

proper, by posting, two week's before such meeting, a notice thereof to each shareholder of such company, and the sending, through the post of such notice, shall be deemed a sufficient notice of such meeting, provided it is sent by registered letter.

CAP. LXXVI.

An Act to incorporate the "Citizens Gas Company of Montreal."

[Assented to 30th March, 1883.]

WHEREAS the great present and prospective increase of population and buildings, both in the city of Montreal, and in the neighbouring municipalities, and the frequent demand for a cheaper and more effective mode of supplying light, as well to the streets and public places, as to the public and private buildings therein, render it desirable that the inhabitants thereof should not be entirely dependent upon the existing gas company, but that more ample provision should be made than now exists to meet these requirements, and that more than one company should be established for that purpose within the said limits; and whereas the mayor and aldermen of the city of Montreal have signified their approval of the establishment of the said company; and whereas the said company, as hereinafter specified, have protected their consumers against the evil effects of stock watering and unrestricted dividend paying power; and whereas it is desirable in the people's interest to furnish so necessary an article as light at the minimum cost consistent with a fair return on the investment; and whereas the several persons hereinafter mentioned have, by their petition, prayed that they and such others as now are or hereafter may be associated with them in their enterprize may be incorporated under the title hereinafter mentioned for the purpose of furnishing gas and other illuminating material to the said city and municipalities more extensively and on better terms than hath heretofore been done; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

I. Andrew Allan, W. Ogilvie, G. B. Burland, A. Murray, Jonathan Hodgson, Alex. Buntin, Andrew Robertson, D. Morrice, A. F. Gault, S. Rivard, G. A. Drolet, Charles P. Hébert, J. O. Hudon, Arthur Roy, Jas. Coristine, H. Hogan, L. A. Senecal, Isidore B. Durocher, J. R. Thibau-

Certain persons incorporated.

deau, C. H. Letourneau, Kenneth Campbell, J. Barsalou, Chas. Cassils, all of the city of Montreal, together with all such persons as now are or hereafter may become shareholders in the company hereby established, shall be and they are hereby constituted a body politic and corporate to the ends and for the purposes in the preamble to this act stated, by the name of "The Citizens Gas Company", and by that name shall have perpetual succession and a common seal, with power to break and alter the same; and by that name shall and may sue and be sued, implead and be impleaded in all courts of law and equity, with power to purchase, take and hold real and personal property of every kind and description, for the use of the said company, and the same to alienate and mortgage; provided always that the total annual value (over and above the works thereon erected) of the lands or real estate, to be so acquired and held by the said company shall not exceed the value of twenty five thousand dollars per annum.

Name and
general pow-
ers.

Proviso.

Head office.

2. The head office and chief place of business of the said company shall be in the city of Montreal, but the company's works and business may be carried on or transacted in all or any of the municipalities on the Island of Montreal.

Capital stock.

3. The capital stock of the said company shall consist of one million of dollars (with power to increase as hereafter provided) in shares of fifty dollars each. Two thousand shares aggregating one hundred thousand dollars to be issued at the formation of the company and the remainder at the discretion of the directors; provided always that the subscribers to the first issue shall be entitled to subscribe to such remaining stock unallotted, during the first six months after the company is formed, *pro rata* to the stock or in proportion to the number of shares held by them in preference to all others.

Limitation of
allotments of
stock.

4. During the first six months after the granting of this charter the individual allotments of stock shall be limited to twenty shares to any one individual and, in cases of subscriptions by firms, then not more than twenty shares for each individual member of said firm as such.

Provisional
directors.

5. The said Andrew Allan, A. W. Ogilvie, G. B. Burland, A. Murray, Jonathan Hodgson, Alex. Buntin, Andrew Robertson, D. Morrice, A. F. Gault, S. Rivard, G. A. Drollet, Charles P. Hébert, J. O. Hudon, Arthur Roy, Jas. Coristine, H. Hogan, L. A. Senecal, Isidore B. Durocher, J. R. Thibaudeau, C. H. Letourneau, Kenneth Campbell, J.

Barsalou and Chas. Cassils, shall be the first directors of the said company and shall continue in office until the first general meeting of stock-holders hereinafter mentioned.

