



---

3d Session, 3d Parliament, 13 & 14 Victoria, 1850.

---

## **BILL.**

An Act to incorporate the Shipwrights  
in the District of Quebec.

---

Received and Read a First time, Thursday, 4th  
July, 1850.

Second Reading, Monday, 8th July, 1850.

---

**MR. CHAUVEAU.**

---

**TORONTO : PRINTED BY LOVELL AND GIBSON.**

## B I L L.

An Act to incorporate the Shipwrights in the District of Quebec.

**W**HEREAS it is important and necessary that the Preamble.  
 construction of ships should be only carried on by  
 able persons experienced in the trade of Shipwright; And  
 whereas in order the better to attain the said object it is  
 5 expedient to establish regulations with respect to the said  
 trade and to the interests of persons exercising the same :  
 Be it therefore enacted &c.

And it is hereby enacted by the authority of the same, Shipwrights of  
Quebec incor-  
porated.  
 That from and after the passing of this Act, all shipwrights  
 10 and all persons engaged as carpenters in the building of  
 ships, in the District of Quebec, at the time of the passing  
 thereof, shall be and form a civil corporation under the  
 name of the "*Corporation of Shipwrights of the District of*  
*Quebec,*" and may acquire, by purchase, donation, lega-  
 15 cy or otherwise, real property not exceeding in value  
 ; and in all actions  
 against the said Corporation, service of process at the  
 office or domicile of the Secretary-Treasurer of the Board  
 of Directors hereinafter mentioned, shall be good and  
 20 valid.

II. And be it enacted, That the said Corporation shall Power to  
make By-  
laws.  
 have power to make such By-laws, Rules and Regulations  
 as they shall deem expedient for regulating the ad-  
 mission of persons as apprentices to, or to exercise the  
 25 trade of Shipwright, as well as for the administration of  
 all property acquired by them, and generally all rules and  
 regulations necessary for the working of this Act; and the  
 same to change, alter, modify and repeal, when and so  
 often as they shall deem expedient.

30 III. And be it enacted, That all the powers vested in  
 the said Corporation under this Act shall be exercised by  
 a Board of Directors composed of thirteen members of the  
 Corporation and of the Officers thereof, who shall con-  
 sist of a President and a Secretary-Treasurer, who, as  
 35 well as the members of the said Board, shall be elected in  
 the manner hereinafter mentioned; and eight members of  
 the said Board shall form a *quorum* for the dispatch of  
 business.

IV. And be it enacted, That the election of the Officers Election of  
Officers, &c.  
 40 and Members of the Board of Directors of the said Cor-

Proviso.

poration shall be by motion, and by ballot if any amendment be proposed, and shall take place on the nineteenth day of March in each year, provided such day be not a Sunday nor a holiday; and in case the said nineteenth day of March shall happen on a Sunday or a holiday, the election shall take place on the following day, and the said officers and members of the Board shall enter upon the duties of their respective offices immediately after their election: Provided that no such election shall take place unless there be at least fifty members of the said Corporation present at such meeting; and whenever, for want of a *quorum*, or from any other cause, the election cannot take place on the day appointed, the same shall be held at any other meeting specially called by the Secretary-Treasurer, on the requisition of at least six members of the said Corporation; and the first election shall take place within three months from the passing of this Act, at a general meeting of the Shipwrights of the District of Quebec, and such first meeting shall be called together by the Mayor of the City of Quebec, by advertisements inserted in two newspapers published in the City of Quebec in the French and in the English languages, at least twenty days before the day appointed for such meeting: and the said advertisements shall contain the day and hour when, and the place where the said meeting shall be held; and the said Mayor shall preside at such meeting, and shall draw up and sign the minutes of the proceedings of the said meeting and hand over the same to the person who shall have been elected Secretary-Treasurer of the said Corporation, who shall within twenty days next after his election call the Board of Directors together by serving upon each of the members and officers elected, either in person or at their domicile, a notice informing them of their election, and of the day, hour and place of the first meeting of the said Board.

