

4th Session, 3rd Parliament, 14 and 15 Victoria, 1851.

W.

BILL.

An Act to Incorporate the Temperance
Reformation Society of the City of
Toronto.

Received and Read first time, Wednesday, 30th July, 1851.

Second Reading, Friday, 1st August, 1851.

[200 Copies.]

HON. MR. ROSS.

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BILL.

An Act to Incorporate the Temperance Reformation Society of the City of Toronto.

WHEREAS a Society formed in the City of Toronto Preamble.
in the Province of Canada, by divers persons resident
in that City and neighborhood thereof, under the name of
“ The Temperance Reformation Society of the City of
5 “ Toronto,” having for its object the suppression, by precept,
example, and unity of effort, of the dangerous and injurious
practice of drinking intoxicating liquors, having expended a
considerable sum of money in the erection of a Building for
the use and purposes of said Society, and for the accommoda-
10 tion of Public Meetings convened for moral and useful pur-
poses ; and whereas it would tend greatly to advance and ex-
tend the usefulness of the said Society, and would secure to
the Members thereof the full and free use and enjoyment of all
the property moveable or immoveable, belonging to, or which
15 shall hereafter belong to the same, that the said Temperance
Reformation Society of the City of Toronto, should be incor-
porated ; Be it therefore enacted by the Queen’s Most Excel-
lent Majesty, by and with the advice and consent of the Le-
gislative Council and of the Legislative Assembly of the
20 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, intituled,
“ An Act to re-unite the Provinces of Upper and Lower
“ Canada, and for the Government of Canada :” And it is
25 hereby enacted, by the authority of the same, that John Roaf,
the elder, James Richardson, James Harris, Adam Lillie,
Robert Burns, Doctor of Divinity, Clerks, Peter Freeland,
James Scott Howard, Alexander Christie, Andrew Taylor
McCord, John McNab, Robert Henry Brett, Robert Wight-
30 man, Joseph Powell, James Withrow, Isaac White, Thomas
Winslow Anderson, Alexander McGlashan, John Wightman,
Ezekiel Francis Whittemore, John M. Ross, John McBean,
Thomas Flemming, Samuel Alcorn, Thomas Elliott, and all
such other persons as are now or may hereafter become asso-
35 ciated for the purposes hereinbefore mentioned, and their suc-
cessors forever, shall be, and are hereby constituted and declar-
ed to be a body politic and corporate, by the name and style of
“ The Temperance Reformation Society of the City of
“ Toronto,” and by that name shall have perpetual succession,
40 and be capable of suing and being sued, pleading and being

Certain per-
sons incorpo-
rated.

Corporate
name and
powers.
Suing and
being sued.

impleaded, answering and being answered unto, defending and being defended, in all Courts of Law and places whatever within this Province; and may have a Common Seal, with power to change alter break and renew the same at pleasure; and that they and their successors, by the said name, shall be capable in Law to purchase take receive and hold any estate, real or personal either by devise deed of gift of otherwise, to the use of them and their successors, and to lease, sell and convey, or otherwise dispose of the same, as to them shall appear most advantageous for promoting the purposes of their Society; Provided always, that the annual value of such real or personal estate shall not exceed the sum of one thousand pounds current money of this Province.

Who shall be Members of Corporation. Ordinary Members.

II. And be it enacted, That the said Corporation shall consist of an indefinite number of ordinary and associate members; the ordinary members being those, without distinction of sex, religious creed, political party, or condition of life, who shall sign and faithfully adhere to a pledge or promise to abstain entirely from using as a beverage or article of diet, any intoxicating liquor, and from manufacturing any such liquors, or selling them, or in any way whatsoever countenancing their use, except for Medical Mechanical or Scientific purposes: Provided always that such pledge or promise aforesaid shall not be held to exclude the use of Wine in a religious ordinance; the associate members being those who being of the age of twenty-one years or more, do sign and faithfully adhere to the pledge or promise aforesaid and contribute to the funds of the Corporation such annual sum or sums as may from time to time be enacted by the By-Laws, rules and regulations of the said Corporation.

Officers of Corporation.

III. And be it enacted, That for the management of the affairs of the said Corporation, there shall be elected by the associate members, from their own number only, and by a majority of the votes of such members as shall be present at the special or annual meetings hereafter provided for, the following Officers, namely, a President, two Vice-Presidents, a Treasurer and two Secretaries, as also twelve other members, who, with the Officers hereinbefore named, and such other Officers as the said Corporation or the members thereof, may think fit from time to time to appoint, shall constitute and form the General Board of Directors of the said Corporation, any five of whom shall be a competent quorum to proceed to business.

Mode of filling casual vacancies in the Offices or Board of Directors.

IV. And be it enacted, That when any Officer or Director of said Corporation shall die, or resign, become disqualified or incompetent, or neglect or refuse to act, it shall be lawful for the remaining Officers and Directors, to elect some other associate member, duly qualified, in their stead, who shall hold

their Offices until the next annual election, and until others shall be chosen in their places.

V. And be it enacted, That until the first election of Officers shall take place as hereinafter provided, the present Officers and Members of Committee shall constitute and form the Officers and Directors of the Corporation hereby created, until the next ensuing.

Present Officers of Society to remain in Office for a certain time.

