

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1836.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 64

**An Act to incorporate The Fredericton Hotel and Stage Coach Company. Passed 16th March 1836.**

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That James Taylor, George F. S. Berton, Benjamin Wolhaupter, John A. Beckwith, Ephraim H. Lombard, James Willox, Henry G. Clopper and Stephen Miller, their associates, successors and assigns, be and they are hereby declared to be a body politic and corporate by the name of The Fredericton Hotel and Stage Coach Company, and by that name shall have perpetual succession and a common seal, and by that name shall and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in any Court or Courts of law or equity, and in all manner of actions, suits, complaints, demands, pleas, causes and matters whatsoever; and also that the said persons, their associates, successors and assigns or the major part of them, shall from time to time and at all times have full power, authority and licence to constitute, ordain, make and establish such laws and ordinances as may be thought necessary for the good rule and government of the said Corporation; provided that such laws and ordinances be not contradictory or repugnant to the laws and statutes of this Province and those in force within the same; and also that the said Company may have, get, receive, purchase, procure, erect, build, make and set up, take, possess and enjoy lands, tenements, hereditaments, houses, outhouses, barns, buildings, stables, yards, gardens and farms, in fee simple or otherwise, for the purposes of a house or houses for public accommodation, convenience and entertainment to be situated in the town of Fredericton; and also may have, get, procure and possess horses, sleighs, sleds, coaches, carriages and other vehicles for the carriage and conveyance of passengers, goods and merchandize, and may establish and get up lines of stages and stage coaches for such purpose, and may contract for the carriage of the public mails, and may establish livery stables, and let, hire horses, carriages and vehicles at their discretion, and in such manner as they shall see fit, and the same discontinue, and all and every the rents, issues and profits thereof and therefrom coming and arising.

II. And be it enacted, That the capital stock of the said Company shall consist of fifteen thousand pounds to be divided into one thousand shares and numbered in progressive order, beginning at number one, and every member of the said Corporation shall have and be entitled to have a certificate under the seal of the said Corporation and signed by the President and secretary thereof, certifying his property in such shares as shall be expressed in the certificate.

III. And be it enacted, That any share or shares may be alienated by the proprietor thereof, by deed under his hand and seal acknowledged before one of His Majesty's Justices of the Peace for any County in this Province, and recorded by the secretary of the Corporation in a book to be by him kept for that purpose, and any purchaser named in such deed so recorded shall on producing the same to the secretary and delivering up to him the former certificate be entitled to receive a new certificate in form aforesaid.

IV. And be it enacted, That when five hundred shares of the stock of and in the said Corporation shall have been subscribed, a general meeting of the subscribers shall and may be held at Fredericton aforesaid, and shall and may be called by George F. S. Berton, Barrister at Law, or in case of his death or neglect or refusal by any two of the said stockholders, by publishing notice thereof for thirty days in the Royal Gazette, at which or at any subsequent meeting to be for that purpose holden, five directors (who shall be members and stockholders of and in the said Corporation to such an extent as by the laws and regulations of the said Corporation may be provided) shall be elected, which directors at their first meeting after such election shall choose one of their number to be president of the said Company, and shall serve until the first annual meeting for the choice of directors, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations thereof subject nevertheless to the laws and regulations which may from time to time be made by the said Corporation.

V. And by it enacted, That a general meeting of the stockholders and members of the said Corporation shall be annually holden on the second Monday In January in each and every year at Fredericton, at which annual meeting there shall be chosen of the said members five directors (duly qualified according to the rules and regulation of the said Company), who shall continue in office for one year or until others are chosen in their room; Provided always, that three of the directors in office shall be re-elected at such annual meeting for the next succeeding year, and the directors when chosen at their first meeting shall choose out of their number a President.

VI. And be it enacted, That the directors for the time being shall and may appoint a secretary and treasurer, and such other officers, clerks and servants as they or the major part of them shall think necessary for executing the business of the Corporation, and shall allow them (out of the funds of the Corporation) such compensation for their respective services as to them shall appear reasonable and proper, and the directors shall likewise exercise such other powers and authorities for the well regulating the affairs and managing the business of the said Corporation as shall be prescribed by the bye laws and regulations of the same.

VII. And be it enacted, That every person owning a share in the capital stock of the said Company shall be a member thereof and be entitled to vote at all meetings of the said Company, and members may give as many votes as they own shares; and absent members may vote by proxy, such proxy being a stockholder and authorised in writing.

VIII. And be it enacted, That the president and directors of the said Corporation may from time to time assess upon each share such sum or sums of money as shall be judged by the said Company necessary for raising a capital for the payment of any debts of the said Corporation and for the purchase of such real and personal property, and the erecting, building, making and setting up of such buildings, fences, gardens, yards, farms and appurtenances as may be deemed necessary for carrying into full effect the objects of the said Company, to be paid to their treasurer at such time or times and by such instalments as may be deemed requisite and proper; Provided always, that when any such assessment shall be made or ordered, notice thereof shall be given by the

secretary in the Royal Gazette, requiring payment at such time or times as may for that purpose be appointed; and if the proprietor of any share or shares neglect or refuse to pay to the treasurer the amount of any such assessment or assessments, or instalment thereof, duly assessed or ordered as aforesaid, it shall be the duty of the treasurer to advertize such delinquent's shares for sale at public auction, giving at least thirty days notice of the time and place of such sale in the Royal Gazette aforesaid, and all shares upon which the assessment or assessments or instalment thereof shall then remain unpaid shall be sold to the highest bidder, and such sale shall be a legal transfer of the shares so sold to the purchaser or purchasers thereof, and shall be recorded accordingly by the secretary, and such purchaser or purchasers shall be entitled to receive a certificate in the form prescribed in and by the second section of this Act.

IX. Provided always and be it enacted, That unless one fifth part of the said capital stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the said directors or a majority of them, (which oath any Justice of the Peace is hereby authorised to administer,) shall be filed in the office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease and the existence of the said Corporation be terminated at the expiration of the said three years.

X. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty six.