rights, privileges, franchises and contracts heretofore granted to other companies or individuals within the limits of the town of Coaticook; issue paid up shares, bonds or debentures in payment of such purchase or contracts, and also for all services for which it shall be obliged to pay, as well as in payment for all rights of way, plant, charters, franchises and privileges,

Company may acquire patents, &c.

Issue of paid up stock for certain purposes.

and all moveable and immoveable property acquired, and may manufacture machines covered by patents, of which the company has acquired the ownership.

R. S., 4668, §
1, not to
apply.

The first paragraph of article 4668 of the Revised Statutes shall not apply thereto.

Power to
borrow and
issue bonds,
&c.

16. The directors may, from time to time, borrow money upon the credit of the company, and issue bonds, debentures or other securities for any sums borrowed, but the amount borrowed shall not, at any time, exceed thirty thousand dollars; but this restriction shall not apply to commercial paper discounted by the company.

Amount there-
of.

Signature to
bonds, &c.

Such debentures shall be signed by the president or vice-president and countersigned by the secretary, and shall bear the seal of the company; they may be payable either within the limits of the Province or elsewhere, in current money or sterling, with interest payable at definite periods, with or without coupons; or may be made payable by annuities comprising principal and interest; and, if there be coupons, they may bear the engraved signature of the secretary.

Tenor of
bonds.

When to be-
come due, &c.

Such debentures shall become due on such dates and be drawn up in such form as the directors may prescribe.

When debentures may be issued.

Such debentures shall not be issued until the issue is approved by the votes of shareholders representing at least two-thirds in value of the subscribed stock of the company represented at a meeting called for the purpose of considering such issue.

Security for
payment of
debentures.

To secure the payment of such debentures, the directors may grant a mortgage or hypothec to one or more trustees in favor of the holders of such debentures upon the immoveable property of the company, mentioning the issue and the amount of the debentures secured thereby, and such debentures shall further be a first charge upon the machinery, plant, franchises, rates, revenues and rents of the company, without prejudice to all other privileges already existing.

Works not to
endanger
public safety.

17. Any works constructed by the company, and all apparatus and appliances connected therewith, shall be so made as not to endanger the public safety; and such works and appliances shall, at all reasonable times, be subject to the inspection of the municipal authorities of the municipality within the bounds whereof they are situated.

Inspection
thereof.

Notice.

Reasonable notice of such inspection shall be previously given to the company.

Precautions to
be taken in
opening
streets.

18. In constructing any works, or in placing any plant or apparatus, the company shall take all proper care that the passage of any street, square, lane or public place, as

far as may be, shall be free and uninterrupted, and shall protect all such works and appliances by all reasonable and proper means, and shall replace the streets, squares, lanes and public places with due diligence, and shall repair any damage that may be caused thereto by reason of any such works or appliances done or put in by the company, and shall be responsible for any neglect in respect thereto.

19. The company is authorized to expropriate such water-powers on the Coaticook river above the power now used by the Coaticook Electric Light Company as are not actually in use, and also such land adjacent to or connected with such water-powers as may be required for installing machines and for the other buildings required by the company for the carrying out of the object for which it is incorporated and for the extension of its business.

Power to expropriate certain land, &c., for certain purposes.

The expropriation shall be effected in accordance with the Expropriation Act.

54 V., c. 38, to apply.

20. All penalties, forfeitures, or fines imposed or permitted by this act may be sued for and recovered by the company, either before the Superior or Circuit Court, according to the amount thereof, or before one of the justices of the peace in the district where the offence has been committed.

Penalties how recovered.

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

Coming into force.

CAP. LXXX.

An Act to incorporate "The Canada Stone Chinaware Company."

[Assented to 9th January, 1897.]

WHEREAS Léon Graves, manufacturer, of Clairefontaine, in France; François Charles Huguet, coal-broker, Francis Martinet, trader, Auguste Prévot, retired captain, Georges LeGentil, broker, of Saint Quentin, in France; Théophile Fenal, manufacturer, of Pexonne, in France; Jules Blocq, merchant, Paul Lévy, banker, Henri Clemenceau, clerk; Charles Balasse, accountant, Henri Balasse, accountant, Henri Choisel, commercial agent, Charles Durand, manager of disputed claims office, Léon Vauclin, merchant, of Paris, in France; Frédéric Bertrand, sugar manufacturer, Gustave Moreau, controller of mines, of Laon, in France; Alfred Monin, manufacturer, of Lyons,

Preamble