

CAP. LXI.

An Act to amend the Charter of the New Gas Company of Montreal, and other acts amending the same.

[Assented to 24th December, 1872.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Sec. 1, of 10,
11, V., c. 79,
amended.

1. In the first section of chapter seventy-nine, of the tenth and eleventh Victoria, the words "one thousand pounds currency," are hereby repealed, and the following words, "ten thousand pounds currency" are substituted thereto and inserted in their place, to have force and effect from and after the coming into force of the present act.

Sec. 2, of said
act, amended.

2. In the second section of the chapter seventy-nine last mentioned, the word "fifteen" is hereby repealed, and the following words, "one hundred" are substituted thereto and inserted in its place, to have force and effect from and after the passing of this act.

Sec. 4, of said
act, amended.

3. The fourth section of said chapter seventy-nine, is amended as follows: the words "on the first Monday in March, in each year thereafter," in the third and fourth lines, are hereby repealed, and the following substituted thereto: "on the first juridical day in the first week of the month of April in each year, from and after the passing of the present act."

Same sec.
further amend-
ed.

4. The words "thirteen persons being each a proprietor of not less than ten shares" in the sixth line of the same section, are hereby repealed, and the following inserted in their place: "and after a previous notice, to be given to that effect under the signature of either the president, vice-president or secretary of the said company, to be published for the period of two weeks, once a week, in a French and English paper in the city and district of Montreal, not less than nine and not more than thirteen persons being each a proprietor of not less than twenty-five shares."

Same sec.
further amend-
ed.

5. The word "thirteen" between the words "which" and "Directors" in the eighth line of same section four is struck out.

Sec. 6, of said
act, amended.

6. The sixth section of the said chapter seventy-nine 10th and 11th Victoria, is amended as follows: The words "on the first Monday in the month of March in each year," (in the second and third lines of said section), and

the words "on the first Monday in March," which are in the proviso of the same section, are hereby struck out, and the following words inserted: "on the first juridical day of the month of April."

7. The following words, in the ninth section of said chapter seventy-nine, 10th and 11th Victoria, "and no stockholder shall be allowed to hold more than five hundred shares," are hereby repealed, and the following are substituted thereto and inserted in their place: "every stockholder shall have the right, from and after the passing of this act, to hold an unlimited number of shares in the capital stock of the said company." Sec. 9, of said act, amended.

The twenty-fifth section of the Act, 10 and 11 Victoria, chapter seventy-nine, shall apply to this Act, for the period which still remains to elapse, under the provisions of the said section. Sec. 25, of said act, to apply.

8. The twentieth section of the act twelfth Victoria, chapter one hundred and eighty-three, is hereby amended as follows: the words "between the hours aforesaid" are hereby repealed, and the following are inserted in their place: "at any time." Sec. 20, of 12 V., c. 183, amended.

9. Notwithstanding anything to the contrary which may be contained in the several acts of parliament above mentioned, and in the act twenty-third Victoria, chapter one hundred and twenty-five, the capital stock of the said company from and after the passing of this act, may, by a vote of two-thirds in amount of the stockholders to be present at a special meeting to be called for that purpose, be increased to a sum of four millions of dollars, but to no greater sum; and such new stock shall be divided into shares of forty dollars each, and may be subscribed either by stockholders for the time being, by voluntary subscription amongst themselves, or by the admission of new members, or in both those ways at once, on such terms and conditions as may be decided upon by the shareholders at any general or special meeting. 23 V., c. 125. Increase of capital stock.

10. It shall be lawful for the said company to extend their works to the municipalities adjacent to the city of Montreal, on obtaining the consent of such municipalities to that effect. Extension of works to adjacent localities.

