



ANNO VICESIMO-PRIMO ET VICESIMO-SECUNDO

VICTORIÆ REGINÆ

MAGNÆ BRITANNIÆ ET HIBERNIÆ.

At the Parliament begun and holden at *Westminster*, on the Third day of December, *Anno Domini* 1857, in the Twenty-first and Twenty-second years of the Reign of Our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, &c.

Being the SECOND Session of the SEVENTEENTH Parliament of the United Kingdom of Great Britain and Ireland.

TORONTO:

PRINTED BY STEWART DERBISHIRE & GEORGE DESBARATS,
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Anno Domini, 1858.

members of the said Corporation may think proper, so as to make the number of members of the Corporation not more than eleven, nor less than six ; and such masters and persons shall be chosen every two years by the Curé and School Commissioners, who shall be the *ex officio* members of the said Corporation : Vacancies among such non-official members may be filled by the Corporation from time to time.

persons with themselves as members.

3. Provided always that all the revenues and income of the said Corporation shall be applied exclusively to the support of the said Academy and the furtherance of education therein, and to the construction, improvement or repairing of the building required for the purposes of the Corporation, in such manner as the members shall consider best adapted to the said purposes.

Exclusive application of funds to educational purposes.

4. By the said name of the St. Césaire Academy, the said Corporation may sue and be sued in all Courts of Law or Equity in this Province ; and for the purposes of any such suit, the service of process shall be made on the President of the said Corporation, and not otherwise, and all suits by the Corporation shall be conducted by him in its name.

Service of process, &c.

5. The members of the said Corporation may meet from time to time for the transaction of business ; and at every such meeting a quorum shall be competent for the transaction of any business ; and the said members shall yearly, at the Annual Meeting to be held in the month of July, or at the next meeting thereafter, elect one of their number to be the President of the said Corporation ; and the Corporation shall have power to appoint masters in the said Academy, and such other officers and servants as may be necessary, and to fix their remuneration, and from time to time to remove any of them and appoint others in their stead.

Meetings of the Corporation : election of President, &c.

6. The said Corporation shall make to the Governor, in the month of January, a Return shewing the real and personal property held by it under this Act, with a list of the members of the Corporation, a copy of its By-laws and a Statement of the course of study followed in it.

Annual return to the Governor.

7. This Act shall be deemed a Public Act.

Public Act.

C A P . C X X X V I I I .

An Act to incorporate the St. Andrew's Society of Montreal.

[Assented to 16th August, 1858.]

WHEREAS Alexander Morris hath, by Petition to the Legislature, represented that the Association known as the St. Andrew's Society of Montreal, has for many years been formed

Preamble.

formed

formed for the benevolent purposes of affording pecuniary, medical and other relief, to such natives of Scotland and their descendants, as may from sickness or other causes have fallen into distress, and of aiding, directing and relieving the necessities of Scottish immigrants on their arrival in Canada, and have, for the said purposes, opened and maintained a building in the City of Montreal, known as the St. Andrew's Home, and which is used for the said purposes; and hath 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 Association, it is expedient to grant the prayer of the said petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Incorporation.
Corporate
name and ge-
neral powers.

1. The said Alexander Morris, and William Edmondstone, David Brown, William Murray, Ewen McLennan, J. C. Beckett and George Templeton, 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 under the authority thereof, and their successors, shall be and they are hereby constituted a body politic and corporate by the name of the "St. Andrew's Society of Montreal," and may by that name sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all Courts of Law and places whatsoever; and by that name they and their successors shall have perpetual succession, and may have a common seal, and may break, change, alter or renew the same at pleasure, and shall have power to purchase, take, receive, lease or let, hold and enjoy such real estate as may be required for the actual occupation of the said corporation, and to alienate, sell, convey, lease, or otherwise dispose of the same, or any part thereof, from time to time, and as occasion may require, and to acquire other instead thereof; provided always, that the said corporation may acquire any other real estate or any interest therein by gift, devise or bequest if made at least six months before the death of the party making the same, and the corporation may hold such estate for a period of not more than three years, and the same, or any part or portion thereof, or interest therein, which may not within the said period have been alienated and disposed of, shall revert to the party from whom the same was acquired, his heirs or other representatives; and provided also that the proceeds of such property as shall have been disposed of during the said period may be invested in the public securities of the Province, stocks of chartered banks, mortgage, or other approved securities for the use of the said Corporation.

