

Laws of His Majesty's Province of Upper Canada, passed in the year 1850. Toronto: Stewart Derbshire & George Desbarats, 1850.

11 Victoria – Chapter 98

An Act to provide for the appointment of Commissioners to inquire into the affairs and management of the Montreal Provident and Savings Bank. 10th August, 1850.

Whereas it is expedient that full enquiry should be made under Legislative authority into the affairs of the Institution known as the Montreal Provident and Savings Bank, and the causes which led to the failure of the said Institution and its inability to meet the just claims of those who have deposited money in it: 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 it shall and may be lawful for the Governor of the Province to appoint three Commissioners for the purpose of making the inquiry mentioned in the Preamble to this Act, and of reporting the result thereof to the Governor, with the evidence to be taken by them in the course of such inquiry; and for the purpose aforesaid, the said Commissioners shall have full power to summon any Trustee, Manager, Treasurer or Officer of the said Institution, or any person having been such, or any other person whomsoever, to attend before them, at such time and at such place within the City of Montreal as they shall appoint, then and there to give such evidence and information as it may be in their power respectively to give pertinent to the said inquiry, and to produce before the said Commissioners, and exhibit to them, if required, all books, documents and papers of the said Institution or relative to the matters to which the said inquiry relates, or to any of them, which shall be in the possession or subject to the control of the party summoned; and the said Commissioners shall have full power to examine any person so attending before them, on oath or solemn affirmation (as the case may be) which any one of them may administer, and to take down the evidence of such person in writing and to require them to sign the same; and if any person so summoned shall refuse to attend, or attending shall refuse or neglect to answer any question pertinent to the said inquiry, or to produce any such book, document or paper as aforesaid, the Commissioners may complain thereof to any Judge of the Superior Court, who on being satisfied by affidavit or otherwise, that such person has so refused or neglected, shall issue an order commanding the party so refusing or neglecting to attend before the said Commissioners at a time and place therein named, for the purpose mentioned in the prior summons of the Commissioners, and such order shall be held to be an order of the Court, and if any such party shall refuse or neglect to obey such order, he shall be held to have committed a contempt of the said Court, and may be dealt with and the said order may be enforced accordingly: Provided always, that no person shall be compelled to answer any question by his answer to which he might render himself liable to a criminal prosecution.

II. And be it enacted, That any two of the said Commissioners shall be a *quorum*, and may lawfully exercise the powers vested in the said Commissioners.