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3rd Session, 6th Parliament, 23 Victoria,

BILL.

An Act to incorporate the Montreal
Chambly Steamboat Company, known
as the "Ligne du Peuple."

PRIVATE BILL.

Received and Read, 1st time, Tuesday,
March, 1860.

Second Reading, Wednesday, 14th March,
1860.

Mr. CAMPBELL

QUEBEC :

PRINTED BY THOMPSON & CO., ST. URSULA ST.

An Act to incorporate the Chambly Navigation Company.

WHEREAS the persons hereinafter named have by petition represented, that for some years past they have been trading with others, under written articles of agreement, as an Association, by the name of the "Ligne du Peuple," for conveyance of passengers and freight on the Rivers Richelieu and St. Lawrence, greatly to the accommodation of the public; and have prayed, that to enable them to carry on their operations on an extended scale, and more to public advantage, they might be incorporated by the name of the "Chambly Navigation Company;" and whereas it is expedient to grant their prayer to that end: Therefore Her Majesty, &c., enacts as follows:

I. John Fraser, Jean Chapdelaine, A. L. Fréchette, François Gervais, François Lamoureux, David Laurent, Jean Baptiste Monty, Jean Baptiste Maranda and Prudent Malot, Esquires, the Honorable Louis Renaud, and F. Voligny and John Yule, Esquires, together with all such other persons as shall, under the provisions of this Act, become shareholders in the Company hereinafter named, and their respective heirs, administrators, executors, curators, and assigns, shall be, and they are hereby constituted, a body politic and corporate, by the name of "The Chambly Navigation Company."

II. The Company may construct, acquire, hold and charter, and may maintain and navigate on the Rivers Richelieu and St. Lawrence, and the Canals and tributaries thereof, any steam and other vessels, of any description, for the carriage or forwarding of passengers and freight of all kinds, to, from and between any places on or near the River Richelieu, and the Cities of Montreal and Quebec, respectively, and any intermediate places; and, as occasion shall require, may sell, mortgage, or otherwise dispose of any such steam or other vessels, or any other property or effects of the Company; and may carry and forward such passengers and freight, on such terms as they may deem advisable, to, from and between any such places; and may tow and make voyages with such steam and other vessels upon the Rivers Richelieu and St. Lawrence, and the canals and tributaries thereof, when and on such terms as they may deem advisable; and generally may carry on all such business, and do all such matters and things as may be incidental to the carrying out of the objects of the Company, or necessary or expedient to the effectual or profitable prosecution thereof; and may enter into any contract or arrangement with any bodies politic or corporate, or persons whomsoever, for the joint or better execution of any such objects, or otherwise, for the benefit of the Company.

III. The Company may acquire, take and hold all such wharves, docks, stores, warehouses, offices and other Real Estate whatsoever, as as they may find necessary or convenient for the purposes of their traffic, but not for any other purpose; and may sell, hypothecate, lease and

Preamble.

Incorporation of the Company.

Corporate name.

Business of the Company.

General powers for purposes of such business.

Power to hold certain real estate.

Proviso.	dispose of any such real estate whatsoever, and may acquire other instead thereof: Provided always, that the yearly rental or value of such real estate, when acquired, shall not exceed dollars in the whole.	
Capital and shares.	IV. The Capital Stock of the Company shall be eighty thousand dollars, divided into one thousand six hundred shares of fifty dollars each; and shall be applied wholly to the purposes of the Company, and to no other use whatsoever; and the Company may commence their operations under this Act with their present Capital Stock, amounting to ten thousand dollars, as now held in shares of fifty dollars each, and fully paid in; and the remainder of their Capital Stock, as hereby authorized, may be allotted, and payment thereon shall be made by calls on the subscribers thereto, when, where and as the Directors of the Company shall from time to time require,—in conformity always with such rules, as to notice or otherwise, as the By-laws of the Company may ordain; and interest shall accrue and fall due, at the rate of six per centum per annum, upon the amount of every unpaid call, from the day appointed for payment of such call.	5 10 15
Company may commence business on their present capital.		
Calls.		
Actions enforcing payment of calls.	V. The Company may enforce payment of such calls and interest, by action in any competent Court of Law; and in such action it shall not be necessary to set forth the special matter, but it shall be sufficient to declare that the Defendant is a holder of one share or more, stating the number of shares, and is indebted in the sum of money to which the calls in arrear amount, in respect of one call or more upon one share or more, stating the number of calls and the amount of each, whereby an action hath accrued to the Company under this Act; and a certificate under their seal, and purporting to be signed by any Officer of the Company, to the effect that the Defendant is a Shareholder, and that so much is due by him and unpaid thereon, shall be received in all Courts of Law as <i>prima facie</i> evidence to that effect.	20 25
Forfeiture of shares on which calls are not paid.	VI. If, after such demand or notice as by By-law of the Company may be prescribed, any call made upon any share or shares be not paid within such delay as by such By-law may be limited in that behalf, the Directors, in their discretion, by vote to that effect, reciting the facts, and duly recorded in their minutes, may summarily forfeit any shares whereon such payment is not made; and the same shall thereupon become the property of the Company, and may be disposed of as by By-law or otherwise they shall ordain.	30 35
Stock to be personalty.	VII. The Stock of the Company shall be deemed personal estate, and shall be assignable and transferable in such manner only, and subject to all such conditions and restrictions, as shall be prescribed by the By-Laws of the Company.	40
No transfer till calls are paid.	VIII. No share shall be transferable until all previous calls thereon have been fully paid in, or until declared forfeited for non-payment of calls thereon.	
One vote for each share not in arrear. Votes—proxies.	IX. At all meetings of the Company, every shareholder not being in arrear in respect of any call, shall be entitled to as many votes as he holds shares in the Stock of the Company; and no Shareholder being in arrear shall be entitled to vote; and all votes may be given in person, or by proxy, provided always the proxy be held by a Shareholder not in arrear, and be in conformity with such requirements as the By-Laws of the Company may prescribe, and not otherwise.	45 50

