

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

12 Victoria – Chapter 150

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

Whereas the President and Members of the Association which hath for many years existed at Quebec, under the name of the St. George's Society of Quebec, have by their Petition to the Legislature represented, that the said Association has been formed for the benevolent purpose of affording pecuniary, medical and other relief to such natives of England and Wales and their descendants, in this Province, as may, from sickness or other causes, have fallen into distress, 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, 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 Thomas William Lloyd, Henry John Noad, John Musson, William Bennett, John H. Clint, Robert Symes, the Reverend George Mackie, D.D., the Reverend Armine W. Mountain, B. A., James A. Sewell, M. D. E. Charles Poston, Benjamin Cole, William B. Meyer, Weston Hunt, Robert Roberts, Peter Sheppard, Samuel Wright, Abraham Joseph, William Hedley Anderson, Benson Bennett, William Kimlin, M.D., Henry W. Welch, William H. A. Davies, John Shaw, and Samuel Newton, 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 The St. George'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, two 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 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 favour 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 said Corporation; the admission fees of Ordinary or Honorary Members, which shall in no case exceed one pound five shillings currency, each Member; the life subscription of Members, which shall in no case exceed seven pounds ten shillings currency, for each; the annual subscription of Members for the general purposes of the Corporation, which shall in no case exceed the rate of ten shillings currency, per annum; the subscriptions 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 also, that the property and funds of the said Corporation, that is to say, the amount of the permanent fund which forms the chief part of the property of the Association 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 hereinafter designated, and the rents, interest or other income arising from such investments, together with the moneys derived by the said Corporation from all sources, 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, a first and second Vice-President, a Secretary, an Assistant Secretary, one or two Chaplains, one or two Physicians, and fifteen other Members, to be elected annually at a General Meeting of the Members of the Corporation, held in conformity to the Bylaws thereof, besides a Treasurer to be appointed at a meeting of the Officers so elected, which shall be held within twenty-four hours of such aforesaid election, and the Committee so elected and appointed shall remain in office until others are elected and appointed in their stead; and any six Members, and the President or a Vice-President shall be a *quorum* for the despatch of business; and any majority of such a *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, Vice-President, or other person presiding at any 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 all Deeds sealed with the Common Seal of the Corporation, and signed by the President or Vice-Presidents and by some other Member 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 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 Association 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 and one of the Vice-Presidents, and at least twenty-five Ordinary Members of the Corporation, shall be present, and may at such General Meeting be adopted, amended or rejected, in whole or in part, by any majority of the Members present thereat: 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.

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 places in the City of Quebec, 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 Bylaws 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 enacted, That the said Corporation may invest their Funds in any legally established Savings' Bank, in the Stock of any Chartered Bank in this Province, in any Provincial Securities or Securities guaranteed by the Province, or in Debentures or Bonds of the Corporation of the City of Quebec, but in no other way whatsoever, except in the immoveable property which they are hereinbefore empowered to hold.

IX. And be it enacted, That until others shall be elected in their stead, according to the By-laws of the Corporation, the present Officers of the Association aforesaid, shall be those of the said Corporation, that is to say: The said Thomas William Lloyd, shall be the President; the said Henry John Noad, the first Vice-President; the said John Musson, the second Vice-President; and the said William Bennett, the Secretary; the said John H. Clint, the Assistant Secretary; the said Robert Symes, the Treasurer; the said Rev. George Mackie, D. D., and the said Rev. Armine Mountain, B. A., the Chaplains; the said James A. Sewell, M. D. E., the Physician; and the said Charles Poston, Benjamin Cole, William B. Meyer, Weston Hunt, Robert Roberts, Peter Sheppard, Samuel Wright, Abraham Joseph, William Hedley Anderson, Benson Bennett, William Kimlin, M. D., Henry W. Welch, William H. A. Davies, John Shaw, and Samuel Newton, the other Members of the Committee of Management.

X. 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.

XI. 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-laws shall provide for, and the Funds of the Corporation shall be sufficient to meet the payment of all demands against the 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 Committee of Management 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 and others whomsoever, without being specially pleaded.