

**17.** This act shall come in to form on the day of its <sup>Coming into</sup> sanction. <sup>force.</sup>

CAP. LXXIII.

An Act to incorporate the Chambly Manufacturing Company.

[Assented to 12th July, 1888.]

**W**HEREAS Samuel Thomas Willett and Brock Willett, <sup>Preamble.</sup> both manufacturers of the village of Chambly Canton, Honorable Joseph Rosaire Thibaudeau, Senator and merchant, Joseph M. Fortier, manufacturer, George W. Parent, agent, and Raymond Prefontaine, advocate and member of the House of Commons, the latter of the city of Montreal, and all of the Province of Quebec, and Dominion of Canada, have, by their petition, prayed that they and their legal representatives might be incorporated for the purpose of creating water-powers and constructing dams, and purchasing or erecting bridges upon the banks of and over the river Richelieu, at and in the neighborhood of Chambly, and for the erection and working of manufacturing establishments, water-works and workshops for making electrical apparatus and producing electricity for lighting and for motive power in connection with such water-powers, dams and bridges; and it is expedient that the prayer of their petition be granted; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The several persons hereinbefore named, and such <sup>Persons incor-</sup> other persons as may become shareholders in the company <sup>porated.</sup> to be by this act created, shall be and they are hereby constituted and declared to be a corporation, body corporate and politic, by the name of the "Chambly Manufacturing <sup>Name.</sup> Company."

Such corporation, shall continue and shall have perpet- <sup>General pow-</sup> ual succession and a corporate seal, with power to alter <sup>ers.</sup> and change the same at pleasure, and may sue and be sued, plead or be impleaded in all courts of law, as other corporations may do, and shall have power to acquire <sup>Power to hold</sup> and hold real or immovable estate, for the purpose of <sup>&c, real estate.</sup> their business, not exceeding the yearly value of fifty <sup>Value limited-</sup> thousand dollars, and may sell, alienate, exchange, and let or lease the same.

**2.** The said corporation, hereinafter called the "com- <sup>Power to erect</sup> pany," shall have power to erect, construct and <sup>&c, dams on</sup> maintain a dam or dams along the rapids of the river <sup>river Riche-</sup> <sup>lieu and other</sup> <sup>works.</sup>

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 an outlet or 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.

Enter upon  
and survey,  
purchase &c,  
lands.

Power to  
make bridges  
&c.

Company may  
use &c., water  
for driving  
mills.

Sell &c, lands.

Build stores,  
&c.

Company may  
make use of or  
lease water-  
powers for  
certain pur-  
poses.

Supplying  
municipal  
corporations  
&c, with  
water.

**3.** 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; and 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, and 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.

**4.** The company may itself use the said water-powers, or lease and transfer the privilege of using the same to other persons or companies for the following purposes, namely:

1. For pumping water, placing it in a reservoir or driving it so as to supply it to municipal corporations, public bodies or the 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.

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

2 For producing electricity for public or private lighting purposes, or to be used as motive power, and for that purpose, the company may 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 under ground, along all public and private roads, streets and by-roads, by obtaining the consent of the corporations and individuals interested ; and, when necessary, it may place such wires on posts, and private property by paying for the damages caused thereby or lay such wires underground also by paying the damages caused thereby to the interested parties.

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

5. The water and electricity so 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.

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.

6. 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.

7. The capital stock of the company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, which shall be and are hereby vested in the several persons who shall subscribe for the same, their legal representatives and assigns.

8. The said S. T. Willett, B. Willett, Honorable J. R. Thibaudeau, J. M. Fortier, G. W. Parent and Raymond Préfontaine, shall be the provisional directors of the

Arrangements for such purpose.

Supplying electricity for lighting purposes, &c.

Arrangements for such purpose.

How water and electricity are to be supplied.

Right to have apparatus examined, &c.

Not to interfere with navigation of river Richelieu and Chambly canal unless by consent of authorities.

Capital stock. Shares.

Vested in subscribers.

Provisional board of directors. Powers

company, with power to open books of subscription for stock of the company, at the city of Montreal, and at such other places as to them shall seem meet, and to receive subscriptions for the said stock, and to do such other things relative to the said subscription and the management of the affairs of the company and its organization, as it may be requisite to do before the first general meeting of the stockholders for the election of directors as hereinafter mentioned.

