

CAP. LXXVIII

An Act to incorporate the Union Brewery

[Assented to 15th January, 1898]

Preamble.

WHEREAS Thomas G. Roddick, doctor of medicine, Robert Archer, gentleman, both of the city of Montreal, and James L. Harcourt, formerly of the said city and now of Windsor, in the Province of Ontario, have by their petition represented :

That they are the trustees and also the executors of the last will and testament and codicils thereto of the late John Atkin, in his lifetime of the city of Montreal, brewer, who departed this life on or about the sixth day of February, one thousand eight hundred and ninety-six, and who, at the time of his death, was carrying on a brewery, and the same was in active operation ;

That by the said will and codicils, the petitioners, among other matters, were authorized to continue the business and brewery, in order that it might be sold as a business and as a going concern ;

That the said testator also directed that his trustees should be entitled to receive a sum equal to two and one half per cent. per annum on the revenues received by them ;

Whereas the petitioners, by their petition, pray that the petitioners Roddick and Archer—the other executor being no longer a resident of the Province of Quebec—as such trustees and executors, and others who may hereafter join them, be incorporated under the name of the “ Union Brewery”, for the purpose of carrying on the business of brewing and malting and dealing in articles connected therewith, and of acquiring and operating the brewery and business of the late John Atkin and the property pertaining thereto ; and whereas it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain persons incorporated.

Name and powers.

1. The said Thomas G. Roddick and Robert Archer, and such persons as now are or hereafter may become shareholders, are hereby created a body politic and corporate under the name of the “ Union Brewery,” with power to acquire and own property, moveable and immoveable, and the same to lease, alienate, exchange, sell, hypothecate or otherwise dispose of or deal with as may be deemed best in the interests of the company.

Capital stock and shares.

2. The capital stock of the company shall be a total sum not exceeding two hundred thousand dollars, representing

the value of the property referred to in section 5 of this act, divided into shares of one hundred dollars each, and issuable at such time and in such manner as the directors by resolution may determine.

3. The said Thomas G. Roddick and Robert Archer, and Albert J. Brown, of the city of Montreal, advocate, shall be the provisional directors.

4. The company shall have power to carry on the business of brewing and malting and of dealing in articles connected therewith, and is authorized to acquire the whole establishment and business heretofore carried on by the said late John Atkin as a brewery, and by his executors after his death, including the property, real and personal, moveable and immoveable, pertaining thereto, and all the plant, book debts, accounts and assets generally in connection with the said brewery and business, and also the property on St. Lawrence street, in the city of Montreal, including cadastral No. 785 of St. Louis Ward of the said city.

5. The said executors and trustees, or their successors, are authorized to sell, assign, convey and make over unto the company hereby incorporated all the brewery and business heretofore carried on by the said late John Atkin and by his executors after his death, with all the property, moveable and immoveable, book debts and assets of whatever nature and description appertaining to the said establishment, including the said property on St. Lawrence street, for such amount of paid up capital stock in the company hereby created as may be deemed advantageous by the said executors ; and thereupon the said company shall be responsible for all debts, liabilities, hypothecary and other obligations due by or for which the estate of said late John Atkin may become liable in connection with the said brewing and malting business carried on by him and by his executors as aforesaid.

6. The provisional directors, and the directors of the company, are hereby authorized to accept and receive in payment of any stock subscribed in the said company, the brewery and business heretofore carried on by the said late John Atkin, and the property, moveable and immoveable, book debts and assets of whatever nature and description appertaining to the said establishment, including the said property on St. Lawrence street, and may issue to any persons executors or trustees, for the same, fully paid up shares in the capital stock of the said company, and such shares being so issued shall thereafter be deemed fully paid up and non-assessable, and no liability thereon created against the holder.

Qualification
of executors as
directors of
company.

7. The present trustees and executors of the last will and testament and codicils thereto of the late John Atkin and their successors, shall be eligible as directors in the company as representing the estate of the late John Atkin—each equally—so long, however, as the estate holds sufficient stock to qualify such executors as directors according to the by-laws of the company and the Joint Stock Companies' General Clauses Act.

Executors
may hold
shares in
their own
names.

8. Notwithstanding anything in the present act or in the Joint Stock Companies' General Clauses Act or other law or statute to the contrary, the said executors and trustees may, in addition to any shares held or administered by them for or in the name or on behalf of the estate of the said John Atkin, acquire shares from the said estate or from the company hereby incorporated or other persons or corporations, and possess, hold and enjoy, to all intents and purposes, in their own individual names respectively, such shares in the company as they may from time to time acquire.

Remunera-
tion of execu-
tors.

9. The said executors and trustees are declared to have been and to be entitled, as a remuneration for their services in carrying on the business of the said late John Atkin from the time of his death, to a sum not exceeding two and a half per cent. per annum on the gross receipts from said business each year from the date of such death, up to, but not after, the transfer of the business to the company hereby incorporated.

Head office of
company.

10. The head office of the company shall be in the city of Montreal.

Law applic-
able.

11. The Joint Stock Companies' General Clauses Act shall apply to the company, in so far as it is not inconsistent with the provisions of this act.

Coming into
force.

12. This act shall come into force on the day of its sanction.

CAP. LXXIX

An Act to incorporate William Dow & Company

[Assented to 15th January, 1898]

Preamble.

WHEREAS James Philip Scott, Angus William Hooper and George Robertson Hooper, all of Montreal, Henry Lee Morse, of Boston, and William Gillman, of Portsmouth, England, have, by their petition, represented that they are