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1st Session, 8th Parliament, 27 Victoria, 1863.

BILL.

An Act to amend and consolidate the several Acts incorporating and relating to the City Bank.

(PRIVATE BILL.)

Received and read, first time, Tuesday, 8th
September, 1863.

Second reading, Wednesday, 9th September,
1863.

Hon. Mr. ROSE.

QUEBEC:
PRINTED FOR THE CONTRACTORS BY HUNTER,
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BILL.

An Act to amend and consolidate the several Acts incorporating and relating to the City Bank.

WHEREAS the City Bank have prayed that the Act by which they are incorporated, and the several Acts amending the same, may be amended and consolidated, and it is expedient to grant their prayer : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows : Preamble.

1. The Shareholders of the City Bank, incorporated by an Act of the Parliament of that part of the Province called Lower Canada, passed in the 3rd year of the Reign of His late Majesty King William the Fourth, and intituled, "*An Act to incorporate certain persons therein mentioned under the name of the "CITY BANK," to be established at Montreal,*" (which said corporation was subsequently continued by Letters Patent of His said Majesty, bearing date the 31st day of May in the 7th year of the Reign of His said Majesty, and afterwards extended by an Act of the Legislature of this Province, intituled "*An Act to extend the Charter of the City Bank, and to increase the Capital Stock thereof,*") and the respective heirs, executors and assigns of such Shareholders, are and shall be and continue to be, during the continuance of this Act, a body politic and corporate, by and under the name of The City Bank, and as such may acquire and hold such real estate, not exceeding the annual value of twenty thousand dollars currency, as may be necessary for the convenient management of their business ; and may from time to time sell, alienate and convey all or any part of the same, and acquire and hold other real estate in lieu thereof for the said purpose ; but nothing herein contained shall be construed to make the said Bank a new corporation, or in any way to affect any right or liability of the said Bank, nor any existing power or powers of Attorney, or any action, suit, or proceeding pending at the time of the passing of this Act. Acts and Letters Patent establishing Bank cited.

2. The Capital Stock of the Bank is and shall be one million and two hundred thousand dollars, currency ; which capital is and shall be divided into fifteen thousand shares of eighty dollars each. Capital Stock \$1,200,000.

3. The chief seat or place of business of the Bank shall be in the City of Montreal ; but the Directors may, from time to time, open and establish branches or Agencies of the Bank at other places in this Province ; and for the management of the same may appoint either local Directors or Managers, or Agents ; or all, or any one or more of them, and make such rules and regulations for their guidance as shall not be repugnant to any law of this Province: provided always, that no person shall be appointed a Local Director unless he shall be a holder and absolute owner, in his own name and right, (and not in trust for any purpose or person, or in trust simply,) of not fewer than ten shares wholly Place of Business, &c.
Proviso.

paid up, of the Capital Stock of the Bank, and be also a natural-born or naturalized subject of Her Majesty.

Affairs to be managed by five Directors.

4. The affairs of the Bank shall be managed by five Directors, who shall be annually elected by the Shareholders, at a general Meeting to be held on the first Monday of June, at which the Shareholders shall vote according to the scale hereinafter established; and the Directors elected by a majority of the votes shall be capable of serving as Directors during the ensuing twelve months, and until they shall be replaced by their duly elected successors: At their first meeting after their election, the Directors shall choose from among themselves a President, and a Vice-President, who, respectively shall hold their offices during the same period. In case of a vacancy occurring in the number of the Directors, the remaining Directors shall fill the same by election from among the other Shareholders; and if the vacancy also cause the vacancy of the office of President or of Vice-President, the Directors, at the meeting at which they shall have completed their number, or at their first meeting thereafter, shall choose from among themselves a President or a Vice-President, to continue in office during the remainder of the same period: Provided always, that each of the Directors shall be, and during the three months immediately preceding his election shall have been the holder and absolute owner, in his own name and right, (and not in trust for any purpose or person, or, in trust simply,) of not less than forty shares, wholly paid up, of the Capital Stock of the Bank, and shall be a natural-born or a naturalized subject of Her Majesty, and be actually domiciled in, or within nine miles of the City of Montreal. And, provided also that it shall be lawful for the Stockholders at any Annual General Meeting to pass a By-Law, directing that three of the Directors in office at the periods of each annual election, shall be re-elected for the ensuing twelve months; And provided also that the present Directors shall remain in office until they shall be replaced by their successors, duly elected at the Annual Meeting of the Shareholders to be held next after the passing of this Act.