- X. All the property and effects whatsoever, real and personal, of the said existing Association, are hereby vested in the Company; and all the engagements and liabilities whatsoever of the Association, are hereby transferred to and declared to be those of the Company. Property of former Association transferred to company.
- 5 XI. The affairs of the Company shall be administered by a Board of fifteen Directors, being severally holders of at least two shares of Stock, who shall be elected at each Annual Meeting of the Company, to hold office until their successors are elected, and who (if otherwise qualified) may always be re-elected; and eight members of such Board, until otherwise provided by By-law, shall be a quorum thereof; and in case of the death, resignation, removal or other disqualification of any Director, such Board, if they see fit, may fill the vacancy until the next Annual meeting of the Company, by appointing any qualified Shareholder thereto. Board of Directors.
Quorum.
Vacancies.
- 15 XII. If at any time an election of Directors be not made or do not take effect at the proper time, the Corporation hereby constituted shall not be held to be thereby dissolved; but such election may take place at any General Meeting of the Company duly called for that purpose. In case of failure of elections.
- 20 XIII. Until the first election of such Board under this Act, the members of the present Committee of Management of the Association shall be the provisional Board of Directors of the Company; with power to fill vacancies occurring thereon, to make Provisional By-Laws on any matters admitting of regulation under this act by By-Law, such provisional By-Laws to have force until the first General Meeting of the Company, to convene such meeting, and to do all other acts requiring to be done in order to the organization of the Company under this Act, and the conduct of its affairs. Provisional Directors—their powers—until first election.
- 25 XIV. The Board of Directors of the Company shall have full power in all things to administer the affairs of the Company; and may make or cause to be made for the Company any description of contract which the Company may, by Law, enter into; and may from time to time make By-laws not contrary to this Act, nor to Law, to regulate the making of calls on Stock, the payment thereof, the issue and registration of certificates of Stock, the forfeiture of Stock for non-payment, the disposal of forfeited Stock and of the proceeds thereof, the transfer of Stock, the declaration and payment of dividends, the appointments, functions, duties and removal, of all agents, officers and servants of the Company, the security to be given by them to the Company, their remuneration, and that (if any) of the Directors, the time at which and the place where the Annual Meetings of the Company shall be held, the calling of meetings, general and special, of the Board of Directors, and of the Company, the quorum, the requirements as to proxies, and the procedure in all things at such meetings, the site of their chief place of business, and of any other offices which they may require to have, the imposition and recovery of all penalties and forfeitures admitting of regulation by By-law, and the conduct in all other particulars of the affairs of the Company; and may from time to time repeal amend or re-enact the same; but every such By-law, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a Special General Meeting of the Company duly called to that end, shall only have force until the next annual meeting of the Company, and shall require to be confirmed thereat; and any copy of any By-law under the Seal of the Company, and purporting to Powers of Directors.
By-laws for certain purposes.
By-laws must be confirmed by general meetings.
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be signed by any officer of the Company, shall be received as *prima facie* evidence of such By-law, in all Courts of Law.

Company not bound to see to trusts to which shares are subject.

XV. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, in respect of any shares; and the receipt of the shareholder in whose name the same shall stand in the books of the Company, shall be a valid and binding discharge to the Company for any dividend or money payable in respect of such shares, and whether or not notice of such trust shall have been given to the Company; and the Company shall not be bound to see to the application of the money paid upon such receipt.

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Liability of Shareholders limited.

XVI. The Shareholders of the Company shall not as such be held responsible for any act, default, or liability whatsoever of the Company, or for any engagement, claim, payment, loss, injury, transaction, matter or thing whatsoever, relating to or connected with the Company, beyond the amount of their respective shares in the capital stock thereof.

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Contracts with the Company.

XVII. Every contract, agreement, engagement or bargain made, and every bill of Exchange drawn, accepted or endorsed, and every promissory note and cheque made, drawn or endorsed, on behalf of the Company, by any agent, officer or servant of the Company, in general accordance with his powers as such under the By-laws of the Company, shall be binding upon the Company; and in no case shall it be necessary to have the Seal of the Company affixed to any such contract, agreement, engagement, bargain, bill of Exchange, promissory note or cheque, or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any By-law or special vote or order; nor shall the party so acting as agent, officer or servant of the Company, be thereby subjected individually to any liability whatsoever to any third party, therefor; Provided always, that nothing in this section shall be construed to authorise the Company to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note of a Bank.

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Bills and notes.

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Proviso—not to issue Bank-notes.

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Suits to which Shareholders are parties.

XVIII. Any description of Action may be prosecuted and maintained between the Company and any Shareholder thereof and no Shareholder, not being himself a party to such suit, shall be incompetent as a witness therein.

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Public Act.

XIX. This Act shall be deemed a public Act.