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No. 315.

3rd Session, 5th Parliament, 20 Victoria, 1857.

(PRIVATE BILL)

BILL.

An Act to incorporate certain persons under the name of "The South Quebec Warehouse, Dock, and Wharfage Company."

Received and read, first time, Monday, 4th
May, 1857.

Second reading. Tuesday, 5th May, 1857.

HON. MR. LEMIEUX.

TORONTO:
PRINTED BY JOHN LOVELL,
YONGE STREET.

An Act to incorporate certain persons under the name of
 “The South Quebec Warehouse, Dock, and Wharfage
 Company.”

WHEREAS it is desirable for the benefit of this Province generally, **Preamble.**
 and specially for the shipping interest, that additional facilities
 be afforded in the Harbor of Quebec, for the mooring, shelter, loading and
 unloading of vessels: And whereas the persons hereinafter mentioned
 5 have by petition prayed to be incorporated for the purpose of creating such
 additional Harbour accommodation, and for other purposes hereinafter
 mentioned: Therefore Her Majesty, &c., enacts as follows:

I. William Chapman, Edward Ladd Betts, Samuel Morton Peto of **Names of per-**
 the city of London, in England, George Beswick, François Baby of the **sons incor-**
 10 City of Quebec, Henry Chapman of the City of Montreal, and every such **porated.**
 person or persons, body and bodies politic and corporate, as shall under the
 authority of this act be associated with them and their several and respective
 successors, executors, administrators and assigns, as stockholders in the Cor-
 poration hereby created, shall be a body politic and corporate by the name of **Corporate**
 15 the “South Quebec Warehouse, Dock, and Wharfage Company,” and by that **name and**
 name shall and may have perpetual succession and a common seal, with **Powers.**
 power to break and alter the same, and by that name shall and may sue **Have a com-**
 and be sued, implead and be impleaded, in all Courts of Law or Equity **mon seal.**
 in the Province; and the said Corporation shall have their principal place **Places of bu-**
 20 of business within the limits hereinafter mentioned, but may open such **nesses.**
 office or offices at such places, either in this Province or elsewhere, as may
 be found necessary or convenient for the purposes of their business.

II. The said Company be, and they are hereby authorised and empowered **Company may**
 at their own cost and charges to construct a Harbor, wharf or wharves with **construct a**
 25 a wet dock, dry dock, marine railway, and railway sidings, turn-tables and **Harbor, whar-**
 stations, regulated for the loading, discharging and sheltering of all vessels, **ves, &c., &c.**
 shipping and craft, propelled by steam, sail or otherwise, on the south shore
 of the river St. Lawrence, in the harbor of Quebec, at the place called “Chap- **Situation of**
 man’s Cove,” Seigniorship of Lauzon, in the County of Levi, which said harbor, **works.**
 30 wharf or wharves and docks shall be accessible to, and safe, and commodious,
 for the reception of sail, steam or other vessels, as now navigate the At-
 lantic, as well as for vessels engaged in the inland trade of this country,
 and also to erect and build such necessary moles, piers, breakwaters,
 wharves and booms, or other erections or constructions whatever, as shall
 35 be useful or proper, for the purpose aforesaid, and the protection of the
 harbors, wharves, docks or booms, and for the accommodation and con-
 venience of vessels entering, lying, loading or unloading, repairing or **Repairs of**
 fitting up in the same; and to alter and amend, and repair and enlarge **wharves,**
 the harbor, wharf or wharves, docks, railway and railway sidings as **piers, &c., &c.**

aforesaid, as may, from time to time, be found necessary or expedient, and also to erect and build sheds, stores and warehouses for the reception and storage of goods, wares and merchandise, free of duty or in bond; and to make, build and manufacture saw mills, grist mills, or other factories, or purchase and hold such saw mills, grist mills or other factories, and the machinery necessary to work the same; and also to carry on, manage and work such saw mill, grist mills, or other factories, and to buy and sell the raw material therefor, and the produce thereof in such manner and to such an extent as the Directors may see fit.

Corporation may hold real property purchased from private individuals to extent of £100,000.

And dispose thereof.

Buying and selling Stock.

Make advances.

Transferable receipts.

Non-liability.

III. It shall be lawful for the said Corporation from time to time, to purchase, and to have and to hold, such lands and tenements, and real and immoveable property, as may be necessary for carrying on the business of the said Corporation; provided the sum to be invested in real property, do not at any time exceed one hundred thousand pounds currency, and it shall be lawful for the said Corporation to sell, lease or otherwise dispose of the said property and estate, from time to time, as they may see fit.

