

No. 23.

1st Session, 6th Parliament, 21 Victoria, 1858.

(LOCAL BILL.)

BILL

An Act to incorporate the Ottawa Board of
Lumber Manufacturers.

Received and read, first time, Friday, 9th
April, 1858.

Second reading, Wednesday, 14th April, 1858.

MR. W. F. POWELL.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to incorporate a “Board of Lumber Manufacturers of the Ottawa River and its tributaries.”

WHEREAS it would be greatly to the advantage of the Ottawa Preamble.
Lumber interests were some 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
5 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, &c., enacts as follows :

I. James Skead, Coll McDonnell, Joseph Aumond, John Supple, Names, &c.
10 George Aird, Daniel McLachlin, Robert Conroy, William Mackie, N. Burwash, George Bryson, William Morris, Alexander McDonnell, Richard McConnell, Joshua Smith, Joseph Smith, James Doyle, John Foran, Walton Smith, Ruggles Wright, jr., Hiram Cotton, Roderick Ryan, William Moffat, John Bell, Christopher Kelly, Alexander Caldwell, D.
15 Hillyard, Samuel Dickson, Arthur McArthur, Robert Kernaghan, James Cahill, David Moore, David T. Brown, Robert Skead, John Dunlop, Louis Brissard, John Poupore, and 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
20 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. Incorporation.

25 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 and style aforesaid, may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all the Courts of Law and places whatsoever, and by that name they and
30 their successors shall have perpetual succession in manner hereinafter provided. Name of the Corporation, and corporate powers.

III. The Members of the said corporation shall be composed 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
35 or sawed lumber, for export on the Ottawa River and its tributaries. Of whom the Corporation shall be composed.

Board to be
composed of
nine Directors,
annually
elected.
Proviso.

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 his lumbering business for the then preceding year shall have amounted to one thousand pounds or upwards. 5

President and
Vice-Presi-
dent.
Five a quo-
rum.

V. The said Board of Directors shall be presided over by a President and Vice-President, to be elected from and by the said Board; any five of which Directors shall form a quorum, and shall be capable of passing By-laws and transacting the business of the said corporation. 10

Office to be
open during
certain hours.

To be the legal
domicile.

VI. The office of the said Corporation, shall be held at the City of Ottawa, and shall be kept open daily (Sundays excepted) from nine o'clock, A. M., until nine o'clock, P. M., or during such other 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 said Corporation, 15 for the serving of any process or writ upon the same.

Meetings to be
held at said
office.

VII. The Board of Directors and members of said Corporation shall hold all their meetings at the said office.

To appoint a
Registrar, &c.

VIII. The Board shall appoint a Registrar and other necessary officers, whose duty shall be regulated by By-Law of the said Cor- 20 poration.

Registrar to
open books
&c.

IX. The said Registrar shall open books in the said office of the said Corporation for the enregistration of the names and designations of all those connected with and employed in said trade.

All operatives,
&c., to be duly
registered
in presence of
said opera-
tives.

X. All persons engaged in the manufacture or the getting out of 25 square, round or sawed lumber, for export on the Ottawa River and its tributaries, shall register or cause to be registered on the books of the hiring and registry office of the said Corporation in the City of Ottawa, the name, occupation, rate of wages, and date of commencement of engagement of each and every operative or other employed by them on 30 the Ottawa River and 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.

Agreement to
be read to
operative.

XI. The record of said agreement shall be fully explained to the operative by the Registrar, and the operative shall receive from the said 35 Registrar at any time he may desire, a certificate of the agreement, on payment of *one shilling and threepence* currency.

Parties hiring
elsewhere
than in Ottawa
City, to send
return of same
within thirty
days.

XII. Parties hiring operatives or others for the purposes aforesaid, elsewhere than in the City of Ottawa, shall forward or cause to be for- 40 warded 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, and date of commence- ment as aforesaid of each operative or other so hired; the said state- ment shall be signed by the operative opposite his respective name, and also by the manufacturer or agent so hiring. 45

XIII. Any employer or agent as aforesaid, neglecting or refusing to comply with sections X and XII of this Act, or making wilfully false statements respecting the same, shall be subject to a penalty of not more than twenty dollars and not less than two dollars, for each operative 5 or other he or they shall have so neglected to register.

Penalty for refusing to comply with secs. X and XII.

XIV. Any employee deserting the service of his employer, and any person harboring, concealing or encouraging said employee in such desertion, shall be subject to a penalty not exceeding forty dollars, or three months imprisonment, to be fixed by the By-law of the said Corporation, 10 and said employee shall be obliged shall return to his said employer, until his engagement shall be completed provided the employer shall so desire his return.

Penalty for desertion or harbouring.

XV. The registration books shall be open to all parties connected with the manufacture of lumber, as aforesaid, on payment of a fee of 15 *one shilling and three pence* for each search, and for every registration made by the said Registrar he shall be entitled to a fee of *one shilling and three pence*.

Fee for each search.

Registration fee.

XVI. The said corporation shall have power to make By-laws for all the purposes aforesaid, and also all other By-laws necessary for the due 20 carrying out of the true intent and meaning of this Act, and also for the good government and management of the said corporation, and to impose penalties for the violation of said By-laws to the extent of forty dollars, which penalties may be recovered on complaint at the instance of the said corporation, before any one Justice of the Peace for the locality 25 where the offender may be found.

Powers of the Corporation, &c.

By-laws.

XVII. No By-law of 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 news- 30 papers published in the City of Ottawa.

By-laws to be approved of at public meeting before having any effect.

XVIII. Minutes of all proceedings of the said Board shall be kept by the said Registrar.

Minutes to be kept.

XIX. Immediately after the passing of this Act, any five or more of the members of the said Corporation may call a meeting of the mem- 35 bers 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 first appeared in such papers), and the particular place in the City at which 40 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 and election of directors, president, &c.

XX. The said Corporation, through their President or Vice-president 45 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 in which such Corporation is interested; and for any neglect to make such answer the Directors of the

Corporation to furnish information to Board of Agriculture.

- Penalty for neglect. 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.
- Rights of the Crown, &c., saved. **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 5 only excepted as are herein expressly mentioned.
- Public Act. **XXII.** This Act shall be deemed a public Act.