

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

12 Victoria – Chapter 148

An Act to incorporate La Société Saint Jean Baptiste de la Cite de Quebec. 30th May, 1849.

Whereas there exists in the City of Quebec, in this Province, an Association under the name of La Société Saint Jean Baptiste de la Cite de Quebec, formed of Canadians of French origin, either on the father's or mother's side, or both, who have joined together for the purpose of promoting by all lawful means the national, industrial and social interests of the mass of the population of Canada in general, and of that City in particular, and of encouraging all who may become members thereof, in the mutual exercise of those acts of benevolence and philanthropy, which fraternity and national honor dictate to the children of the same country; And whereas the Honorable René Edouard Caron, President, the Honorable Louis Panel, Assistant President, and Messieurs Ulric Joseph Tessier, Abraham Hamel, Joseph Hamel, the younger, François Edouard Hamel, George Honoré Simard, Pierre V. Bouchard, Amable Pelletier, Thomas J. Gauvin, Charles Pierre Pelletier, Hypolite Dubord, Ives Tessier, Flavien Babineau, Eugène Chinic, François Xavier Frenette, François Parant, Isaie Gaudry, Isaie Gingras, Pierre Dorion, Pierre G. Huot, Philéas Methot, Gaspard Lortie, Louis Butté, Joseph Allard, Pierre Antoine Gagnon, Etienne Michon, François De Foy, Mathias Marcotte, Julien Chouinard, A. T. Le Droit, and Jean Baptiste Adjutor Chartier, the present officers of the said Association, have by their petition to the Legislature, represented that the said Association has already established claims to the gratitude of the public, by the acts of benevolence and philanthropy, which it has performed for the attainment of the objects of its formation; And whereas they have also represented, that in order to obtain more effectually the advantages likely to result from the said Association, it is necessary that the said Association should be incorporated; And whereas it is proper to accede to the request of the Petitioners, subject always to the provisions hereinafter contained: 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, 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 above named Officers, and all such other persons as now are, or may hereafter become Members of the said Association, 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 La Société Saint Jean Baptiste de la Cité de Québec; and shall by that name have perpetual sue cession, and may have a Common Seal if they think proper, 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 also immoveable property, not exceeding in value at any one time, ten 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 Association aforesaid, or held in trust for the

said Association, 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 favor of the said Association, or any Officer of the said Association, 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 Association, 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.

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 the funds derived from such sources, that is to say: the property of the Association hereby transfer-red to the Corporation the admission fees of Members, which shall in no case exceed two pounds currency, each Member, the annual subscription of Members for the general purposes of the Corporation, which shall in no case exceed the rate of two pounds currency, per annum; the subscription of Members to the charitable funds of the Corporation, donations, bequests or legacies made to the said Corporation; and the moneys arising from fines and forfeitures lawfully imposed by the By-laws; and provided always that the property and funds of the said Corporation 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 Officers of the said Association shall be a President, an Assistant President, six Vice-Presidents, a Treasurer, an Assistant Treasurer, three Sub-Treasurers, a Recording Secretary, an Assistant Secretary, six under Secretaries, a Marshal, six Deputy Marshals, nine Receivers and Six Deputy Auditors, and that the affairs and business of the said Corporation shall be managed by a General Committee of Management, consisting of the President, Treasurer and Recording Secretary, and their Assistants, the Marshal, the Vice-Presidents, and under Secretaries, and fifteen other Members of the Corporation, which said Officers and General Committee of Management, shall be elected oh motion by the majority of voices of the Members present at a General Meeting which shall take place on the first Monday in the month of September, in each year, succeeding the present, and sufficient notice of the day, place and hour of the said Animal General Meeting shall be given, eight days previously by the said Recording Secretary: Provided always, that if such Election do not take place in any year on the day above mentioned, the President, or in his absence, or in case of his refusal so to do, the Assistant President, or one of the Vice-Presidents of the Corporation for the time being, shall call a General Meeting for that purpose, on some subsequent day in the manner aforesaid; and provided also, that the first Meeting for the Election of Officers, and of the General Committee of Management, shall take place, within three months after the passing of this Act, which said Meeting shall be called by the Recording Secretary, and shall be advertised for eight days previously, in some two or more Newspapers, published in the City of Quebec,

IV. And be it enacted, That the General Committee of Management of the said Corporation, shall have power to make such By-laws as may be necessary for the good government of the said Corporation, subject to approval at a General Meeting of the Members of the said Corporation, and after such approval the said By-laws shall not be changed, altered, modified or repealed, without notice of the change, alteration, modification or repeal, having been given one month at least before the day on which the same shall be proposed; nor unless such change, alteration, modification or repeal, shall be approved by two thirds of the Members present at the Meeting at which the same shall be put to the vote; Provided always, that the said By-laws shall not be in any way contrary to the Laws of Lower Canada or to this Act.

V. And be it enacted, That whenever a majority of the General Committee of Management shall have decided that it is necessary to call a General Meeting of the Members of the said Corporation, for a special purpose other than that of the Election of Officers, such Meeting may be lawfully called by the President, or in his absence, or in case of his refusal so to do, by the Assistant President, or one of the Vice-Presidents, by a notice in the Newspapers published in the City of Quebec, naming the day, hour, place and object of such Meeting, and signed by the Recording Secretary.

VI. And be it enacted, That the By-laws of the said Association, 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 present Officers of the said Association, shall be the Officers of the Corporation hereby constituted, until others shall be elected in their stead, at the Meeting to be held as hereinbefore provided.

VIII. And be it enacted, That in all suits or actions against the said Corporation, service of Process at the domicile of the Recording Secretary thereof, shall be a sufficient service of such Process for all purposes of Law.

IX. And be it enacted, That no person otherwise competent to be a witness in any suit, action or prosecution in which the said Corporation may be engaged, shall be deemed incompetent to be such witness, by reason of his being, or having been, at any time a Member, Officer or Servant of the said Corporation.

X. And be it enacted, That the Members of the said Corporation shall not be personally liable for any debts of the said Corporation.

XI. And be it enacted, That the said Corporation shall not be dissolved, or the property thereof divided among the Members or otherwise, except under the provisions of a By-law, passed by the consent of at least seven eighths of the Members of the said Corporation, nor unless such By-law shall provide for, and the funds of the said Corporation shall be sufficient to meet the payment of all demands against the said Corporation; Provided always, that nothing herein contained shall be construed to prevent any Member from withdrawing at any time from the said Corporation, after

payment of all arrears by him due to the funds thereof, including his annual subscription for the year then current.

XII. And be it enacted, That the said General Committee of Management of the said Corporation, shall yearly, in the month of January, insert in some Newspaper published in the City of Quebec, a statement of the amount of the funds and property, debts and liabilities of the said Corporation, certified by the Treasurer thereof, and that the repeal or alteration of this Act by the Legislature, shall not be deemed an infringement of the rights of the said Corporation.

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