

Power of directors to borrow money and issue debentures.

12. The directors shall have power and authority to borrow such sums of money, not exceeding the amount of the subscribed capital of the company at the time of such loan being made, as the directors shall deem necessary, and to issue bonds therefor, of not less than one hundred dollars each, under the seal of the company, signed by its president and countersigned by its secretary, in such sums and at such rate of interest, as may be legally stipulated, and payable at such times and places, as the directors shall determine, for the purpose of carrying out any of the objects and purposes of this act.

31 Vic., c. 25, to apply to company.

13. The Joint Stock Companies General Clauses Act shall be incorporated with this act, and all clauses of the same shall apply to the company, in so far as they are not inconsistent with or opposed to the provisions of this act.

C A P . L X X I .

An Act to incorporate the "Quebec and Levis Electric Light Company."

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the Honorable Pierre Garneau, the Honorable Adolphe P. Caron, Andrew Thomson, Joseph Bell Forsyth, and William Sharples, all of Quebec, 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 city of Quebec and the town of Levis, that the same should be made use of within the city and town aforesaid 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 advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.

1. The persons hereinabove mentioned, and all other persons, who may hereafter become shareholders are constituted a corporation under the name of the "Quebec and Levis Electric Light Company." The head-office of the company shall be in the city of Quebec.

Name of corporation.
Head-office.

Power to manufacture, &c., electric light, &c.

2. The company shall have power to manufacture, furnish, produce, use and sell or lease light, heat and motive power in the city and district of Quebec, generated from electricity and to establish, construct, purchase or lease, work and carry on any lines of wires, tubes or other

apparatus, for conducting electricity for the said purposes, between any points within the district of Quebec, either by land or by water, and to make connection, whenever necessary for the purposes of their business, with the lines of any telegraph company within the limits of the district of Quebec; and the company shall have and use the powers hereinabove mentioned, in and upon vessels in the port of Quebec. The company shall have all power necessary for the purposes aforesaid, but it shall be responsible for all damages which it may cause in carrying out any of its works

Responsible
for damages.

3. The company shall have power to lay down, construct, erect and maintain lines of wires, tubes or other apparatus, for conducting electricity along the sides of, underneath and across any public highways, bridges or watercourses, within the limits of the district of Quebec; without doing any unnecessary damage and taking care, as far as may be, to preserve a free and uninterrupted passage through the said highways, bridges or water courses.

Power to lay
down wires, &c.

The company shall also have power to set up posts, for supporting such lines, in and upon any public road, street, or highway, and lamp-posts for supplying light from electricity and to make the necessary excavations in the same, for placing such posts or poles or lamp-posts, or for carrying such lines under the surface thereof, or of any navigable or other water; provided they shall not be so erected as to inconvenience the public using the public roads, streets or highways, nor to prevent free access to any building erected in the vicinity, nor interrupt navigation. Provided that the company shall in no wise interfere with public traffic or the use of such public roads, streets or highways; and provided that 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, nor erect more than one line of posts in any public road, street or highway, unless it shall have the consent of the municipal council for so doing, and that the posts shall be as straight and as perpendicular as possible and shall be painted, if any by-law of the council require it; provided also that the company shall not cut down or injure any tree, and provided that the opening of public roads, streets or highways, 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 public road, street or highway shall, in all cases, be replaced in its former state by the company and at its expense; and provided further that, whenever, in the event of fire, it shall

Set up posts,
&c.

Proviso: as to
public con-
venience, &c.

Proviso: as
to public
traffic, &c.

Proviso: as to
trees, &c.

Proviso: as to
destruction of

companies'
wires at fire.

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.

Proviso: as to
interruption of
light from
such cause.

Authority of
Federal Par-
liament so to
be obtained if
necessary.

4. 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 authority of the Government or the Parliament of Canada, according to circumstances.

Public health
safety.

5. The company shall so construct and locate its 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 situate, reasonable notice thereof being previously given to the company; and the company, its servants and workmen, shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

Works subject
to inspection of
municipal
authorities.

Damages for
negligence in
opening
streets, &c.

6. In case the company shall open or break up any public road, street or highway, and shall neglect to keep the passage, 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 public roads, streets or highways without unnecessary delay, or when notified so to do by the municipal authorities, to repair any damage that may have been caused by reason of any works done therein by the company, it shall be responsible for the damages caused by such neglect, and the municipal authorities of the corporation interested, after notice of 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.

Recover
damages.

Provisional
directors.

7. Pierre Garneau, Adolphe P. Caron, Andrew Thomson, Joseph Bell Forsyth and William Sharples shall be the provisional directors of the company, and shall hold office,

as such, until the first election of directors; and they shall have power to open stock-books and procure subscriptions of stock for the undertaking, and to receive payments on account of stock subscribed, and to deposit in any bank moneys received by them on account of stock subscribed. Three shall form a quorum.

Quorum.

8. The capital stock of the said company shall be one hundred thousand dollars and shall be divided into shares of one hundred dollars each. The capital may be increased, from time to time, by resolution of the board of directors, by and with the consent of the shareholders, at any general meeting thereof, called for that purpose; but such capital shall, at no time, exceed five hundred thousand dollars.

Capital stock

May be increased.

Limitation.

9. So soon as one-half of the capital stock shall have been subscribed and ten per cent shall have been paid in thereupon, the provisional directors, or a majority of them, shall call a meeting of the said company, at the city of Quebec, at such time and place as they may think proper, giving at least two weeks' notice, in the *Quebec Official Gazette*, and in one or more papers published in the city of Quebec; and at such meeting the shareholders shall elect five directors.

Calling of first meeting for election of directors.

10. Every holder of stock, shall, at any general meeting of the shareholders, be entitled to one vote for every share held by him.

Right to vote.

11. There shall be five directors of the company, which number may be increased by the by-laws and no person shall be elected a director, unless he be a shareholder, holding at least ten shares in the stock of the company.

Directors of company.

12. The directors shall have power and authority to borrow such sum of money, not exceeding the amount of the subscribed capital of the company at the time of such loan being made, as the directors shall deem necessary; and to issue bonds therefor of not less than one hundred dollars each, under the seal of the company, signed by the president, and countersigned by its secretary, in such sums and at such rate of interest as may be legally stipulated and payable at such times and places as the directors shall determine, for the purpose of carrying out any of the objects and purposes of this act.

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31 Vic., c. 24, to apply to company.