

Time of the
third issue.

to be termed the third issue, may be issued by the company." are struck out and the following are substituted therefor: "And so soon as the rails and fastenings required for the completion of the remaining forty-five miles or thereabouts of the company's line shall have been provided, then the remaining one thousand bonds of one hundred pounds sterling each, to be termed the third issue, may be issued by the company."

CAP. LVIII.

An Act to grant to the "Union Navigation Company," incorporated by letters patent, a new charter of incorporation, with more extended powers.

[Assented to 24th December, 1875.]

Preamble.

WHEREAS by letters patent issued under the great seal of the province, by order of His Excellency the lieutenant-governor in council, on the 6th august, 1874, a company having for its object the business of forwarding goods, the carrying of passengers, the building, owning, freighting and hiring of vessels, steamboats, wharves, roads and other things necessary for the purposes of the said company in this province, has been formed and incorporated in virtue of the provisions of the act concerning the incorporation of joint stock companies (31 Vict., chap. 25); whereas the said company having purchased vessels and other things necessary for its purposes, has been in operation and carried on business during two consecutive years, having established a new line of steamers between Quebec and Montreal; whereas the president and the directors of the said company, after having caused to be subscribed by the shareholders of the said company the sum of \$175,000 in the capital stock thereof, have represented that there remains a balance of \$125,000 of the authorized capital stock of the said company, which has not yet been subscribed, that the said balance is indispensable for the operations of the said company, and that the present shareholders, consulted at a general meeting, were unanimously of opinion that it would be advisable, to the end that this balance of capital be more promptly subscribed, to authorize the said company to issue preferential shares to the amount of \$125,000 currency; and whereas the success of this new subscription would be better assured if the said company were incorporated by special and public charter recognizing their legal existence and granting in addition to the powers now possessed by them, the power to issue the said preferential shares; and whereas it is expedient

to accede to the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The said " Union Navigation Company " and all the present members and shareholders thereof, their successors and assigns for ever, are by the present act recognized to have been and are constituted into a corporation under his aforesaid name, having its principal place of business or office in the city of Montreal.

Corporation recognized and constituted. Place of business.

2. The said company has had and shall have the power of carrying on the business of forwarding goods and of carrying passengers within the limits of this province, and for this purpose the said company is authorized in the prosecution of all matters within the scope of that business, and to build, own, freight or hire all vessels, steamers, wharves, roads or other things, necessary for the purposes of the said company.

Powers of the company.

3. The capital stock of the said company is and shall be \$300,000 divided into six thousand shares of \$50 each.

Capital stock.

4. The directors of the said company are hereby authorized to issue for the balance of \$125,000 of the said hitherto unsubscribed capital stock, preferential shares, conferring on the holders and proprietors thereof the privilege of receiving an annual dividend of eight per cent, to be taken out of the net profits of the said company, before the holders of the other shares of the said company can have and receive any dividend whatever ; provided also that the said preferential shares shall not issue or be made, until a by-law to that effect shall have been adopted by two-thirds in value of the share-holders present or represented at a general meeting specially convened for the purpose of considering the same.

Preferential Stock. Proviso. Consent required.

5. As soon as such dividend of eight per cent, granted to the preferential shares, shall have been taken out of the net profits realised by the company, the surplus of the said profits shall be employed by the directors in the payment of a dividend (at a rate to be by them fixed), upon the other shares of the company, but such dividend shall in no case exceed that of the preferential shares, and if the profits realized by the company permit the directors to pay a larger dividend than eight per cent, as well upon the preferential as the ordinary shares, such dividend shall then be equal upon these different shares ; but nothing shall prevent the directors, after the payment of the dividend of eight per cent, upon the preferential shares, from reserving each year out of the profits, a

Payment of dividends. Use of the surplus of the profits.

Reserve in case of unforeseen expenses.

Use of the sum subscribed.

reasonable sum to meet losses, accidents, unforeseen expenses, &c.

6. The total amount of the sums subscribed for the said preferential shares, to wit, up to the said sum of \$125,000, shall be exclusively employed by the directors of the said company either in repairing the steamers now owned by them or in building new ones.

Suit and transfer.

7. The said company may require and recover payment of the said preferential shares in the same manner, and with the same formalities as in respect of the payment of the ordinary shares, and the sale and transfer of the said shares shall be effected in the same manner as that of ordinary shares.

Investment of property.

8. All the moveable and immoveable property, assets and liabilities, rights and obligations generally of the said "Union Navigation Company," shall remain vested in the said company recognized and incorporated as aforesaid, under the same name, and shall continue to be held and prosecuted for, by, or against the said company, and thereto to belong for all lawful purposes, as if the present act had not been passed; and all proceedings commenced by the said company may be continued without any change whatever.

Actual directors, officers and by-laws, continued.

9. The present president, directors and officers of the said "Union Navigation Company," shall remain in office for the said company, until they are replaced in conformity with the by-laws of the said company.

In a similar manner the present by-laws of the said company shall continue in force until they are modified, changed or repealed by the said company.

Interpretation.

10. All the provisions of the act 31 Victoria, chap. 25, which are not inconsistent with this act, shall be deemed to be incorporated therewith and shall form part thereof.

Act in force.

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

CAP. LIX.

An Act to amend the Act incorporating the Richelieu river hydraulic and manufacturing company.

[Assented to 24th December, 1875.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows: