

C A P . L X I V .

An Act to incorporate the Members of The British American Friendly Society of Canada.

[Assented to 18th December, 1854.]

Preamble.

WHEREAS an Association hath been formed in this Province, under the name of "The British American Friendly Society," for the purpose of securing by voluntary subscription or contribution of the members thereof, funds for the mutual relief and maintenance of the said members during old age, sickness and infirmity, or any other natural state or contingency whereof the occurrence is susceptible of calculations by way of average, and also for a provision at death; and whereas such an association is likely to be attended with very beneficial results, by promoting the happiness of individuals, and at the same time diminishing the public burdens, and by the contribution of the savings of many persons to one common fund, the most effectual provisions may be made for the casualties affecting all the contributors; and whereas the benefits derivable from such a society to the members thereof, would not only be secured by the incorporation of the members thereof, but be greatly enhanced; and whereas the said Association have prayed to be so incorporated, and it is expedient to grant the prayer of the said petitioners, subject to the provisions and enactments hereinafter set forth and made in their behalf: 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, as follows:

Institution incorporated, and of whom to consist.

I. Wolfred Nelson, M. D., the Honorable Charles Wilson, George Brown, James Harvey Phillips, J. B. Bibaud, M. D., Ovide LeBlanc, Aaron Locoock Graveley, Louis Prévost, John Gilmour, Robert Aspinall, James Garven, Eugène Lamoureux, Thos. R. Browne, Louis Papin, John Boyd, Robert Weir, Charles Garth, Moses Beauchamp, James Knapp, Daniel Longprès, Joseph White, J. B. Tison, Geo. Swinburn, Vital Tétu, A. H. Powell, John P. Mackay, A. Dufresne, with all such other persons as now are or may be hereafter associated with them for the purposes hereinbefore mentioned, and their successors for ever, shall be one body politic and corporate, in deed and in name, by the name and style of The British American Friendly Society, and shall by that name have perpetual succession and a common seal, and shall have power from time to time to alter, change or renew such common seal at pleasure, and shall by the same name, from time

Corporate name and general powers.

to

to time, and at all times hereafter be able and capable to have, receive, purchase, acquire, hold, possess and enjoy, to them and their successors aforesaid, to and for the uses of the said Corporation, any messuages, lands, tenements and hereditaments, of whatever nature, quality or kind, situate, lying and being within this Province, to an amount not exceeding the annual value of five hundred pounds currency, and also to take, receive, purchase, acquire, have, hold and possess, to and for the same uses and purposes, any goods and chattels, gifts or benefactions whatsoever, and shall and may by the same name be able and capable to sue in law and be sued, implead and be impleaded, answer and be answered unto in all Courts of Law and places whatsoever, in all and singular actions, causes, pleas, suits, matters and demands whatsoever, in as large, ample and beneficial a manner and form as any other body politic or corporate, or any persons able and capable in law may or can sue, implead or answer, or be sued, impleaded or answered in any manner whatsoever.

Real property
limited.

II. A meeting of the Members of the said Society shall be held the first Monday in October in every year, for the election of not less than five nor more than seven Directors, and seven Members shall form a quorum at such meeting, and should it so happen that an election should not be made on the day designated, the said Corporation shall not thereby be dissolved, but an election may be made on any convenient day within thirty days thereafter, to be designated by the Secretary; after such election of Directors they shall proceed to elect from their own body a President and a Secretary and General Manager, and appoint such subordinate Officers as may in the opinion of the Directors be deemed necessary, and define their powers and prescribe their duties; the Directors shall also fill all vacancies occurring by death, resignation or otherwise, and shall be eligible for re-election indefinitely.

Yearly Meetings of Members.

Election of Directors.

Appointment of President and Officers.

III. It shall be lawful for the Directors of the said Association to make, and from time to time to amend or repeal such By-laws and Regulations as may be deemed necessary effectually to carry out the objects contemplated by the Society, and clearly to define the rights and privileges of Members, and to raise from time to time, by subscriptions of the several Members, or by voluntary contributions or donations, a Capital Stock or Fund for the effectual relief and maintenance of all and every the Members thereof, their children, relatives or nominees, in sickness, old age and infirmity, widowhood or any other natural state or contingency, whereof the occurrence is susceptible of calculation by way of average, and for making a provision at the death of any member to any amount not exceeding one thousand pounds currency.