6. After the expiration of the said six months the remaining shares may be allotted to the public generally ; capitalists may subscribe for the balance of stock required in amounts as they may desire ; the city of Montreal or any other town or municipality shall have the right to subscribe for any unallotted shares in the said company ; provided always that the aggregate amount of stock held by the said city and the said municipalities shall not exceed the sum of five hundred thousand dollars, and, for any remaining stock unsubscribed for, the city council of Montreal and the neighboring municipalities may subscribe to an extent not to exceed five hundred thousand dollars.

7. The said company shall be permitted to charge such price for the gas or other illuminants furnished by them as will yield an average net profit of ten per cent per annum upon the capital invested in the plant of the company and no more. When the profits exceed the requirements for such net average dividend and rest, allowing for necessary repairs and maintenance of plant with improvements, and an aggregate accumulation of rest not exceeding five per cent upon the paid up capital stock for contingencies, the excess shall be applied to the reduction of the price of gas or other illuminants supplied.

8. The said company may charge for the gas or other illuminants furnished by them a price that will yield a net profit of less than ten per cent, as provided for in section 7 of this act at the discretion of the directors.

9. Having in view the desire to make the said company a consumers' company, and to protect the citizens against exorbitant prices, the said company shall not effect any amalgamation or pooling arrangement with any other gas company, for the purpose of affecting the price of gas or other illuminants without the sanction of the council of the city of Montreal.

10. It shall not be lawful for the said company to issue any scrip-dividends or to water their stock, that is to issue stock which has not been lawfully subscribed for or represented by actual outlay on the undertaking.

11. At all meetings of directors or shareholders of the

Allotment of shares.

Right of city of Montreal.

Company may charge such price for gas as will yield net profit of 10 per cent. per annum upon capital invested.

Company may charge less for gas, &c.

Company shall not effect pooling arrangements, &c. with any other Gas Company.

Not lawful for Company to issue any scrip-dividends or water their stock.

City Council shall have

right to be represented by three members of their body.

said company the city council of Montreal shall have the right to be represented by three members of their body, who will have the right to all information connected with the company for the enlightenment of the said city council and to see whether the said company's business is carried on honestly and consistently with the terms of its charter and agreement with the city. The said city council may also at all times make a thorough investigation of the books of the said company by an auditor or auditors appointed by the said city council.

Montreal Council shall have right, if they deem fit, at any time, to acquire rights of the said Company by giving certain notice.

12. The said council of the city of Montreal shall have the right if they deem fit, at any time to acquire the rights, privileges, properties, works, plant, etc., of the said company, by giving twelve months' notice of their intention to do so, and paying the cost of the said properties and works, and an additional ten per cent of the said value. Should the said council and the said company be unable to agree upon the price to be paid, the same shall be determined by arbitrators chosen in the manner provided for in matters of expropriation, by the said city, in which case the city council will assume all existing contracts and agreements of the said company.

First general meeting of stockholders will take place at Montreal on a day to be fixed by the directors on or before the first day of May, 1884.

13. The first general meeting of stockholders shall take place at the city of Montreal, on a day to be fixed by the said directors, on or before the first juridical day in the month of May 1884, and the ensuing annual meetings shall be held on the same day in each year thereafter at such place and hour as may be appointed by the by-laws of the company or by the directors in their default. But a failure to elect directors on the day and in the manner prescribed shall not dissolve the company, but such election may take place at any general meeting duly called for that purpose; and the retiring directors shall continue in office until their successors are elected.

Seven directors shall be elected to hold office until appointment of successors.

14. At such first and subsequent meeting seven directors shall be elected to hold office until their successors are appointed as above provided, each director to be the owner of not less than twenty shares in the company, and no person being a shareholder in any other company established for the purpose of supplying gas or other illuminants to the said city shall be a director of the company hereby established.

Any four of the said directors shall form a quorum

15. Any four of the said directors, whether those appointed by this act, or subsequently elected, shall form a

quorum and may exercise all the powers devolving upon and vested in the said directors.

