

to stop the car or engine until such horse shall have passed the car or engine, or shall have been removed, and to render all reasonable assistance to the driver of such horse.

Power to increase capital.

4. The said company is hereby authorized to increase its capital stock, by the issue of new stock to the extent of three hundred thousand dollars above and beyond its present capital, making its capital to consist in all of six hundred thousand dollars, and such issue of new stock may be made in such manner and upon such terms and conditions, and in such proportion as the company may fix and determine by by-law.

CAP. XLVI.

An Act to amend the act to incorporate the "*Société de Passage du Pont Neuf de St. Hyacinthe,*" 29-30 Victoria, cap. 109.

[Assented to 24th December, 1870.]

Preamble.

WHEREAS the said "*Société de Passage du Pont Neuf de St. Hyacinthe,*" have acquired from Lewis Francis Morison, Esquire, by deed passed before Maitre H. R. Blanchard, notary, on the sixteenth day of November, eighteen hundred and sixty-nine, the exclusive privilege of exacting tolls within the limits of a portion of the privilege conferred in eighteen hundred and seventeen, by the legislature for the time being, upon Jean Marie Germain *dit* Langlois, that is to say, from and including the place actually occupied by the said *Pont neuf* to the North-east limits of the said privilege; and whereas it is necessary to amend the said act of incorporation of the said *Société de Passage* so as to meet the requirements of the said deed of cession from the said L. F. Morison to the said company, and whereas it is expedient to extend the powers already conferred upon the said company by their said act of incorporation, and to confer upon them new powers to facilitate the exercise of the said privilege; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

The company may repair or rebuild the *pont neuf* and use adjoining land to work upon.

1. The said *Société de Passage*, without in any manner waiving any of the rights acquired by it against the said L. F. Morison, esquire, under and in virtue of the deed passed before the said Mtre. Blanchard, hereinabove cited, bearing date the sixteenth day of November, eighteen hundred and sixty-nine, and subject to the requirements of the said deed, is hereby authorized and has power, at its own

cost and charges, to repair and rebuild a durable, solid and sufficient bridge, over the river Yamaska, at the north-eastern extremity of Cascade street, in the city of St. Hyacinthe, at the place where the said *Pont neuf* is actually built, but at such place only, and to maintain and reconstruct the toll-house and gate now existing with other dependencies on or near the said bridge, and also to do and execute all such other matters and things as shall be necessary, useful and advantageous for building, keeping up and maintaining the said bridge, toll-house, gate and other dependencies, according to the true intent and meaning of this act, and further the said company or its representatives shall have full power and authority to take, from time to time, and use the land upon either side of the river at the said locality, to work up or cause to be worked up thereon the materials and other things necessary for the erection, construction or repairs of the said bridge, the whole according to the conditions set forth in the act conferring the said privilege upon Jean Marie Germain *dit* Langlois.

2. The said *Société de Passage* shall be entitled at all times to have, demand, receive and take, for its own use and benefit, the bridge tolls or dues stipulated in favor of the said Jean Marie Germain, by the act fifty-seven George III., chapter thirty-seven; provided always that no person, horse, or vehicle employed in conveying any mail or letters, under the authority of Her Majesty's post office, or horses or vehicles, whether loaded or unloaded, with their drivers, accompanying Her Majesty's officers or soldiers, or militia, on their march or on service, nor the said officers or soldiers, nor any of them, nor vehicles and drivers or keepers accompanying prisoners of any kind, shall be subject to any tolls whatsoever. Travellers on vehicles engaged in the conveyance of mails shall be nevertheless subject thereto; Provided also that it shall be lawful for the said *Société de Passage*, or its representatives, to diminish the said tolls or any of them, and thereafter, if it deem the same necessary, to increase them, in such a manner that they shall in no case exceed the tolls authorized to be exacted by the act fifty-seven George III., chapter thirty-seven; Provided also that the said company posts up, or causes to be posted up, in some conspicuous place, at or near the said gate, a tariff of the fees payable for the crossing of the said bridge.