Qualification of Directors.

Failure of election by Board.

5. The failure of an election of Directors on the day fixed by this Act shall not affect the corporate existence or powers of the Bank; but such election may be made at any subsequent time, at a general meeting of the Shareholders, duly called for that purpose.

Books and correspondence of Bank.

6. The books, correspondence, and funds of the Bank shall at all times be subject to the inspection of the Directors, but no Shareholder not being a Director, shall inspect or be allowed to inspect the account of any person dealing with the Bank.

Quorum, and who shall preside.

7. At all meetings of the Directors, not fewer than two of them shall constitute a board or quorum for the transaction of business; and at every such meeting the President, or in his absence, the Vice-President, or in their absence, one of the Directors present to be chosen *pro tempore*, shall preside, and the President, Vice-President, or President *pro tempore* so presiding, shall vote as a Director, and if there be an equal division on any question, shall also have a casting vote.

May make By-laws, &c.

8. For the management of the affairs of the Bank, the Directors may from time to time, make and enact By-Laws, not repugnant to this Act, or to any law of this Province, and may alter and repeal the same, but no such By-Law hereafter made, shall have force or effect until it shall have been confirmed by the Shareholders; and of the intention of the Directors to submit any By-Law to the Shareholders for confirmation, six weeks' public

notice shall previously be given, in which however it shall not be necessary to embody the proposed By-Law ; Provided always that the By-Laws (numbered from one to twenty inclusive,) heretofore passed by the Directors and of record among the minutes of the Bank are and shall continue in force until altered or repealed.

9. The Directors may annually appropriate a sum of money, not exceeding four thousand dollars from the general funds of the Bank, to the remuneration of the services of the President and Directors, as such ; and may annually apportion the same among themselves in such manner, or according to such rule as they in each year shall see fit. No Director shall, during his service as such, act as a private Banker or as a Director, Manager, or Officer of any other Bank, (Savings Banks excepted) or Banking Company, either public or private.

10. The Directors shall appoint all such Cashiers, Managers, Agents, Clerks, and other Officers and Servants as shall be necessary for conducting the business of the Bank, and allow them reasonable compensation for their services ; provided always that no person so appointed shall be permitted to enter upon the duties of his office until he shall have given bond or other sufficient security to the satisfaction of the Directors, with condition for good and faithful behaviour, that is to say : the Chief Cashier in a sum not less than five thousand pounds currency, and every other Cashier, and every Manager, Agent, Clerk, or other Officer or Servant in such sum as the Directors shall deem commensurate with the trust to be reposed.

11. The Directors shall make half-yearly dividends of so much of the profits of the Bank as to them shall appear advisable ; and such dividends shall be payable at such place or places as the Directors shall appoint, and of which they shall give public notice thirty days' previously : Provided always that no dividend shall in any manner lessen or impair the Capital Stock of the Bank.

12. A general meeting of the Shareholders of the Bank shall be held at the Bank, in the City of Montreal, on the first Monday in the month of June in every year, for the purpose of electing Directors, and for all other the general purposes and affairs of the Bank ; and at every such annual general meeting the Directors shall submit a full and clear statement of the affairs of the Bank.

13. A special general meeting of the Shareholders at their usual place of meeting in the City of Montreal, may at any time be called by not fewer than three of the Directors, or the same may at any time be called by any number, not less than forty, of the Shareholders, who, in their own names and rights, are proprietors of not fewer than eight hundred shares, wholly paid up, of the Capital Stock of the Bank ;—six weeks' public notice, specifying the particular object or objects of the meeting, shall previously be given of every such meeting ; and if the object be to consider the proposed removal of the President, Vice-President, or a Director for mal-administration, or other specified and apparently just cause, the person whom it is proposed to remove may be suspended by a vote of the Directors from the duties of his office ; and if the proposed removal be that of the President, or of the Vice-President, if he be removed or suspended, the vacancies so created shall be filled by the remaining Directors, by a vote of the Board should they deem it necessary, in the manner provided for in the case of an ordinary vacancy of either of those offices, until the enquiry or suspension (as the case may be) be decided or cease.

