

C A P. XIII.

AN ACT to amend and continue for a limited time a certain Act passed in the First year of the Reign of His late Majesty, intituled, "An Act for the Incorporation of certain persons therein-mentioned, under the name of the "QUEBEC BANK."

[31st March, 1831.]

Preamble.

Act 5. Geo. 4,
cap. 26, con-
tinued and
amended.

WHEREAS certain Merchants and other persons being Inhabitants of the Cities of Quebec and Montreal, as well as certain Stockholders in the Quebec Bank, have by their humble Petition in this behalf, prayed that a certain Act passed in the first year of His late Majesty's Reign, intituled, "An Act for the Incorporation of certain persons therein-mentioned, under the name of the "Quebec Bank," be further continued for a limited time, and certain amendments made therein, and it is expedient to grant the prayer of the said Petition: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act, passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "*An Act for making more effectual provision for the Government of the Province of Quebec in North America,*" and to make further provision for the Government of the said Province;" and it is hereby enacted by the authority of the same, that the said Act passed in the first year of His late Majesty's Reign, intituled, "An Act for the Incorporation of certain persons therein-mentioned, under the name of the Quebec Bank," as amended hereby shall remain in force, and the Corporation thereby created under the name of the "Quebec Bank," shall continue and have succession until the expiration of this Act.

Capital Stock
of the Bank
augmented.

II. And whereas the Capital Stock of the said Bank is by the Act, hereby amended and continued, limited to the sum of seventy-five thousand pounds, currency, which said sum has been found insufficient for the convenience and accommodation of the public, wherefore it is expedient to permit the augmentation thereof; Be it further enacted by the authority aforesaid, that in addition to the said sum of seventy-five thousand pounds mentioned in the said Act, it shall be lawful for the Corporation thereby erected to increase the Capital Stock of the said Bank, by a further sum not exceeding one hundred and fifty thousand pounds, currency, divided into six thousand shares, of twenty-five pounds each to be paid by the holders of such shares respectively, by instalments of not less than ten per centum on the amount held by each of them, at such time or times and place as the Directors of the

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the said Bank shall appoint, after notice of not less than thirty days in this behalf, to be previously given in one or more of the Public Newspapers printed and published in the said City of Quebec. Provided always, that the whole of the additional amount of Capital Stock which the said Bank is hereby empowered to raise and which shall be raised under the authority of this Act, shall be paid up by the persons who shall subscribe for the same, or any part thereof, within five years from the date of the passing of this Act, and all executors, curators and administrators who shall pay up the instalments thereon, due by the estate or succession, which they respectively represent, in obedience to any call made for that purpose, in the manner aforesaid, shall be hereby respectively indemnified.

Proviso.

Persons holding shares of the additional Stock to have votes according to the number of their shares, on which the full amount in specie shall have been paid in. Qualification for a Director.

III. And be it further enacted by the authority aforesaid, that the several persons who shall hold any share, or any number of shares, of the additional Capital Stock, which the said Bank is hereby empowered to raise, shall only have a vote or votes at any general meeting of the said Corporation according to the number of such shares on which the full amount of twenty-five pounds currency, in specie, shall have been paid in by them respectively; nor shall any such person be elected or act as one of the Directors of the said Bank, until he shall have paid in the full amount of twenty such Shares, that is to say, a sum not less than five hundred pounds currency, and shall be otherwise qualified to be so elected, and to act under the provisions of the Act hereby continued and amended.

Directors of the Bank to submit the bye Laws they make to a general meeting of the Stockholders, and if approved to be binding on all the Members of the corporation.

Proviso.

IV. And be it further enacted by the authority aforesaid, that it shall be lawful for the Directors of the said Quebec Bank to submit such by-laws, ordinances and regulations as they shall hereafter make as such Directors, to a general meeting of the Stockholders of the said Bank called for that purpose, or to the General Annual Meeting of the said Stockholders, as they shall deem it expedient, and such by-laws, ordinances and regulations so submitted shall, if they are approved at such meeting, and are not repugnant to the Laws of this Province, have force and effect and be binding on all the members of the said Corporation:— Provided always that six weeks public notice shall have been previously given, of the intention of the Directors to submit such by-Laws, ordinances, and regulations for revision.

Absence of President supplied by the Vice-President.

V. And be it further enacted by the authority aforesaid, that in the event of any temporary absence of the President of the said Bank, whether occasioned by sickness or otherwise, the Directors of the said Bank may by a vote duly recorded in the Register of their proceedings, devolve upon the Vice-President, of the said Bank during the continuance of such temporary absence, all the duties of the said President.

VI.

Not necessary that nine of the Directors in office at the annual election should be re-elected.

Proviso.

VI. And be it further enacted by the authority aforesaid, that it shall not be necessary that nine of the Directors of the said Bank, in office at the period of each annual election, be re-elected for the next succeeding twelve months. Provided always that seven of the directors of the said Bank in office at the period of such annual election, shall be re-elected for the next succeeding year, and that it shall not be obligatory to re-elect the President and Vice-President of the said Bank.

Absence of both President and Vice President, how supplied.

VII. And be it further enacted by the authority aforesaid that in the event of the unavoidable absence of the President and Vice-President, at any Board of the said Directors held for the transaction of business, the said Directors, when assembled, shall appoint one of themselves to supply the place of the said President or Vice-President, and the directors so appointed shall vote as a director at the Board, and if there be an equal division on any question shall have a casting vote.

Stockholders holding a certain amount of Stock, may call a general meeting for the affairs of the Bank, giving notice thereof.

