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No. 45.

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

(PRIVATE BILL.)

BILL.

An Act to incorporate the Quebec Tradesmen's Colonization Society.

Received and read, first time, Friday, 16th
April, 1858.

Second reading, Tuesday, 20th April, 1858.

MR. SIMARD.

TORONTO

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to incorporate the Quebec Tradesmen's Colonization Society.

WHEREAS Stanislas Drapeau, president, Gregoire Darveau, vice-president, Samuel Benoit, secretary-treasurer, Odilon Boulet, Charles Riverin, Louis Plamondon, Benjamin Vohl, Joseph Langlois, Germain St. Pierre, Antoine Lapointe, Adolphe Tourangeau, Louis Jobin, 5 Jean Vezina, Eusebe Renaud, and Etienne Devarences, all tradesmen of the City of Quebec have, by their petition, humbly represented that they have formed a society for the settlement of uncultivated lands in Lower Canada, and that in order to give such society every requisite power, it is necessary to incorporate the same : Therefore Her Majesty, &c., enacts 10 as follows :

- I. The said Stanislas Drapeau, Gregoire Darveau, Samuel Benoit, Odilon Boulet, Charles Riverin, Louis Plamondon, Benjamin Vohl, Joseph Langlois, Germain St. Pierre, Antoine Lapointe, Adolphe Tourangeau, Louis Jobin, Jean Vezina, Eusebe Renaud, Etienne Devaranes and all such other persons as now belong or hereafter may belong to the said society, are by these presents incorporated under the name and style of "the Quebec Tradesmans' Colonization Society" and as such may sue and be sued in all Courts of Justice and be subject to all the obligations, duties and rights of corporate bodies. Certain person incorporated.
- II. The capital of the said society shall not exceed the sum of fourteen thousand dollars current money of this Province, divided into shares of sixty-two dollars each, and such shares shall be moveable property, and as such, may be transferred under such rules as now are or may hereafter be made in relation thereto. Amount of capital stock and number of shares.
- III. No shareholder shall be liable for more than the amount of shares held by him, and moreover only for the amount which may be due by him upon such shares. Liability of Shareholders limited.
- IV. The capital stock shall be employed in purchasing uncultivated lands in such localities as may have been chosen at a meeting of the shareholders as hereinafter stated, and in clearing and doing such works as may be found necessary to bring the said lands under cultivation. Purposes to which capital stock shall be devoted.
- V. At the time of the dissolution of the said society, the produce of the cleared lands shall belong to the society, and shall be used for the purposes thereof, until a division of such produce be made among the Shareholders. Proceeds of cleared lands, how devoted.
- VI. Every shareholder will be entitled to one hundred acres of land in superficies, more or less, but no one shall hold more than two shares. Each Shareholder may have 100 acres of land.

Officers, their number and duties.

VII. The officers of the society shall be : a president, vice-president, and a secretary-treasurer, whose duties shall be defined by the rules which are made or hereafter may be made as hereinafter stated.

Duties of Secretary-Treasurer.

VIII. The secretary-treasurer shall receive all sums of money due to the society, and will deposit the same in an incorporated bank according to the rule which will be made respecting the same by the board of direction hereinafter named. 5

As to monies deposited in the Bank.

IX. No sum of money deposited in the bank shall be withdrawn therefrom, without an order signed by the president or vice-president and countersigned by the secretary-treasurer. 10

Annual general meetings.

X. On the first Tuesday in September of each year (or on the next day, should such Tuesday happen to be a holiday,) a general meeting of all the stockholders will take place, for the purpose of electing the officers and the Board of Direction of the society, after public notice of at least one month shall have been given, in one or more newspapers published in the City of Quebec, previous to the said first Tuesday in September. 15

Election of officers.

XI. The election of the officers and of the board of direction shall be carried by a majority of the votes of the shareholders: and the persons so elected shall remain in office during one year, but nothing shall prevent them from being re-elected. 20

Board of direction.