Scale of Rates by Shareholders.

14. At every meeting of the Shareholders, they shall, respectively, be entitled to vote according to the following scale, that is to say: for one share and not more than two, one vote; for every two shares above two, and not exceeding ten, one vote, making five votes for ten shares; for every four shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares; for every six shares above thirty, and not exceeding sixty, one vote, making fifteen votes for sixty shares; and for every eight shares above sixty, and not exceeding one hundred, one vote, making twenty votes for one hundred shares; and no stockholder shall be entitled to give a greater number of votes than twenty; absent Shareholders may give their votes by proxy, such proxy being also a Shareholder, and being also provided with a written authority from his constituent or constituents in the form established by the By-Laws, and which authority shall be lodged in the Bank: Provided always that no share, held for less than three calendar months immediately prior to the meeting of the Shareholders, shall entitle the holder thereof to vote at such meeting, either in person or by proxy; and where two or more persons are joint holders of a share, one only of them, empowered by letter of Attorney from the other or others, or a majority of the others of them, shall be entitled to represent such share, and vote accordingly; and provided also that no Shareholder, not a natural born, or naturalized subject of Her Majesty, shall either in person or by proxy, vote at or assist in calling any meeting of the Shareholders; anything in this Act, or in any law or usage to the contrary notwithstanding.

Shareholders must be natural born subjects in certain cases.

Cashiers and Officers, not to Vote.

15. No Cashier, Manager, Agent, Clerk, Teller, or Servant of the Bank, shall vote, either in person or by proxy, at any meeting for the election of Directors, nor hold a proxy for the purpose.

Shares to be personal Estate.

16. Every share of the Capital Stock shall be held to be personal estate, and be transferable accordingly, and also shall be transferable at the Bank, according to the form of Schedule A, annexed to this Act: but no transfer shall be valid and effectual unless it be made and registered in a book to be kept at the Bank for that purpose, and be therein accepted by the party to whom the transfer shall be made, or his lawful Attorney: The Directors may refuse to allow the transfer of any shares of Stock, until the transferring party shall have previously discharged all his debts and liabilities to the Bank exceeding in amount the value of his remaining shares, if any, and no fractional part or parts of a share shall be transferable; Provided always, that the Directors may from time to time make any given number of the shares of the Capital Stock transferable, and the dividends arising thereon payable in the United Kingdom, in like manner as such shares and dividends, are now respectively, transferable and payable at the Bank in the City of Montreal, and to that end, the Directors may, from time to time, make and prescribe such rules, regulations and forms, and appoint such Agent or Agents as they may deem necessary.

Directors may open transfer books in the United Kingdom.

How transmission of interest shall be authenticated.

17. The transmission of the interest in any share of the Capital Stock, in consequence of the death, bankruptcy, or insolvency of a Shareholder, or of the marriage of a female Shareholder, or by any other lawful means than an ordinary transfer under the preceding section, shall be authenticated by a declaration in writing made and signed by the party claiming the transmission or his lawful Attorney, or in such other manner as the Directors shall require, every such declaration shall distinctly state the manner in which and the party to whom the transmission has been made; and shall be, by the party making and signing the same, acknowledged before a Judge of a Court of Record, or before the Mayor, Provost, or

Chief Magistrate of a city, town, borough, or other place, or before a Public Notary, or before the President, or a Cashier, Manager, or local agent of the Bank, at the place where the same shall be made and signed, and when so signed and acknowledged shall be left with the Cashier, 5 Transfer Clerk, or other officer of, and at the Bank in the City of Montréal; together with such original or officially authenticated documents or extracts, as shall be necessary to substantiate the essential averments in the declaration; and thereupon the party claiming and proving the transmission shall be entitled to have his name duly recorded in the register 10 of shareholders in lieu of the name of the original Shareholder from whom the same was transmitted; and until the transmission shall have been authenticated as aforesaid, no person claiming the transmission shall be entitled to receive any share of the profits of the Bank, or to vote in respect of the share or shares in question; and any person willfully making a 15 false declaration shall, on conviction, be deemed guilty of a misdemeanor, and be punished accordingly; Provided always, that every such declaration as shall be made and signed elsewhere than in the British dominions shall be further authenticated by, or shall be directly acknowledged before the British Consul, Vice-Consul, or other accredited representative of the 20 British Government in the country where the declaration shall be made; and provided also that nothing herein contained shall be held to debar the Bank, or the Directors, Cashier, Transfer Clerk or other Officer or Agent of the Bank from requiring further corroborative and authentic evidence of any essential fact or facts alleged in any such declaration, or 25 touching the transmission claimed by, or the identity of the party claiming the same.