3. It is further enacted that no person shall erect or cause to be erected, any bridge or bridges or open up or cause to be opened up any means of passage for the conveyance of any persons, beasts or vehicles whatsoever, for hire or reward, across the said river Yamaska, within one mile and a half above the said bridge, nor below the said bridge within the line of the old

Company may
levy the tolls
authorized by
57 Geo. 3, c. 27

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No other
bridge to be
built within a
mile and a-half
on pain of pay-
ment of treble
tolls to the
company and a
penalty.

seigniorship of St. Hyacinthe, to the north of the said river. And if any person or persons shall build any bridge or bridges over the said river Yamaska, within the said limits, such person or persons shall pay to the said company, or to its representatives, if such bridge or bridges are built within the limits of its privilege, or to its representatives, if such bridge or bridges are built within the residue of the space or limits assigned to Jean Marie Germain, his heirs and representatives, three times the amount of the tolls imposed by the act fifty-seven George III, chapter thirty-seven, for the persons, beasts or vehicles, who shall pass over such bridge or bridges; and if any person or persons, at any time whatsoever pass or convey for hire or reward any person or persons, vehicle or vehicles across the said river and within the limits aforesaid, such offender or offenders shall incur and pay for each person, vehicle or animal so conveyed across, a sum not exceeding forty shillings currency; provided always that nothing contained in this act, shall be deemed to extend to deprive the public of the right of crossing the said river Yamaska within the said limits by means of a ford, or in canoes without fee or reward.

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Penalty for passing without paying toll and for disturbing workmen, &c.

4. If any person pass by force through the said gates without paying the toll or any part thereof, or interrupts or disturbs the said *Société de passage du pont neuf de St. Hyacinthe*, or its representatives, or any person by it or them employed in building or repairing the said bridge, or in making or repairing the way over the same, or any road or avenue leading thereto, every such person shall incur for each such offence, in each of the cases aforesaid, a penalty which shall not exceed forty shillings currency.

Right to return to L. F. Morison if company does not rebuild bridge before 2 years after its demolition.

5. The said *Société de passage du pont neuf de St. Hyacinthe*, to entitle itself to the profits and advantages conferred upon it by this act, shall be obliged to reconstruct or rebuild, the bridge actually existing, within the two years next after its demolition or destruction, and in default of its so doing within the aforesaid delay, the privilege conceded to it, shall by law and according to the covenants to such effect made, be again vested in the said Lewis Francis Morison, together with all the rights and advantages thereto belonging.

Capital stock—and transfer of shares.

6. The capital of the said company shall not exceed six thousand seven hundred and fifty dollars divided into shares of fifteen dollars each, and the said shares shall be deemed personal estate and may be sold or transferred in writing by the shareholders of the said company, and any party acquiring one or several of the said shares, shall on the production of a copy of his deed of acquirement to the directors of the company, to be deposited among the records thereof, be considered as a shareholder in the

company, and shall enjoy all the privileges and advantages, conferred upon and granted by this act to the other shareholders in the company; provided always that no person who shall acquire any shares in the said company from a director thereof, shall be entitled to be a director in the said company without having been elected as such; provided also, that no party who shall have acquired any share shall be considered as a shareholder until he shall have produced his deed of acquirement.

7. For the purpose of determining the actual value of each share in the capital stock of the said company within the nine months next after the passing of this act, the directors in office shall value or cause to be valued by two experts, who shall before acting, be sworn before a justice of the peace, the property actually belonging to the said company and shall divide the total value thereof by the number of shareholders then forming part of the said company; such number shall represent the total amount of the shares, and the sum realized by such division shall establish the actual value of each share and shall represent the amount paid up to such day, by each shareholder for his quota.

8. The following words, that is to say: "one in St. Hugues, one in St. Simon, one in Ste. Rosalie, one in St. Hyacinthe le Confesseur, one in the City of St. Hyacinthe and two in St. Dominique," are added at the end of section four of the said act.