XII. The Board of Direction shall be composed of fifteen members, including the officers of the society.

Duties of board of direction.

- XIII. The duties of the board of direction shall be :
- 1o. To appoint all the servants of the society, to discharge them and appoint others when found necessary ; to pay them salaries if the board should consider the same right, and to define the duties to be performed by them. 25
 - 2o. To determine what shall be the form of the shares, and in what manner any transfer thereof shall be made.
 - 3o. To fix the amount of and the period at which calls shall be paid by the shareholders, and to impose a fine not exceeding five shillings currency per share on every shareholder neglecting to pay. 30
 - 4o. To order the payment of all sums of money, necessary for the purposes of this Act.
 - 5o. To borrow for and in the name of the Society a sum of money not exceeding four thousand dollars currency, at a rate of interest not exceeding six per cent. per annum, and to mortgage all the property of the Society for the same. 35
 - 6o. To carry out all the rules and regulations of the Society.
 - 7o. To lay before the shareholders every year at their annual meeting a detailed statement of the affairs of the Society. 40
 - 8o. To make, from time to time, such rules for the administration and government of the Society as may be necessary, and to modify, alter and repeal the same whenever found requisite ; Provided such rules be not contrary to the laws of this Province nor to the provisions of this Act. 45
 - 9o. To call a general meeting of the shareholders whenever thought necessary, or upon a requisition in writing addressed to the President and signed by three shareholders.

Proviso.

XIV. Eight members of the board of direction shall form a quorum capable of exercising all the powers conferred by this Act. .

Quorum of board.

XV. The general meetings of the shareholders shall be presided over by the president, and in his absence by the vice-president ; and if both should be absent, then by such shareholder as may be chosen by the meeting.

President to preside at general meetings.

XVI. The meetings of the board of direction shall be presided over by the president or vice-president, and in their absence, by such member present as may be chosen by the meeting.

And at meetings of board of direction.

XVII. A general meeting of the shareholders must be composed of at least twenty-five members.

Quorum at general meetings.

XVIII. At any general meeting of the board of direction, in case the votes should be equally divided the president shall have the casting vote.

President to have casting vote.

XIX. The shares of any shareholder who shall neglect or refuse to pay one or more calls, after five months' arrears have become due, shall be forfeited for the benefit of the Society, after notice in writing shall have been given of the same by the Secretary and left at his domicile : If within one month from the day on which notice shall have been received, such shareholder has not paid the calls due, his shares shall be and remain forfeited for the benefit of the Society without any other formality, and the board of direction shall dispose of the same in such manner as may be deemed most advantageous : Such shareholder shall forfeit all the calls previously paid by him, without prejudice to the right of the Society to recover at law the balance due by any shareholder upon the shares thus forfeited.

Forfeiture of shares in certain cases.

XX. The division of the lots of land and other property of the Society amongst the shareholders shall be made according to the rules which may be made respecting the same by the board of direction ; but such rules shall be submitted for approval to a general meeting of the shareholders.

How division of property shall be made.

XXI. The Society shall have the right, by virtue of a by-law to that effect, to increase the amount of shares beyond the sum limited by the second section of this Act, to such amount as may be necessary to fulfil the object for which the Society has been established, and it shall then be dissolved, the board of direction having, however, previously made a division as provided for in the preceding section : Such by-law must be approved of at a general meeting.

Capital stock may be increased.

XXII. The first meeting for the election of officers and of the board of direction, in virtue of this Act, shall take place within six months from the passing of this Act, and such meeting shall be called by public notice as provided for by section ten, and shall be presided over by such shareholder as shall be chosen by the meeting.

First meeting for election of officers, &c.

XXIII. The present rules and regulations of the Society shall remain in force until such time as they shall have been altered or repealed by the board of direction, as provided for in section thirteen ; Provided such rules be not contrary to the laws of this Province nor to this Act.

Present rules to remain in force. Proviso.

XXIV. The Interpretation Act shall apply to this Act, which shall be deemed a public Act.

Public Act.