

3. The persons hereinafter mentioned shall form the council or board of directors for the first year of the existence of the corporation: Henry H. Geddes, F. X. Cochue, Wm. A. Curry, J. L. Barré, C. G. Jones, G. B. Muir and Thomas Atkinson.

First council
or board of
directors.

4. The corporation shall have the right to acquire, possess and hold real estate to the amount in value of fifty thousand dollars, for their own use, and to sell, exchange or hypothecate the same.

General powers
corporation.

5. The members of the corporation shall alone, have the right and be entitled to use the designation of "Member of the Montreal Board of Real Estate Agents"; and any infringement of this right shall subject the offender to a penalty of one hundred dollars, to be recovered by the corporation, for its sole benefit.

Distinctive
title.

Penalty for
using same
when not a
member.

C A P. L X I X .

An Act to incorporate the "Canadian Electric Light Company."

[Assented to 30th June, 1881.]

WHEREAS the present and prospective discoveries, tending towards deriving from electricity a cheap and effective mode of supplying light and other advantages, for streets and public places, for public buildings, factories and private dwellings, render it desirable that the inhabitants of cities, towns and municipalities of the province of Quebec, should benefit as soon as possible by the advantages arising therefrom; but whereas, in order to meet such requirements, more ample provision should be made in the law than now exists, and for that purpose a company should be established, vested with full powers, under the control of the executive power of this province, 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 undertaking, may be incorporated under the title hereinafter mentioned, for the purpose of furnishing electric light, motive power and heat or other advantages to be derived from electricity to the said cities, towns and municipalities;

Preamble.

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

E. Ernest Chanteloup, Hon. John Hearn, Hon. H. Starnes, L. A. Sénécal, Thomas Wilson, Hon. F. G. Marchand, Hon P.

Persons
incorporated.

B. de LaBruère, C. C. Colby, M. P., Raymond Prefontaine, M. P. P., J. B. Renaud, Thomas Tiffin, J. Azarie Archambault, Robert Leckie, Cyrille Duquet, Hon. P. Garneau, J. Damien Rolland, J. Moise Dufresne, Willis Russell, C. J. Coursol, M. P., J. Crawford, J. S. Hall, D. C. Thomson, Guillaume Boivin, John Taylor, Benjamin Globensky, F. X. Archambeault, Elzéar Gerin, L. N. Carrier, Téléphore E. Normand, all of the Province of Quebec, and the Hon. William McDougall and C. H. Mackintosh of the Province of Ontario, together with all such persons as now are or hereafter may become shareholders in the company hereby established, shall be and they are constituted a body politic and corporate, to the ends and for the purposes in the preamble stated, by the name of "The Canadian Electric Light Company," with power to purchase, take and hold real property for the use of the company, and the same to sell 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, in any municipality, the sum of twenty five thousand dollars per annum, nor, in the whole province, the total amount of one hundred thousand dollars per annum.

Name of corporation. General powers.

Proviso: as to annual value of property.

Head-office and works.

2. The chief place of business of the company shall be in the city of Montreal; but the company's works and business may be carried on or transacted either under the control of the head office or of a local board, in all or any of the municipalities situate in the province of Quebec or in any municipality situate within the limits of the Dominion of Canada, if it obtains from the Legislatures of the other Provinces the right of extending its operations outside of the Province of Quebec.

Capital.

3. The capital stock of the company shall consist of one million dollars (with power to increase as hereinafter provided) in shares of one hundred dollars each. Five hundred thousand dollars to be now issued, and the remaining half at the discretion of the directors; provided always that the subscribers to the first issue shall be entitled to subscribe to such remaining stock *pro rata* to the shares held by them, in preference to all others.

First issue.

First directors.

4. Ernest Chanteloup, Hon. John Hearn, Hon. H. Starnes, L. A. Sénécal, Thomas Wilson, Hon. F. G. Marchand, Hon. P. B. de La Bruère, Raymond Prefontaine, J. B. Renaud, J. Damien Rolland, C. J. Coursol, J. Crawford, J. S. Hall, B. Globensky, F. X. Archambeault, Elzéar Gerin, C. H. Mackintosh, and the Hon. W. McDougall shall be the first directors of the said company, and shall continue in office

Duration of office.

until the first general meeting of stockholders hereinafter mentioned.

5. The first general meeting of stockholders shall take place at the city of Montreal, on a day to be appointed by the directors, within twelve months from the passing of this act—and the ensuing annual meetings shall be held in each year thereafter, on the day and at such place and hour as may be appointed by the by-laws of the company or by the directors in their default.