18. If the transmission of a share of the Capital Stock of the Bank be by virtue of the marriage of a female Shareholder, the declaration of transmission shall be made and signed by such female Shareholder and her 30 husband, and it shall be competent to them to include therein a declaration to the effect that the share or shares transmitted is the sole property, and under the sole control of the wife, that she may receive and grant receipts for the dividends and profits accruing in respect thereof, and dispose of and transfer the share itself without requiring the consent or authority of 35 her husband, and such declaration shall be binding upon the Bank and the parties making the same, until the said parties shall see fit to revoke it by a written notice to that effect to the Bank; and further, the omission of a statement in any such declaration that the wife making the same is 40 duly authorized by her husband to make the same, shall not cause the declaration to be deemed either illegal or informal, any law or usage to the contrary notwithstanding.

19. Whenever the interest in any share or shares of the Capital Stock of the said City Bank, shall be transmitted by the death of 45 any Shareholder or otherwise; or whenever the ownership of a legal right of possession in any such share or shares shall change by any lawful means other than by transfer according to the provisions of the Act of Incorporation of the Bank and of this Act, and the Directors of the said Bank shall entertain reasonable doubts as to the legality of any claim to 50 and upon such share or shares of Stock, then and in such case it shall be lawful for the said City Bank to make and file in the Superior Court for Lower Canada, a declaration and petition in writing addressed to the Justices of the said Court, setting forth the facts and the number of shares 55 previously belonging to the party in whose name such shares stand in the books of the Bank, and praying for an order or judgment adjudicating or awarding the said shares to the party or parties legally entitled to the

same, and by which order or judgment the Bank shall be guided and held fully harmless and indemnified and released from all and every other claim for the said shares, or arising therefrom; Provided always that notice of such petitions shall be given to the party claiming such shares, who shall upon the filing of such petition establish his right to the several shares referred to in such petition; and the delays to plead and all other proceedings in such cases shall be the same as those observed in interventions in cases pending before the said Superior Court; provided also that the costs and expenses of procuring such order and adjudication, shall be paid by the party or parties to whom the said shares shall be declared lawfully to belong, and such shares shall not be transferred until such costs and expenses be paid, saving the recourse of such party against any party contesting his right.

Bank not bound to see to execution of Trust.

20. The Bank shall not be bound to see to the execution of any trust, whether express, implied, or constructive, to which any share of the Bank may be subject, and the receipt of the party in whose name any such share shall stand in the books of the Bank, or if it stand in the names of more parties than one, the receipt of one of the parties, shall from time to time be a sufficient discharge to the Bank for any dividend, bonus or other sum of money payable in respect of such share, notwithstanding any trust to which such share may then be subject, and whether or not the Bank have had notice of such trust; and the Bank shall not be bound to see to the application of the money paid upon such receipt; any law or usage to the contrary notwithstanding.

Bank not to hold Real Estate, except in certain cases, nor to lend money on Mortgage, &c.

