

Laws of Her Majesty's Province of Upper Canada, passed in the year 1849. Montreal: Stewart Derbyshire & George Desbarats, 1849.

12 Victoria – Chapter 143

An Act to incorporate Les Révérends Pères Oblats de l'Immaculée Conception de Marie, in the Province of Canada. 30th May, 1849.

Whereas an Association of Ecclesiastics hath existed for several years in the Province of Canada, under the name of Les Révérends Pères Oblats de l'Immaculée Conception de Marie, having for its object the establishing of missions, procuring Instruction and Education, erecting and conducting Hospitals for indigent sick persons; And whereas the said Reverends Peres Oblats, have by the Petition presented in their name by the Reverend Father Jean Claude Léonard, one of their Body, prayed that the said Association may be incorporated; And whereas, in consideration of the great benefits which must arise from the 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 Reverend Fathers Joseph Eugène, Bishop of Bytown, the said Jean Claude Léonard, Damase Dandurand, John Ryan, M. Molloy, and such other persons being natural born or naturalized subjects of Her Majesty as may be now or may hereafter become under the provisions of this Act, Members of the said Institution, shall be and are hereby declared to be a Body Politic and Corporate in deed and in name by the name of Les Révérends Pères Oblats de l'Immaculée Conception de Marie, and by that name shall have perpetual succession and a Common Seal, with power to change, alter, break or renew the same when and as often as they may think proper, and shall by the same name, 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 under any legal title whatsoever, and without any further authorization or letters of Mortmain, any lands, tenements and hereditaments, moveable and immoveable property situate, lying and being within this Province, not exceeding in yearly value the sum of two thousand pounds currency of this Province, and the same to sell, alienate and dispose of, and to purchase acquire and possess others in their stead for the said purposes; and by the same name shall and may be able and capable in law, to sue and be sued, implead and be impleaded, 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 and be impleaded, answer and be answered unto, in any manner whatsoever, and the service of any summons or process made at the domicile of any one of the said Members of the Corporation in any one of their establishments wherein two or more of the said Members may reside, shall be a valid service thereof, upon the said Corporation; and the said Corporation shall have full power and authority to make and establish such By-laws, Rules, Orders and Regulations, not being contrary to this Act nor to the Laws in force in this Province, as shall be deemed useful and necessary for the interests of the said

Corporation and for the management thereof, and of the affairs and property of the said Corporation and for the admission of Members into, or their removal from the said Corporation, and for their qualification and for all other purposes having for their object the promotion of the welfare and interests of the said Corporation, and from time to time to amend, alter or repeal the said By-laws, Rules, Orders and Regulations or any of them, in such manner as the said Corporation may deem meet and expedient

II. And be it enacted, That the said Corporation shall also have power to appoint, if they think fit, one or more Attorneys for the purpose of conducting the affairs of the said Corporation, and shall, generally, enjoy all the rights and privileges enjoyed by other legally Incorporated Bodies in this Province.

III. And be it enacted, That the rents, revenues, issues and profits of all property, real or personal, moveable or immoveable, held by the said Corporation, shall be appropriated and applied solely to the maintenance of the Members of the said Corporation, the construction and repair of the buildings requisite for the purposes of the said Corporation, and the payment of the expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

IV. And be it enacted, That if the said Corporation, shall from any cause whatsoever be dissolved, the moveable property which shall then be *en nature*, and the immoveable property and *rentes constituées* which shall have been given, devised or bequeathed to the said Corporation, or the immoveable property received in exchange for or purchased by means of the sale of the property so given, devised or bequeathed, and which shall be in possession of the said Corporation at the time of its dissolution, shall return to and belong to the legal Heirs of the person or persons respectively who shall have given, devised or bequeathed, such property to the said Corporation.

V. And be it enacted, That in case of such dissolution of the said Corporation, the real property by them purchased and acquired and paid for out of their own revenues, and not by the sale or exchange of any property given, devised or bequeathed to them as well as all other property then belonging to the said Corporation, and not liable to be claimed by and revert to the Heirs of any Donor or Testator under the provisions of the next preceding section of this Act, shall be at the disposal of the Provincial Parliament for the purpose of being applied to the maintenance of some Charitable Institution, or to the Education of the Poor, in the Parish or Township in which such property shall be situate.

VI. And be it enacted, That no Deed of Sale or Conveyance by which the said Corporation shall purchase or acquire any real or immoveable property or annual rents (*rentes constituées*) shall be valid or effectual to any intent or purpose whatsoever, unless in such Deed it be stated and set forth that such purchase or acquisition is made with the funds of the said Corporation itself, or with funds arising from the sale or alienation of such and such property, describing the same, given, devised or bequeathed to the said Corporation by such and such person or persons, designating the same by name, or otherwise, as the case may be.

VII. And be it enacted, That it shall be the duty of the said Corporation at all times when they may be called upon so to do by the Governor of this Province, to render an account in writing of their property and affairs, in which shall be set forth in particular the income by them derived from property held under this Act and the means by which the same has been acquired.

VIII. And be it enacted, That no Member of the said Corporation shall be individually liable or accountable for the debts, contracts or securities of the said Corporation.

IX. And be it enacted, That nothing herein contained shall affect or be construed to affect in any manner or way, the Rights of Her Majesty, Her Heirs or Successors, or of any Body Politic or Corporate, such only excepted as are hereinbefore mentioned and provided for.

X. And be it enacted, That this Act shall be deemed a Public Act, and shall be publicly taken notice of as such by all Judges, Justices of the Peace, and other persons whomsoever, without being specially pleaded.