First meeting of shareholders.

Subsequent meetings.

6. At such first and subsequent annual meetings, seven directors shall be elected to hold office until their successors are appointed, as above provided.

Directors to be elected and duration of office.

7. Four of the said directors shall form a *quorum* of the board of directors and may exercise all the powers devolving upon and vested in directors.

Quorum and powers.

8. The shareholders of the 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.

Payment of shares.

Calls.

9. The company may establish a tariff and levy the amount thereof for all electricity which it may supply in the streets, public places, buildings, factories and private houses, either for lighting or heating or as motive power, or for telephonic communication, or any other purpose specially connected with electricity, or for the sale or lease of any electrical machine or apparatus.

Tariff for supplying electricity, &c.

10. 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, provided the by-law to that effect be approved by the majority in number and value of proprietors who are municipal electors.

Municipal corporations may take shares or grant bonus to company.

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 preserve a free and uninterrupted passage

Wires may be laid underground, &c.

through the said streets, squares, highways, lanes and public places while the works are in progress.

Works above
ground, &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 they shall not be so erected as to inconvenience the public using the said public roads, bridges or bank, nor to prevent free access to any other building erected in the vicinity, nor interrupt the navigation of the said waters.

Proviso.

Provided that the company shall in no wise interfere with public traffic or the use of such streets, squares, public places, roads, highways and provided that, 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 that 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; provided also that the company shall

Proviso.

not cut down or injure any tree, and provided that in the cities, towns and incorporated villages 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 that the surface of the street shall, in all cases, be replaced in its former state by the company

Proviso.

and at its expense; and provided further that, 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.

Power to erect
engines, &c.

§ 2. 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 any such river by canals or flumes,

to be made by the company, at any place on the said rapids along the shores thereof, for hydraulic purposes; and may also construct all necessary locks, piers, and other works on the canals; 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. 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. It may make all bridges, intersec-
May entry
lands along
all rapids, &c.
Construct
bridges, &c.
Provido.
 tions, 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. Provided that it shall be responsible for all damages arising from inundations which its dams may cause or the carrying out of any of its works; and provided also that it shall have obtained from competent authority, in the Dominion of Canada, permission to make use of and utilize any public property, within the jurisdiction of the Dominion.

13. 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 they may think fit.
Sell, &c., sur-
plus water, &c.
Purchase
lands, &c.

14. But the company shall not be deemed to possess any of the rights or privileges granted by this act, which might belong to the exclusive jurisdiction of the Federal power, without the previous authority of the Government or the Parliament of Canada, according to circumstances.
Limitation as
to powers
given by act.

15. Before commencing the laying of wires or the erection of flumes, the company shall be bound to make, to the Commissioner of Agriculture and Public Works, a report of the works which it proposes to undertake, and send a copy of the same to the Municipal
Report to
Commissioner
of Agriculture
& Public
Works.

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 projected works are situated.

Who must
approve plans
before work is
commenced.

16. The company shall have no right to commence constructing such flumes and laying such wires under-ground, before the approval of the Commissioner of Agriculture and 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.

Public health
and safety not
to be en-
dangered by
works.

17. 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; and 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 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 municipal authorities in that respect.

Subject to
inspection.

Company
responsible for
damages in
certain cases.

18. In case the company shall open or break up any street, square, or public place, and shall neglect to keep the passage of the street, square or public place, as far as may be, free and uninterrupted, or to place guards or fences, with lamps, 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 streets, squares or public places without unnecessary delay, or when notified so to do by the municipal authorities, 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 company, it shall be responsible for 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 company, and in default of payment of such expenses by the latter, within one month after demand, they may be recovered by civil action in any court of competent jurisdiction.

19. 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 said 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 unlawfully appropriating electricity, &c., of company.

20. 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 other illuminating material agreed for with the company, by increasing the number or size of the conducting wires, or the number of lamps, 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.

Penalty for maliciously damaging &c., company's property.

Proviso.

21. Neither the wires which supply the lamps, or heating apparatus, nor motive power with electricity, nor connecting wires of the company, nor any meters, lustres, lamps, apparatus 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 other person, to and for whose use, or the use of whose house or building the same may

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

be supplied by the company, notwithstanding the actual or apparent possession thereof by such person.

Electricity,
&c., may be
cut off, if rent,
&c., not paid.