9. Sections five, six and seven of the said act are repealed, and the three following are substituted therefor.

10. A general meeting of the shareholders of the company, shall be held annually, on the first Monday of the month of June, or on the following day if such day is non-judicial, in any house or place whatsoever in the city of St. Hyacinthe, mentioned in the notice summoning such meeting, to choose and elect other directors in the place and stead of those going out of office, and also to transact the business of the company, to modify, amend, alter, repeal or extend the by-laws, rules and regulations of the company or to substitute others in lieu thereof, which said meeting shall be called by public notice, given in the manner and at the time hereinafter set forth; and all such meetings shall be presided over by a chairman chosen by the majority of the votes of the meeting; and the secretary-treasurer shall act as secretary at all meetings, and the directors going out of office may be re-elected, as may also the president, and after each election of directors, the said directors shall proceed to elect their chairman, for their term of office.

11. The board of management of the said company shall be composed of seven directors, one of whom shall be elect-

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Property to be valued and value considered as paid up capital.

Sec. 4 of 29. 30 V., c. 109 amended.

Secs. 5, 6 and 7 of said act repealed. General annual meetings of shareholders: Proceedings thereof.

Board of seven directors.

President. ed president for the current year by the majority of votes of the directors, each of whom shall have a vote, and the

Sec.-Treasurer. directors shall also appoint a secretary-treasurer, who shall not be a director, and they may require good and sufficient security to their satisfaction from the said secretary-treasurer, whom it shall be lawful for them to remove at their will and pleasure. The directors so appointed, three of whom,

Quorum. including the president, shall form a quorum, shall exercise

Proviso. all the powers vested in them; provided always that no director shall have more than one vote at the meeting of the directors, and in case of an equal division of votes, the

Proviso. president shall have the casting vote; and provided also that the directors shall conform to the orders and directions given to them by the shareholders at the general or special meetings of the shareholders in conformity with the rules and regulations of the company.

Failure to elect directors provided for. **12.** Any failure to hold such annual meeting in the month of June in each year, or any other meeting, or to elect such directors or president, shall not dissolve the said company, but such failure or omission may be supplied by any special meeting to be called as the directors in conformity with the by-laws and regulations of the said company, may see fit to appoint, and until such election of new directors, those who may be in office for the time being, shall be and continue in office, and exercise all the powers thereof until such new election be made as hereinbefore provided; provided always that it shall be lawful at all times for any six of the shareholders of the company, if they shall deem it necessary and expedient, to call a special meeting of all the shareholders, at some house or place in the City of St. Hyacinthe, to be designated by the person or persons who shall call the meeting, after having given public notice thereof in the manner, and at the time hereinafter prescribed, and such meeting shall proceed to transact the business for which it shall have been called, in the same manner as at the annual meeting.

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Sec. 9 of 29, 30 V., c. 109 repealed. **13.** Section nine of the said act is repealed and the following substituted therefor:

Calling in instalments. 9. It shall be lawful for the directors to meet at their good will and pleasure, and at such meeting, to direct such payments to be made, or the shares, as they shall require in order to meet the expenses of the said company, by payments or instalments which shall not exceed two dollars for each share, at an interval of three months one from the other, and no payment or instalment shall be exacted unless public notice thereof has been given in the manner and at the time hereinafter prescribed, and such payments shall be paid into the hand of the secretary-treasurer, at such times and places as shall be ordered by the directors. In the event of any of the said instalments not having been

made in the manner prescribed, it shall be lawful for the president of the company, in the name of the said company to sue all those who shall not have paid such instalments, before any court of competent jurisdiction, and to institute all such legal proceedings as shall be necessary to secure the payment of all sums due to the company.