VIII. And be it further enacted by the authority aforesaid, that any number of the Stockholders in the said Bank, not less than twenty, who together shall be Proprietors of two hundred and fifty shares of the Capital Stock of the said Bank, shall have power at any time by themselves or their proxies to call a general meeting of the Stockholders in the said Bank, for purposes relating to the affairs of the said Corporation, giving at least six weeks notice thereof in at least one of the Newspapers published in the City of Quebec, and specifying in such notice the object of such meeting and the time and place thereof.

Governor or either Branch of the Legislature authorized to require from the President &c. of the Bank, a statement of the affairs of the corporation.

IX. And whereas it is expedient, that a more explicit statement than that required by the thirteenth section of the said Act passed in the First year of His late Majesty's Reign, should from time to time be laid before the Legislature of this Province:—Be it therefore further enacted by the authority aforesaid, that instead of the statement required by the said Section of the said Act, it shall be lawful for the Governor, Lieutenant Governor or Person administering the Government, or for either of the other Branches of the Provincial Legislature, from time to time to require from the President, Vice President and Directors of the said Bank, a statement of the affairs of the said Corporation containing, on the one part, the amount of Capital Stock paid in, the amount of their notes in circulation, the nett profits in hand, the Balances due to other Banks, and the Cash deposited in the said Quebec Bank distinguishing deposits bearing Interest, if any there be, and on the other part the amount of Current Coins and gold and silver Bullion in the Vaults of the said Bank, the value of the Buildings and other real Estate belonging to the said Corporation, the notes of other Banks held by the said Corporation, the Balances due to them from other Banks, and the amount of all debts owing to the said Corporation including and particularizing the amount so owing on Bills of Exchange, Discounted Notes, Mortgages, and other securities, thus exhibiting on the one hand

hand the debts due by the said Corporation, and on the other hand the resources thereof, and that the said Statement shall also contain the rate and amount of their last dividend declared by the said Corporation, the amount of the profits reserved at the time of declaring such dividend, the amount of debts due to the said Corporation and secured by the pledge of the Stock thereof belonging to the persons from whom such debts are due, and the amount of debts over due and not paid, with an Estimate of the loss which may probably be incurred from the non-payment of such debts, and a list of the names of all persons who shall at the commencement of every quarter of the year, during the time for which such statement shall be required and made, have been share holders in the said Bank, specifying the number of Shares held by each and every such person at the commencement of each quarter, and also the amount of paper discounted for or monies loaned to the Directors, or for which they may be in any way security to the said Bank, which statement the said President, Vice President and Directors of the said Corporation shall be bound to furnish under oath when so required as aforesaid. Provided always that nothing herein contained, shall compel or authorize the said President, Vice President and Directors to particularize in any such statement the private account of any person with the said Corporation.

Proviso.

The total amount of Notes being for a less sum than one pound five shillings, each issued at one time not to exceed one fifth of the amount of the Capital then paid in.

Proviso.

X. And be it further enacted by the authority aforesaid, that the total amount of the Notes of the said Corporation being for a less sum than one pound five shillings, currency each, which shall be issued and in circulation at any one time shall not exceed one fifth of the amount of the Capital of the said Corporation then paid in. Provided always, that no Note under the nominal value of five shillings, currency, shall be issued or put into circulation by the said Corporation, and that the issue and circulation of all denominations of Notes for a less sum than five dollars each, may be suppressed or further limited by any Act or Acts of the Provincial Legislature, without its being considered as an infringement of the privileges granted by this Act.

This and the former Act, to cease when the amount of Notes issued exceeds the amount fixed and if no notice be given of such excess by the President &c. they will then be liable for all debts affecting the Corporation.

XI. And be it further enacted by the authority aforesaid, that if the total amount of all the Notes of the said Corporation then issued and in circulation shall, at any one time exceed the amount fixed and determined by the Act hereby continued and amended, the said Act, and the present Act shall cease and determine from the time such excessive issue shall have taken place, and in such case the President, Vice-President, and each and every of the Directors of the said Bank, who shall know that such excessive issue has taken place or has been authorized, and shall not within forty-eight hours after he shall have acquired such knowledge, give public notice thereof in one of the Newspapers printed and published in the City of Quebec, shall

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be personally and jointly and severally responsible for all debts and for all claims and demands of any nature whatsoever due by or affecting the said Corporation.

Public Act.

XII. And be it further enacted by the authority aforesaid, that this Act shall be deemed and taken to be a public Act, and as such shall be judicially taken notice of by all Judges, Justices of the Peace, and other persons whatsoever without being specially pleaded.

Continuance
of this Act.

XIII. And be it further enacted by the authority aforesaid, that this Act shall be in force until the first day of May, one thousand eight hundred and thirty-six, and no longer.

C A P. XIV.

An Act to authorize the payment of certain monies due by the Commissioners for the erection of the Gaol at Sherbrooke.

[31st March, 1831.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it is expedient to appropriate a certain sum of Money to pay certain sums due and owing by the Commissioners appointed under a certain Act passed in the fourth year of the Reign of His late Majesty, to authorize the erecting of a Common Gaol in the Inferior District of Saint Francis, and for providing the means of defraying the expences thereof and for other purposes:—May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, '*An Act for making more effectual provision for the Government of the Province of Quebec, in North-America,*' and to make further provision for the Government of the said Province": And it is hereby enacted by the authority of the same, that it shall be lawful for the Governor, Lieutenant-Governor, or person administering the government, by Warrant or Warrants under his hand, to take out of any unappropriated monies in the hands of the Receiver-General, a sum not exceeding twelve hundred pounds currency, to be applied to repay Mistress Painter, her heirs, curators, administrators or assigns a like sum borrowed

Governor empowered to take out of any unappropriated Monies certain sums to repay Money borrowed for the Gaol at Sherbrooke.