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B I L L .

An Act to provide a uniform mode of incorporating Societies formed for Religious, Charitable and Educational purposes.

Received and read first time, Tuesday, 4th
March, 1856.

Second reading, Tuesday, 11th March, 1856.

Hon. Mr. Atty. Genl. DRUMMOND.

An Act to provide a uniform mode of incorporating Societies formed for Religious, Charitable and Educational purposes.

WHEREAS it is expedient to provide a uniform and economical system of imparting corporate rights to persons associated together for any of the following purposes, that is to say :

Preamble.

5 *Firstly.* For the construction or purchase, support and maintenance of any Church or House of Public Worship, or of any Vestry, Parsonage, Manse, Glebe or other appurtenance of any such Church or Place of Public Worship ;

Purposes for which Societies may be incorporated.

10 *Secondly.* For the purchase and maintenance of suitable grounds and other conveniences for burying the dead ;

15 *Thirdly.* For the construction or purchase, support and management of any Hospital, Alms House, Asylum or Place of Refuge for blind, deaf, dumb, aged, infirm, sick or destitute persons, or for juvenile or other delinquents, or of any House of Industry or of any other Charitable or Benevolent Institution or Association ;

20 *Fourthly.* For the establishment or purchase, support and management of any Seminary, College, Academy, School, Public Library, Mechanic's Institute or other Literary, Scientific, Artistic, Agricultural or Industrial Institution :

Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts, as follows :

25 I. Any five or more persons desiring to be incorporated for any one or more of the above mentioned purposes, may make, sign and deliver, in triplicate, to the Registrar of the County or Union of Counties or of the Registry Division in which the principal Office of the Corporation proposed to be erected, is to be established, a Declaration in writing, in the form in the
30 Schedule to this Act contained, setting forth, in a clear and intelligible manner, the object or objects for which, and the name under which they desire to be incorporated, and stating the names of the Trustees, Directors or other Managers, and of the President, Secretary and Treasurer, by whom the affairs
35 of the Association are to be managed during the first year of the existence of such Corporation, and the name of the City, Town, Borough, Village, Township, Parish or other place in which the principal Office of such Corporation is to be established.

Declaration in triplicate to be filed with County Registrar: And what it shall contain.

Certificate of
such Regis-
trar, &c.,
transmission
to Provincial
Secretary.

II. Upon receiving any such Declaration together with a fee of shillings currency, payable for the same, the Registrar or Deputy Registrar of any such County, Union of Counties or Registry division shall certify upon each triplicate the day of the delivery thereof, and shall deliver back to the persons making such declaration one triplicate thereof, shall transmit another to the Secretary of the Province, and shall file the third of Record in the Registry Office of the County, Union of Counties or Registry Division in which the same is made; And every person shall, at any time thereafter, be entitled to have a certified Copy of such Declaration upon paying to the Registrar one shilling for every hundred words therein contained.

Certified
copies may be
obtained.

Public notice
by Provincial
Secretary.

III. Upon receipt of a triplicate of any such Declaration duly certified as aforesaid, the Secretary of the Province, shall prepare and sign a Notice in the French and English languages, that such Association has been formed, and has made the declaration required by the first section of this Act, and shall cause the same to be inserted in the *Canada Gazette* published by Authority, once in each of the three weeks which shall follow immediately after the date of such notice.

Incorporation
of the Society.

Corporate
powers.

IV. From and after the day of the date of the first publication of any such Notice, the persons therein mentioned, and their successors, shall be a Corporation or Body Politic and Corporate by the name stated in such Notice, and shall have a Common Seal which they may at their pleasure change or alter, and shall have power to make such By-laws, not inconsistent with the Laws of the Section of the Province in which such Corporation is erected, as they may deem expedient for the election, appointment and removal of the Officers of such Corporation or for the conduct and management of the Affairs and Property thereof, or for any other object connected with the purpose or purposes for which they have been so incorporated, and may from time to time, and at all times, have, hold, acquire and possess in any legal manner whatsoever, for them and their successors, and for the purposes for which they were so incorporated, any Goods or Property, real or personal, and may alienate the same, if need shall be, and may sue, and be sued, implead and be impleaded unto in all Courts and places whatsoever in all manner of suits, complaints, matters and causes whatsoever.

Holding pro-
perty, &c.

Real property
limited.

To what pur-
poses only
property shall
be applied.

V. No Corporation organized under this Act shall hold or possess any real property not required for the purposes for which it was so organized; and all the property which shall belong to any such Corporation, as well as all the revenues arising therefrom, shall at all times be exclusively applied and appropriated to the purposes described in the Declaration, under or in consequence of which such Corporation shall have been erected, and for no other object whatsoever.

VI. A triplicate of a Declaration, such as is required by the first section of this Act, or a copy thereof duly certified by the Registrar or Deputy Registrar of the County, Union of Counties, or Registry Division, in which the same was received, together with a copy of the *Canada Gazette* published by Authority containing a Notice such as is required by the third section of this Act, shall be received in all Courts and places, as sufficient proof of the erection and existence of the Corporation or Corporate Body therein named, and of the object or objects for which the same was erected.

Incorporation,
how provided.

VII. Every Corporation erected under the authority of this Act, shall within the first twenty days of every session of Parliament, make a Return to both Houses of the Legislature, and to the Governor of this Province, stating the names of the Members and the gross amount of the receipts and expenditure thereof, during the preceding year.

Returns to
Parliament.

VIII. Nothing herein contained shall affect, or be construed to affect in any manner or way the rights of Her Majesty, Her Heirs and Successors, or of any person or persons, or of any Body Politic or Corporate created or hereafter to be created, under the Common Law or under the authority of any Royal Grant or Charter, or of any Statute, Law or usage whatsoever, such only excepted as are herinbefore mentioned and provided for.

Rights of the
Crown, &c.
saved.

IX. This Act shall be a Public Act.

Public Act.

SCHEDULE.

Be it remembered, that on this _____ day of _____ in the year of Our Lord, One thousand eight hundred and _____ We, the undersigned, resolved to form ourselves into a (*Society, Association, &c., as the case may be,*) to be called (*here insert the corporate name intended to be assumed by the Society, Association, &c.*) according to the provisions of a certain Act of the Parliament of the Province of Canada, made in the year of Her Majesty's reign, intituled, (*here insert the title of this Act,*) for the purpose of (*here insert in a clear and intelligible manner the objects for which such persons are associated,*) and that the following persons have been appointed by us to manage

the affairs of the said (*Society, Association, &c.*) during the first year of its corporate existence, to wit:

A. B.	}	<i>(Trustees, Directors, Managers, &c., as the case may be.)</i>
C. D.		
E. F. &c.		

G. H.	<i>President.</i>
J. K.	<i>Secretary.</i>
L. M.	<i>Treasurer.</i>

and that the principal office of the said (*Society, &c.*) will be held at (*here insert the name of the City, Town, &c.*) in the County of _____ in that part of the Province of Canada called _____ Canada.

'To be signed by all the persons desirous of being incorporated.)