16. The shareholders of the said company shall be bound to pay the amount of their subscriptions as they may, from time to time, be called upon by the directors; but the said directors shall only be bound to make calls at the times and in the manner they deem to be expedient for the purposes of the company, any law to the contrary notwithstanding.

Shareholders shall be bound to pay amount of their subscriptions.

17. Shareholders may vote by proxy, duly appointed in writing, or in person, and all elections shall be by ballot, and all questions to be decided by a majority of votes, and on every occasion when the votes of the shareholders are to be given, each shareholder shall, if he hold one share and not exceeding two shares, have one vote; for every two shares above two and not exceeding ten, one vote, making five votes for ten shares; for every four shares above ten and not exceeding thirty, one vote, making ten votes for thirty shares; for every six shares above thirty and not exceeding sixty, one vote, making fifteen votes for sixty shares; and for every eight shares above sixty and not exceeding one hundred, one vote, making twenty votes for one hundred shares; and no shareholder shall be entitled to give a greater number of votes than twenty on his own behalf.

Shareholders may vote by proxy and all elections shall be by ballot.

Qualification.

18. When and so soon as the assent of the corporation of the city of Montreal, of the corporation of the municipalities of the parish of Montreal, of Coteau St. Louis, of St. Jean-Baptiste, of Hochelaga, of St. Henri, Ste. Cune-gonde, St. Gabriel, Lachine, or any other municipality on the Island of Montreal, or of any one of these corporations shall have been obtained, it shall be lawful for the said company to break up, dig, and trench so much and so many of the streets, squares, highways, lanes, and public places within the limits of such corporations assenting, as may be necessary for laying down the mains and pipes to conduct the gas or illuminating material from the works of the company to the consumers thereof, doing no unnecessary damage in the premises and taking care, as far as may be, to preserve a free and uninterrupted passage through the said streets, squares, highways, lanes and public places while the works are in progress.

Assent of certain corporations required to break up, dig and trench streets, squares, &c.

19. Where there are buildings within the said limits, the different parts whereof belong to different tenants or lessees, the company may carry pipes to any part of any building, and may

Company may carry pipes to any part of any building, and may

construct
pipes to carry
gas to property
of another.

building so situate, passing over the property of one or more proprietors or in the possession of one or more tenants, to convey the gas or illuminating material to the property of another, or in the possession of another, making satisfaction for any damages caused; and such pipes shall be carried up and attached to the outside of the building or buildings.

Further
Powers of
company.

20. The company may also break up and uplift all passages common to neighbouring proprietors or tenants and dig or cut trenches therein for the purpose of laying down pipes, or taking up or repairing the same, doing as little damage as may be in the execution of the powers granted by this act; and making satisfaction therefor to the owners or proprietors of buildings or other property or to any other party for all damages to be by them sustained in or by the execution of the powers granted by this act; subject to which provisions this act shall be sufficient to indemnify the company, their servants and those by them employed, for what they or any of them shall do in pursuance of the powers granted by this act.

Works, &c.,
of company
not to endan-
ger public
health or
safety, &c.

21. The said company shall so construct and locate their works and apparatus and appurtenances, thereunto belonging or appertaining, so as not to endanger the public health or safety; and the said works shall be subject and bound by the by-laws of the corporation of the city of Montreal and of the corporations of the municipalities hereinbefore mentioned, in so far as the said works may be situate within their respective limits; and the said gas-works, apparatus and appurtenances shall at all reasonable times be subject to the visit and inspection of the municipal authorities of the corporation or corporations within the limits whereof they are situated, reasonable notice thereof being previously given to the company; and the company, their servants and workmen shall at all times obey all just and reasonable orders and directions they shall receive from the said municipal authorities in that respect, under a penalty of not more than one hundred dollars, nor less than five dollars for each offence in neglecting or refusing to obey the same, to be recovered at the suit and for the use of the said municipality in any court of competent civil jurisdiction, except the Recorder's court of the city of Montreal.

Company must
keep streets,
squares, free
and uninterr-
rupted.