21. The Bank shall not, either directly or indirectly acquire or hold any real estate, other than such as by the first section of this Act they are authorized to acquire and hold, and also except as hereinafter provided, nor any ship or other vessel, nor any share of their Capital Stock, or of the Capital Stock of any other incorporated or unincorporated company; nor shall the Bank, either directly or indirectly lend money or make advances upon the security, mortgage, or hypothecation of any real estate, or of any share of their own Capital Stock, or of any goods, wares, or merchandise, nor shall the Bank, either directly or indirectly, raise loans of money, or deal in the buying, selling, or bartering of goods, wares, or merchandize; or engaged, or be engaged in any trade whatever, except as dealers in gold and silver bullion, bills of exchange, discounting of promissory notes, and negotiable securities for money, and in such trade generally as legitimately appertains to the business of banking: provided always that the Bank may take and hold mortgages and hypothecques on real estate in this Province, and on ships and other vessels, and security on personal property, by way of additional security for debts contracted to the Bank in the course of their dealings; and also may take in payment or purchase real estate from debtors or parties, in settlement of debts contracted in the ordinary course of business or in winding up insolvent estates, and take any outstanding mortgages, judgments, or other charges upon real or personal property of any debtor of the said Bank; Provided always that nothing herein contained shall be construed as affecting or depriving the Bank of the benefit of any of the provisions of Chap. 54 of the Consolidated Statutes of Canada, or of any Act or Acts amending the same; the provisions of all which shall apply to the Bank in the same manner, and to the same extent as heretofore.

Directors liability to the Bank.

22. The aggregate amount of discounts and advances made by the Bank upon commercial paper or securities bearing the name of any Director, or the partnership name of any Director of the Bank, shall never at any

one time, exceed one-tenth of the total amount of the discounts and advances made by the Bank at the same time.

23. The Bank may allow and pay interest, not exceeding the legal rate in this Province, upon moneys deposited in the Bank; and, in discounting promissory notes, bills, or other negotiable securities on paper, may receive or retain the discount thereon at the time of discounting or negotiating the same; and when notes, bills, or other negotiable securities, or paper, are *bona fide* payable at a place within the Province different from that at which they are discounted, the Bank may also, in addition to the discount, receive or retain an amount not exceeding one-half per centum on the amount of every such note, bill, or other negotiable security or paper to defray the expenses of agency and exchange attending the collection of every such note, bill, or other negotiable security, or paper, and the Bank may charge any note or bill held by and payable at the Bank against the deposit account of the maker of such note, or acceptor of such bill, and (after protest) against any endorser of such note or bill, at the maturity thereof; any law, statute or usage to the contrary notwithstanding.

Bank may allow interest.

May retain commission.

May charge unpaid notes to make or endorse in certain cases.

24. The bonds, obligations, and bills obligatory and of credit of the Bank under the common seal, and signed by the President or Vice-President, and countersigned by the Cashier or other officers appointed by the Bank, which shall be made payable to any person or persons; shall be assignable by endorsement under the hand or hands of such person or persons, and of his or their assign or assigns, and so as absolutely to transfer and vest the property thereof in the several assigns successively; and to enable such assign or assigns to bring and maintain an action or actions thereon in his or their own name or names, and signification of any such assignment by endorsement shall not be necessary, any law or usage to the contrary notwithstanding, and bills or notes, or letters of credit of the Bank, signed by the President or Vice-President, or by a Cashier or other Officer appointed by the Bank in that behalf, promising the payment of money to any person or persons; or to his or their order, or to the bearer, though not under the Common Seal, shall be binding and obligatory upon the Bank, and shall be assignable and negotiable in like manner as if they were made and issued by a private person in his natural capacity.

Bonds of Bank and bills to be binding.

25. The notes and bills of the Bank made payable to order, or to bearer, and intended for general circulation, whether the same shall issue from the chief place or seat of business of the Bank, in the City of Montreal, or from any of the branches or agencies, shall be payable on demand, in specie, at the place where they bear date; and a suspension of payment on demand, in specie; at any such place, of any such notes or bills of the Bank, shall, if the time of suspension extend to sixty days consecutively, or at intervals within any twelve consecutive months, operate as, and be a forfeiture of the Incorporation, and of all the privileges of the Incorporation of the Bank.

Notes and bills how and where to be payable, &c.

26. The total amount of the bank notes and bills of the Bank, of all values, in circulation at any one time shall never exceed the aggregate amount of the paid up capital stock of the Bank, and the gold and silver coin and bullion, and debentures or other securities reckoned at par, issued or guaranteed by the Government under the authority of the Legislature of this Province, on hand, and of those bank notes and bills in circulation at any one time, not more than one-fifth of the said aggregate amount shall be in bank notes or bills under the nominal value of one

Amount of Bank Notes in circulation allowed.

pound currency each ; but no bank note or bill of the Bank under the nominal value of five shillings shall be issued or put in circulation.

Total amount
of Debts of
the Bank.