22. If any person, supplied by the company with 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 their authority, on giving forty-eight hours' previous notice, may stop the supply of electricity from entering the premises of the person in arrear as aforesaid, by cutting off the service wire 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 electricity, notwithstanding any contract to furnish it for a longer time.

Power of
company, &c.,
to enter
buildings, &c.,
to cut off sup-
ply.

23. In all cases, where the company may lawfully cut off and take away the supply of 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; and any servant of the company, duly authorized, may, between the hours aforesaid, enter any house, into which 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 their 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 incur a penalty in favor of the company for every such offence of forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction continues.

Penalties in
whose name
sued for.

24. All penalties, and forfeitures imposed by this act, may be sued for and recovered with costs by the company, either before a court of competent jurisdiction, or before one or more justices of the peace in the district where the offence has been committed.

31 Vic., cap.
24, to apply.

25. The provisions of the joint stock companies general clauses act" (31 Vict., chap. 24) shall apply to and be a part of this act, except in so far as they are in contradiction to or inconsistent with any of the provisions of this act.

26. 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 sums of not less than one hundred dollars, and at such rates of interest not exceeding the legal rate of interest, and for such periods as may be found expedient, and may issue under the hand of the president and the seal of the company, debentures or bonds of the company, to be countersigned by the secretary, for the sums so to be borrowed, payable at such time or times to the bearer thereof, either within the province or elsewhere, and either in currency or sterling, or in the lawful currency of any foreign country, with interest payable at the times specified therein, and with or without coupons annexed, and if with coupons, such coupons to be signed by the secretary, and shall be payable to the bearer at the time or times they shall respectively become due, and one of the signatures on the debentures may be lithographed as well as the signature, on the coupons. 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 sums so borrowed shall be paid out of the property and revenues of the said works and of the company; and for the payment thereof, the holders shall, 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 bonds 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; and the total amount so borrowed shall at no time exceed the amount of the assets in material, works, patent rights and shares in other companies belonging to the company.

Company may borrow certain sums.

And issue debentures therefor.

Payment of such bonds.

Amount limited.

27. The company shall have the right to acquire the ownership or use of all patents relating to the employment of electricity, and to issue paid up shares in payment of all such purchases or contracts, and generally for all services for which it shall be obliged to pay. It may also fabricate the machines covered by such patent rights.

Company may acquire, &c., patents, &c.

May manufacture patent machines.

28. And considering that it may be desirable or advantageous for citizens of any municipality or group of municipalities, for the purpose of controlling the operations of the company in the interest of the rate-payers, to form themselves into a separate company to supply light, heat, motive power or other advantages to be derived from electricity, within the limits of such municipality or group of municipalities, it is hereby enacted that such separate and

Preamble.

Other com-

panies may be formed, &c. distinct company may be formed with the consent of the Canadian Electric Light Company, and on such conditions, as may be agreed upon with it, for the purposes above set forth, in each municipality or group of municipalities.

Letters-patent to be granted such companies under. 31 Vic., c. 25. And such company shall be incorporated by letters-patent, granted in accordance with the provisions of the joint stock companies' incorporation act (31 Victoria, chapter 25), and before it can exercise such right it must obtain the approval of the lieutenant governor in council, who may grant the same on a joint petition from the Canadian Electric Light Company and such new local company.

Company may subscribe to shares in such other companies. 29. The Canadian Electric Light Company may subscribe for such amount of shares in the capital stock of such company mentioned in the preceding section, as it may deem advisable, and to demand such compensation either as bonus or out of the profits as it may agree upon with such new company.

Company may transfer certain powers to such other companies. 30. The Canadian Electric Light Company shall have the right to make over and transfer to any such new company the whole or a portion of the powers conferred upon it by the present act, in order that such company may exercise the same within the limits of such company's jurisdiction.

Act in force. 31. This act shall come into force on the day of its sanction.

C A P. L X X.

An Act to incorporate the Montreal Electric Light Company.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the Honorable Thomas Ryan and the Honorable John Hamilton, Senators, The Honorable John Joseph Caldwell Abbott, one of Her Majesty's counsel, Edward Kirk Green and Ebenezer Hearle, Merchants, all of the city of Montreal, have, by their petition, represented that divers new and useful inventions have been made in the production of light, heat and motive power from electricity, and that it is expedient and of advantage to the Province of Quebec, that the same should be made use of within the Province, and have prayed to be incorporated into a company for that purpose. And whereas it is expedient to grant the prayer of the petitioners; Therefore, Her Majesty, by and with the