22. In case the said company shall open or break up any street, square or public place and shall neglect to keep the passage of the said street, square or public place, as far as may be, free and uninterrupted, or to place watchmen,

or to take every necessary precaution for the prevention of accidents to passengers and others or to close and replace the said streets, squares or public places without unnecessary delay or when notified so to do by the city surveyor, as hereinbefore provided, or to repair any damage that may have been caused to such street, square or public place, by reason of any works done therein by the said company, such company shall be responsible for all damages, caused by such neglect, and the municipal authorities of the corporation interested, after notice in writing to the company, shall cause the duty so neglected to be forthwith performed and may recover the expense thereof from the said company; and in default of payment of the said costs by the latter, within one month after demand, they may be recovered by civil action in any court of competent jurisdiction.

23. Before opening or breaking up any of the streets of the said city, for the laying down of any of its main pipes, the said company shall give a written notice thereof to the city surveyor.

Notice
before open-
ing up, &c.,
any streets.

24. The main pipes of the said company shall have the initials of the company cast upon each of them; and also the ends of the service pipes and stop-cocks, which shall appear in the cellars of the houses or buildings shall be legibly or permanently stamped or marked with the initials of the company, to distinguish them from those of the Citizens' Gas Company, under a penalty of thirty dollars for each offence or neglect thereof, which penalty shall be paid, one half to the Provincial Treasurer and the other half to the said Citizens' Gas Company and recovered by civil action in any court of competent jurisdiction.

Main pipes of
Company shall
have initials
stamped upon
each, &c.

25. If any person lays or causes to be laid any pipe or main to communicate with any pipe or main belonging to the said company or in any way obtains or uses its gas or other illuminating material without the consent of the company, he shall forfeit and pay to the company the sum of one hundred and twenty dollars, and also a further sum of four dollars for each day during which such communication remains, which sums, together with costs of suit in that behalf incurred, may be recovered by civil action in any court of competent jurisdiction.

Penalty upon
any person
laying any
pipe or main,
&c., to connect
with those of
company,

26. If any person wilfully or maliciously breaks up, pulls down, or damages, injures, puts out of order or destroys any main pipe, plug or other works or apparatus, appurtenances, or dependencies thereof, or any matter or

Penalty for
wilfully break-
ing up, &c.,
any main pipe,
plug, &c., or
other works.

thing made and provided for the purpose aforesaid, or any of the materials used and provided for the same, or ordered to be erected, laid down or belonging to the said 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 said works, or causes or procures the same to be done, or increases the supply of gas or illuminating material agreed for with the company, by increasing the number or size of the holes in the gas burners, or using the gas without burners, or otherwise wrongfully, negligently, or wastefully burning the same, or by wrongfully or improperly burning the same, or by wrongfully or improperly wasting the same, such person shall, on conviction thereof, before a justice of the peace, or any other person authorized to act in that capacity in the locality wherein the offence has been committed, be compelled to pay for the use of the company a penalty not exceeding twenty dollars together with costs of prosecution, or in default of payment, be confined in the common gaol of the district for a space of time not exceeding three months, as to such Justice shall seem meet.

Persons may
make gas for
their own use.

27. Nothing in this act contained shall prevent any person from constructing any work for the supply of gas to his own premises.

Meters, &c.,
of company
not, responsi-
ble for rent,
&c.

28. Neither the service nor connecting pipes of the said company, nor any meters, lusters, lamps, pipes, gas fittings or any other property of any kind whatsoever of the company shall 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 wherein the same may be, nor be in any way whatsoever liable to any person for the debt of any person to and for whose use, or the use of whose house or building the same may be supplied by the said company, notwithstanding the actual or apparent possession thereof by such person.

Penalty for
damaging
meters, &c.,
of Company.

29. If any person wilfully or maliciously damages, or causes to be damaged any meter, lamp, luster, service pipe or fittings, belonging to the said company or wilfully impairs or knowingly suffers the same to be altered or impaired so that the meter or meters indicate less gas than actually passes through the same, such person shall incur a penalty, to the use of the company, of not less than four dollars nor exceeding twenty dollars, and shall also pay all charges necessary for the repairing or replacing the said meter, pipes or fittings and double the value of the

surplus gas so consumed ; such damages, penalties and charges to be recovered with costs as hereinafter provided.