14. All persons who are set forth as such on the list of shareholders annexed to the deed hereinbefore cited, between Lewis Francis Morison, esquire, and the said company, and who have conformed and shall conform to the requirements of this act, and to the rules and regulations of the said company, provided always that the number thereof does not exceed four hundred and fifty, shall be deemed to be shareholders of the said company.

Who shall be deemed shareholders.

15. Within one month from the date of the passing of this act, the directors shall open a stock-book, which shall contain the names, surnames and residence of each shareholder, the number of his shares and the amount paid on each share, and they shall cause the said stock-book to be signed by each shareholder in the capital stock of the said company and each such name shall be so entered in the said book by the said shareholder himself in respect of the number of his shares, or in the same place by any person lawfully authorized to do so by any such shareholder.

Stock-book, and entries therein.

16. Any person entitled to be enrolled in the said stock-book, who shall neglect or refuse to sign or cause to be signed as aforesaid his name in the stock book, within twelve months from the date of the opening thereof if such person is domiciled in the province of Quebec, and within eighteen months if such person is absent from the province, shall be deprived of all his rights as a shareholder and shall be deemed to have abandoned his share in the said company, and every person who shall sign the said stock-book or cause the same to be signed for him, shall be entitled to a certificate establishing the fact, and such certificate shall confer upon him the right of passage over the said bridge.

Shareholders to forfeit their shares unless they sign the stock-book within a certain delay.

17. The directors shall have the right to refuse such certificate to those shareholders of the said *Société de Passage* who are actually in arrears in respect of the last call ordered by the directors for the purpose of effecting the completion of the bridge actually existing, and the said shareholders, who shall have neglected or refused to pay such arrears, shall not be entitled to pass free over the said bridge, until they shall have paid the same.

Certificate to be given.

Certificate may be withheld from shareholders in arrears.

18. Every public notice required by the said act of incorporation and by this act to convene meetings for the election of directors, special meetings or for any other purpose whatsoever, shall be published at least twice during one week, in any newspaper published in the French language in the city of St. Hyacinthe

How public notices shall be published.

Notice of calls on shares to be mailed to each shareholder.

19. Whenever the directors shall have ordered an instalment on the shares, the secretary-treasurer, in addition to the public notice hereinabove set forth, shall transmit to each shareholder through the post a circular signed by himself, acquainting such shareholder with the decision of the directors and enjoining him to pay such instalment, within the delay fixed by the directors for such purpose, the shareholders shall pay the postage of such circular and it shall be sufficient for all legal purposes whatsoever to establish that the same was deposited in the post office of St. Hyacinthe and addressed to him.

Company may sell forfeited shares.

20. It shall be lawful for the said company to dispose, by sale, or otherwise, of all shares remaining unclaimed by reason of any forfeiture incurred by any shareholder or otherwise.

This act to form part of 29, 30 V., c. 109; inconsistent provisions repealed.

21. This act shall be deemed to form part of the act twenty-ninth and thirtieth Victoria, chapter one hundred and nine; and all the provisions of the act hereinbefore cited, which are inconsistent with the provisions of this act, are hereby repealed.

C A P. X L V I I.

An Act to incorporate the Seminary of St. Germain de Rimouski.

[Assented to 24th December, 1870.]

Preamble.

WHEREAS the Roman Catholic Episcopal Corporation of St. Germain de Rimouski, represented by His Lordship Jean Langevin, Bishop of St. Germain de Rimouski, has prayed for the incorporation of the college or seminary now in existence for several years in the town of St. Germain de Rimouski;

And whereas the said lord bishop, in his own name, has given notice of his intention to endow the said seminary with a certain lot of land which he has acquired for that purpose; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Superior, directors and professors incorporated.

1. From and after the date of the passing of the present act, the superior, the directors and the professors of the said college or seminary, named from time to time by the roman catholic bishop of St. Germain de Rimouski, shall be and are hereby constituted a corporation or body politic and corporate under the name of the "seminary of St. Germain de Rimouski."

Council to be composed.

2. The affairs of the said corporation shall be administered by a council. This council shall be composed of not

