

CAP. LXV.

An Act to incorporate the Trustees of the Wesleyan Academy, at Mount Allison, Sackville.

Passed 14th April 1849.

WHEREAS Charles F. Allison, of Sackville, in the County of Westmorland, in the Province of New Brunswick, Esquire, for the purpose of founding and establishing an Academy for the instruction of Youth in the various branches of Science and Literature upon Christian principles, did by Indenture bearing date the twenty sixth day of May, in the year of our Lord one thousand eight hundred and forty, grant to William Temple, Sampson Busby, and Enoch Wood, Wesleyan Missionaries of the New Brunswick District, five acres and twenty five perches of Land, more or less, situate in the said Parish of Sackville, and particularly described in the said Indenture, upon trust, that the said William Temple, Sampson Busby, and Enoch Wood, or the survivor of them, or the heirs, executors and administrators of such survivor, should execute such further conveyance thereof to such person and upon such trusts as might be agreed upon and appointed by the British Wesleyan Methodist Conference, and signified in writing to the said William Temple, Sampson Busby, and Enoch Wood, or the survivor of them, or the heirs, executors or administrators of such survivor; and the said Charles F. Allison did also give and expend a large sum of money to promote his said benevolent purpose: And whereas Buildings have been erected on the said lot of Land now called Mount Allison, by means of the said gift and the contributions of other piously disposed and benevolent individuals, and the said Academy has been organized and established, and is now in efficient operation: And whereas it is believed that the incorporation of the said Academy will more effectually promote the benevolent designs of its founder, and tend to a larger diffusion of its benefits, by simplifying the management thereof: And whereas the Missionary Committee of the British Wesleyan Conference having charge of the Missions established and maintained under the authority of the said Conference, have signified their assent to the incorporation of the said Academy, and to the assumption by the said Corporation of the lands and premises aforesaid, without any formal conveyance thereof:

Preamble, reciting the establishment of the Academy at Mount Allison.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Reverend Richard Knight, Chairman of the New Brunswick District of Wesleyan Ministers, the Reverend William Temple, Secretary of the said District, the Reverend Ephraim Evans, Chairman of the Nova Scotia District of Wesleyan Ministers, the Reverend Thomas H. Davis, Secretary of the said District, Charles F. Allison, of Sackville, Esquire, John Owen, of Saint John, Esquire, Martin G. Black, of Halifax, Nova Scotia, Esquire, Ralph Brecken, of Charlotte Town, Prince Edward Island, Esquire, and the Reverend Humphrey Pickard, of Sackville, the Principal of the said Institution, their associates, successors and assigns, be and they are hereby declared to be erected into and created a body politic and corporate by the name of "The Trustees of the Wesleyan Academy at Mount Allison, Sackville," and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of supporting and maintaining the said Academy, and for carrying on, conducting and managing the same.

Persons herein named, and their associates, &c. incorporated by the name of "The Trustees of the Wesleyan Academy at Mount Allison."

II. And be it enacted, That the first meeting of the said Corporation shall be held at Sackville, after fifteen days notice thereof published in the Royal Gazette; which notice shall be given by the Reverend Richard Knight, or in case of his death, neglect or refusal to give such notice, then by any other person incorporated by this Act; and such meeting so holden, shall be adjourned from day to day till the business required to be done thereat is completed.

First meeting to be held at Sackville, on notice.

III.

Certain ex officio and elective members to constitute the Corporation after the first meeting.

III. And be it enacted, That after the first meeting of the said Corporation, the said Corporation shall consist of the Chairman of the New Brunswick District of Wesleyan Ministers for the time being—the Secretary of the said District for the time being—the Chairman of the Nova Scotia District of Wesleyan Ministers for the time being—the Secretary of the said last mentioned District for the time being—the Chairman and Secretary of each and every District of Wesleyan Ministers for the time being, into which the Provinces of New Brunswick, Nova Scotia, and the Island of Prince Edward may be divided, by and under the authority of the British Conference of Wesleyan Methodist Ministers, originally established by the Reverend John Wesley, A. M.—the Principal of the said Academy for the time being—and two laymen to be selected annually by each of the Districts of Wesleyan Ministers into which the Provinces of New Brunswick, Nova Scotia, and the Island of Prince Edward are now or may at any time hereafter be divided, by the authority of the aforementioned Conference, the appointment of which laymen shall be duly certified by the Chairman of the District for which they may be respectively appointed, and such Certificate shall be countersigned by the Secretary of the said District; and the said Members of the said Corporation shall be the Trustees of the said Academy, and as such Trustees the Governors thereof: provided always, that in case the election of the said lay members of the said Corporation, or either of them, be omitted by the said District meetings, or either of them, it shall and may be lawful for the lay members of the previous year to remain and continue in office during the following year, and until their successors shall be duly elected by the said District meetings as aforesaid.