35

President to preside at all meetings.

V. And be it enacted, That it shall be the duty of the President to preside at all general meetings of the said Corporation, and at the meetings of the Board of Directors, and to maintain order at all meetings, and he shall only vote in case of an equal division of votes; he shall call special meetings of the said Board whensoever he shall deem it expedient, or on a requisition of two members of the Board, setting forth the reasons for calling such meeting: he may also call general meetings of the said Corporation whenever he shall be required so to do by the Board of Directors, or on a requisition signed by at least ten members of the said Corporation, setting forth the reasons for calling such meeting; and in the absence of the President, the senior member of the Board of Directors present, shall preside at such meetings.

Duty of Secretary-Treasurer.

VI. And be it enacted, That the Secretary-Treasurer shall draw up the deliberations and proceedings of the

50

general meetings of the said Corporation and of the Board of Directors, and shall keep a minute thereof in a book to be kept for the purpose; he shall have the custody of the records of the Corporation; he shall deliver all copies, 5 certificates and other papers which may be required, and such copies, signed and certified by the Secretary-Treasurer under the seal of the Corporation, shall be received as authentic evidence in all Courts of Justice in Lower Canada; and the said Secretary-Treasurer shall receive 10 and pay all sums the receipt and expenditure whereof shall be authorized by the Board of Directors, and shall render an account in every year of the administration of his office, at the general meeting of the Corporation held for the election of the Board of Officers; he shall furnish 15 two good and sufficient sureties to the satisfaction of the said Board, in the sum of

for the faithful performance of the duties of his office, and shall receive such remuneration for his services as the Board of Directors shall deem it expedient to allow.

20 VII. And be it enacted, That in case of the absence, illness, decease or removal of any one or more of the officers, or of the members of the Board of Directors, the Secretary-Treasurer, on the requisition of two members of the Board, shall call a general meeting of the said 25 Corporation for the purpose of proceeding to the election of other officers or members of the said Board of Directors in the stead of those who shall be in any of the cases mentioned in this section.

Case of  
absence of  
officers, &c.

30 VIII. And be it enacted, That the Board of Directors of the said Corporation shall also fulfil the duties of a Board of Examiners for the examination of shipwrights, and it shall be their duty to cause candidates to undergo an examination on their skill and qualifications to be licensed as shipwrights under this Act, and for that purpose the 35 Board of Directors shall meet at least once in every month for the examination of candidates, and may according as circumstances shall require, adjourn from day to day or meet pursuant to public notice to that effect given, for the examination of candidates and for all other the purposes of this Act; and five members of the said Board of 40 Directors shall form a quorum for the purpose of proceeding with the examination of candidates.

Board of  
Directors to  
be a Board of  
Examiners.

IX. And be it enacted, That after the expiration of six months from the first meeting of the Board of Directors, 45 all persons exercising the trade of shipwright and willing to continue to exercise the same, shall be required to enregister their names and places of residence at the office of the Secretary-Treasurer, otherwise they shall be no longer considered to belong to the said trade: Pro- 50 vided always, that during two years after the first meeting of the said Board, in case of illness or absence from the

Persons exer-  
cising trade of  
shipwrights  
to enregister  
their names.

Province of any person or persons who could before and at the time of the passing of this Act exercise the trade of shipwright for the District of Quebec, it shall be lawful for the said Board to grant to such person or persons a licence to exercise the said trade, without requiring such person or persons to serve any further apprenticeship or to undergo any examination, provided such persons prove that they have exercised the said trade before the passing of this Act. 5

This Act not to apply to apprenticeships already begun.

X. And be it enacted, That nothing in this Act contained shall apply to persons who at the time of the passing thereof shall have begun an apprenticeship to the trade of shipwright; provided however, that such persons shall within the three months next after the first meeting of the Board of Directors, inform the Secretary-Treasurer, in writing, of their names and places of residence, and the name of the ship-builder or shipwright under whom they are serving their apprenticeship, and such persons shall be entitled at the expiration of their apprenticeship to cause their names to be enregistered as shipwrights without undergoing an examination. 10 15 20

An apprenticeship of five years to be served.

