

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 235

An Act to incorporate the Director and Trustees of the Montreal St. Patrick's Orphan Asylum. Assented to 30th May, 1855.

Whereas an Association has been formed in the City of Montreal for the purpose, among others, of providing for destitute orphans of the said City; And whereas certain members of the said Association, and others interested in its welfare, have by their petition represented that the said Association would be more efficient by giving to it the character of a corporation: 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, as follows:

- I. The Reverend Patrick Dowd, Charles T. Palsgrave, Thomas Bell, Francis Macdonell, Thomas O'Brien, Michael O'Meara, Charles Curran, Patrick Lynch, Patrick Brennan, Thomas Ryan, James Sadlier, and all others who may be from time to time elected to succeed them as trustees, in the manner hereinafter mentioned, shall be and they are hereby nominated and constituted a body politic and corporate by the name and style of the "Director and Trustees of the Montreal St. Patrick's Orphan Asylum."
- II. The said Reverend Patrick Dowd shall be the first Director of the said Corporation.
- III. The corporation shall at all times consist of ten members in addition to the Director, and not more.
- IV. Members of the Saint Patrick's Congregation in the City of Montreal, resident in the Parish of Montreal, and they only, shall be eligible to be elected as Trustees, of the said Corporation; and any absence from the said Parish for two years or upwards, or from the meetings of the Corporation during six months, or resignation, shall vacate the office of any Trustee, and he shall be replaced by another elected by the remaining Trustees.
- V. The said, Corporation shall have perpetual succession, and may have a common seal, with power to break, change and renew the same, when and as often as they shall think proper; and may under the same name contract and be contracted with, sue and be sued, implead and be impleaded, prosecute and be prosecuted, in all courts and places whatsoever in this Province; and by the same name they, the said Directors and Trustees, and their successors, from time to time, and at all times hereafter, shall, be able and capable to. have, take, receive, purchase and acquire, hold, possess, enjoy and maintain, to and for the use of the said Corporation, and the buildings

necessary therefor only, all lands and property, moveable and immoveable, which may hereafter be sold, ceded, exchanged, given, bequeathed, devised or granted to the said Corporation, and to sell, alienate, convey or lease the same, if need be; and all property now held by the said association, or by any Trustee or other party for the said association, shall, from and after the passing of this Act, be vested in the said Corporation; Provided that the annual income to be derived from such property shall not exceed the sum of One Thousand Five Hundred Pounds Currency.

VI. No Act. done by the said Trustees shall be valid and effectual, unless the Director for the time being, and three of such Trustees, at. the least, shall be present, and the major part of them consent thereto.

VII. The said Trustees shall fill up all vacancies which may occur in their body, when and as often as the same shall happen, whether by absence from the Parish of Montreal during two years, change of residence from the same, absence from the meetings of the Corporation during six consecutive months, death or resignation.

VIII. The Corporation shall have full power to frame and establish such by-laws, orders and regulations (not being contrary to the laws of this Province or to this Act) as they shall deem useful or necessary for the conduct or government of the institution; and from time to time to alter, repeal and change the said by-laws, orders and regulations, or any of them.

IX. The said Corporation shall have power to appoint from time to time a Committee of Management, whose duty it shall be to send out to service and apprentice thereto, or to any healthy trade or business, all youths, male or female, having the protection or aid of the said institution, and being Orphans, or if not with the consent of their Parents or Guardians to such person or persons, and upon such terms as to the said Committee of Management may seem fit and proper; and, for that purpose, shall have power, on behalf of and for such youths and themselves, to enter into and make, with any person or persons with whom such youths may be placed by the said Committee of Management, Articles of Apprenticeship and Agreement; and such Articles of Agreement may be enforced as well by action at law or in equity, for breach thereof warranting any such action, as by summary application to a Magistrate or Justice of the Peace, (who is hereby authorized and empowered to act thereon,) on any such occasion as would, according to the laws of this Province, warrant the interference or adjudication of any one or more Justice or Justices of the Peace, in disputes between masters and apprentices: Provided always, that a copy of the Articles or Indenture apprenticing such youth, shall, within three days from the time when such Articles or Indenture were executed, be lodged with the Secretary of the Corporation who is hereby required to file such copies.

X. Any Committee of Management which may have been appointed by the said Association and now acting as such, shall have the like powers and be considered as Managers of the Corporation, until such time as a Committee of Management shall be appointed under the provisions of this Act.

XI. The said Corporation shall be bound to make annual returns to the Governor or person administering the Government of this Province for the time being, showing the amount of their receipts and expenditure during the then next preceding year, and of the real and personal estate held and enjoyed by the said Corporation.

XII. This Act shall be deemed a Public Act.