

XII. Provided always, and be it enacted, That no penalty which shall be laid or imposed by the said rules or orders, shall exceed the sum of Ten Shillings current money of this Province, and that all and every the penalties which shall be so laid or imposed, shall be used and appropriated by the said Corporation to the benefit and improvement of the said Common, and in such manner as the said Corporation shall deem most expedient for that purpose, and the said penalties shall be enforced by summary proceedings before a Justice of the Peace for the said District nearest to the said Common, and shall be levied in the same manner as other fines are levied before Justices of the Peace according to the laws in force in Lower Canada.

Penalties limited and appropriated.

Enforcement of Penalties.

XIII. And be it enacted, That at every general election pursuant to this Act, the Chairman and Trustees retiring, or about to retire from office, shall, previous to the election of their successors, lay before the meeting of the inhabitants aforesaid, assembled for that purpose, a full and clear account of all the moneys or other things received and disbursed or expended by them, in the execution of their office, under the authority of this Act; and they shall also deliver over to their successors in office, whatever money or other things may be then remaining in their hands, together with all books of account, books of entry, or other books kept by them, or by their clerk under their direction, touching and concerning the business of the said Common, as also all titles or papers thereunto relating: Provided always, That the said account shall be prepared and open for the inspection of the said inhabitants ten days at the least before the said day appointed for the general meeting; and at such general meeting, it shall be competent for the said inhabitants, to examine into, revise, approve or reject the said account in whole or in part, and in case of dispute thereof the said successors shall take such proceedings as may be just and necessary for the proper settlement and liquidation thereof.

Trustees to lay annual accounts before the General Meetings.

Proviso: accounts to be open for inspection during a certain time before the Meeting.

XIV. And be it enacted, That the Interpretation Act shall apply to this Act.

Interpretation.

XV. And be it enacted, That this Act shall be deemed a Public Act.

Public Act.

## C A P . C X V .

### An Act to incorporate The Canada Military Asylum.

[Assented to 22nd April, 1853.]

**W**HEREAS Colonel Gordon Higgins, of the Royal Regiment of Artillery, President of an Association commonly known as *The Canada Military Asylum*, the Reverend George Mackie, D. D., the Reverend John Cook, D. D., the Reverend R. G. Plees, the Reverend George Cowell, the Reverend Gilbert Percy, David Dumbreck, Esquire, Staff Surgeon,

Preamble,

Heneage Grubbe, Lieutenant Colonel of Her Majesty's Sixty-Sixth Regiment of Foot, William Yorke Moore, Lieutenant Colonel of Her Majesty's Fifty-Fourth Regiment of Foot, John Ross Wheeler, Major of the same, Walter Simpson, Assistant Surgeon of Her Majesty's Sixty-Sixth Regiment of Foot, Alfred Knight, Captain unattached and Town Major of Quebec, Henry Cornwall, Barrick Master at Quebec, and Thomas Blatherwick, Esquire, Staff Assistant Surgeon, Members of the Acting Committee of the said Association, have by their petition to the Legislature represented, that the said Association hath been established for many years, for the purpose of affording relief to the Widows and Orphans resident in Canada of Soldiers in Her Majesty's service, and of discharged Soldiers residing in Canada, who may need such relief, and have in and by their said petition prayed that the said Association be incorporated; And whereas in view of the philanthropic object and the great advantages to be derived from such an Institution it is expedient to grant their prayer: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Rector of Quebec, the Commandant of the Garrison of Quebec, the Minister of Saint Andrew's Church, Quebec, the Principal Military Medical Officer at Quebec, the Chaplain to the Garrison of Quebec, the Town Major of Quebec, Daniel Thorndike, Lieutenant Colonel R. A., Henry Powell Wulff, Lieutenant Colonel R. E., Henry Coope Stace, Captain R. A., Frederick Stanley Carpenter, Assistant Commissary General, Walter Simpson, Thomas Blatherwick, with all such persons as now are or may hereafter become Members of the Association aforesaid, under the By-laws thereof, shall be and they are hereby declared a body politic and corporate, under the name of the *Canada Military Asylum*, and by that name shall have perpetual succession and a common seal, and shall have power from time to time to alter, renew or change such common seal, at their pleasure, and shall by the same name from time to time and at all times hereafter be able and capable to purchase, acquire, hold, possess and enjoy, and to have, take and receive to them and their successors, to and for the uses and purposes of the said Corporation, any personal property or estate, and any lands, tenements and hereditaments and real or immoveable property and estate, situate, lying and being within this Province, not exceeding in yearly value the sum of One Thousand Pounds currency, and the same to sell, alienate and dispose of, and to purchase others in their stead for the same purpose, and by the said name shall and may be able and capable in law to sue and be sued, implead and be impleaded,

Certain Functionaries and persons incorporated.

Corporate name and powers.

Property.

Real property limited.

answer

answer and be answered unto in all Courts of Law and places whatsoever, in as large, ample and beneficial a manner as any other body politic or corporate, or as any persons able or capable in law may or can sue and be sued, implead or be impleaded, answer and be answered unto in any manner whatsoever; and any majority of the Members of the Committee of Management, or other body to whom the direction and management of the affairs of the Corporation shall be entrusted, shall have power and authority to make and establish such By-laws, Rules, Orders and Regulations not being contrary to this Act or to the laws in force in this Province, as shall be deemed useful or necessary for the interests of the said Corporation and for the management thereof, and for the admission of Members into the said Corporation, and from time to time to alter, repeal and change the said By-laws, Rules, Orders and Regulations, or any of them, and those of the said Association in force at the time of the passing of this Act, and shall and may do, execute and perform all and singular other the matters and things relating to the said Corporation and the management thereof, or which shall or may appertain thereto; subject nevertheless, to the Rules, Regulations, Restrictions and Provisions hereinafter prescribed and established.

Committee of management empowered to make By-laws for certain purposes.

Further powers.

II. And be it enacted, That all and every the estate and property, real and personal, belonging to the said Association, or held by any person or party for the use or purposes thereof, and all debts, claims and rights whatsoever due to the said Association, or to any person as representing or acting for the said Association, shall be and they are hereby vested in the Corporation hereby established, which shall be liable for all debts due by the said Association, or lawfully contracted by any person or party acting in its name or on its behalf.

Property of the present Association vested in the Corporation.

III. And be it enacted, That the present By-laws, Rules and Regulations of the said Association, shall be the By-laws, Rules and Regulations of the said Corporation until others be enacted and made in their stead; and the President and other Members of the Acting Committee of the said Association and all Officers thereof, shall be and continue to be the President and Members of the Acting Committee and Officers of the said Corporation, until others in their stead shall be appointed or succeed them, according to the By-laws, Rules and Regulations made or to be made for the government of the said Corporation.

Present By-laws continued in force, until repealed or altered, &c.

IV. And be it enacted, That the said Corporation shall, whenever thereto required by the Governor of this Province, or by either of the other branches of the Legislature, render true statements of their receipts and expenditure, and of the real and personal estate held and enjoyed by the said Corporation.

Statements of receipts and expenditure to be rendered Legislature.

V. And be it enacted, That this Act shall be deemed to be Public Act, a Public Act.