May hold real
estate for cer-
tain purposes;
and other real
estate on con-
dition of part-
ing with it in
three years.

Proviso: as to
investment of
proceeds.

Committees of
Management,
&c.

2. 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-Presidents, a Secretary and Assistant Secretary, a Treasurer, two Chaplains, one or more Physicians,

Physicians, five Managers, who shall be a Charitable Committee, and a Committee of Accounts, composed of five members, who shall be Auditors, and a Committee of Instalment, composed of two members, to be elected annually, at a General Meeting of the Members of the Corporation, held in conformity to the By-laws thereof; and any five Members of the said Committee shall be a quorum for the dispatch of business.

Annual election of Quorum.

3. 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.

Deeds of the Corporation.

Proviso.

4. It shall be lawful for the said Corporation to make By-laws, for the admission and expulsion of members and for the proper administration of the property and affairs of the Corporation, and to repeal or amend the same, from time to time; and such By-laws and amendments shall be proposed and seconded at a previous Quarterly Meeting. No number of Members, less than thirty-six Members of the Corporation (including the presiding Officer) shall form a Meeting for the purpose of altering such By-laws, nor shall any alteration be made therein, unless two thirds of the Members present agree to it.

Power to make By-laws.

Amendment of By-laws.

5. The Annual and General Meetings of the said Corporation shall be held in such manner, after such notice, upon such requisition, and at such times, in the city of Montreal, as shall be directed by the By-laws of the Corporation.

Annual general meetings.

6. The By-laws of the said Association, in so far as they may not be repugnant to this Act or the Laws of this Province, shall be the By-laws of the Corporation hereby constituted until they shall be repealed or altered as aforesaid; provided always, that no By-law shall impose a penalty or forfeiture exceeding two dollars.

Present By-laws in force until altered.

Proviso.

7. Until others shall be elected, according to the By-laws of the Corporation, the present Officers of the Association shall be those of the said Corporation, that is to say: Alexander Morris, President; the said David Brown shall be the first Vice-President; the said William Edmondstone shall be the second Vice-President; the said William Murray shall be the Treasurer; the said Ewen McLennan shall be the Secretary; the said George Templeton, Assistant Secretary; the Reverend William Snodgras and the Reverend Alexander Ferrie Kemp, shall be the Chaplains; G. W. Campbell shall be the Physician; and the present Officers thereof shall be Members of the Charitable Committee, and of the Committee of Accounts respectively.

Present officers continued until others are elected.

Witnesses in suits where the Corporation is a party.

8. 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 a member or officer of the said Corporation.

Recovery of subscriptions, &c.

9. All subscriptions of members due to the Corporation under any By-law, all penalties incurred under any By-law by any person bound thereby, and all other sums of money due to the Corporation, shall be paid to the Treasurer thereof, and in default of payment may be recovered in any action brought by him in the name of the Corporation, in any Court of competent civil jurisdiction; 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 due to the funds thereof, including the annual subscription for the year then current, and giving notice in writing of such withdrawal.

Proviso.

Statement of accounts to be published.

10. The said Committee of management shall yearly, in the month of December, insert in some newspaper published in the city of Montreal, a statement of the amount of the funds and property, debts and liabilities of the Corporation, certified by the Treasurer and two or more of the Auditors elected at any General Meeting of the Corporation.

Saving of H. M.'s rights, &c.

11. Nothing in this Act shall affect any rights of Her Majesty, Her Heirs or Successors, or any party or person whomsoever, such rights only excepted as are herein expressly mentioned and affected.

Public Act.

12. This Act shall be deemed a Public Act.

C A P . C X X X I X .

An Act to explain and amend the Act intituled, *An Act to enable the Members of the United Church of England and Ireland in Canada, to meet in Synod.*

[Assented to 16th August, 1858.]

Preamble.

19, 20 V. c. 121.

WHEREAS doubts exist whether in the Act passed in the Session held in the nineteenth and twentieth years of Her Majesty's Reign, intituled, *An Act to enable the Members of the United Church of England and Ireland in Canada, to meet in Synod*, sufficient provision is made for the representation of the Laity of the United Church of England and Ireland in the Synods by the said Act authorized to be held, and it is expedient that such doubts should be removed: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows: