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No. 89.

5th Session, 1st Parliament, 35 Victoria, 1872.

BILL.

An Act to incorporate the Board of Trade
of the Town of Levis.

PRIVATE BILL.

Hon. Mr. BLANCHET.

OTTAWA :

Printed by I. B. TAYLOR, 29, 31, and 33, Rideau Street.

1872.

An Act to incorporate the Board of Trade of the Town of Lévis.

WHEREAS the Honorable J. G. Blanchet, Jacques Jobin, the Preamble,
 Honorable D. E. Price, Samuel Bennett, P. C. Dumontier, Théodule
 Foisy, Louis P. Demers, Flavien Roy, Joshua Thompson, Pierre
 Lefrançois, J. H. Simmons, Ed. Demers, J. B. Renaud, Etienne Samson,
 5 Pierre Roy, F. X. Lemieux, Ant. Carrier, B. Bennett, C. W. Carrier,
 John Buchanan, R. C. Tanguay, L. H. Fréchette, W. Simpson, Robert
 Demers, M. Cass, Thimolaüs Beaubien, J. C. Hamel, Mathias Grégoire,
 S. Thompson, Thomas Dunn, F. X. Thompson, sr., I. Belleau, Chs.
 Darveau, F. X. Dion, Th. Boissinot, J. B. Michaud, J. A. Lessard, Benj.
 10 Huot, Henri Verrault, Charles Morency, Elie Lachance, John Dumontier,
 Arthur Murphy, Elzéar Bédard, Joseph Labadie, James Gibson, Louis
 Bégin, Louis Nadeau, Louis Bégin, jr., F. X. Thompson, jr., Alfred
 Giroux, resident or interested in the Town of Lévis, have by their
 petition to the Legislature represented that they have associated them-
 15 selves together for many years past for the purpose of promoting such
 measures as they have deemed important towards developing the general
 trade and commerce of this Dominion and the Town of Lévis in parti-
 cular, and have further represented that the said Association would be
 more efficient in its operations should an Act of incorporation conferring
 20 certain powers on them and their successors be granted; and whereas it
 is expedient that the prayer of the said petition should be granted:
 Therefore, Her Majesty by and with the advice and consent of the Senate
 and House of Commons of Canada, enacts as follows:—

1. The said the Honorable J. G. Blanchet, Jacques Jobin, the
 25 Honorable D. E. Price, Samuel Bennet, P. C. Dumontier, Théodule
 Foisy, Louis P. Demers, Flavien Roy, Joshua Thompson, Pierre
 Lefrançois, J. H. Simmons, Ed. Demers, J. B. Renaud, Etienne Samson,
 Pierre Roy, F. X. Lemieux, Ant. Carrier, B. Bennett, C. W. Carrier,
 John Buchanan, R. C. Tanguay, L. H. Fréchette, W. Simpson, Robert
 30 Demers, M. Cass, Thimolaüs Beaubien, J. C. Hamel, Mathias Grégoire,
 S. Thompson, Thomas Dunn, F. X. Thompson, sr., I. Belleau, Chs.
 Darveau, F. X. Dion, Th. Boissinot, J. B. Michaud, J. A. Lessard,
 Benj. Huot, Henri Verrault, Charles Morency, Elie Lachauce, John
 Dumontier, Arthur Murphy, Elzéar Bédard, Joseph Labadie, James
 35 Gibson, Louis Bégin, Louis Nadeau, Louis Bégin, jr., F. X. Thompson,
 jr., Alfred Giroux, and such other persons resident or interested in the
 Town of Lévis, as are or shall be associated with the persons above
 named, for the purposes of this Act, in the manner hereinafter provided,
 and their successors, shall be and are hereby constituted a body politic
 40 and corporate, by the name of "The Lévis Board of Trade," for the
 purposes mentioned in the preamble, and may, by that name, sue and be
 sued, implead and be impleaded, answer and be answered, defend and be
 defended in all Courts of Law and Equity, and all other places what-
 soever, in all manner of actions, suits, complaints, matters and causes
 45 whatsoever, and by that name they and their successors shall have
 perpetual succession, and may have a Common Seal, and the same may
 break, alter and change at their will and pleasure; and they and their
 successors by their corporate name, shall have power to purchase, take,
 Powers.

receive, hold, and enjoy any estate whatsoever, real or personal, and alienate, sell, convey, lease or otherwise dispose of the same, or any part thereof, from time to time and as occasion may require, and other estate real or personal to acquire instead thereof: Provided always, that the clear annual value of the real estate held by the said Corporation at one time shall not exceed Five thousand dollars. 5

2. The funds and property of the said Corporation shall be used and applied to and for such purposes only as may be calculated to promote and extend the lawful Trade and Commerce of this Dominion generally, and of the Town of Lévis in particular, or as may be necessary to obtain the objects for which the said Corporation is constituted according to the true intent and meaning of this Act. 10

3. The usual place of meeting of the said Corporation shall be held to be the legal domicile thereof, and service at such place of any notice or process of any kind addressed to the said Corporation, shall be held to be sufficient service of such notice or process on the Corporation. 15

4. There shall be a Council to be called "the Council of the Board of Trade," which shall, from and after the first election hereinafter mentioned, consist of a President, Vice-President, Secretary and twelve other members of the Council, all of whom shall be members of the said Corporation, and shall have the powers and perform the duties hereinafter mentioned and assigned to the said Council. 20

5. The said Samuel Bennett, shall be President, the said P. C. Dumontier, Vice-President, the said Flavien Roy, Secretary-Treasurer, and the said Jacques Jobin, Ant. Carrier, J. H. Simmons, C.W. Carrier, Moses Cass, Thimolaüs Beaulieu, Benj. Huot, Isidore Belleau, F. X. Lemieux, Joshua Thompson, T. Boissinot and John Buchanan, the other members of the Council, until the first election to be had under the provisions of this Act; and the Council hereby appointed shall, until the said election, have all the powers assigned to the Council by this Act. 30

6. The members of the said Corporation shall hold a general meeting every three months, that is to say, on the last Tuesday in January, April, July and October, at some place within the Town of Lévis, of which notice naming the time and place shall be given by the Secretary of the Council for the time being, at least three days previous to such meeting, through one newspaper or otherwise as may be thought necessary by the said Council; and at the general meeting of the last Tuesday in the month of April, the members of the said Corporation present or a majority of them, shall then and there elect in such way as shall be fixed by the By-laws of the Corporation, from among the Members of the Corporation, one President, one Vice-President and the Secretary-Treasurer, and twelve other members of the Council, who, with the President, Vice-President and Secretary-Treasurer, shall form the Council of the said Corporation, and shall hold their offices until others shall be elected in their stead at the next general meeting in the month of April, as aforesaid, or until they shall be removed from office, or shall vacate the same under the provisions of any By-Laws of the Corporation: Provided always, that if the said election shall not take place on the last Tuesday in the month of April, as aforesaid, the said Corporation shall not thereby be dissolved, but such election may be had at any general meeting of the said Corporation, to be called in the manner hereinafter provided, and the members of the Council in office shall remain in office until the election shall be had. 40 45 50

7. If any member of the said Council shall die or resign his office, or be absent for four months continuously from the meetings of the said Council, it shall be lawful for the said Council, at any meeting thereof, to elect a member of the said corporation to be a member of the said 55

Council in the place of the member so dying or resigning or being absent, and such new member shall be so elected by a majority of the members of the said Council present at any meeting of the same, in case there is a quorum present at such meeting, and the members so elected shall hold office until the next annual election and no longer, unless re-elected.

8. At any annual or general meeting of the said Corporation, whether for the purpose of electing members of the Council or for any other purpose, twelve members or more of the Corporation shall constitute a quorum and shall be competent to do and perform all acts which, either by this Act, or by any By-law of the said Corporation, are or shall be directed to be done at any such general meeting.

Majority to have full powers.

9. Any member of the said Corporation intending to retire therefrom or resign his membership, may at any time do so, upon giving to the Secretary-Treasurer, in writing, ten days' notice of such intention, and discharging any lawful liability which may be standing upon the books of the said Corporation against him at the time of such notice.

Resignation of members.

10. It shall be lawful for the said Corporation or the majority of them present at any general meeting, to make and enact such by-laws, rules and regulations for the government of the said Corporation, providing for the admission, subscriptions, and expulsion or the retirement of members, and for the management of its Council, officers, and affairs, and fixing the date and place of the regular meetings of said Council, and all other by-laws in accordance with the requirements of this Act, or the laws of Canada, as such majority shall deem advisable; and such by-laws shall be binding on all members of the said Corporation, its officers and servants, and all other persons whomsoever lawfully under its control: Provided that no by-law shall be made or enacted by the said Corporation without notice, in writing, thereof having been given by one member and seconded by another member at a previous general meeting, and duly entered in the books of the said Corporation as a minute of the said Corporation.

By-laws may be made for certain purposes.
Provide:— notice of proposed by-law.

11. Each and every person then resident in the Town of Lévis, and being or having been a merchant, trader, mechanic, manager of a bank or insurance agent, shall be eligible to become a member of the said Corporation; and at any general meeting of the said Corporation it shall be lawful for any member of the said Council or of the said Corporation to propose any such person as aforesaid as a candidate for becoming a member of the said Corporation, and if such proposition shall be carried by a majority of two-thirds of the members of the said Corporation, then present, he shall thenceforth be a member of the Corporation, and shall have all the rights and be subject to all the obligations which the other members possess or are subject to; provided always, that any person not being a merchant or trader, mechanic, manager of a bank, or insurance agent, shall be eligible to become a member of the said Corporation in manner aforesaid, in case such person be recommended by the Council of the Board of Trade at any such meeting.