27. The total amount of the debts of the Bank shall, at no time, exceed three times the aggregate amount of the paid up Capital Stock, and the deposits in specie and Government securities for money ; and in cases of excess, the Bank shall forfeit their Incorporation and all the privileges thereof, and the Directors under whose administration the excess shall happen, shall be liable, jointly and severally, for the same, in their private capacities, as well to the Shareholders as to the creditors of the Bank ; and an action or actions in this behalf may be brought against the Directors, or any one or more of them, and the heirs, executors and administrators of the Directors, or any one or more of them, and be prosecuted to judgment and execution according to law ; but such action or actions shall not exempt the Bank, or the lands and tenements, goods and chattels of the Bank, from being also liable for the excess ; Provided always, that if any Director present at the time of contracting any such excess of debt, do forthwith, or if any Director absent at the time of contracting any such excess of debt, do within two days after he shall have obtained a knowledge thereof, enter on the minutes or register of proceedings of the Directors, his protest against the same, and do within eight days thereafter, publish such protest in at least two newspapers published in the City of Montreal, such Director may thereby, and not otherwise, exonerate and discharge himself, his heirs, executors and administrators, from the liability aforesaid, anything herein contained, or any law or usage to the contrary notwithstanding ; but such publication shall not exonerate any Director from his liability as a Shareholder.

Assets of
the Bank
insufficient.
Shareholders
liability.

28. In the event of the property and assets of the Bank becoming insufficient to satisfy the liabilities thereof, the Shareholders in their private or natural capacities, shall be liable for the deficiency, but to no greater extent than double the amount of the paid up capital, that is to say ; the liability of each Shareholder shall be limited to the amount, to wit, the forfeiture of his share or shares of the Capital Stock, and a further sum of money equal in amount thereto :—Provided always, that nothing in this section contained shall be constituted to alter or diminish the additional liabilities of the Directors of the Bank in this Act mentioned and declared.

Directors to
make
statements
and publish
in Canada
Gazette, &c.

29. Within the first three weeks of every month, the Directors shall make up and publish in the *Canada Gazette*, and shall if required, also transmit to the Governor, a statement of the assets and liabilities of the Bank on the last day of the preceding month, in the form of the schedule B, herenunto annexed, and if at any time required by the Governor shall verify any such statement by the production of the balance sheets from which the same shall have been compiled ; and furthermore, shall, when required, furnish the Governor with such further information respecting the state and proceedings of the Bank, and of the several Branches and Agencies thereof, as the Governor may reasonably see fit to call for ; Provided always that the balance sheets, and the further information so furnished shall be held by the Governor to have been, and to be so furnished in strict confidence that the same shall not be divulged or made public, and that nothing herein contained shall authorize the Directors to make known to the Governor the private account of any person having dealings with the Bank.

Bank not to
advance
money to
Foreign
Princes, &c.

30. The Bank shall not, at any time whatever, directly or indirectly, advance or lend to, or for the use of, any Foreign Prince, Power, or State, any sum or sums of money, or any securities for money, and if any such

unlawful advances or loan be made, then and from the time of making the same, the Bank, as a corporation, shall be dissolved, and all the powers, authorities, rights, privileges and advantages hereby granted shall cease and determine, any thing in the aforesaid Act of Incorporation, or 5 in this Act to the contrary notwithstanding.

31. It shall be the duty of the Directors of the Bank to invest and keep invested at all times in the Debentures of this Province, or secured in the Consolidated Municipal Loan Fund, one-tenth part of the whole paid up Capital of the Bank, and to make a return of the numbers and amount of 10 such Debentures, verified by the oaths and signatures of the President and Chief Cashier or Manager of the Bank, to the Minister of Finance, in the month of January of each year, under the penalty of the forfeiture of the Charter of the Bank, in default of such investment.

32. The several public notices of this Act required to be given, shall 15 be given by advertisement in two or more of the Newspapers published in the City of Montreal, and in the official Newspaper, called the *Canada Gazette*.