11. In future, whenever by petition, it shall be represented to the corporation of the city of Montreal, by any number of the inhabitants of any street in the said city, into which gas has not been introduced, and which shall be adjacent to any other street or public square, into which Corporation in certain cases may enjoin upon the company to introduce gas into any other street, &c.

gas has been introduced, that they require the introduction of gas into such street, (wherein it is not), as well for the lighting of the said street as for the lighting of their houses, it shall be lawful to the said corporation of Montreal to take such petition into consideration, and to apply to the said gas company and to furnish it with a statement showing the course of such street into which the introduction of gas is asked, and acquainting it with the names of the inhabitants who have made the demand for gas, the places in the street where gas must be supplied, and to obtain from the company within a reasonable delay, (and the gas company shall be bound to grant it,) a statement of the approximate cost of the introduction of gas and of the work which the same will necessitate upon the line indicated, and it appears to the corporation of Montreal by the facts set forth that the said gas company should derive a reasonable and satisfactory profit on the expenditure which it would be obliged to make to introduce the gas into such street on the line set forth and to maintain and distribute the same, then and in such case it shall be lawful for the council of the said corporation of the city of Montreal to pass a resolution ordaining that it is advisable to enjoin upon the said gas company to introduce gas throughout the street with respect to which the said representation shall have been made by the said inhabitants, on a line which shall be pointed out; provided always, that such resolution of the council shall be adopted by at least two-thirds of all the members thereof. And, if after such resolution shall have been passed, the said corporation of Montreal intend to give effect thereto, it shall proceed in manner following: it shall on the vote of at least two-thirds of all the members of the council thereof authorize the city clerk to cause an authentic copy of the said resolution to be served upon the said gas company, together with a notice on the part of the said corporation of Montreal, and which shall be signed by such clerk by *Acte* before a notary, requiring the said gas company to introduce gas into the street in question, on a line which shall be set forth in the notice.

Proviso.

Notice to gas company.

Obligation of the company thereupon to furnish the gas.

And in the twelve months following the service of the said resolutions and notice upon the said gas company, it shall be obliged (if it be not relieved from such obligation by means of the petition hereinafter mentioned), to introduce gas throughout such street, on the line which shall be indicated; provided always, that if the said gas company be injured by such requisition which shall be so made by the corporation of Montreal, it shall be lawful thereto, within the thirty days next after the service of the said resolutions and notice to present before any of the judges of the superior court for Lower Canada, in the district of Mon-

trealt, a summary petition praying the cancelling or modification of the requisition so made by the said corporation of Montreal; such petition shall contain the grounds upon which the cancelling or modification of the said requisition is asked and shall be served upon the said corporation of Montreal at least four days before it is presented to the judge. The judge to whom such petition is presented shall receive the written or verbal answer which the corporation of Montreal shall make thereto, may take into consideration the various facts and circumstances which relate to the said company in the carrying out of the charter thereof in the said city, with the view of establishing whether the gas company should or should not execute the works demanded, and shall render his decision either maintaining the requisition of the corporation of the city of Montreal, or cancelling or modifying the same; and he may award such costs as he shall deem meet and he shall tax the same, and such decision shall be final and without appeal, provided always that after the said petition in appeal shall have been presented to any of the said judges, any other judge shall have also power to take such petition into consideration and decide thereon, in the same manner as if he had himself received such petition at the time of its presentation.

Company may
petition
against corpo-
ration.

Costs to be
awarded on
trial of peti-
tion.

CAP. LXII.

An Act to amend the Act 35th Victoria, Chapter 36, intituled: "An Act to incorporate the Montreal Credit Company."

[Assented to 24th December, 1872.]

WHEREAS the Montreal Credit Company have petitioned for an amendment to their charter of incorporation, viz: the act passed in the 35th year of Her Majesty's reign, being chapter 36, intituled: "An Act to incorporate the Montreal Credit Company," and it is expedient to grant their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

35 V., c. 36.

I. The directors may, at any time, by resolution, convert the present shares of five hundred dollars each in the capital stock of the said company, into shares of one hundred dollars, so that for each share of five hundred dollars in the capital stock of the company, as heretofore organized, the shareholder will be entitled to five shares of one hundred dollars each, but such conversion cannot take place,

\$500 shares
may be con-
verted into
\$100 shares.