

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

12 Victoria – Chapter 147

An Act to incorporate The St. Patrick's Society of Quebec. 30th May, 1849.

Whereas there hath existed for many years at the City of Quebec, a benevolent institution under the name of The St. Patrick's Society of Quebec, formed for the purpose of affording relief and advice to natives of Ireland and their descendents in this Province who may stand in need thereof, and to resident members who may become indigent: And whereas Joseph Power Bradley, President, and Paul Lepper and Thadeus Kelly, Vice-Presidents, Sir Henry J. Caldwell, Baronet, the Hon. Andrew Cochran, George H. Parke, Edward Ryan, William Power, Charles Gethings, John P. O'Meara, William Downes, James Dinning, Hugh Murray, James A. Pirrie, William Tims, John James Saurin, John Murray, Miles Kelly, Michael Connolly, John Doran, William Quinn, John M. Muckle, Charles McDonald, Edward George Cannon, Richard Charlton, and Thomas Gahan, Managers; Robert H. Russell, Peter I). Moffatt, John Fitzpatrick and Thomas McGrath, Physicians; George Hall, Treasurer, and Henry O'Connor, Secretary of the said Society, and members thereof, have by their Petition to the Legislature prayed that, for the better administration of the affairs of the said Society, and for the protection of its moneys and property, they may be invested with corporate powers, and by reason of the good-effected by the said Society 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, That the persons hereinbefore named and such other persons as are now members of the said Society, or shall hereafter become members thereof under the provisions of this Act and the By-laws made or in force under the authority thereof, shall be and they are hereby constituted a body politic and corporate, by the name of The-St. Patrick's Society of Quebec, and shall by that name have perpetual succession and a common seal, with power to change the same at pleasure, and may sue and be sued in all Courts of Law or Equity, and may acquire and hold personal property to any amount, and immoveable property not exceeding in yearly value of one thousand pounds currency, and may alienate the same and acquire other such property instead thereof, not exceeding the value aforesaid, and shall have such other powers as may be necessary to carry this Act into effect according to its true intent and meaning; and all property real and personal now belonging to the Society aforesaid, or held in trust for the said Society or for the use thereof, shall, after the passing of this Act, become the property of the Corporation hereby constituted; and all debts due to and obligations contracted in favour of the said Society, or any officer of the Society or other person acting on behalf thereof, shall from the same time be deemed to be due to and to have been contracted in favor of the said Corporation; and all debts due from and obligations contracted by the said Society or by any officer or person acting on behalf thereof, shall from the same time be deemed to be due from and to have been contracted by the said Corporation; and all such property, debts and obligations

may be sued for, recovered and enforced, by or against the said Corporation; and any member of the said Society (not being personally interested in the suit) may be a witness for or against the said Corporation.

II. Provided always and be it enacted, That the said Corporation shall have no power to hold any property, nor shall any property be held in trust for them or for their use, except such as shall be derived from the following sources, or purchased with funds derived from such sources, that is to say: The property of the Society hereby transferred to the said Corporation; the admission fees of ordinary members, which shall in no case exceed five shillings each member; the life subscription of members, which shall in no case be less than five pounds for each; the annual subscription of members for the general purposes of the Corporation, which shall in no case exceed the rate of five shillings per annum; donations, bequests or legacies made to the said Corporation; voluntary contributions for particular purposes; and the moneys arising from fines and forfeitures lawfully imposed by the By-laws: And provided also, that the property and funds of the said Corporation, that is to say, the amount of the permanent fund of the said Society, hereby transferred to the said Corporation, and all sums which shall hereafter be received by the said Corporation for life subscriptions of members, or from legacies, bequests or donations not specially made for other purposes, shall constitute the permanent fund of the Corporation, no part of the capital amount of which shall be expended or paid away, but the whole shall from time to time be invested in real or immoveable property (not exceeding the value aforesaid) in bank stock or provincial or other securities, and the rents, interest or other income arising from such investments, together with the moneys derived by the said Corporation from all sources, (voluntary contributions for particular purposes excepted,) shall be applied solely to the following purposes, that is to say: To defraying the current expenses of the Corporation for the purposes of its institution, and the relief of persons whom the Corporation may deem proper objects of such relief, according to the By-laws of the Corporation then in force, and to the provisions of this Act.

