

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

12 Victoria – Chapter 149

An Act to incorporate L'Association Saint Jean Baptiste de Montréal, in the City, Parish and District of Montreal. 30th May, 1849.

Whereas the President and Members of the Association which hath for several years existed at Montreal, in the City, Parish and District of Montreal, under the name of the Association Saint Jean Baptiste de Montréal, have by their Petition to the Legislature, represented that the said Association has been formed to afford assistance to such persons in this Province of French extraction, whether on the paternal or maternal side, or who being of any other origin have married persons of French extraction, as may through accidents or other misfortunes, stand in need of the assistance of their fellow citizens, and also to foster education amongst them, and promote their moral and social progress, and for other beneficial purposes, and have prayed that for the better attainment of the objects of the said Association, it may be invested with corporate powers, and by reason of the good effected by the said Association, 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, intituled, *An Act to reunite 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 Honorable Joseph Bourret, Louis Marchand, E. R. Fabre, Pierre Jodoin, Jean Bruneau, Olivier Berthelet, Ludger Duvernay, R. Trudeau, Joseph Grenier, Joseph Boulanget, Charles Joseph Coursol, Amable Prévost, B. H. Lemoine, G. Peltier, Joseph L. Brault, A. Larocque, George Etienne Cartier, René August Richard Hubert, Joseph Féréol Peltier, J. B. Homier, J. L. Leprohon, F. X. Brazeau, A. Matte, Jules R. Berthelot, L. P. Boivin, V. Hudon, Guillaume Lévesque, Rouer Roy, Robert S. M. Bouchette, Esquires, and such other persons as are now Members of the said Association, 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 L'Association Saint Jean Baptiste de Montreal, and shall by that name have perpetual succession and a common seal, which shall be the present Seal of the said Association, bearing the words "*Rendre le peuple meilleur,*" 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 one thousand five hundred 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 favour of the said Association, or any officer of the 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 funds derived from such sources, that is to say: the property of the Association hereby transferred 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 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 affairs and business of the said Corporation shall be managed by a Committee of Management consisting of a President, thirteen Vice-Presidents, a Treasurer, four Sub-Treasurers, a Recording Secretary, a Corresponding Secretary, eight Secretaries, a Marshal, Deputy-Marshal and sixteen Collectors, who shall be the Officers of the Association, to be elected annually at a General Meeting of the Members of the Corporation, held in conformity to the By-laws thereof; and shall remain in office until others are elected and appointed in their stead; and of twenty-four other Members who shall be elected for three years, eight of whom shall vacate their offices by lot at the end of the first year, and shall be replaced by an equal number elected in their stead, and eight of the remaining Members shall also vacate their office in the same manner at the end of the second year, and shall also be replaced by an equal number in their stead, and thenceforth one third of the said twenty-four Members shall vacate their offices every year in rotation, after having served three years, and an equal number shall be elected in their stead, and the same Members may be re-elected consecutively; and any twelve Members of the said Committee, of whom six at least shall not otherwise be Officers of the said Association, 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 in accordance with the By-laws of the said Corporation; and the President shall preside at all General Meetings and at all Meetings of the said Committee, and in his absence one of the Vice-Presidents, or in their absence any Member called upon by the majority of Members present, and the person so presiding shall only vote in case of an equal division when he shall have a casting vote; and the said Corporation by the By-laws which they are hereinafter authorized to make and establish, may from time to time augment or diminish the number of their Officers and other Members of the Committee of Management, alter their names and titles and the tenure of their offices, and make in that respect whatever changes they may see fit.

IV. And be it enacted, That all deeds sealed with the common seal of the Corporation, and signed by the President or any one of the Vice-Presidents and by any two other Members of the Committee of Management, and countersigned by the Treasurer, and none other, 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.

V. And be it enacted, That it shall be lawful for the said Corporation to make By-laws which shall bind the Members thereof, and to repeal or amend the same from time to time as may be found expedient: 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 further, that it shall be lawful for the said Corporation by any such By-law, to divide the City and Parish of Montreal into as many sections or divisions and subdivisions as they may deem convenient for the purposes of the said Association, and to subdivide the Members of the said Association residing in such sections, into *centuries* and *décuries*, or such other subdivisions under any names whatsoever as they may think proper; to provide for the election or appointment of *centurions* and *décurions*, or other officers under any names whatsoever, in the said sections, divisions or subdivisions; and to regulate the duties of the said Officers of the said Association; and augment or diminish their number and alter their titles from time to time, as also to alter, augment or diminish the said sections, divisions and subdivisions, or abolish them altogether as they may see fit; and any copy or extract of any By-laws, signed by the President and countersigned by the Recording Secretary shall be deemed authentic.

VI. And be it enacted, That the General Meetings of the said Corporation and all 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 place in the City of Montreal as shall be directed by the By-laws of the Corporation then in force.

VII. 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: Provided always, that no such By-law, whether made before or after the passing of this Act, shall impose any penalty or forfeiture exceeding one pound five shillings currency.

VIII. And be it enacted, That the present Officers of the said Association shall be the Officers of the Corporation until others shall be elected in their stead at the next annual General Meeting, to be held in accordance with the By-laws of the said Corporation.

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

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 any Officer or Member of the Association, who shall receive money for and on behalf of the same, and shall refuse or neglect to remit the said money to the proper Officer, or to account for the same according to the By-laws, shall be held personally responsible towards the Association for any sum which he shall refuse or neglect to account for and remit, and shall be liable to be sued accordingly in all Courts of competent jurisdiction; and the said Association shall and may also sue for and recover all real property, sums of money and other property unto them belonging actually, or hereafter, by virtue of any title whatsoever according to this Act, which may be possessed or withheld by any person, and the property, use and management of which do actually belong, or shall hereafter belong to the said Association by virtue of this Act, and any person who shall illegally retain in his possession property belonging as aforesaid, may be condemned to damages in favour of the said Association at the discretion of the Court.

XII. And be it enacted, That this Act shall be a Public Act, and as such shall be judicially noticed by all Judges, Justices of the Peace and others whom it may concern, without being specially pleaded.