

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1866. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1866.

29 Victoria – Chapter 38 (Session 2)

**An Act to incorporate the Calker's Association of the City and County of Saint John.
Passed 9th July, 1866.**

Section.

1. Association incorporated.
2. Association may hold property; proviso.
3. First meeting, by whom called.
4. Property of Association not transferable.
5. Property not liable for debts of members.
6. Property alone liable for debts of Association.

Section.

7. Duty of Treasurer.
8. Treasurer to give Bonds.
9. Association to make bye laws.
10. Association not to be dissolved if three members object.

Whereas the Calkers of the City and County of Saint John have formed themselves into an Association, for the purpose of raising and securing a fund for the mutual assistance and benefit of members thereof, and of their families, in case of sickness, inability, or death: And whereas for the purpose of managing their pecuniary affairs, and no other, the said Association should be protected by an Act of Incorporation;—

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

1. That Daniel Haslam, John E. Thomas, George L. King, James Lynch, John W. Cunningham, Jeremiah Dempsey, and George Saunders, their associates and successors, be and they are hereby erected into a body corporate, by the name of "The Calkers' Association of the City and County of Saint John," with the powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of managing the pecuniary affairs of said Association.

2. The said Association, in their corporate name, shall be capable of acquiring and holding property, real or personal, and the same to sell, convey, control, lease, or otherwise manage and dispose of at pleasure; provided that the real estate to be held by the said Association shall at no time exceed in value the sum of one thousand pounds.

3. The first meeting of said Association shall be called by Daniel Haslam, or in case of his death, absence, neglect, or refusal, by any two of the persons named herein, by giving six days notice of such meeting in any Newspaper published in the City of Saint John, for the purpose of organizing said Association under this Act, establishing bye laws, and making such rules and regulations as may be deemed necessary for the

management of the said Association, and for the purpose of appointing or electing such officers as may be necessary for the management of said Association, which officers so elected shall serve for such period as they may be elected to, as may be provided by the bye laws, or until others are chosen in their stead, and shall have full power and authority to manage the affairs of the said Society, subject to the bye laws established at the said meeting; provided always, that the said bye laws may be altered and amended at any meeting thereafter to be held, in such manner as two thirds of the members present at such meeting may direct, at least two weeks previous notice of such alteration or amendment having been given.

4. No member of the said Association shall have any power to assign, transfer or set over unto any person or persons whatsoever, any interest which he may have in or claim to the funds or property of the said Association; but the same shall at all times after the passing of this Act be subject to and under the control of the said Association.

5. No property of any kind whatsoever belonging to the said Association shall be subject to the payment of the debts of any of its members, nor shall the same be liable to be taken in execution by any judgment creditor against any of the members of the said Association.

6. The property of the said Association shall alone be responsible for the debts and engagements of the same.

7. It shall and may be lawful to and for the Treasurer of the said Association, and he is hereby authorized and empowered from time to time, by and with the consent of the said Association, to be had and testified in such manner as may be directed by the bye laws, rules and regulations of the said Association, to lay out and dispose of all such sums of money as shall at any time be collected, given or paid to and for the beneficial ends, interests and purposes of such Association, as the exigency of the said Association may require, and as may be ordered by the said Association at any regular meeting of the same, with full power to invest any surplus that may remain, in any securities, real estate or funds that the said Association may direct, and in the name of the said Association, and from time to time, with such consent and direction as aforesaid, to alter, sell and transfer such securities, real estate and funds respectively.

8. It shall and may be lawful for said Association to receive from the Treasurer thereof from time to time, in their corporate name, sufficient security by bond, with one or more surety or sureties, or otherwise, as such Association may deem expedient, for the faithful performance of his duty as such, and that he will well and truly account for and pay and invest, from time to time, all such sum or sums of money, funds or other property as may come to his hands or under his control, belonging to said Association, as directed by said Association.

9. The said Association shall have full power in establishing said bye laws, to name the rate or sum of money that each member shall pay to said Association, the time of payment, the manner in which each member shall, in case of sickness or inability, or his family in case of his death, participate in or receive from said Association a portion of the funds of the Association, and also for what reasons such member, or family of such member, shall be excluded from such participation.

10. The said Association shall not be dissolved, nor shall any appropriation be made of its funds contrary to the meaning of this Act, while any three of the members of the same object thereto.