IV. It shall be lawful for the said Corporation to buy and sell, either on their own account, or on commission, produce, timber, wares, goods and merchandizes of any kind, as they may see fit; and to purchase and hold such stock or shares in any line or Company of steam or other vessels navigating the ocean, or the inland waters of this continent, and the same to sell or dispose of as they may think fit; and from time to time to make advances on goods consigned to the said Corporation for sale, or stored in the store or warehouses of the said Corporations; to receive, take and hold, security or securities of any kind or nature, for such advances, and for any debt or debts which may at any time become due to the said Corporation; and to charge a commission on such advances, and on purchases and sales on commission, not exceeding 2½ per centum on the amount of such advances, or the amount of such purchases or sales as the case may be; for which advances and commissions the said Corporation shall have a lien upon such goods. And it shall also be lawful for the said Corporation to issue certificates of goods received, or warehouse receipts therefor, in the form of schedule A; on the production of which by the holder thereof, and on compliance by him with the terms thereof, the said Corporation shall be compellable to deliver such goods, and not otherwise; and such warehouse receipts shall be transferable by endorsement, either special or in blank; and such endorsement shall transfer all right of property and possession of such goods to the endorsee or holder of such warehouse receipts, as fully and completely, as if a sale and delivery of the goods mentioned therein had been made in the ordinary way; and on delivery of such goods by the said Corporation, in good faith, to a person in possession of such warehouse receipts, the said Corporation shall be free from all further liability in respect thereof; Provided always, that the said Corporation shall not be liable for any loss or damage that may happen to such goods by fire, unless specially instructed in writing to ensure the same; nor by any inevitable accident or *force majeure*; nor by any accident whatever of a fortuitous character, if the said Corporation shall have exercised ordinary care and diligence in the custody of such goods: And the liability of the said Corporation for any damage caused to any rafts, while within the aforesaid limits, shall be governed and limited by the same rules, which are heretofore laid down for the purpose of regulating their liability in respect of goods in the charge: and in the event of a loss or damage occurring to such goods by fire, after instructions to insure, the

said Corporation shall be free from all liability in respect of such loss or damage, by transferring to the owners thereof their rights against the underwriters thereof.

5 V. The powers conferred upon the said Corporation by the present Act, shall extend over all the space bounded as follows, to wit: in front towards the North by a line drawn parallel with the river front of the wharves, to be constructed by the said Corporation, and at a distance of 500 feet from such front; on each side by the lines of division between the Real Estate to be acquired or leased by this Corporation for the purposes of this Act, and the adjoining properties; continued till they intersect the said front line; and in rear by the rear line of such Real Estate; provided always, that the space over which the powers hereby conferred upon the said Corporation shall extend, shall not exceed 3600 feet in length, from East to West. Boundaries.

15 VI. The stock, real estate, property, affairs and concerns of the said Company, shall, until the next election of Directors, as hereinafter mentioned, be managed and conducted by the persons hereinbefore named, three of whom shall form a *quorum* of the Board, which said Directors shall be stockholders to the amount of at least ten shares; and after such next election; which shall be held on the first Wednesday of the month of March, 1858, at the city of Quebec, at such time of the day as the majority of the Directors, for the time being, shall appoint; by five Directors to be annually elected by the stockholders at a meeting of stockholders to be held for that purpose, on the first Wednesday of the said month of March, in each year; notice of which Annual Meetings shall be given at least sixty days previous to the day fixed for holding the same, in the manner hereinafter mentioned. Business of Company to be managed by directors. Five directors, three for Quorum. Notice for election.

30 VII. Such meeting shall be held, and the said election made by such of the stockholders of the said Company as shall attend for that purpose, in their own proper persons or by proxy; and all elections for such Directors shall be by ballot, and the five persons who shall have the greatest number or votes, at any such election, shall be Directors, and if it shall happen at any such election that two or more persons shall have an equal number of votes, in such manner that a greater number of persons than five shall, by a majority of votes, appear to be chosen directors; then the said stockholders herein before authorized to hold such election, shall proceed to ascertain by ballot which of the said persons so having an equal number of votes shall be a Director or Directors, to complete the whole number of five; and if any vacancy shall at any time happen among the Directors by death, resignation, or otherwise, such vacancy shall be filled for the remainder of the year in which it may happen, and until the then next Annual Meeting for the election of Directors; by a person to be elected by the stockholders in manner aforesaid, at a special general meeting thereof, duly called for that purpose. Mode of election. Use of the ballot. Vacancy in direction how filled up.