30 If any person wilfully extinguishes any of the public lamps or lights, or wilfully removes, destroys, or damages, fraudulently alters, or in any way injures any pipe, pedestal, post, plug, lamp or other apparatus or thing belonging to the said company, he shall forfeit and pay, to the use of the company, a penalty not less than four dollars, nor more than twenty dollars, and shall also be liable to make good all damages and charges to be recovered with costs as hereinafter provided.

Penalty for extinguishing public lights, &c., of Company.

31. If any person, supplied by the company with gas or other illuminant, 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 their authority, on giving forty-eight hours previous notice, may stop the supply of gas or other illuminant from entering the premises of the person in arrear as aforesaid, by cutting off the service pipe or pipes, or by any such other means as the company or its officers see fit, and may recover the rent or charge due up to such time, together with the expenses of cutting off the gas, in any competent court, notwithstanding any contract to furnish for a longer time.

If any person neglects to pay, the supply of gas may be stopped.

32. In all cases where the company may lawfully cut off and take away the supply of gas or other illuminant 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 occupant, may enter 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 or take away any pipe, meter, cock, branch, lamp, fittings or apparatus, the property of and belonging to the company ; and any servant of the company duly authorized may, between the hours aforesaid, enter any house into which gas or other illuminant has been taken for the purpose of examining any meter, pipe or apparatus belonging to the company, or used for their gas or other illuminant, 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 incur a penalty to the company for every such offence not exceeding forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction continues, to be recovered with costs as hereinafter provided.

When company may lawfully enter house, &c., to cut off, &c., supply of gas and remove fittings.

Consumers to allow premises to be visited.

Fines, &c.,
may be sued
for.

33. All fines, penalties and forfeitures, imposed by this act, may be sued for and recovered with costs by the company, either in the manner hereinbefore directed or before a justice of the peace, in the district where the offence has been committed, on the oath of any one credible witness.

Suits where
brought.

34. All actions for damages or penalties or both, given by this act, shall be brought in courts having jurisdiction to the amount involved in such suit unless otherwise provided by this act.

If defendant
has no goods
to satisfy
damages.

35. Where damages as well as a penalty may be given, such damages and penalty may be sued for separately, and such fines, penalties and damages may be levied by distress from the goods of the defendant, and in case the defendant has no goods to satisfy the same, he shall be committed to the common gaol for such period not exceeding two months as the justice or court direct.

President and
shareholders
competent
witnesses.

36. In any action brought by or on behalf of the company in any court or in any proceeding before a justice of the peace on behalf of any such company, the president and any shareholder shall be competent witnesses, notwithstanding their interest in such suit or otherwise.

Directors of
company may
make by-law
for increasing
capital stock
of company.

37. The directors of the said company, if they see fit at any time after the whole capital stock of one million of dollars, above mentioned, shall have been subscribed and paid in, but not sooner, may make a by-law for increasing the capital stock of the company to any amount which they may consider requisite in order to the due carrying out of the objects of the company; such by-law 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, subject to the provision hereinbefore contained with reference to the right of preference in favor of the then existing body of shareholders. But no such by-law shall have force and effect until after it shall have been sanctioned by a vote of not less than two thirds in amount of the shareholders at a general meeting of the company duly called for considering the same.

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Lawful for
company to
borrow on
mortgage
bonds provided
that the
whole amount
borrowed do
not, at any
one time,

38. It shall be lawful for the Company to borrow, either in this Province or out of it, and at such rate of interest, as the Directors may, from time to time, agree legally upon, on mortgage bonds or debentures, such sums of money, from time to time, as shall not exceed in all one half the paid up capital of the Company, and if, after having borrowed the whole or any part of such

money, the Company pay off the same, it shall be lawful ^{exceed one} for them again to borrow the amount so paid off, and ^{half paid up} so, ^{capital of} from time to time, to re-borrow; provided that the whole ^{company.} amount borrowed, do not at any one time exceed one half of the paid-up capital of the said Company, and, for securing the re-payment of the money so borrowed, with interest, it shall be lawful for the said Company to mortgage, secure and assign real estate, works, rate, revenues, and rents, and the future calls on the shareholders of the Company, or to give bonds or debentures in such manner as shall appear most expedient, payable either within or without this Province; and such bonds, debentures or other securities to be granted may be made payable to bearer, or made transferable by simple endorsement or otherwise, as the Directors see fit; provided always that no such bond, ^{Proviso.} debenture or other security shall be made or granted for a less sum than five hundred dollars.