33. On complaint made upon the oath of one credible person, to the effect that there is just cause to suspect that any person is, or has been 20 concerned in making or counterfeiting any bank note, or bills of the Bank, any Magistrate may, by warrant under his hand, cause the dwelling house, room, workshop, out-house, or other building, yard, garden, or other place where such person shall be suspected of carrying on such making or counterfeiting, to be searched, and all such counterfeit bank 25 notes and bills, and all such plates, dies, rolling presses, tools, instruments, and materials used in, or apparently adapted to the making or counterfeiting of bank notes or bills, as shall be found therein or thereon, shall forthwith be carried before the same, or any other Magistrate, who shall cause them to be secured and produced upon any prosecution in relation 30 thereto in a Court of Justice, and the same after being so produced in evidence, shall be defaced or destroyed, or otherwise disposed of at the discretion of the Court.

34. If any person, whether an Officer or Servant of the Bank or not, shall, knowingly and wilfully falsify any account, book of account, balance 35 sheet, or statement, in, of, or relating to the Bank, whether by erasure or false addition, or by the omission of any thing which ought to appear therein, or the insertion of any thing which ought not to appear therein, or by the opening of any fictitious account, or by any other means whatsoever, with the intent to defraud the said Bank, or any person whomsoever, 40 or with the intent to exhibit a false statement of the affairs of the Bank, or the position of any account or book of account therein, such person shall be deemed guilty of felony, and shall be punished accordingly.

35. And whereas it may be deemed expedient that the name or names of the person or persons intrusted and authorized by the Bank to sign bank 45 notes and bills on behalf of the Bank should be impressed by machinery, in such form as may from time to time be adopted by the Bank, instead of being subscribed in the handwriting of such person or persons respectively; and whereas doubts might arise respecting the validity of such notes and bills; be it therefore further declared and enacted, that all Bank notes 50 and bills of the City Bank, whereon the name or names of any person or persons intrusted or authorized to sign such notes or bills on behalf of the Bank, shall or may become impressed by machinery provided for that

purpose by or with the authority of the Bank, shall be and be taken to be good and valid, to all intents and purposes, as if such notes and bills had been subscribed in the proper handwriting of the person or persons entrusted and authorized by the Bank to sign the same respectively, and shall be deemed and taken to be bank notes or bills within the meaning of all laws and statutes whatever, and shall and may be described as bank notes or bills in all indictments, and all civil or criminal proceedings whatsoever; any law, statute, or usage whatsoever to the contrary notwithstanding.

Act, a public Act. 36. This Act shall be a public Act, and shall be called and known as the Charter of the City Bank, and the Interpretation Act shall be applicable thereto. 10

Act repealed. 37. The Act of Incorporation mentioned in the first section of this Act, and the several Acts subsequently passed in amendment of, or in addition to the same, (in so far as they are repugnant to, or inconsistent with this Act.) are hereby repealed. 15

Act to remain in force, till 1879. 38. This Act shall be, and remain in force until the first day of June in the year one-thousand eight-hundred and seventy, and from that time until the end of the then next session of the Parliament of this Province, and no longer.

SCHEDULE A.

Referred to in the foregoing Act.

For value received from I. (or we) of do hereby assign and transfer unto shares, (on each of which has been paid pounds,) currency, amounting to the sums of (pounds) in the Capital Stock of the City Bank, subject to the rules and regulations of the Bank.

Witness my (or our) hand (or hands) at the said Bank, this day of , in the year one-thousand eight-hundred and (Signature),

I, (or we) do hereby accept the shares above transferred.
Witness my (or our) hand (or hands) at the Bank this day of , one thousand eight hundred and (Signature),

SCHEDULE B.

Referred to in the foregoing Act.

Return of the average amount of Liabilities and assets of the City Bank on the day of 18

LIABILITIES.

Promissory Notes in circulation not bearing Interest \$
Bills of Exchange in circulation not bearing Interest,
Bills and Notes in circulation bearing Interest,
Balance due to other Banks,
Cash deposits, not bearing interest,
Cash deposits bearing Interest,
Total Liabilities,

ASSETS.

Coin and Bullion, - - - - -	\$
Landed or other Property of the Bank, - - - - -	
Government Securities, - - - - -	
Promissory Notes or Bills of other Banks, - - - - -	
Balances due from other Banks, - - - - -	
Notes and Bills discounted, - - - - -	
Other debts due to the Bank, not included under the } foregoing heads, }	
Total Assets, - - - - -	<hr/>