45 VIII. In case it shall at any time happen that an election of Directors shall not be made on any day, when pursuant to this Act it ought to have been made, the said Corporation shall not, for that cause, be deemed to be dissolved; but it shall and may be lawful on any subsequent day, to make and hold an election of Directors, in such manner as shall have been regulated by the By-laws of the said Corporation; and the previous Directors shall, in every case, hold office until the election of their successors. Case of failure of any election provided for.

- Special Meetings when & how to be convened. IX. Special General Meetings of the stockholders may be convened on the requisition of any two Directors, or of a shareholder or stockholders possessing fifty shares of the stock of the said Corporation, after sixty days notice of such meeting; and such notice, and notice of the Annual Meetings of the said Corporation, shall be held to be validly given, if inserted three times as an advertisement, in any two newspapers published in the city of Quebec; the first of which insertions shall be at least sixty days previous to the day fixed for such meeting. 5
- Directors to make By-Laws. X. But the Directors for the time being or the major part of them shall, from time to time, have power to make such By-laws, rules and regulations as to them shall appear needful and proper, for the purposes of this Act; to wit: 10
- Government of the corporation, and its property. For preventing injury thereto. For the mooring of Vessels therein. For the direction, conduct and government of the said Corporation, and of its property, real and personal, and its improvement and regulation throughout the year. 15
- For preventing injury thereto. For the mooring of Vessels therein. For the preventing injury thereto, and encroachments and incumbrances thereon, and the removal of the same.
- For the mooring of Vessels therein. For the anchoring, mooring, riding and fastening of all vessels therein, and the ordering of the same in every respect, while within the limits herein before fixed, and for the regulation and control of the use of light and fire on board of such vessels, the landing and shipping of gunpowder therein, and the manner of boiling and melting pitch, tar and turpentine, rosin or other inflammable substance therein. 20
- Appointment and removal of clerks and servants. For the appointment, regulation and removal of the officers, clerks and servants of the said Corporation, and the election and remuneration of the Directors thereof. 25
- For the regulating the discharging of ballast, and of rubbish of any kind within the said limits.
- For the imposition of penalties, not exceeding five pounds currency, for any breach of the said By-laws, or of the provisions of this Act. 30
- For the regulating the transfer of shares in the capital stock in the said Company.
- Regulation of ferries. For the regulating of the ferry or ferries across the River St. Lawrence, to be established in virtue of this Act, as per schedule annexed.
- Of the lien on goods. For the regulating and fixing the nature and extent of the lien of the said Corporation on goods and commodities, landed, shipped, stored or conveyed within the aforesaid limits; which lien may be either general or special. 35
- And of contracts. For the regulating the mode in which all contracts to be entered into by the said Corporation of whatever nature, may be executed on behalf of the said Corporation. 40
- And finally, for the doing of every thing necessary to carry out the provisions of this Act according to their intent and spirit; Provided always, that such By-laws shall have no force or effect until sanctioned by a majority of stockholders present in person or by proxy at any Annual or other General Meeting: and a certificate purporting to be signed by the secretary of the said Corporation, and under the seal of the said Corporation, shall be *prima facie* evidence of such By-laws, and of their having been sanctioned and posted up as herein required, in all or any Courts or Court of Justice in this Province. 50
- Copies of By-Laws, reported upon Company's works, &c. XI. Printed copies of such By-laws, certified by the secretary, shall be posted up in a conspicuous position in the office of the said Corporation at South Quebec aforesaid, and until they have been so posted up, such By-laws shall have no force or effect whatever.

XII. It shall be lawful for the Directors to elect one of their members to be president of the said Corporation, and to appoint such officers, managers, clerks and servants, with such emoluments as they may see fit, and in their discretion to take such security from such officers, managers, clerks and servants, or any of them, as the said Directors may deem necessary.

The President to be elected.

Security to be given.

XIII. The said Directors may make any payments and enter into any contracts for the purposes of the said Corporation, and for all matters necessary for the transaction of its affairs, may generally deal with, treat, purchase, loan, sell, mortgage, let, release, and dispose of, and exercise all acts of ownership over the lands, tenements, property and effects of the said Corporation, may institute and defend in the name of the said Corporation, all suits at law, may from time to time displace the officers, agents, clerks and servants of the said Corporation, except as hereinafter provided, and shall have power to collect and receive all charges subject to which goods or commodities may come into their possession; and on payment of such back charges, shall have the same lien for the amount thereof, upon such goods and commodities, as the persons to whom such charges were originally due, had upon such goods or commodities while in their possession; and shall and may have power to do all things whatever which may be necessary or requisite to carry out the objects of this Corporation.