39. And be it enacted, that the respective obligees in ^{Obligees in} such bonds or debentures, whereby the rents, revenues or ^{bonds,} future calls, or payments due to the said Company, shall be ^{shall be} secured, shall proportionally, according to the amount of ^{entitled to be} moneys secured, thereby, be entitled to be paid out of the ^{paid out of} rents, revenues or future calls of the Company, the respective ^{rents, &c., of} sums in such ^{Company, the} bonds or ^{respective} debentures mentioned, and ^{sums in such} thereby intended to be secured without any preference ^{bonds or} one above another, by reason of priority of date of any ^{debentures} such bond or debenture, or of the meeting at which the ^{mentioned.} same was authorized or otherwise howsoever; and no such bonds or debentures, although they should comprise future calls on shareholders, shall preclude the company from receiving and applying such future calls to the purposes of the Company, so long as the money due on all such bonds and debentures does not exceed the amount of all the calls still remaining unpaid.

It shall be lawful for the directors of the said company, ^{Other bonds,} from time to time and as often and when they shall see ^{mortgages,} fit, without the formality of passing a by-law to that effect, ^{&c., shall be} specially by resolution to that effect to be entered upon ^{signed and} the books of the said company, to authorize the president ^{issued.} and vice-president or any two or more of the directors of the said company, to sign such particular bonds, mortgages, contracts, or instruments as it may, in the opinion of the directors, be necessary or expedient so to sign, and to affix the common seal of the said company thereto; and it shall also be lawful in like manner for the president and vice-president, or any two or more directors to be from time to time authorized as aforesaid to draw, sign or accept such particular promissory notes or bills of exchange, for

Proviso.

the purpose of the said company without seal, as it may, in the opinion of the directors, be necessary or expedient so to sign; and all such bonds, contracts, mortgages and instruments, so signed and sealed by the persons authorized as aforesaid, shall be valid and binding on the said company and be held to be the act and deed of the said company; provided that no bond, bill, note, contract or other instrument, signed, or signed and sealed by any such officer or officers of the said company, shall be of any force or effect or binding upon the said company unless the same shall have been so signed, or signed and sealed, under the authority of the directors by a resolution as aforesaid; nor in any action, suit or proceeding to which the said company shall be a party, shall the election of the president, vice-president, or directors of the said company, be liable to be questioned by any party except the said company; nor shall it be necessary for the company in any suit to prove the election, or appointment, or authority of any president or vice-president or any director, but the same shall be presumed, unless disputed by the said company; and provided that in any action, suit or proceeding on any such bond, bill, note, contract or other instrument so signed, or signed and sealed as aforesaid, or in which the said company may be engaged, copies of the minutes or proceedings and resolutions of the proprietors of shares of the capital stock of the said company at any general or special meeting, or of the directors at their meetings, extracted from the minute book or books, kept by the secretary of the company and by him duly certified on oath before a judge of one of Her Majesty's courts of law in the Province of Quebec, or before such action, suit or proceeding is brought, to be true copies extracted from such minute-book or books, and bearing the seal of the said company, shall be held as conclusive evidence of the facts therein stated, as well as of the election of any president, vice-president or director therein named.

Defects in appointment of any director &c., will not nullify acts of such meeting.

40. All acts done by any meeting of the directors, or by any person acting as a director shall, notwithstanding it shall afterwards be discovered that there was some defect or error in the appointment or qualification of any person attending such meeting as a director or acting as aforesaid, be as valid as if such person had been duly appointed and was qualified to be a director.