Who may be members of Corporation and how.
Provide as to members not being traders, &c.

12. It shall be lawful for the said Council, or a majority of them, by a notice inserted in one or more newspapers published in the said town of Lévis, one day previous to the said meeting, or by a circular letter signed by the Secretary-Treasurer of the said Corporation, and mailed one day previous to the said meeting, to each member, or by notice sent to the residence or place of business of each of the members, to call a general meeting of the said Corporation for any of the purposes of this Act.

Special general meetings.

13. It shall be competent for the said Council to hold meetings from time to time, and to adjourn the same when necessary, and, at the said Council.

Meetings of Council.

meetings, to transact such business as may, by this Act, or by the by-laws of the Corporation, be assigned to them; and such meetings of the Council shall be held in accordance with the by-laws of the said Corporation, or shall be convened by the Secretary-Treasurer, at the instance of the President, or upon the request of any two members of the Council, and the said Council shall, in addition to the powers hereby expressly conferred on them, have such powers as shall be assigned to them by any by-law of the Corporation, except only the power of enacting or altering any by-law, or admitting any member, which shall be done in the manner provided for by this Act, and no other; and any five or more members of the Council, lawfully met, shall be a quorum, and any majority of such quorum may do all things within the powers of the Council, and at all meetings of the said Council and at all general meetings of the Corporation, the President, or in his absence, the Vice-President, or if both be absent any member of the Council then present who may be chosen for the occasion, shall preside, and shall in all cases of equality of votes upon any division have a casting vote.

14. It shall be the duty of the said Council as soon as may be after the passing of this Act to frame such by-laws, rules and regulations, as shall seem to the said Council best adapted to promote the welfare of the said Corporation and the purposes of this Act, and to submit the same for adoption at a general meeting of the said Corporation called for that purpose in the manner hereinbefore provided.

15. All subscriptions of members due to the said Corporation, under any by-law, all penalties incurred under any by-law, by any person bound thereby, and all other sums of money due to the said Corporation, shall be paid to the Secretary-Treasurer thereof, to be appointed as hereinafter provided, and in default of payment, may be recovered in any action brought in the name of the said Corporation, and it shall only be necessary in such action to allege that such person is indebted to the said Corporation in the sum of money, the amount of such arrearage, on account of such subscription, penalty or otherwise, whereby an action hath accrued to the said Corporation by virtue of this Act.

16. On the trial or hearing of any such action, it shall be sufficient for the said Corporation to prove that the defendant at the time of making such demand, was or had been a member of the said Corporation, and that the amount claimed by reason of such subscription, or otherwise, was standing unpaid upon the books of the said Corporation.

17. The meetings of the members of the council shall be open to all members of the said corporation, who may attend at the same but who shall take no part in any proceeding thereat; and minutes of the proceedings at all meetings, whether of the said council or the said corporation, shall be entered in books to be kept for that purpose by the Secretary Treasurer of the said corporation; and the entry thereof shall be signed by the President of the said council, or by the person who at the time shall preside over any such meeting; and such books shall be open at all reasonable hours to any member of the said corporation, free from any charge.

18. From and after the passing of this Act, it shall be lawful for the council of the said corporation to appoint five persons to constitute a Board of Examiners for the Town of Lévis, for the year commencing on the first day of September then next and ending on the thirty-first day of August following, to examine applicants for the office of inspector of flour and meal or of any other article subject to inspection, and for the said council to do all such other acts, matters and things connected with the inspection of flour and meal or any other article, and have as full power and be subject to the same conditions as those conferred upon and required of the councils of the Boards of Trade,

by virtue of the Act chapter forty-seven of the Consolidated Statutes of Canada ; and the said examiners and inspector shall also be subject to all the conditions, requirements, oaths, matters and things (touching their offices) set forth in the said Acts.

5 **19.** Any person who may by law, in other cases, make a solemn affirmation, instead of taking an oath, may make such solemn affirmation in any case whereby this Act an oath is required ; and any person hereby authorized to administer an oath may in such case as aforesaid, administer such solemn affirmation ; and any person who shall wilfully swear or
 10 affirm falsely, in any case where an oath or solemn affirmation is required or authorized by this Act, shall be guilty of wilful perjury.

20. Nothing in this Act contained shall affect the rights of Her Majesty, her heirs and successors, nor any other rights, expressly mentioned and affected thereby.