Further powers.

Actions generally.

Dismiss officers.

Collection of charges, dues, &c., on goods.

XIV. It shall be the duty of the Directors to make annual dividends of so much of the profits of the said Company as to them or a majority of them shall seem advisable; and that once in each year an exact and particular statement shall be rendered by them of the state of the affairs, debts, credits, profits, and losses of the said Corporation, and that such statements shall appear on the books, and be open for the perusal of any stockholder upon request, at least one month before the Annual Meeting of the said company.

Declare dividends annually, and statement of accounts.

XV. It shall be lawful for the said Corporation to levy upon all vessels or rafts entering, departing from, or being anchored or otherwise moored, fastened, or lying within the limits hereinbefore mentioned; and upon all goods landed or shipped, carried or deposited, or stored therein; such wharfage and such storage rates, and such other tolls, dues and duties, as the Directors may, from time to time, fix and establish as hereinafter provided, and the said rates and dues shall be levied as follows:—

Powers of corporation to levy rates upon vessels.

1. On seagoing vessels. The tonnage dues, or moorage rates thereon, shall be levied from the master or person in charge thereof, and the wharfage rates of goods landed or shipped, shall be levied from the consignee, shipper, owner or agent thereof.

By whom payable; On seagoing vessels.

2. On all other vessels. The tonnage dues thereon, as well as the wharfage rates upon the cargoes, shall be paid by the master or person in charge thereof, saving to him such recourse as he may have by law against any other person for the recovery of the sum so paid; Provided, however, that it shall be lawful for the said corporation to demand and recover the said wharfage rates from the owners or consignees of such vessels, or from the owners, consignees or agents of ships, or shippers of such cargoes, if they see fit to do so; and in the event of goods lying unclaimed on the wharves, or in the warehouses of the said Corporation, for the period of ninety days, such goods may be sold by public auction after three advertisements thereof shall have been published in any newspaper, in the city of Quebec, and the said corporation shall account for

On other vessels.

the proceeds thereof, to the owner thereof, on demand, first deducting all their lawful charges thereon; and if such goods be of a perishable nature, they may be sold within a shorter period, provided cause for such sale be shewn by affidavit before any Justice of the Peace of the district of Quebec, and an order for such sale procured from such Justice, who is hereby authorised to grant the same. 5

Power of directors to regulate rates of wharfage and storage.

XVI. It shall be lawful for the Directors to ask, demand and receive, from all owners or masters of vessels, or persons in charge thereof, from owners, consignees or agents of all rafts, wares, goods or other merchandise, all tolls, dues and duties for moorages of rafts, vessels or boats propelled by steam, sail or otherwise, which may, from time to time, enter or depart from said harbor, within the said limits, or which may be lying or anchored or otherwise moored or fastened therein, and upon all goods, wares and merchandises, landed, shipped, carried or deposited or stored therein or for ferriage, not exceeding the rates contained in the schedule to this Act annexed. 10 15

Company may levy tolls and maximum rates.

Seizure of vessels and goods for non-payment of dues.

XVII. In case of non-payment of the said dues or rates or part thereof, or any other charge which under this Act the said Corporation may lawfully make, it shall be lawful for the said Corporation to seize forthwith before judgment, any vessel or goods whatsoever upon which such dues or other charges may be owing, and to detain the same at the risk, cost and charges of the owner, until the sum due, and the costs and charges incurred for the seizure and detention of the same be paid in full; and in the event of such rates, dues or other charges, remaining due for forty days after such seizure, such vessel or goods may be sold by the said Corporation by public auction, after the publication in any newspaper in the said city of Quebec, of three advertisements of such sale; and the said Corporation shall thereafter, on demand account to the owner of such vessel or goods, for the proceeds of such sale, first deducting the rates or dues due, and all their other legal charges. 20 25 30

Masters of vessels required to make certain reports.

XVIII. It shall be lawful for the said Corporation to require from the master or person in charge of every vessel in the said harbor, a report in writing, signed and certified by him, of his vessel's cargo inwards, and her draft of water, such report to be made before he shall break bulk; also of her outward cargo and draft of water before his vessel shall leave the harbor; and such other particulars as may be necessary to carry out the provisions of this Act; and in case of refusal or neglect, to make such reports or any of them, it shall be lawful for the said Corporation to seize and detain such vessel at the risk, cost and charges of the master, owner or person in charge thereof, until the aforesaid requirements are complied with; Provided always, that nothing herein contained shall prevent the said Corporation from making such mutual agreement with the masters, owners or agents of steamboats and other vessels, with respect to making such reports, and with respect to the payment of all harbor and other dues as may be considered expedient; and provided also, that nothing herein contained shall be construed to prevent the said Corporation from commuting with such masters, owners or agents of steamboats, and other vessels, for all rates and dues accruing thereon, on such terms and conditions, and for such sum or sums of money, and for such periods as to the said Corporation may seem fit and expedient. 35 40 45 50

Proviso:— Corporation may agree with Masters of steamboats, &c.