Lawful for directors of company to declare all

41. It shall be lawful for the directors of the said company to declare all shares of stock, on which any instalments and penalties may be or remain unpaid during a period of six months, forfeited to the said company,

after due service of notice on the defaulting shareholder; and it shall not be necessary to have such shares declared forfeited at any special meeting of the shareholders of the said company, it being hereby provided and declared that a resolution of the directors shall cause the said shares to be as absolutely forfeited as if a resolution of the shareholders were passed, and such shares shall or may be sold as provided by the said act; but the proceeds of such sales shall not be paid over except after deduction, as well of the costs and forfeitures mentioned in the said act, as of all calls due in respect of such shares, and interest thereon, from the times at which such calls were respectively made payable; which calls and interest the said company is hereby authorized first to deduct and retain.

42. It shall be lawful for the manager, secretary or clerk of the said company, in all proceedings against the estate of any debtor, bankrupt or insolvent, against whom the said company may have claims to represent the said company, to appear, act, prove and vote in their behalf in all respects, as if the said claim or demand were the demand of such manager, secretary, or clerk of the said company.

43. It shall and may be lawful for the said company to manufacture and sell gas for heating, cooking and illuminating purposes.

44. It shall and may be lawful for the said company, from time to time, to acquire, by purchase or otherwise, any patent or other rights for the manufacture, production, use and sale of gas for heating or cooking purposes, and to sell the said patent or other rights or any of them, if, in the opinion of the directors, unsuitable for the purposes of the company.

45. It shall and may be lawful for the said company to manufacture, store and sell heat derived from gas and also steam or other motive power obtainable by means of any illuminating or heating agent used in the manufactures of the company.

46. For the purpose of manufacturing and distributing such artificial light or illuminant, and such gas for heating or cooking purposes, and such steam or other motive agent or power as aforesaid, the said company shall have the power, from time to time, to erect, alter, improve, enlarge, extend and renew or discontinue works, buildings

shares of stock on which any instalment and penalties may be imposed forfeited to company,

Manager, secretary or clerk of company may appear, act, &c., on behalf of company in the matter of its claims.

Company may manufacture gas for heating, &c.

Company may acquire any patent, &c.

Company may manufacture, store and sell heat derived from gas, &c.

For manufacturing and distributing light, &c. company shall have power to erect, alter, improve, &c., works, buildings, &c.

store-houses, including places for storing such gas, light, heat or motive power, motors, generators, poles and all other machinery and apparatus, upon all lands now owned, leased, or used by the said company, or hereafter to be owned, leased, or used by the said company, as authorized by its charter, and to lay down, set up, maintain, renew and remove, in and upon and under the streets, squares, and public places of the city of Montreal, and of the adjoining municipalities, all wires, tubes, pipes, poles and posts and all other apparatus to enable the said company to supply and distribute such gas or other light and steam or other motive agent or power.

31 Vict., c. 24,
to apply to
and be a part
of this act. **47.** The joint stock companies' general clauses act shall apply to and be a part of this act, except in so far as it is in contradiction to or inconsistent with any of the provisions of this act.

Charter shall
come into
force only
upon pro-
clamation. **48.** This charter shall come into force only upon a proclamation which shall not be issued until it has been proved to the Lieutenant Governor in council that the company has the means of carrying out its undertaking.

C A P. L X X V I I .

An Act to amend the Act incorporating the Canadian
Electric Light Company.

[Assented to 30th March, 1883.]

Preamble. **W**HEREAS the Canadian Electric Light Company has by its petition prayed that its act of incorporation be amended, so as to enable it to benefit by the results of practical experience and make use of the latest scientific improvements, so that its subterranean apparatus may be laid in impermeable tubes or pipes, and enable it to combine other systems of lighting or other motive power with lighting by electricity, so as to reduce the cost of and secure uniformity in the light in buildings and streets, and whereas it is expedient to grant its prayer; Therefore, Her Majesty by and with the advice and consent of the Legislature of Quebec, enacts as follows:

44, 45 Vic., c.
69, sec. 11, 22
and 23,
amended. **1.** The act 44-45 Vict., chap. 69, is amended, by adding in sections 11, 22 and 23, the words: "or pipes," after the word: "wires," wherever it occurs in the aforesaid sections.