- 9.** As soon as the sum of fifty thousand dollars of the said capital stock shall have been subscribed, and ten per cent actually paid in thereupon and deposited in some one of the chartered banks in Montreal aforesaid, it shall be lawful for the provisional directors to call a meeting in Montreal aforesaid, for the purpose of proceeding to the election of directors of the company, and such election shall then and there be made by the holders of the majority of shares voted upon at such meeting and present thereat in person or by proxy.
- 10.** The affairs of the company shall be managed by a board of five directors, but no person shall be elected or chosen a director unless he is a shareholder in the company to the extent of, at least, ten shares in his own right or as trustee, and not in arrears in respect of any call thereon; but such directors need not be residents of Canada, nor subjects of Her Majesty.
- 11.** The subsequent directors of the company shall be elected by the shareholders in general meeting of the company assembled, at such times, in such wise, and for such term as the by-laws of the company may prescribe.
- 12.** The directors of the company, if they see fit, at any time after the whole capital stock of the company shall have been allotted or paid in, but no sooner, may make any by-law for increasing the capital stock of the company to any amount which they consider requisite, in or to the due carrying out of the company.
- No such by-law shall have any force or effect whatever until after it shall have been sanctioned by a vote of not
- When first meeting of shareholders to be called for election of directors.
- Election of directors how made.
- First board.
- Term of office.
- Directors.
- Qualification of directors.
- Increase in number of directors.
- Election of subsequent directors.
- increasing capital and when by by-law of directors.
- By-law to be approved.

less than two-thirds in amount of all the shareholders 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 fyled, as hereinafter mentioned, in the office of the Provincial Secretary, or such other officer as the Lieutenant-Governor in Council may direct.

Copy fyled  
with Provincial  
Secretary.

**13.** Any 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.

Contents of  
by-law for  
increasing  
capital.

**14.** The company may, within six months after a duly authenticated copy of such by-law has been fyled in the office of the Provincial Secretary, or such other officer 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, or other official gazette of this Province, that such by-law has been passed and fyled 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, in the manner and subject to the conditions set forth by such by-law, and 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.

Notice of such  
deposit may  
be required to  
be inserted  
in Quebec  
Official  
Gazette.

Effect of such  
insertion.

**15.** The company may borrow, under the authority of this act, and for carrying its provisions into effect, to the extent of five hundred thousand dollars in such sums and at such rate of interest not exceeding eight per cent per annum, and for such period as may be found expedient; and may issue, under the hand of the president, and, in his default, of the vice-president, and the seal of the company, debentures or bonds of the company, to be countersigned by the secretary, for the sum and sums so to be borrowed, payable at such time and times to the bearer thereof, either within the Province or elsewhere, and either in currency or sterling, with interest payable at any time and times specified therein, and with or without coupons annexed; and, if with coupons, such coupons to be signed by the secretary; which shall be payable to the bearer at the time and times they shall respectively become due.

Company  
may borrow  
money to cer-  
tain amount.

Issue bonds.

When and how  
payable.

If with cou-  
pons.

Coupons to be  
payable to  
bearer.

Contents and  
payment of  
bonds.

Bondholders  
to have spe-  
cial lien on  
property of  
company.  
Ranking *inter*  
*se.*

Penalty for  
obstructing  
company in  
use of canals,  
&c.

Imprisonment  
in default of  
payment of  
fine.

Municipal cor-  
porations may  
take shares in  
company, &c.

Company  
lay its wires  
underground  
through  
streets, &c.

Such bonds or debentures shall respectively become due at the time, and shall be in the form prescribed by any by-law of the company, and may be recalled and others issued in their stead, and the said sum and sums so borrowed shall be paid out of the properties and revenues of the said works and of the company; and, for the payment thereof, the holders shall and may, if so provided in such debentures and bonds, have a special charge, lien, mortgage, or hypothec, upon such properties and revenues, but no holder of any debenture or bond shall have any priority or privilege over any other debenture or bondholder, whatever may be the date of such bond or debenture, or of the registration thereof.

**16.** 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 incidental or relative thereto, or 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, one-half of which penalty and forfeiture, to be recovered before one or more justices of the peace for the district, 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.

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

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

**18.** 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.

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 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 other building erected in the vicinity, nor interrupt the navigation of the said waters.

Company may plant posts in above ground along roads, &c.

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 posts shall be as straight and as perpendicular as possible, and shall be painted in the cities, if any by-law of the council require it.

Public traffic not to be interfered with.

Proviso as to posts in cities, towns, &c.

Posts in cities, &c, to be straight and perpendicular.

The company shall not cut down or injure any tree, in cities, towns or incorporated villages ; and the opening of streets for the planting of posts or conducting wires under ground 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 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.

Company not to injure trees and to open streets &c, under supervision of council officer.

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.

Company not entitled to damages for wires cut in event of fire.

Proviso as to responsibility towards consumers.