VI. And be it enacted, That the annual meeting of the associate members of said Corporation shall be convened at the place of which the usual meetings of the said Corporation are held, on the of in each and every year, which shall be notified by the Board of Directors for the time being, in one or more of the public newspapers published in the said City of Toronto, at least ten days before such meetings shall be holden; and the associate members of the said Corporation who shall then meet, if not less than twenty in number, shall proceed to elect Officers and Directors as aforesaid for the year then next ensuing and transact such other business as they shall agree to take into consideration; the said election shall be held by three Inspectors to be appointed for that purpose by the Officers and Directors for the time being, and which Inspectors shall be the judges of such election, and certify the persons elected to the respective Offices aforesaid: Provided always that the Officers and Directors then elected, shall not enter upon nor act in the discharge of their respective offices until the expiration of eight days next ensuing after such election; and if from any cause whatever the said annual meeting shall not be held at the time appointed, the Officers and Directors for the time being shall order and appoint such election to be held as soon thereafter as to them shall appear proper, giving the like notice thereof as is herein required in the case of a regular annual election.

Annual meetings for election of Officers and Directors.

Quorum.

Proviso, when the persons elected shall enter upon their Offices. Provision for failure of any election.

VII. And be it enacted, That if at any meeting of the said Corporation any person claiming to have a vote thereat shall be charged by any other person then present with having violated his pledge, if said charge be not repelled, it shall be held and declared to disqualify the person so charged, from voting at such meeting; but should he assert his innocence, the chairman presiding for the time being shall require him to make the following declaration:—"I do declare and affirm that I have not violated my pledge; and that from the time of my subscribing it, I have faithfully adhered to all its obligations;" and if otherwise qualified, he shall then be permitted to vote at such meeting; Provided always that every person who shall wilfully make a false declaration of his faithfulness to his pledge, shall be deemed guilty of a misdemeanor, and punishable by fine or imprisonment or by a penalty of not less than ten shillings or more than one pound ten shillings, to be sued

Mode of challenging voters at meetings of the Corporation.

Declaration required.

Proviso: Penalty for making a false declaration.

Mode of recovering such penalty, and its application.

and recovered with costs, by the Board of Directors of said Corporation, for its use, before any Justice of the Peace having jurisdiction within the County of York.

Corporation may make By-laws, Rules, and Regulations.

VIII. The said Corporation shall have power, from time to time, to make and establish, repeal, alter, or amend such By-laws, Rules, and Regulations, not being contrary to this Act or to Law, as they shall judge proper, for the election of their Officers, for prescribing their respective functions and the mode of discharging the same, for the admission of Members, for the government of the Officers and Members thereof, for imposing and collecting admission fees, fines and contributions from the Members, for regulating the times and places of meeting, for suspending or expelling such Members as shall refuse or neglect to comply with the said By-laws or Regulations, and generally for the management and direction of the affairs and concerns of the said Corporation; Provided always, that no such By-law, Rule, or Regulation, or any repeal, alteration, or amendment thereof, shall have any effect unless the same shall have been announced and read at a Meeting of the Board of Directors, at least fourteen days previous to its being submitted to the said Corporation for the adoption thereof at a meeting at which at least fifteen Members shall be present, nor unless the same shall be adopted at such last-mentioned meeting by at least three-fourths of the Members then present.

Proviso, conditions required before they shall have effect.

Corporation may be required to give statement of its receipts and expenditure, and shall give an account of property.

IX. And be it enacted, That it shall and may be lawful for the Governor or person administering the government of the Province for the time being, or for any or either branch of the Provincial Parliament from time to time, to require from the said Corporation or from the general Committee thereof, true statements under oath (which oath any Justice of the Peace is hereby authorized to administer) of the receipts and expenditure of the said Corporation: and it shall be incumbent on the said Corporation to submit annually, to each of the three branches of the Legislature, during the first fifteen days of each Session thereof, a statement of the real and personal estate held and enjoyed by the said Corporation.

Property &c., of the existing Society transferred to Corporation.

X. And be it enacted, That the property, real and personal, now held by the Society hereby incorporated or by any party in trust for them, shall be and is hereby vested in the said Corporation, which shall be responsible for all debts and obligations of the said Society, and may recover and enforce all claims and obligations in favor thereof.

Members not individually liable.

XI. And be it enacted, That no Member of the said Corporation shall, in his private or natural capacity, be liable for any debt or obligation contracted by the said Corporation.

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XII. And be it enacted, That nothing in the present Act
contained shall affect or be construed to affect in any manner
or way whatever, the rights of Her Majesty, Her Heirs and
Successors, or of any person or persons, or of any body politic
5 or corporate, such only excepted as are herein mentioned.

Reservation of
rights of Her
Majesty, &c.

XIII. And be it enacted, That this Act shall be a Public
Act, and shall be judicially noticed accordingly by all Judges,
Justices of the Peace, and Officers of Justice, and by all other
persons whomsoever, without being specially pleaded ; and no
10 misnomer of the said Corporation, in any deed, grant, gift,
devise, bequest, or any other instrument, contract, or convey-
ance, shall defeat or vitiate the same, if the Corporation be
sufficiently described to show or ascertain the intention of the
parties.

Declared a
Public Act.