Proviso:— for further agreement.

XIX. If any injury shall be done to any of the wharves, piers or other works in the said harbor, constructed or to be constructed, by any

vessels, or by the carelessness or wantonness of the crew thereof, while in the execution of their duty, or of the orders of their superior officers, it shall be lawful for the said corporation to seize such vessel and detain her until the injury so done shall have been repaired by the master or crew; or until security shall have been given by the said master to pay such amount for the injury and costs as may be awarded in any suit which may be brought against him for the same; and he is hereby declared to be liable to the said Corporation for any such injury.

Vessels may be seized for injury done to wharves, &c.

XX. All dues and penalties imposed by this Act, or by any By-law made under the authority thereof, and all rates, dues and duties authorized to be levied under and by virtue of this Act, may be recovered by civil action or proceeding at the suit of the said Corporation before any one or more Magistrates in any place in this Province, in a summary manner, and on the oath of one credible witness; and any member of the said Corporation, or any of its officers or servants, maybe such witness.

Recovery of Harbour dues and penalties.

XXI. The seizure of any raft or vessel which under and by virtue of this Act the said Corporation may make for the purpose of enforcing the provisions thereof, may be effected upon the order of any Magistrate for the district of Quebec, which order such Magistrate is hereby authorized and required to give, upon the application of the said Corporation or its authorized agent, on the institution of any action before such Magistrate, for any cause rendering such raft or vessel liable to seizure, and on the affidavit of any one credible person that the cause of such action alleged in the declaration, complaint, or information, before such Magistrate, is well founded in fact; and such order may and shall be executed by any constable, bailiff or other person whom the said Corporation may choose to entrust with the execution thereof; and the said constable, bailiff or other person is hereby authorized and empowered to take all necessary means, and to demand all necessary aid, to enable him to execute the same.

Magistrate required to give an order for seizure of vessels, &c., &c., when so requested by the company or its agent.

XXII. The capital stock of the Company shall be £50,000, current money of this Province, to be held in 2000 shares of £25 each, and that the shares of the said capital stock shall be transferable upon the Books of the said Company, in such manner, and subject to such restrictions as shall be fixed by the By-laws of the said Company. Provided always, that no person to whom shall be allotted any stock in the said Corporation, shall be exempted from liability to the creditors thereof, or from payment of any calls thereon, by reason of any transfer which he may make of such stock; until the whole amount of the stock so allotted to him be paid in full by the holder thereof; and the stock property and effects of the said Company shall be deemed moveable personal estate, notwithstanding the conversion of the funds or any part thereof, into real estate.

Capital stock of Company 50,000, 2000 shares of £25 each.

XXIII. The Directors shall have power to issue paid up stock in the said Company, in payment of the price of real estate acquired for the purposes of this Act; and such paid up stock shall be free from all calls whatsoever, and from all claims and demands on the part of the said Company, or of the creditors thereof, to the same extent as if the amount of the same had been regularly called in by the said Company, and paid by the holder thereof in full.

In certain cases directors have power to issue paid up stock.

XXIV. Calls upon the capital stock of the said Company may be made, from time to time, by the Directors for the time being; of which

A notice of 60 days on calls upon stock to be given.

Proviso, no other calls are to be made within fifteen days of any previous call, nor exceed ten per cent on capital.

Shareholder refusing any calls upon stock, forfeit their shares that have been previously paid, and his shares be sold.

Proviso:— That the purchaser of such share pay the company the amount due then in addition to the price of the shares.

calls sixty days notice shall be given to the stockholders, by an advertisement, three times inserted in some newspaper published in the city of Quebec; Provided always, that no such call upon the amount subscribed for shall be made within fifteen days of any previous call, nor exceed ten per centum on the whole capital, nor become payable in less than sixty days after notice thereof has been given; Provided also, that the said Directors shall not commence the construction of the said harbor, wharves, docks or railway, until ten per centum upon the capital stock of the said Company shall have been paid in.