III. And be it enacted, That the affairs and business of the said Corporation shall be managed by a Committee of Management, consisting of a President, two Vice-Presidents, twenty-three Managers, one or more Physicians, a Treasurer, a Secretary and an Assistant Secretary, to be annually elected and chosen from among the resident members at the preparatory meeting to be held on the first Friday in the month of March, in conformity with the constitution of the said Society, and such election shall be by ballot, and a majority of votes shall decide, or unanimously by acclamation; and such Committee of Management shall remain in office until their successors are chosen (and until the Festival of St. Patrick next thereafter, should the election take place at the usual time immediately before the said Festival); Provided always, that the officers elected and appointed to serve from the Festival of St. Patrick in the present year shall be the Committee of Management of the said Corporation until others shall in due course be elected in their stead; and any seven members of the said Committee of Management shall be a quorum for the despatch of business; and any majority of such quorum may exercise all the powers of the said Committee, at all meetings held under this Act, or the By-laws of the said Corporation, and the President, Vice-President or other person presiding at such meeting, shall vote as a member of the Committee, and if the Committee be then equally divided, shall have a casting vote.

IV. And be it enacted, That the said Committee of Management shall yearly, in the month of March, insert in some newspaper published in the City of Quebec, a statement of the affairs of the said Corporation, shewing the sums of money received and expended during the then past year certified by the Treasurer.

V. And be it enacted, That all Deeds sealed with the Common Seal of the Corporation, and signed by the President or one of the Vice-Presidents, and countersigned by the Secretary, or in his absence by the Assistant Secretary, shall be held to be Deeds of the Corporation: Provided always, that the Treasurer for the time being may receive all moneys payable to the Corporation, and grant valid receipts therefor.

VI. And be it enacted, That it shall be lawful for the said Corporation to make Bylaws which shall bind the members thereof, and all other parties who shall in writing agree to be bound by them, and to repeal or amend the same from time to time in the manner hereinafter provided; and such By-laws or amendments (except those of the said Society hereinafter continued in force) shall be prepared by the Committee of Management, and submitted by them to a general meeting of the Corporation at which the President or one of the Vice-Presidents, and at least twenty-five ordinary members of the Corporation, shall be present, and may at another general meeting to be held thereafter, be adopted, amended or rejected, in whole or in part: Provided always, that no such By-law shall have force and effect except in so far as it shall not be repugnant to this Act or to the Laws of Lower Canada; and provided also, that no such By-law, shall impose any penalty or forfeiture exceeding fifty shillings; And provided also, and it is hereby enacted, that the present Constitution and By-laws of the said Society, in so far as they may not be repugnant to this Act, or to the Laws of Lower Canada, shall be the By-laws of the Corporation hereby constituted until they shall be repealed or altered as aforesaid.

VII. And be it enacted, That the general meetings of the said Corporation, and all the meetings of the said Committee of Management, shall be held in such manner, after such notice, upon such requisition, at such times and at such places in the City of Quebec, as shall be directed by the By-laws of the Corporation then in force; at which meetings the President shall preside, or in his absence the senior Vice-President, or in the absence of both, the second Vice-President, and in case of the absence of the President and both the Vice-Presidents, the meeting may call some other member of the Committee to the chair; and the presiding officer at any such meeting shall have full power and authority to keep order thereat.

VIII. And be it enacted, That the said Corporation shall not be dissolved, or, the property thereof divided among the members, except under the provisions of a By-law passed by the consent of at least nine-tenths of the members of the said Corporation, nor unless such By-law shall provide for and the funds of the Corporation shall be sufficient to meet the payment of all demands against the Corporation.

IX. And be it enacted, That this Act shall be deemed a Public Act, and as such shall be judicially noticed by all Courts of Justice, Judges and others whomsoever, without being specially pleaded.