Lay members to continue in office on omissions to elect.

Annual meeting to be held on third Saturday in June.

IV. And be it enacted, That a meeting of the said Corporation shall be annually holden on the third Saturday in June in each and every year, in or near the said Academy in Sackville.

Extraordinary meetings may be called by two members.

V. And be it enacted, That any two of the members of the said Corporation shall have power, at any time after fifteen days notice, to call extraordinary meetings of the said Corporation, specifying in such notice the time and object of such meeting, which meeting shall be holden in or near the said Academy at Sackville, and no business shall be done thereat other than what is specified in such notice.

Six members to be quorum for business, and consent of four essential to a binding vote.

VI. And be it enacted, That six members of the said Corporation shall form a quorum for the transaction of business, but any less number may adjourn from time to time till a full attendance can be obtained, and in no case shall any corporate act or vote be binding unless it is assented to by at least four members of the said Corporation.

Power to appoint and remove the Principal.

VII. And be it enacted, That in the event of the death, resignation or removal from office of the Principal of the said Academy, the surviving members of the said Corporation shall have power to appoint a Principal, and whenever they may consider the interest of the said Academy requires it, may remove the Principal from office; provided that in all such cases a majority of the members of the Corporation for the time being shall agree to such appointment or removal.

Constitution of meetings.

VIII. And be it enacted, That at all meetings of the said Corporation the members present shall be deemed to constitute a Board, and the Chairman of the New Brunswick District of Wesleyan Missionaries shall preside thereat; and in case of his sickness, or other necessary absence, the members present shall elect a Chairman.

Officers to be appointed by the Corporation.

IX. And be it enacted, That the said Corporation shall have power to appoint a Treasurer, Secretary and such other officers and servants as they may from time to time deem necessary for carrying on the financial, educational and other departments

departments of the said Academy, and allow them such compensation for their respective services as they may deem advisable.

X. And be it enacted, That on the organization of the said Corporation at the first meeting thereof to be holden in the manner provided by the second section of this Act, the said Corporation shall be deemed to be fully vested with the title and possession, and fully and legally seized of the said piece or parcel of Land conveyed in the said Indenture bearing date the twenty sixth day of May in the year of our Lord one thousand eight hundred and forty, without any formal transfer or conveyance thereof from the Trustees mentioned in the said Indenture, as fully and effectually to all intents and purposes as if it had been conveyed to the said Corporation by the said Trustees according to the terms and provisions in the said Indenture mentioned.

Certain real estate vested in the Corporation on its organization.

XI. And be it enacted, That no person shall teach, maintain, promulgate or enforce any religious doctrine or practice in the said Academy or any department thereof, or in any religious services held upon the said premises, contrary to what is contained in certain Notes on the New Testament, commonly reported to be the Notes of the said Reverend John Wesley, A. M., and in the first four Volumes of Sermons commonly reputed to have been written and published by him.

No religious doctrine contrary to certain Works of the Reverend John Wesley, A. M., to be taught.

XII. And be it enacted, That the annual value of the lands, tenements and hereditaments which the said Corporation may at any time hold, shall not exceed the sum of one thousand pounds.

Annual value of estate to be held, limited.

CAP. LXVI.

An Act to incorporate the Fredericton Mutual Insurance Company.

Passed 14th April 1849.

‘WHEREAS the establishment of a Mutual Insurance Company within the City of Fredericton, for the purpose of insuring against losses by Fire, would tend much to promote the public interests ;’

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Honorable Thomas Baillie, William J. Bedell, Harvey Garcelon, James S. Beek, Duncan Robertson, Thomas R. Robertson, George Lee, Junior, George Thompson, Thomas W. Bliss, and all and every such other person and persons as shall from time to time become proprietors of shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby erected into a Company, and declared to be a body politic and corporate, by the name of “The Fredericton Mutual Insurance Company ;” and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of insuring against loss by Fire ; and that the said Company, or the major part them, shall from time to time, and at all times, have full power and authority to constitute, ordain, make and establish such bye laws and ordinances as may be thought necessary for the good rule and government of the said Corporation ; provided that such bye laws and ordinances be not contradictory or repugnant to the Laws and Statutes of the Province, and those in force within the same.

“Fredericton Mutual Insurance Company” incorporated, with powers incident to Corporations.

II. And be it enacted, That all persons who shall insure with this Corporation, and also their executors, administrators and assigns, shall thereby become members thereof during the period for which they shall remain insured, and no longer.

Persons insuring with the Company thereby become members.

III. And be it enacted, That the first meeting of the said Corporation shall be held at the City of Fredericton, and shall be called by James S. Beek, or in case of his death, refusal or neglect, by any three of the said Company, by giving notice thereof in one of the newspapers printed in the said City, at least one week

First meeting of the Corporation to be held on public notice, after certain Insurances have been applied for.