XXV. If any stockholders shall neglect or refuse to pay any such call or calls as shall be lawfully made as aforesaid, upon any shares; such stockholders so refusing or neglecting shall forfeit such shares, with any amount which shall have previously been paid thereon; and the said shares may be sold by the said Directors; and the sum arising therefrom, together with the amount previously paid in, shall be accounted for and applied in like manner as other monies of the said Company; Provided always, that the purchaser shall pay the said Company the amount of the calls due thereon, in addition to the price of the shares so purchased by him, immediately after the sale, and before he shall be entitled to the certificate of the transfer of such shares so purchased as aforesaid; and shall hold the shares so purchased, subject to all future calls thereon; Provided always that sixty days notice of the sale of such forfeited shares shall be given, in the same manner as is hereinbefore provided for notice of calls, and that the instalments due and the costs incurred in advertising the sale, may be received in redemption of any such forfeited shares at any time before the day appointed for the sale thereof; and provided also, that nothing herein contained shall prevent the said Company from proceeding against any defaulter before any Court of Justice, having cognizance thereof, to compel the payment of any call or calls in arrear, if they should see fit so to do.

The Company shall have power to borrow any sum or sums of money not exceeding at one time one half the paid up stock.

XXVI. It shall be lawful for the said Corporation, from time to time, to borrow, either in this Province or elsewhere, from any person or persons, or Company, willing to lend the same, all such sum or sums of money, not exceeding in all, at any one time, one-half the paid up capital stock of the said Company, as they may find expedient; and to make the bonds, debentures or other securities, they shall grant for the sums so borrowed, payable either in currency or in sterling, with interest; and at such place or places, within or without this Province, as they may deem advisable; and such bonds, debentures or other securities may be made payable to bearer, or transferable by simple endorsement, or otherwise, and may be in the form of the schedule to this Act, marked B, and if in the said form, or in any form to the same effect, such bonds or debentures, shall upon enregistration in the registry office of the county wherein the said harbour and works are situate, constitute and be, a mortgage and *hypothèque*, ranking according to the date of such enregistration, by special privilege, upon all the property, real and personal of the said Company, including the revenues, rates, tolls, dues, and duties thereof.

Proportion of votes.

XXVII. At all meetings of the stockholders held in pursuance of the Act, whether the same be annual or special, every stockholder shall be entitled to as many votes as he shall have shares in the said stock, and such vote or votes may be given in person or by proxy; and all

questions proposed or submitted for the consideration of the said meetings, shall be finally determined by the majority of the votes of the stockholders present, in person or by proxy; except in any case or cases otherwise provided for either by this Act, or by the By-laws to be made 5 thereunder; and provided also, that no person shall be entitled to vote as proxy at any meeting, unless he shall be a stockholder in the said Corporation, and produce written authority as such proxy.

May vote by proxy.
Majority to decide.

XXVIII. No stockholder in the said Corporation shall be in any manner whatsoever liable for, or charged with, the payment of any debt 10 or demand due by the said Corporation, beyond the amount remaining unpaid of his, her, or their, subscribed share or shares in the capital stock of the said Corporation.

To what extent stockholders shall be liable.

XXIX. If at any future period the said sum of £50,000 shall be found insufficient for the purposes of this Act, it shall be lawful for the 15 said Company to increase their capital stock, by a further sum, not exceeding £50,000 currency, either among themselves or by the admission of new stockholders, such new stock being divided into shares of £25 each; Provided always, that such increase be decided upon and ordered by a majority of the stockholders in value in the said Company, 20 present in person, or by proxy, at a meeting held for the purpose.

Issue of new stock, in certain shares.

XXX. It shall and may be lawful for the said Company to establish a ferry or ferries, between the works of this Corporation in the Parish of Notre Dame de la Victoire, and any point or points on the North shore of the River St. Lawrence, by one or more boats or vessels propelled by 25 steam, sail, or otherwise; and to demand, receive and recover, not exceeding such rates of ferriage, as per schedule annexed, for passengers, horses, cattle, goods and commodities, as may be fixed upon from time to time by the Directors; Provided always, that nothing herein contained shall be construed as conferring upon the said Company any exclusive 30 privilege to or in respect of the said ferry or ferries.

Company may establish a ferry over the river St. Lawrence rates of ferriage to be established.

Proviso:—

XXXI. If any person or persons shall, wilfully and maliciously, by any means, or in any manner, break, damage, or destroy, the booms, wharves, sheds, warehouses, or other works, to be constructed under this Act, or any of them, such person or persons shall be adjudged guilty of 35 felony, and the Court by and before whom such persons shall be tried and convicted, shall have the power and authority to cause such persons to be punished according to the laws in force in this Province, for the punishment of felony; and to sentence any person or persons so convicted to an imprisonment in the Provincial Penitentiary, of a duration not less than 40 one year, nor more than five years.