Making By-laws, and for what purposes.

IV. In case any Member shall decease or become disabled, he shall be dealt with as prescribed in the By-laws, and in case any Member

Payment of money due on

decease of
Members.

Member of the said Society shall be rendered disabled or die, who shall be entitled to any sum agreeably with the rules of said Corporation, not exceeding two thousand five hundred pounds currency, it shall be lawful for the Directors of the said Corporation to pay the same at any time after the decease of such Member, according to the By-laws of the said Society ; and whenever the Directors of the said Society at any time after the decease of any Member shall have paid and divided any sum of money to the next of kin of such deceased Member, or amongst any person or persons who shall at the time of such payment appear to the Directors to be legally entitled to the amount due any deceased member, the payment of any such sum shall be valid and effectual.

Entry and
Record of By-
laws, and
proof thereof.

V. All the rules for the proper management of the said Society shall be entered in a book to be kept by an Officer of the said Society, which book shall be open at all reasonable times for the inspection of Members, and all rules from time to time made and in force for the management of the said Society, shall be binding on the several Members and Officers of the said Society, and the several contributors thereto and their representatives, all of whom shall be deemed to have taken full notice thereof by such entry and contribution aforesaid ; and the entry of such rules in such book aforesaid, or a true copy thereof, certified by the President and Secretary, shall be received as *prima facie* evidence of such rules respectively, in all cases.

Yearly state-
ment to be
made and sub-
mitted to the
Legislature.

VI. The Secretary of the Society shall prepare or cause to be prepared a yearly general statement of the whole number of Members, their ages, number of deaths, amount of sickness experienced, together with a full statement of the funds, and of the effects of or belonging to the said Society, with an account of all and every the various sums of money received and expended by or on account of the said Society, duly attested, and every member shall be entitled to receive a copy of such periodical statement : and a copy of such periodical statement shall be annually furnished to the Legislature, within the first fifteen days of each Session thereof ; and such statement shall also be furnished to the Governor in Council at such other times as the said Society may be required so to do.

Reserve fund,
and its appli-
cation.

VII. All surplus funds on hand at the expiration of each year after paying all claims for benefits and expenses of management, shall be set aside as a reserve fund, until such surplus amounts to twenty thousand pounds, from which time the subsequent annual surplus shall be divided among the Members in proportion to their annual deposits.

Corporation
not to be dis-
solved except

VIII. The said Society shall not be dissolved so long as the intents or purposes declared, or any of them, remain to be carried into effect, without obtaining the votes or consent of
three

three fourths in value of the then existing Members, to be ascertained in the manner hereinafter specified, and for the purpose of ascertaining the votes of such three fourths in value, every Member shall be entitled to one vote, and an additional vote for every five years that he may have been a member, and in case of dissolution the intended appropriation or division of the funds or other property of the said Society, shall be fairly and distinctly stated in the proposed plan of dissolution, prior to such consent being given; and the division or distribution of the stock or funds, or any part thereof, shall be in strict accordance with the general intents and purposes of the said Society.

by votes of
three fourths
of Members.

IX. This Act shall be held to be a Public Act.

Public Act.

C A P . L X V .

An Act to enable the Trustees and Members of Zion Church in Montreal, to alienate and hypothecate certain property of the said Church, and for other purposes.

[Assented to 18th December, 1854.]

WHEREAS the Trustees and Members of Zion Church, in the City of Montreal, have by their Petition to the Legislature represented, that they have disposed of certain real property, upon which their former Church was erected, and have acquired other property and erected a new Church thereon, in place of their former Church, but cannot legally perfect the conveyance of their former property, nor hypothecate their present property for security of advances made for the same; and that they are moreover desirous to borrow a sum of money for the re-payment of the same advances and the completion of their present Church, and to dispose of the same, and purchase other more convenient property for the same purpose if required, and it is expedient to grant the prayer of the said Petition: 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, as follows:

Preamble.

I. The Reverend Henry Wilkes, D. D., Pastor of the said Church, and Thomas M. Taylor, John Leeming, Alexander F. Sabine, David Lewis, William Rodden, Alfred Savage and Henry Lyman, all of Montreal, Trustees of the said Church, and Henry Vennor, John Dougall, Charles Alexander, John Wood, J. W. Howes, John Birks, Sibley Forester, James C. Beers, also

Who shall be
Members of
the Church
for the pur-
poses of this
Act.