XI. And be it enacted, That from and after the first meeting of the Board of Directors, all persons desirous of learning the trade of shipwright and of obtaining a license to exercise the said trade, and who shall not be entitled to avail themselves of the foregoing provisions, shall serve an apprenticeship of five consecutive years with a licensed shipwright or a shipwright whose name shall have been enregistered at the Board of Directors or with a master ship-builder; and at the expiration of the said period they shall undergo an examination before the Board of Directors as constituted for that purpose by the ninth section, who shall make a return in writing of the result of the examination to the President, who, if the report be favourable, shall grant to such persons a license under his hand and countersigned by the Secretary and under the seal of the Corporation, authorizing such persons to exercise the trade of shipwright: Provided nevertheless, that it shall be lawful for the said Board in case the said apprenticeship shall have been interrupted, upon good satisfactory reasons to them being given, to examine any such apprentice so situated, and to order that he shall serve such further space of time only as the said Board shall deem convenient in order that he may complete his apprenticeship. 25 30 35 40 45

Proviso.

Penalty on persons exercising trade of shipwright without license.

XII. And be it enacted, That from and after the expiration of six months from the day of the first meeting of the Board of Directors, any person who shall exercise the trade of shipwright in the District of Quebec, without being duly licensed or enregistered, shall incur a penalty not exceeding ; and any master-

builder, or other person superintending or directing the building of any ship or part of a ship, who shall employ unlicensed or unregistered persons for the purpose of exercising the said trade, shall incur the same penalty : Provided,  
 5 vided always, that nothing in this Act contained shall have the effect of preventing any ship-builder, or other person superintending or directing the building of ships, from choosing such shipwrights from among the duly licensed and enregistered shipwrights as he may think proper, ex-  
 10 cept in the cases hereinafter provided.

XIII. And be it enacted, That it shall be the duty of the said Secretary-Treasurer to cause a correct list of the shipwrights who shall have had their names enregistered, and of those who shall be duly licensed as such  
 15 from the passing of this Act, to be suspended in some conspicuous place in his office ; and it shall be the duty of every enregistered or licensed shipwright who shall be out of employment, to give notice thereof to the Secretary-Treasurer who shall also keep suspended in some  
 20 conspicuous place in his office a list of the shipwrights who shall be unemployed and out of work, in order that all persons desiring the same shall have free access thereto ; and in the event at any one time of all the licensed or enregistered shipwrights being all employed in the  
 25 exercise of their trade, it shall be lawful in such case for the master ship-builders or persons superintending or directing the building of any ship, to employ persons who shall not be licensed nor enregistered : Provided always,  
 30 that such persons shall be replaced by the licensed or enregistered shipwrights who shall first report themselves to the Secretary Treasurer as disengaged, under the pains and penalties by this Act imposed. Provido.

XIV. And be it enacted, That all persons who shall have served a regular apprenticeship to the trade of ship-  
 35 wright for not less than five years, or who shall have exercised and practised the said trade during at least five consecutive years, within Her Majesty's dominions or elsewhere, without having served an apprenticeship, shall, on proving such fact on oath or affirmation or otherwise,  
 40 to the satisfaction of the Board of Directors, be entitled to be admitted to undergo an examination before the said Board as to his capacity and qualification to exercise the said trade ; and on the written report of the result of the examination, the President shall if the same be favourable,  
 45 grant a license to such persons respectively, in conformity with the provisions of this Act. As to persons who have been shipwrights out of this country.

XV. And be it enacted, That it shall be duty of the Secretary-Treasurer to have an office in a convenient  
 50 place for the transaction of the business of the Board of Directors, which office shall be kept open every day in the year, Sundays and holidays excepted, from six in the Secretary-Treasurer to have an office.

morning to six in the evening, from the first of April to the first of November; and from the first of November to the first of April, the said office shall be kept open from eight in the morning till five in the evening; and the necessary expenses of the said office shall be paid out of the moneys levied by the Board of Directors under the provisions of this Act; and for keeping the said office and fulfilling all the duties imposed upon him under this Act or under any By-law passed by the Board of Directors, the said Secretary-Treasurer shall be paid in the manner provided in the seventh Section.