Penalty on damage to works and obstructing company's servants.

XXXII. If any person or persons shall in any manner or way whatever, obstruct, hinder, or interrupt, any of the Officers, clerks, or servants of this Company, in the execution of their duties, such person or persons shall, for every such offence, incur a penalty not less than £5, 45 nor exceeding £10, to be recovered, as hereinbefore provided; and one half of all penalties imposed by, or under the authority of this Act, shall be paid to the said Corporation, and the other half thereof, into the hands of the Receiver General, to be applied to the public use of this Province.

Certain penalties for obstructing the Company's servants, while in execution of their duties.

XXXIII. All words importing the singular number, or the masculine 50 gender only, shall extend to more than one person, party, or thing, and to

Interpretation clause.

females as well as males; and the word stockholders shall include the heirs, executors, administrators, curators, legatees or assigns, of said stockholders, or any other party having the legal possession of any share, whether in his own name, or that of any other, unless the context shall be inconsistent to such construction; and whenever power is by this Act given to do anything, power shall be intended also to do all things which may be necessary to the doing of such things; and generally all words and clauses herein, shall receive such liberal and fair construction, as will best answer the carrying into effect of this Act according to its true extent and spirit: The words "By-laws," "vessels," "goods," and "dues," in the provisions of this Act, shall severally be construed to mean, and shall mean as follows: the word "By-laws" shall include and mean, all By-laws, rules, orders and regulations, made by the said Corporation; the words "vessel" or "vessels" shall mean and include all ships, vessels, boats, barges, steamboats, scows, rafts, and floating craft, whatsoever, the word "goods," shall mean and include all merchandise, produce, animals, articles, and things whatsoever, landed from a vessel, or deposited on the wharves for the purpose of being shipped or otherwise, shall mean and include all rates tolls, duties and dues whatsoever imposed by this Act.

This act in no way to effect the rights of Her Majesty's subjects.

XXXIV. Nothing herein contained shall affect or be construed to affect in any manner or way, whatsoever, the rights of Her Majesty, her heirs and successors, or of any person or persons, or of any bodies politic, corporate or collegiate, such only excepted as herein mentioned.

Public Act.

XXXV. This Act shall be deemed a public Act, and as such, judicially noticed by all Judges, Justices, and others whom it may concern, without being specially pleaded.

SCHEDULE A.

The South Québec Warehouse, Dock and Wharfage Company.

Received from (*specify person*), in good order (*specify goods*), marked and numbered, and subject to amount of back charges, as per margin; the said goods to be deliverable on payment of such back charges, and of our charges, to the said or order, to be signified by endorsement upon this receipt, and on production of this receipt only.

South Quebec,

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For the South Quebec Warehouse Dock and Wharfage Company.

SCHEDULE B.

The South Québec Warehouse Dock and Wharfage Company.

This debenture witnesseth, that the South Québec Warehouse, Dock and Wharfage Company, under the authority of the Provincial Statute of Canada, passed in the year of Her Majesty's Reign, Chapter intituled "An Act to incorporate the South Québec Warehouse, Dock and Wharfage Company," have received from the sum of

as a loan to the Company, which sum the said Company bind and oblige themselves to pay to the said
 or to the bearer hereof at the office of

on the day of 18 and in the mean time to pay interest thereon half-yearly, on the day of and day of in each year, at the rate of per centum, per annum, on presentation of the proper *coupons* for the same at the office aforesaid: And for the due payment of the said sum of money, and interest, the said Company, under the power given to them by the said statute, do hereby mortgage and hypothecate the real estate and appurtenances hereinafter described, that is to say, the whole of the wharves, warehouses, railway and railway sidings and real estate generally, of the said Corporation in the Seigniorship of Lauzon in the County of Levi; and all and every the tolls, rates and dues, due and to become due to the said Company; and all and every the moveable property thereof of what nature soever; in testimony whereof president of the said Company, hath hereto set and affixed his signature and the common seal of the said Company
 this day of one thousand eight hundred and

Countersigned and entered.

President.

Secretary.

SCHEDULE C.

Tariff of Maximum Rates.

FOR MOORING.

Vessels under 100 tons.....	per day...2s. 6d.	per 100 tons,
“ “ 200 “	do ...2s. 0d.	“ 100 “
“ over 200 and under 700 tons...	do ...1s. 6d.	“ 100 “
“ 700 tons and upwards.....	do ...1s. 3d.	“ 100 “
Steamboats and Propellers.....	do ...5s. 0d.	“ 100 “
Ocean Steamers.....	do ...2s. 6d.	“ 100 “

FOR DISCHARGING AND LOADING.

