

## CAP. XXXII.

## An Act to incorporate "The Montreal Omnibus and Transfer Company."

[Assented to 28th January, 1874.]

## Preamble.

WHEREAS William McNaughton, Esquire; John Ogilvie miller; William Watson Ogilvie, miller; Samuel Waddell, merchant; Henry Hogan, Esquire; John Cassils, merchant; John Watson, merchant; James Donnelly, merchant; James Hervey, warehouseman; Anthony Force, merchant; and Louis Nathan Benjamin, advocate, all of the city of Montreal, in the district of Montreal, and province of Quebec, have, by their petition, prayed for the incorporation of themselves and others, as a joint stock company, under the name of "The Montreal Omnibus and Transfer Company," and it is expedient to grant their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Corporation.

1. The said William McNaughton, John Ogilvie, William Watson Ogilvie, Samuel Waddell, Henry Hogan, John Cassils, John Watson, James Donnelly, James Hervey, Anthony Force, and Louis Nathan Benjamin, together with all such persons as may hereafter become shareholders in the company hereby created, shall be, and they are hereby constituted a body politic and corporate, by the name of "The Montreal Omnibus and Transfer Company," and may by that name sue and be sued, implead and be impleaded, defend and be defended, in all courts of law, and by that name they and their successors shall have perpetual succession, and may have a common seal; and may change and alter the same at pleasure; may acquire for themselves and successors under any legal title whatsoever, property real and personal; may alienate, sell, convey, lease or otherwise dispose of the same or any part thereof, from time to time, as occasion requires, for such price or prices, and in such times and conditions as they may see fit, and may, should it be considered necessary, acquire other real and personal property and plant for the purposes of the said company.

## General powers.

## Vehicles.

2. The said company shall have full power and authority to own, possess, and run omnibuses, carriages, sleighs and wagons, and all other plant and movable property, for the carrying, conveying and transporting of passengers and their baggage, and for the carrying, carting, conveying and transporting goods, wares and merchandise for hire in and about the island of Montreal, subject, however, to the sanction of the council of the said city and other municipali-

## Proviso:

ties, under such regulations, conditions and charges as the said councils may determine by a vote of the majority of its members.

**3.** The capital stock of the company shall be three hundred thousand dollars, in shares of one hundred dollars each, and the said stock shall be transferable in such manner only, and subject to such conditions and restrictions as by the by-laws of the company shall be prescribed, and the same deemed personal property. Capital.

**4.** The company may commence operations and exercise the powers hereby granted, so soon as fifty thousand dollars of the capital stock shall be subscribed, and five thousand dollars actually paid thereon, and deposited in some one of the chartered banks in the city of Montreal, to the credit of the said company or of the trustees therefor. Commencement of operations.

**5.** The affairs of the company shall be under the control, and shall be managed and conducted by a board of seven directors, each of whom shall be a registered holder and owner of not less than ten shares of the capital stock of the said company, and not in arrears in respect of any call thereon. Board of directors.

**6.** The said William McNaughton, John Ogilvie, William Watson Ogilvie, Samuel Waddell, James Donnelly, John Watson, John Cassils and James Hervey, shall be the provisional directors of the said company, with power to open books of subscription for the stock of the said company, at the city of Montreal and elsewhere, and to receive subscriptions for the said stock, and to do such other things relative to the said subscriptions, and the management of the affairs of the company and its organization, as it may be requisite to do before the first general meeting of the stockholders for the election of directors, as hereinafter mentioned. Provisional directors; their powers.

**7.** As soon as the said sum of fifty thousand dollars of capital stock shall have been subscribed, and the said sum of five thousand dollars shall have been deposited as aforesaid, it shall be lawful for the provisional directors to call a meeting in Montreal aforesaid, for the purpose of proceeding to the election of directors of the said company; such election shall then and there be made by the holders of the plurality of shares voted upon at such meeting present thereat in person or by proxy: and the directors then and there chosen shall be the first directors, and shall be capable of serving until the election of directors at or after the first annual meeting of the company. Election of directors.

General  
powers.  
By-laws.

**8.** The directors of the company shall have full power and authority to make, amend, repeal and re-enact all such by-laws, rules, resolutions and requisitions, as shall appear to them proper and necessary touching the well ordering of the company; the acquirement, management, and disposition of its stock, property, and effects, and of its affairs and business, the entering into arrangements and contracts with any person or persons, corporation or municipality, the declaration and payment of dividends out of the profits of the said company, the form and manner of issuing stock certificates, and the transfer of shares, the calling of special and general meetings of the company, the appointment, removal and remuneration of all officers, agents, clerks, workmen and servants of the company, the fares to be received from persons carried by the omnibuses and vehicles and for the price to be charged for the carrying, transporting or conveying of baggage, goods, wares and merchandise, in any conveyance of the company over the whole or any part of their route, and in general, to do all things that may be necessary to carry out the objects, and exercise the powers incident to the company.

Penalty.

**9.** If any officer, clerk, workman, or servant of the company wilfully or negligently contravenes any by-law, rule, resolution, or regulation of the company, lawfully made, he shall incur a penalty not exceeding forty dollars, in the discretion of the justice of the peace, before whom the conviction is had, and the company may, in all such cases, pay the amount of penalty and costs, and deduct the same from his salary or pay.

Prosecutions.

**10.** All prosecutions for the recovery of the penalties hereinbefore imposed, shall be brought before any justice of the peace in a summary manner; and one moiety of the penalty shall belong to Her Majesty for the public uses of the province, and the other moiety to the prosecutor, unless he be an officer, servant of, or person in the employ of the company, in which case he shall be a competent witness, and the whole penalty shall belong to Her Majesty.

Penalty.

**11.** The company may, by a by-law, impose upon any officer, clerk, workman or servant, employed by the company, a forfeiture to the company of not less than seven, and not exceeding thirty days' pay of such officer, clerk, workman or servant for any contravention of any by-law or resolution lawfully made, and may retain any such forfeiture out of the salary or wages of the offender.

Persons in-  
toxicated, &c.

**12.** If any person enters any of the omnibuses, sleighs, or any other vehicles of the company, used in the transport of

passengers, in a state of intoxication, or if any person being in any of the said omnibuses, sleighs, or other vehicles, makes use of obscene and indecent language, or is guilty of conduct against decency or such as to incommode or in any way interfere with the comfort of the passengers, such person may be ordered, forthwith, to leave the said omnibus, sleigh, or other vehicle; and in default of such person leaving forthwith, such person may be removed from the said omnibuses, sleighs, or other vehicles, without return of fare, (should the same have been paid) by any officer, clerk, or servant of the company, and any person may lawfully aid and assist such officer, clerk or servant in so doing.

13. The several provisions of "The Joint Stock Company General Clauses Act," shall apply to the present act in so far as applicable thereto.

Application of  
31 Vict., c.  
24.

## CAP. XXXIII.

An Act to amend the "Act to incorporate the College of Three Rivers," (23 Vic., chap. 133).

[Assented to 28th January, 1874.]

WHEREAS the "Act to incorporate the College of Three Rivers," (23 Vict., chap. 133,) may be advantageously modified and amended, more efficaciously to meet the wants which the development of the said institution requires, to render its administration more regular and easy, and to secure, for the time to come, its prosperity, by putting it on the same footing as other colleges or seminaries of the province; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. The present personnel of the said corporation of the College of Three Rivers, shall be, and is by this act replaced by the persons holding, or who shall hold, the following positions and offices, and by their successors in the said positions and offices, that is to say: the Roman Catholic bishop of the diocese of Three Rivers, who shall be *ex-officio* president of the said corporation, the grand vicar of the said bishop, residing in Three Rivers, the *curé* or priest incumbent of the parish of the Immaculate conception of the Holy Virgin of Three Rivers, the superior of the said institution, and the director of the grand seminary, the two latter appointed by the said bishop and discharging the said duties with his approval; the director of the little seminary, the procurator and the director of studies, the three latter appointed

Change of the  
present person-  
nel of the  
corporation.

