

- Membership fee, 8. The membership fee may also be fixed by by-law.
- Head office, 9. The head office of the Association shall be at the town of Coaticook.
- Officers and their election, 10. The officers of the Association shall be a president, vice-president and secretary-treasurer, who shall be elected every year by the board of directors.
- Power of association to extend limits to which exhibitions are open, 11. The Association shall have the right by by-law to extend the limits to which their exhibitions shall be open, so as to include any townships or parts of townships in the counties of Stanstead and Compton, in addition to those above-mentioned.
- Coming into force, 12. This act shall come into force on the day of its sanction.

C A P . X L V I I I .

An Act to incorporate the "Hydraulic and Manufacturing Company of St John's and Iberville."

[Assented to 18th May, 1887.]

Preamble.

WHEREAS Duncan Macdonald, esquire, mayor of the town of St Johns, Louis Molleur, junior, esquire, president of the Bank of St. Johns, Wilfrid Brosseau, esquire, Emilien Z. Paradis, esquire, all of the town of St. Johns, in the district of Iberville, and the Honorable Joseph Gaspard Laviolette, member of the Legislative Council of the Province of Quebec, of the city and district of Montreal, have, by their petition, represented and set forth that a considerable extent of very valuable land is inundated every year by the waters of the River Richelieu and thereby rendered unfit for cultivation and unproductive, that, on the other hand, during seasons of drought, the waters of the River Richelieu become too low for purposes of navigation; that such inconveniences may be obviated by deepening and clearing the River Richelieu, between Jones' bridge, opposite the town of St. Johns, and the Ste Therèse Mill where necessary, in order to facilitate the running off of the water during the season of high water, and by constructing a moveable lock which, during seasons of drought will allow of the channel being confined so as to prevent the water from getting too low; and that such works, while putting a stop to the aforesaid inundations and improving navigation, would create water-powers, thereby promoting industry in this country; and whereas they have prayed for the incorporation of a company to carry on such works

and all such others as may be necessary or useful for the above purposes, with certain rights, powers and privileges ; 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 :

1. The persons above mentioned, and all others who shall become shareholders in the company hereby incorporated, shall be and are hereby constituted and declared to be a corporation, body politic and corporate, under the name of the “ Hydraulic and Manufacturing Company of St. Johns and Iberville,” and such corporation shall continue and have perpetual succession and a corporate seal, with power to change and alter the same at will, and may sue and be sued, plead and be impleaded in the same manner as other corporations.

Persons incor-
porated.

Name.

Powers.

2. The corporation, hereinafter called “ the company,” shall have power to dredge and clear the River Richelieu between Jones’ bridge, opposite the town of St. Johns down to the Ste Thérèse Mill, wherever it may be necessary for facilitating the draining off of the waters of the said river ; to construct at the head of the rapids between the towns of St. Johns and Iberville a moveable dyke or dam which will open completely when the waters are high, so as to leave an open channel for the waters until they are low enough to no longer inundate the land along the river, and then be closed, completely or partially, so as to prevent the waters from falling any lower and keep them at a sufficient height for the requirements of navigation without flooding the land along the river.

Power to
dredge River
Richelieu, &c.

3. The company shall have power to acquire, improve and create all water-powers on each side of the rapids in the River Richelieu, between the town and parish of St. Johns and the town of Iberville and parish of St. Athanase, for that purpose to make all canals or flumes and tail-races, all dykes, jetties and wharves along the said rapids and above and below the same, on each side of the said river, and to do all works which may be necessary or useful for the improvement of the said water-powers and fulfilling the intentions and objects of this act ; to construct, build and keep on the said river and on the banks thereof, on each side of the said rapids and on the East side of the bank of the Chambly canal, without however obstructing the path on the bank of the canal, and upon all lands within the limits of the towns of St. Johns and Iberville and their vicinity, all manufactories, warehouses, shops, stores, elevators, sheds, cranes, weighing machines and all works and constructions which may be required for manufacturing, industrial and warehouse purposes and the use of the water-powers ;

Right to ac-
quire &c., wa-
ter-powers.

Construct, &c.,
manufactories
&c.

Proviso. But the company shall not do any work which would have the effect of increasing inundation or lowering the water to a lower depth than seven feet at the sills of the Chambly canal ;

Power to enter lands. It may, within the limits of St. Johns and Iberville and their vicinity, enter upon all lands and make plans thereof and, from time to time, acquire and possess all lands and rights necessary or useful for the said purposes, as well as for all necessary drains and canals or for the roads and paths on both sides of the river ;

Build bridges, &c. It may also build all bridges, crossings or passages through, over or under all public or private roads or any aqueduct or canal, the whole under the restrictions set forth in the fifth section of this act.

Power to sell, &c., water-powers. 4. The company may use, sell, give, transfer, or lease any or all of the said water-powers, as well as any or all of the said lands, buildings, constructions, rights, privileges, machinery, canals and works, with or without water-powers, on such terms and conditions as it may deem advisable.

Navigation not to be impeded. 5. The company shall, however, not construct any dyke across the River Richelieu, nor do anything affecting the navigation of the said river or the Chambly Canal, without having previously obtained the authorization and consent of the Government or Parliament of Canada.

Capital stock. Shares. 6. The capital stock of the company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, which shares shall hereby belong and do belong under this act to the various persons subscribing for the same, their representatives and assigns.

Head office. The principal place of business of the company shall be in the town of St Johns.

Provisional directors. 7. The said Duncan Macdonald, Louis Molleur, junior, Wilfrid Brosseau, Emilien Z. Paradis and the Honorable Joseph Gaspard Laviolette shall be the provisional directors of the company, with power to open stock-books for obtaining subscriptions of shares in the said company, in the town of the St. Johns and elsewhere, to receive such subscriptions, and to do whatever they may deem advisable in connection with such subscription and the administration of the affairs of the company and the organization thereof, before the first general meeting of the shareholders for the election of directors as hereinafter mentioned.

When first meeting may be called for election of directors. 8. As soon as an amount of not less than fifty thousand dollars of the capital stock shall have been subscribed and two thousand five hundred dollars paid up thereon, which amount shall be deposited in an incorporated bank carry-

ing on business in the town of St. Johns, it shall be lawful for the provisional directors to call a meeting of the shareholders at St. Johns; for the purpose of electing the directors of the company to the number of five, three of whom shall form a quorum at any meeting of such directors; an amount of not less than ten per cent upon the allotted shares of the company shall be called up and payable before the expiration of the year from the date of such meeting for the election of directors, by means of one or more calls; and, for each subsequent year, a further sum of five per cent at least shall be called up and payable in the same manner until one half has been called up; and no works shall be begun or performed until such meeting shall have been held for the election of directors; provided nevertheless that the company may increase its capital to five hundred thousand dollars, and increase the number of its shares in consequence, by a vote of the majority of the shareholders at a meeting convened for that purpose.

When to be held.

Amount to be paid in, within certain time.

9. All corporations and persons whosoever, usufructuaries, administrators, institutes, tutors, curators, executors and other representatives, not only for themselves, their heirs and successors, but also for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, *femes covert* or other persons possessed of or interested in any lands, may contract, sell and convey unto the company all lands, rights and privileges which may be required by the company for the aforesaid purposes, and may pay or undertake to pay to the company any sum of money or consideration whatsoever on account of the improvement made to their lands and properties by the works of the company.

Power of corporation, &c., to contract with company.

The company shall not be liable for the employment of the price of such lands, rights and privileges, but any corporation or person unable, in the ordinary course of law, to sell or dispose of such lands, rights or privileges, may agree upon an annual fixed rent, as an equivalent thereof, and not as a price therefor, to be paid for such lands, rights and privileges.

Company not responsible for investment of price.

10. Any law to the contrary notwithstanding, the corporations of the said towns of St Johns and Iberville shall be empowered to give and grant, by by-law, to the company loans of money, bonus or subsidies in money, by means of bonds, debentures or otherwise, on such conditions as they may deem expedient; but such by-laws shall have force and effect only after they have respectively been approved by at least the majority in number of the proprietors representing the majority in value of the taxable property in the said towns; such approval shall be given at a general meeting convened and held for

Corporations of St. Johns and Iberville may subsidize company.

By law for such purpose.

