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No. 86.

3rd Session, 6th Parliament, 23 Victoria, 1860.

(PRIVATE BILL.)

BILL.

An Act to Incorporate the Ottawa Board of
Lumber Manufacturers.

Received and read, first time, Wednesday,
21st March, 1860.

Second reading, Thursday, 22nd March,
1860.

Mr. W. F. POWELL.

QUEBEC:

PRINTED BY THOMPSON & CO., ST.-URSULE STREET.

An Act to incorporate the Ottawa Board of Lumber Manufacturers.

WHEREAS it would be greatly to the advantage of the Ottawa Lumber interests, were a salutary law enacted, whereby wise regulations could be introduced into the trade, correct statistical information respecting the same easily obtained, and the relation between the employer and the employed, rendered more simple, certain and effectual; And whereas it seems wise and politic to protect, promote and encourage a trade so advantageous to the Province at large: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. James Skead, Coll McDonnell, Joseph Aumond, John Supple, George Aird, Daniel McLachlin, Robert Conroy, William Mackie, N. Burwash, George Bryson, William Morris, Alexander McDonnell, Richard McDonnell, Joshua Smith, Joseph Smith, James Doyle, John Foran, Walton Smith, Ruggles Wright, Junr., Hiram Colton, Roderick Ryan, William Moffat, John Bell, Christopher Kelly, Alexander Caldwell, D. Hillyard, Samuel Dickson, Arthur McArthur, Robert Kernaghan, James Cahill, David Moore, David T. Brown, Robert Skead, John Dunlop, Louis Brissard, John Poupore, and all such other persons, being Lumber Manufacturers on the Ottawa River, and its tributaries, as shall, under the provisions hereinafter made, become members of the Corporation, shall be, and they are hereby constituted and declared a body corporate and politic, with all the powers, privileges and immunities hereby granted, subject, nevertheless, to all and every the restrictions, rules and regulations hereinafter expressed, for the Government, guidance and management of the same.

Parties incorporated.

Powers.

II. The said Corporation shall be called the Ottawa Board of Lumber Manufacturers, may have and use a corporate seal, and by and under the name aforesaid, may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all Courts of Law and places whatsoever, and by that name they and their successors shall have perpetual succession in the manner hereinafter provided.

Corporate Name, &c.

III. The Members of the said Corporation shall consist of all those known under the title of "Lumber Merchants," who may for the time being, be engaged in the manufacture or the getting out of square, round or sawed lumber for export, on the Ottawa River or its tributaries, and who shall assent to become members thereof.

Members of the Corporation

IV. The said Corporation shall be governed by a Board of Nine Directors, to be elected on the first Tuesday in January, in each and every year, from and by the Members thereof: Provided nevertheless, that no person shall be qualified to be elected Director as aforesaid, unless he shall have got out during the then preceding year, at least one thousand pounds worth of lumber, valued at the Quebec prices for such year.

Directors.

Proviso.