Annual payment to be made by shipwrights.

XVI. And be it enacted, That every licensed or registered shipwright shall pay into the hands of the Secretary-Treasurer the sum of *five shillings per annum*; in default of the payment whereof, the same shall be recoverable by action in the name of the Corporation and shall be applied to the necessary expenses of the Board of Direction; and the balance remaining in the hands of the Secretary-Treasurer after the payment of such expenses, shall be applied to the formation of a fund for the relief of sick or disabled shipwrights, their wives and children; and all moneys received under this Act shall be deposited weekly in one of the Savings Banks or Incorporated Banks in the City of Quebec, and shall be drawn therefrom by checks or drafts signed by the Secretary-Treasurer and countersigned by the President.

Directors may make By-laws for relief fund.

XVII. And be it enacted, That in order to give effect to the provisions of the foregoing Section for creating a relief fund, it shall be lawful for the Board of Directors to make and enact such By-laws as they shall deem expedient for that purpose, to come into force as soon as they shall have been appointed and confirmed at a general meeting of the Corporation; and the said By-laws may be thereafter altered, amended or repealed from time to time by the said Board, such alteration, amendment or repeal being also subject to the approval and confirmation of a general meeting of the said Corporation.

Provision in case of inadequacy of funds, &c.

XVIII. And be it enacted, That in the event of the funds accruing to the said Board under the provisions of this Act being inadequate to defray the expenses thereof, and to afford a reasonable and sufficient sum for the relief of sick and disabled shipwrights, their wives and children, it shall be competent for the Board of Directors to increase the subscription payable by the members of the said Corporation to such an amount as the said Board may deem necessary for the purposes aforesaid; Provided always, that no By-law, Rule or Regulation whether for the increasing or for the reducing of the subscription of the members of the Corporation shall have any force or effect until the same shall have been approved and confirmed at a general meeting of the Corporation, held

Proviso.

for the said purpose ; And provided also, that no such By-law, Rule or Regulation shall have any force or effect until the same shall have been approved by the Governor General in Council. Proviso.

5 XIX. And be it enacted, That every person who shall wilfully infringe any of the provisions of this Act, or shall refuse or neglect to perform the duties required of him under this Act, shall incur a penalty not exceeding the sum of ; and in order to give more effect to  
 10 the By-laws, Rules and Regulations which may be made and passed by the Board of Directors by virtue of the powers conferred upon them by this Act, it shall be lawful for the said Board to impose penalties for the infringing of its By-laws, Rules and Regulations ; Provided  
 15 always, that no such penalty shall in any case exceed the sum of Penalty on persons infringing this Act.

XX. And be it enacted, That all penalties imposed by this Act, or under any By-law to be passed by the Board of Directors, may be sued for and recovered by the  
 20 Secretary-Treasurer of the Corporation, and the same shall on being recovered be deposited by the Secretary-Treasurer in the Relief Fund of the said Corporation ; and in case the prosecutor shall be any other than the Secretary-Treasurer, one-half of the penalty shall go to the  
 25 prosecutor and the other half shall be paid to the Secretary-Treasurer, and shall form part of the said Relief fund. Proviso.

XXI. And be it enacted, That all actions for the recovery of penalties imposed under and by virtue of this  
 30 Act, shall be brought within six months from the day on which the offence shall have been committed. Penalties how sued for, &c.

XXII. And be it enacted, That wherever the word "Ship" shall occur in this Act, it shall signify any vessel, whatsoever be the name under which it shall be designated, or the description or class of vessels to which it shall belong, constructed or in progress of construction or repair in the District of Quebec, the tonnage measurement whereof shall exceed Limitation of actions.

XXIII. And be it enacted, That this Act shall be a  
 40 Public Act. Interpretation of word "Ship."