By STEAM CRANE.	Discharging	Loading	Wharfage, that is, use of Wharf while goods are being landed or loaded.	Discharging
	at Wharf.	from Wharf.		or loading, to include Wharfage and Moorage of Vessel and all expenses.
	s. d.	s. d.	s. d.	s. d.
Flour or other produce reduced to weight of Flour, per barrel.....	0 1	0 1	0 0½	0 3
Grain, Salt, &c., per bushel.....	0 0½	0 0½	0 0½	0 1
Merchandise and other goods, per ton of 2,000.....	1 8	1 3	0 6	2 6

FOR FORWARDING.

To include one month's Storage, effecting Insurance when ordered, Cartages, Receiving and Delivering, Passing Custom House Entries, Securing Freights, Shipping by Steam Crane, forwarding Shipping Documents, Coopersage, Marking, &c., &c.

Flour and produce, reduced to Flour, per barrel.....	£0 0 9
Grain, Salt, &c., per bushel.....	0 0 2½
Merchandise or other goods, per ton of 2000 lbs.....	0 7 6

FOR WAREHOUSING.

IN WAREHOUSE.	First Month.	Succeeding Months.
	s. d.	s. d.
Flour and Meal, per barrel.....	0 2	0 1
Perk and Beef, per ".....	0 3	0 1½
Ashes, per ".....	0 4	0 2
Butter, Lard, per keg.....	0 1½	0 0½
Grain per bushel.....	0 1½	0 0½
Salt, per ".....	0 1½	0 0½
Liquors, Wines and Oils, per 100 gallons.....	2 6	0 6
Iron, per ton of 2000 lbs.....	7 6	1 8
Merchandise and other goods, per ton of 2000 lbs.....	5 0	1 8
IN OPEN SHEDS.		
Coals, per chaldron.....	1 3	0 2
Iron Rails, ton of 2000 lbs.....	3 6	1 0
Bricks, per Mille.....	1 6	1 6

BOOMAGE AND STORAGE OF TIMBER.

RECEIVING.	For	
	Landing.	Piling.
	s. d.	s. d.
Staves—Standard, per mille.....	10 0	10 0
" West India, ".....	3 4	3 4
" Barrel, ".....	2 6	2 6
Deals, per stand. hrd.....	2 6	2 6
Lathwood, per cord.....	2 0	2 0
Oars and handspikes, per 100 pcs.....	3 9	3 9
DELIVERING.	From the	
	Bank.	Crib.
Hardwood, per ton.....	2 0	1 6
Pine—Red, ".....	1 8	1 3
" White ".....	1 3	1 0
Deals, per stand. hrd.....	6 9	5 0
Staves—Standard, per mille.....	21 0	16 6
" West India, per mille.....	7 0	5 0
" Barrel, per mille.....	5 0	4 0
Lathwood, per cord.....	3 0	3 0
Oars and Handspikes, per 100 pcs.....	8 9	8 9

TIMBER WHEN IN RAFT OR HALF RAFT.

	First Month.	Second Month.	Third Month.	Fourth Month.	Fifth Month.	Sixth Month.
Hard Wood, per 1000 feet,	1/4	1/4	1/4	1/4	1/4	Full Tariff Rates.
Pine, Red, " "	1/4	1/4	1/4	1/4	1/4	
" White, " "	1/4	1/4	1/4	1/4	1/4	

N. B.—When Rafts remain in after the first day of December, they will become subject to Ground Rent, and the full Tariff Scale will apply to them when delivered.

GROUND RENTS.

	Hardwood.	Pine.
Timber in Raft.....	9d per ton,	6d per ton.
" Moulinette.....	6d "	4d "
Staves, Standard, per mille.....		8s. 9d.
" West India, per mille.....		3s.
" Barrel, per mille.....		2s.
Deals, per stand. hrd.....		2s.
Lathwood, per cord.....		1s. 6d.
Oars and Handspikes, per 100 pieces.....		2s.

N. B.—These charges will be due and payable on the 1st day of December of each year.

SCHEDULE.

Tariff of the Maximum Rates of Ferriage.

Between the 1st of May and 15th day of November in each year, the following Rate will be levied :

For each Passenger	2d.
" " Head of Cattle.....	6d.
" " Horse or Mare.....	6d.
" " Sheep, Calves, Goats or Pigs.....	2d.
" " 100 lbs. weight of Merchandise or other goods.....	2d.

And between the 15th day of November and the 1st day of May of each year—double the above Rates.