

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1855. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1855.

18 Victoria – Chapter 70

An Act to incorporate the Saint John Protestant Orphan Asylum. Passed 12th April 1855.

Preamble recites the Constitution of the Society.

Section.

1. Institution incorporated.
2. Recited rules to be the constitution.

Section.

3. Certain propety and liabilities transferred to the Corporation.

Whereas it has been represented to the Legislature of this Province that certain persons hereinafter named, and divers others, inhabitants of the City of County of Saint John, have associated themselves together for the purpose of erecting an Asylum for Destitute Orphans in the City and County of Saint John, under the following Constitution, Rules, and Regulations, that is to say:—

1st. This Institution shall be called “The Saint John Protestant Orphan Asylum.”

2nd. The object of this Institution is to provide a home, food, clothing, medical attendance, and Scriptural education for destitute Orphans, without distinction of sect or colour and to apprentice them at suitable ages to approved Protestant masters or mistresses, or otherwise provide for them.

3rd. The Asylum shall be managed by a Board of Directors, seven of whom shall be lay members of Protestant Churches holding the following doctrines, viz:—

First— The Being and Unity of God.

Second— The Doctrine of the Trinity.

Third— The Personality of the Holy Ghost.

Fourth— The Doctrine of the atonement.

Fifth— Justification by faith in the Lord Jesus Christ.

Sixth— The eternity of future rewards and punishments.

4th. Clergymen of Protestant Churches (being subscribers and holding the aforesaid doctrines) shall ex officio be members of the Board of Directors.

5th. Yearly subscribers of five shillings and upwards, being Protestants, shall be entitled to vote for Directors.

6th. The Directors shall appoint a Chairman, Secretary, Treasurer, and all other officers connected with the Institution, and may change or dismiss them from time to time, as they may deem necessary.

7th. The annual meeting shall be held on the second Monday in each year, when the election of Directors shall take place.

8th. In case of vacancy by the death, removal, or the refusal to act of any lay Director, the Board shall appoint one to act until the next annual meeting.

9th. Regular meetings of Directors shall be held on the first Monday in each month for the transaction of business, four lay Directors constituting a quorum.

10th. Special meetings shall be called by the Chairman when application is made in writing by three members of the Board, due notice being given of such meeting.

11th. Two or more Directors, one of whom shall be a layman, shall be appointed monthly as a visiting and superintending Committee, who shall report weekly in writing to the Chairman.

12th. The Chairman shall preside at all meetings, and if absent another Chairman shall be appointed pro tempore.

13th. The Secretary shall keep a record of the transactions of the Institution, and notify the members of special meetings.

14th. The Treasurer shall receive all moneys and deposit the same weekly in the Bank of New Brunswick in the name of this Institution, and give an account of the same at the monthly meeting of the Board.

15th. No money shall be drawn from the Bank unless by a check signed by the Chairman and Secretary.

16th. The Directors from time to time shall make, alter, or rescind such bye laws as they may deem necessary, provided such bye laws are in accordance with the Constitution, notice of the same being given at the previous meeting of the Board.

And whereas also the said persons have contributed or engaged to contribute considerable sums of money for the object therein recited: And whereas it is considered necessary for the safety of the property of the Institution, and would tend to facilitate and promote the purposes of the said Institution, that it should be incorporated;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Reverend I. W. D. Gray, D. D., the Reverend John Armstrong, the Reverend Alexander M'Leod Stavelly, the Reverend Charles Mackay, the Reverend William Armstrong, the Reverend James W. Disbrow, the Reverend William Ferrie, the Reverend George M. Armstrong, the Reverend James G. Hennigar, the Reverend I. E. Bill, the Reverend Samuel Robinson, the Reverend Edward N. Harris, the Reverend James Bennett, the Reverend James Baird, the Reverend Ezekiel M'Leod, Thomas W. Daniel, James Paterson, L. L. P., John Fraser, A. M'L. Seely, William Peters, John Armstrong, and Le Baron Botsford, M. D., and such other persons as are now members of the said Institution, according to the Constitution, Rules, and Regulations thereof, and such other persons as shall from time to time hereafter become members of the Institution, shall be and are hereby declared to be a body corporate and politic in name and deed, by the name of "The Saint John Protestant Orphan Asylum," and by the said name the said Institution shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.
2. The Constitution, Rules, and Regulations hereinbefore recited, shall and the same are hereby declared to be the Constitution, Rules, and Regulations of the said Corporation.
3. The property, both real and personal, moneys, funds, securities, and assets of every description of the said Society, whether in possession, remainder, reversion, or expectancy, shall from and after the passing of this Act be and the same are hereby declared to be absolutely vested in the said Corporation by the name aforesaid, for the like objects and purposes, and no other, for which the same were held by the said Institution, and by the said Corporation shall be appropriated and applied in like manner as the same were required to be appropriated and applied by the said Institution; and shall and may from time to time be sued for and recovered by all lawful ways and means to and for the uses aforesaid; and all the liabilities of the said Institution, both in law and equity, shall in like manner, from and after the passing of this Act, devolve upon the said Corporation by the name aforesaid, to the same extent as the said Institution would have been held liable for had this Act not been passed.