- President, &c. V. The said Board of Directors shall be presided over by a President^{nt} and a Vice-President, to be elected from and by the said Board: any
 Quorum. five of which Directors shall form a quorum, and shall be capable of passing By-Laws and transacting the business of the said Corporation.
- Office. VI. The Office of the said Corporation shall be held at the City of Ottawa, and shall be kept open daily (Sundays excepted) during such hours as may be provided by the By-Laws of the Corporation, and such place of meeting shall be considered as the legal domicile of the said Corporation, for the serving of any writ or process upon the same. 5
- Meetings. VII. The Board of Directors and Members of the said Corporation, shall hold all their meetings at the said office. 10
- Registrar. VIII. The Board shall appoint a Registrar and other necessary officers whose duties shall be regulated by By-Laws of the said Corporation.
- His books. IX. The said Registrar shall open books in the said office of the said Corporation of the enregistration of the names and designations of all those connected with and employed in the said trade. 15
- Registration of all persons employed in the Lumber Trade. X. All persons engaged in the manufacture or the getting out of square, round or sawed lumber for export, on the Ottawa River or its tributaries, shall register or cause to be registered on the books to be kept for that purpose at the Office of the said Corporation, in the City of Ottawa, the name, occupation, rate of wages, period of employment, and date of commencement of engagement, of each and every operative or other person employed by them on the Ottawa River or its tributaries, in the manufacture of lumber as aforesaid, such registration to be made in presence of the operative, if hired in the City of Ottawa. 20 25
- And of agreements. XI. The record of the agreement shall be fully explained to the operative by the Registrar, and the operative shall receive from the said Registrar at any time he may desire, a certificate of the agreement, on payment of such sum not exceeding *twenty-five cents.* as may be fixed by By-law of the Corporation in that behalf. 30
- An abstract of agreements to be sent to Registrar. XII. Parties hiring operatives or others for such manufactures as aforesaid on the Ottawa or its tributaries, elsewhere than in the City of Ottawa, shall forward or cause to be forwarded to the said Registrar in the said City of Ottawa, within thirty days from the date of the commencement of engagement, a statement containing the name, designation, rate of wages, period of employment, and date of commencement of engagement as aforesaid of each operative or other person so hired; the said statement shall be signed by such employed person, and also, by the manufacturer or agent so hiring, in presence of a competent subscribing witness. 35 40
- Recovery of penalties. XIII. All penalties incurred for infractions of this Act may be sued for and recovered in a summary manner, before any Justice of the Peace in the locality in which the offence shall have been committed, and one-half of the said penalty shall be paid to the person suing for the same, and the other half shall be paid to the Treasurer of the Board of Lumber Manufacturers hereby incorporated, to form part of the funds of the said Board. 45
- Penalty for not obeying. XIV. Any employer or agent as aforesaid, neglecting or refusing to comply with any of the requirements of sections Ten and Twelve of this

- Act, or causing or procuring any false enregistration to be made in terms thereof, shall be subject to a penalty of not more than *Forty Dollars* and not less than *Ten Dollars*, or to imprisonment for a term of not more than one month for every such offence. S S. 10 and 12.
- 5 XV. The Registration Books shall be open to all parties connected with the manufacture of lumber as aforesaid, on payment of a fee not exceeding ten cents for each search for any one name, and *one dollar* for each general search ; and for every registration made by the said Registrar, he shall be entitled to a fee not exceeding *ten cents*. Inspection of Registrars.
- 10 XVI. No By-Law of the said Corporation shall have any effect until approved of by a majority of the members present at a general meeting of the members of the Corporation called for that purpose, ten days' notice of the same having been previously given in two or more newspapers published in the City of Ottawa. By-laws to be published.
- 15 XVII. Minutes of all proceedings of the said Board shall be kept by the said Registrar, and shall be open at all reasonable times to public inspection. Minutes of corporation.
- 20 XVIII. Immediately after the passing of this Act, any five or more of the members of the Corporation may call a meeting of the members thereof at the City of Ottawa, by signing a notice therefor and publishing the same in the *Canada Gazette* and in two newspapers published in the City of Ottawa, in which notice the time of such meeting (which shall be at least one month after such notice shall have appeared in such papers,) and the particular place in the City at which it is to be held, shall be named ; and at such meeting the members present shall proceed to business, enact By-Laws and select a Board of Directors, which Directors shall immediately choose a President and Vice-President, who shall hold office until a new Board is elected. First meeting; how called, &c.
- 25 XIX. The said Corporation, through their President or Vice-President and Secretary, shall at all times truly answer all queries which by the Minister of Agriculture may be put to such Corporation, relating to its affairs and the trade and business of lumbering ; and for any neglect to make such answer the Directors of the said Corporation shall be severally liable to a penalty of *forty dollars* each, to be recovered to the use of Her Majesty in any Court of competent jurisdiction. Corporation to answer queries of Minister of Agriculture.
- 30 XX. Nothing in this Act contained shall be held to affect in any wise the right of any operative to prove the existence or terms of agreement which he may have made with any lumber merchant, or the recourse or lien of any such operative under such agreement, whether en-registered under this Act or not. Special saving clause.
- 40 XXI. Nothing in this Act shall affect any rights of Her Majesty, Her Heirs or Successors, or of any party or person whomsoever, such rights only excepted as are herein expressly mentioned. General saving clause.
- 45 XXII. This Act shall be deemed a Public Act, and shall continue in force until the first day of January, One Thousand Eight Hundred and Seventy, and from thence until the end of the then ensuing Session of Parliament, and no longer. Public Act. Duration.