**19.** After having acquired the land or property necessary for the carrying out of the works hereinafter mentioned, the company shall have the 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

Power of company to erect engines, &c, after acquiring land, &c, build dam, &c.

any such river by canals or flumes, to be made by the company, at any place on the said rapids along the banks thereof, for hydraulic purposes; and may also construct all necessary locks, piers, and other works on the canals.

Company may take bed of river, &c.

It may extend its works 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.

Survey lands and purchase &c, all lands necessary.

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.

Make bridges, &c.

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.

Company responsible for damages from inundations.

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.

Permission to be obtained from Federal authorities.

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.

Company may sell, &c, surplus water, &c

**20.** The company may use, sell, dispose of, or lease the surplus water from the flumes, dams or canals, which it will not require, 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 the water-power, on such terms and conditions as it may think fit.

Acquire lands, &c.

Report to Commissioner of Public Works to be made, &c, before commencing laying wires, &c.

**21.** 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 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 situate in more than one municipality, then to the municipal council of each municipality, within the limits of which the projected works are situated.

**22.** 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 shall have 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.

Company not to commence work before report approved by Commissioner.

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

Public health or safety not to be endangered.

The works, apparatus and appurtenances shall, at all reasonable times, be subject to the 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.

Works, etc, to be subject to inspection.

The company, their 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.

Company, etc, to obey orders from municipal authorities.

**24.** If any person lays, or causes to be laid, any wire or electric conductor, to communicate with any wire or electric conductor belonging to the company, or in any way obtains or uses its electric current in any manner whatsoever, without the consent of the company, 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 remains.

Penalty for unlawful connection with companies wires, etc.

**25.** If any person wilfully or maliciously breaks up, pulls down or damages, injures, puts out of order, or destroys 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

Penalty for maliciously breaking up etc., wires, etc of company.

number or size of the conducting wires, or using the electric current after having removed the apparatus belonging to the company, or in wasting such electric current, unnecessarily, negligently or wastefully, such person shall incur for the benefit of the company, a penalty not exceeding forty dollars, together with costs, provided always that, in the event of the gas companies or municipal authorities deeming it advisable or necessary to do under-ground 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 gives notice to the company, at its office, of its intention to perform such work, before commencing the same.

Proviso.

Company may cut off water or electricity from consumer in arrear for rent, &c.

**26.** If any person, supplied by the company with water or electricity, neglects 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' previous notice, may stop the supply of water or electricity, from entering the premises of the person in arrear as aforesaid, by cutting off the service pipe or wires, or by any such other 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 for a longer time.

Right of company to enter premises to take away wires, etc, if company wishes to cut off water or electricity.

**27.** In all cases, where the company may lawfully cut off and take away the supply of water and electricity from any house, building, or premises, the company, their agents and workmen, upon 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 four in the afternoon, making as little disturbance and inconvenience as possible, and may remove and take away any wire, meter, cock, branch, lamp, fittings or apparatus which are the property of and belong to the company.

Power of company's servant to enter premises to make good works, etc.

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 repairing and making good any such house, building or premises, or 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 refuses to permit or does 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 of forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction continues.

Penalty for refusing entrance.

**28.** The powers granted to the company by this act shall cease entirely if their works are not commenced within five years from the passing of this act. Powers of company to cease if works not commenced in certain time.

**29.** Section 9 of the Quebec Consolidated Railway Act, 43-44 Victoria, chapter 43, 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. 43-44 V., c. 43, s. 9, respecting expropriation to apply to company.

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

C A P. L X X I V .

An Act to incorporate "*L'Union des Tailleurs de cuir de Québec.*"

[Assented to 12th July, 1888.]

**W**HEREAS there exists an association, known under the name of "*L'Union des Tailleurs de Cuir de Québec.*" the object whereof is to provide pecuniary assistance for its members in case of sickness, and to secure certain pecuniary benefits for the widows and heirs of deceased members; whereas the founders of the association have, by their petition, prayed to be incorporated, and whereas it is expedient to grant their prayer; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows: Preamble.

**1.** Messrs. Philippe Pelletier, François Schryburt, Moïse Delisle, Alcide Montreuil, Theodore Alain, Philippe Dorval, François Pruneau, Auguste Sirois. Joseph Gilbert and all the other founders and active members, as well as all those who may hereafter become members of the association, are hereby constituted a corporation, under the name of "*L'Union des Tailleurs de Cuir de Québec.*" Persons incorporated. Name.

**2.** The corporation may sue and be sued, contract and bind itself, acquire and possess by gratuitous or onerous title, *inter vivos* or by will, all kinds of moveable and immoveable property in the Province of Quebec to the extent of fifteen thousand dollars, and exchange, hypothecate and sell the property so acquired. Corporate powers. Power to hold property, etc. Amount limited.