

CAP. LXXII.

An Act to incorporate the "Quebec and Levis Telephone Company."

[Assented to 30th June, 1881]

Preamble.

WHEREAS Charles William Carrier, Louis Edouard Couture, George T. Davie, Eugène Chinic, John Breakey, Cyrille Duquet, Lewis Davis and Louis Napoléon Carrier have, by their petition, prayed to be incorporated, together with other persons, under the name of the "Quebec and Levis Telephone Company," and it is expedient to grant the prayer of their said petition;

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

Persons incorporated.

1. The said Charles William Carrier, Louis Edouard Couture, George T. Davie, Eugène Chinic, John Breakey, Cyrille Duquet, Lewis Davis and Louis Napoléon Carrier, and such other persons as may hereafter become shareholders in the company, hereby incorporated, are constituted a body corporate and politic under the name of the "Quebec and Levis Telephone Company."

Name of company.

Purpose of the company.

2. The object of the company is to establish communication, by means of telephone lines, in the province of Quebec, and for such purpose it shall have power to manufacture, purchase or lease telephones and all apparatus and instruments necessary for working the same, to construct, purchase, lease, establish and maintain lines for the transmission of messages by telephone in the said province, and for such purpose to place themselves in communication or amalgamate with any telephone or telegraph or electric light line already in existence or which may hereafter be constructed, to purchase or lease, for such a period as it may think proper, any telephone line, established or to be established in the said province, and to make with any company or person, owning such telephone, telegraph or electric light line, all necessary arrangements for the transmitting such messages over the said lines, on such terms and conditions as the company may deem most advantageous.

Power to erect, &c., telephone lines.

3. The company may erect, construct and maintain its telephone lines along, across, over and under public roads, streets, bridges, water-courses and rivers or other places, without, however, in any way interfering with navigation nor the freedom of public traffic; but in the cities, towns and incorporated villages, the poles, which it may erect for

such purpose, shall not be more than forty feet in height above the street, nor the wires at a height of less than twenty-two feet above the street; the said poles must further be perpendicular and as straight as possible, and only one line thereof shall be erected along the streets except with the express consent of the municipal authorities; provided that in the event of its being necessary to dig holes or excavations to receive such poles, or to lay the wires under ground, the work shall be done under the direction of the engineer or of the officer appointed for such purpose by the municipal council, keeping the thoroughfare open in such street, as far as practicable and free from obstructions, and taking all the necessary precautions to avoid accidents, and also that the company shall, at its own expense, replace everything in the same state as before the performance of such work; provided also that if it should become necessary in case of fire, and for the protection of property, to cut or in any way injure the wires and poles belonging to the company, the latter shall have no claim for damages when the same shall have been caused by the fire brigade or the municipal authorities for the purposes above mentioned.

Proviso as to the erection of posts in cities, &c.

Proviso: as to excavation.

Proviso: as to cutting wires at fire.

4. The capital stock of the company shall be twenty thousand dollars, divided into two hundred shares of one hundred dollars each.

Capital stock of company.

It may be increased to the extent of five hundred thousand dollars, after the whole of the said capital of twenty thousand dollars shall have been subscribed, and at least fifty per cent. thereof paid up, by a simple resolution of the board of directors, with the consent of the majority in value of the shareholders present, or duly represented at an annual general meeting, or at a meeting specially called for the purpose.

May be increased.

5. The company may commence its operations as soon as ten thousand dollars of its capital stock shall have been subscribed and paid up.

Commencement of operations.

6. The head-office of the company shall be at Quebec.

Head-office.

7. The affairs of the company shall be managed and administered by a board of seven directors, each of whom shall be the holder and possessor of at least five shares and four members present at such board shall form a quorum.

Directors.

Quorum.

8. The persons mentioned in the preamble shall be the provisional directors of the company, with power to open stock-books for subscriptions to the capital stock and to receive the said subscriptions and they shall remain in

Provisional board.

office as such, until the election of their successors, as soon as possible after ten thousand dollars of the capital stock shall have been subscribed and paid up.

Penalty for
injuring, &c.,
wires, &c., of
company.

9. If any person wilfully and maliciously injures, breaks, destroys or in any way damages the wires, poles, apparatus, instruments or other property of the company, or in any manner wilfully impedes or hinders the putting into operation and working of such telephone line, or intercepts any message transmitted by it, such person shall, on conviction thereof, before one or more justices of the peace of the locality in which the offense has been committed, be condemned to pay to the company a penalty not exceeding forty dollars, with the costs of suit, and in default of payment to be imprisoned in the common gaol of the district for a period not exceeding three months, without prejudice to the recourse which the company may have to the ordinary civil courts for damages caused to property.

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

10. The various provisions of the "Joint Stock Companies General Clauses Act," shall be considered as forming part of the present act, in so far as the same may apply thereto.

CAP. LXXIII.

An Act to amend the charter of the City of Montreal.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS, in and by the then existing legislative provisions, the city of Montreal, then duly incorporated under the name of "*The Mayor, Aldermen and Citizens of the City of Montreal*," proceeded, in the year 1866, to the widening of Sherbrooke street, between the public highway known as Union Avenue and Saint-Denis street, after having determined by resolution of its council that the total cost of that improvement should be assessed upon the real estate benefited; that the cost amounting to the sum of \$36,522.07 was duly deposited in the prothonotary's office of the Superior Court in and for the district of Montreal, by the corporation on the 19th March 1866; that the assessors made the assessment roll of the cost upon the real estate benefited, which roll was contested before the court by several of the parties interested; and whereas the papers and documents, forming the record of the contestation and the roll of assessment itself are lost and have disappeared and cannot be found, notwithstanding the most active researches; and whereas the assessment roll, prepared as regards the widening of St.