Proviso.

the purpose in the usual manner, within thirty days after the passing of such by-law ; provided always that six municipal electors qualified to vote on the by-law and present at the said meeting may require the holding of a poll to ascertain such majority, which poll shall then be granted and held in the usual manner.

Lands improved and kept from being flooded by works of company to pay certain sum.

11. Every lot of land which is at present likely to suffer from the inundation caused by the flooding of the River Richelieu, of Missisquoi Bay, of Rivière du Sud and of the Rivière au Brochet, and which, through the work of deepening and clearing the River Richelieu to be done by the company, shall be so improved as no longer to be inundated, or so that the inundation shall cease and disappear soon enough to allow of its being cultivated and seeded, shall be bound and affected in favor of the company, without any registration thereof being necessary, to the payment of an amount at the rate of two dollars per acre per annum for five years, payable to the company only after such improvement to such land shall have been effected.

Special superintendent to be appointed for certain purposes.

12. In the event of the proprietors or interested parties and the company being unable to agree upon the extent of the land so improved and upon the amount of the contribution aforesaid, it shall be the duty of the municipal council of each locality, upon a requisition signed by the president and secretary of the company, before any works are commenced by it, to appoint a special superintendent, who, after having been sworn before a justice of the peace and having given at least eight days' notice on Sunday at the parish church door of each locality at the close of Divine Service in the morning and, at the same time, posted up such notice at the usual place, shall proceed to the spot and ascertain the line or limit to which the water or inundation rises upon each lot, in respect of which no agreement has been made, and shall report to the council.

Appointment and duties of special superintendent after works are completed.

After the works of the company are completed for preventing such inundations, there shall likewise be appointed by the municipal council of each place a special superintendent; who, after the same formalities as above mentioned, and with the report of the special superintendent appointed before the construction of the works, shall proceed to the spot and ascertain the extent of each lot of land improved by the effect of such work. In the event of the improvement on certain lots being less than fifteen dollars per acre of superficies, he shall estimate and establish the value of the improvement of the latter lots ; and two-thirds of such value divided into five equal and yearly payments shall constitute the amount of the contribution for which such lots shall be bound and affected in favor of to the company.

Report by him.

The said special superintendent shall also report his proceedings to the council.

13. The municipal council of each locality, shall, within fifteen days after the reception of each of the aforesaid reports, give public notice thereof on Sunday at the church door, and at its next meeting held after eight days following a notice or at any other subsequent meeting, to which the question may have been adjourned, after having heard the parties and their witnesses, if necessary, shall homologate and confirm such reports with or without amendments, and such decision shall be final; and the costs occasioned by the aforesaid proceedings shall be paid, one half by the company and one half by the owners of the properties interested.

Notice to be given for meeting of council to homologate report.

14. Sections 18, 32 and 39 of the Joint Stock Companies General Clauses Act shall not apply to the present act.

31 V., c. 24 ss. 18, 32 and 39 not to apply. Coming into force.

15. The present act shall come into force on the day of its sanction.

C A P . X L I X .

An Act to amend the act incorporating the "*Société de passage du Pont-Neuf de St-Hyacinthe*" and the act amending the same.

[Assented to 18th May, 1887.]

WHEREAS the *Société de passage du Pont-Neuf de St-Hyacinthe* has, by petition to the Legislature, represented and shown that its bridge requires to be rebuilt shortly; that its capital is completely absorbed and expended; that its revenues are insufficient to provide for the rebuilding, repair and maintenance of the bridge; that in order to rebuild, repair and maintain the same it is necessary that further powers be granted to it to raise the moneys required for that purpose from its shareholders; and whereas it is expedient to grant its prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. Section 9 of the act of the late Province of Canada, 29-30 V. c. 109 29-30 Victoria, chapter 109, as amended by section 13 of the act of this Province 34 Victoria, chapter 46, is hereby replaced by the following:

29-30 V. c. 109 s. 9 and 34 V. c. 46 s. 13 replaced.

"13. Whenever it is established by the directors of the *Société de passage du Pont-Neuf de Saint Hyacinthe* that the funds in the hands of the said society and its revenues are insufficient to provide for the rebuilding, repair and maintenance of its bridge and dependencies, and

Power of directors to levy certain sum upon each share to provide for re-