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No. 69.

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2nd Session, 3rd Parliament, 12 Victoria, 1849.

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## **BILL.**

An Act to Incorporate certain persons  
under the name of "*The Montreal  
Prison Discipline Association.*"

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Received and Read a first time, Thursday, 8th  
February, 1849.

Second Reading, Thursday, 15th February, 1849.

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Honble. W. BADGLEY.

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PRINTED BY LOVELL AND GIBSON.

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**BILL.**

An Act to incorporate "*The Montreal Prison Discipline Association.*"

**W**HEREAS it is desirable that an Association should be formed in the City of Montreal, for the purpose of visiting and relieving, and improving the condition, moral and physical, of the prisoners confined in the Common Gaol and House of Correction of the District of Montreal, and to report upon the state of the said Gaol and House of Correction, and upon the discipline maintained therein; And whereas the persons hereinafter named have by their petition prayed that for the public advantage they may be permitted to form such an Association, and may be incorporated as such Association under proper regulations and provisions, and it is expedient to grant the prayer of their petition: Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, That the Hon. C. D. Day, J. Smith, J. McCord, C. Mondelet, M. J. Hays, Hon. J. Ferrier, D. Davidson, A. Pinsonnault, A. E. Montmarquet, S. Andres, A. A. Papineau, R. Wright, L. Dorval, J. D. Bourdages, J. Boston, W. F. Coffin, and such other persons as shall under the provisions of this statute become members of the said Association, shall be and are hereby declared to be a body politic and corporate, by the name of "*The Montreal Prison Discipline Association,*" and by that name shall have perpetual succession and a common seal, and shall have power from time to time to alter, renew or change such common seal at pleasure, and shall by the same name at all times hereafter have power to purchase, acquire, hold, possess and enjoy, take, accept and receive

Preamble.

Certain persons incorporated.

Corporate name and powers.

Limitation as  
to real prop-  
erty.

for the use and purposes of the said Corpo-  
ration, any lands, immovable property or here-  
ditaments, or any personal property of what  
nature soever within this Province, not ex-  
ceeding in yearly value the sum of one thou-  
sand pounds currency, and the same to sell, 5  
alienate and dispose of, and others in their  
stead to purchase, acquire and hold for the  
use and purposes aforesaid; and the said As-  
sociation may by the said name sue and be 10  
sued in all Courts of Law or Equity, or other  
places whatever, in as large, ample and bene-  
ficial a manner as any other body politic or  
corporate in this Province, and shall have  
power and authority to make By-laws, Rules 15  
and Regulations not being contrary to this  
Act or to the laws of this Province, for the  
government and management of the said As-  
sociation, and of the affairs and property  
thereof, and for all other purposes relating to 20  
the well-being and interests of the said As-  
sociation, and the same to amend, alter or  
repeal from time to time in such manner as  
they shall deem necessary or expedient.

By-laws.

Public meet-  
ing to be called  
for putting  
this Act into  
operation.

II. And be it enacted, That the persons 25  
hereinbefore mentioned and incorporated,  
or any five of them, shall as soon as con-  
venient after the passing of this Act, by pub-  
lic advertisement in two of the public news-  
papers of the City of Montreal, call or cause 30  
to be called, a public meeting of the inha-  
bitants of Montreal, at some public place in  
the said City, for the purpose of forming the  
said Association, and of opening books for  
enrolling the names of persons desirous of 35  
becoming members of the same, (which said  
books shall always remain and be in the  
hands of the Secretary of the Association  
when that officer shall have been appointed,  
and in the meantime in the hands of some 40  
Member of a Committee to be appointed at  
the said meeting for the admission of addi-  
tional members,) and of appointing a Treas-  
urer for the purpose of receiving the sub-  
scriptions of persons wishing to become 45

members of the said Association, and of fixing a day and place for the election of the officers thereof, and of doing all other things necessary for the formation of the Association hereby incorporated, and for carrying this Act into operation; Provided always that if the meeting or election mentioned in this Section shall not be had on the day first appointed for the same, another meeting may be called in the manner aforesaid and another day fixed thereat for such election, and so on until such election shall be had.

III. And be it enacted, That to entitle any person to the rights of membership of this Association, or to the right of voting at the election of the officers thereof, or of receiving any of the privileges of membership by this Act conferred, it shall be necessary that every such person shall have paid into the hands of the Treasurer of the said Association an annual subscription of not less than two dollars, or any other larger amount of annual subscription which the said Association by its By-laws may hereafter direct to be paid by its members previous to exercising any right, privilege or authority of membership whatever; and the receipts of the Treasurer shall be proof, if proof is demanded, of the payment of such subscription, and of the right claimed by such member under this Act.

What shall entitle any person to be a member.

IV. And be it enacted, That the officers of the said Corporation shall be a President Vice President, a Secretary and a Treasurer and the affairs and business of the said Corporation shall be managed by a Committee to be composed of five members of the said Corporation, and of the officers aforesaid, who shall always be members of the said Managing Committee; and the said officers and other members of the Managing Committee shall be annually elected by the majority of votes (to be given by ballot) of the members of the Corporation present, and

Officers of the Corporation.

Committee of Management.

Election of Officers and Committee-men.

Times for elections.

duly qualified as hereinbefore provided ; and the first meeting to be held for the purpose of such election as aforesaid, shall be held on the day and at the place to be appointed as hereinbefore provided, and every following annual general meeting for the same purposes shall be held on a corresponding day of the same month in every following year, (unless said day should be a holyday, and then the next day,) and at such place as the Managing Committee shall notify ; and the signature of the President, or in his absence of any member of the Managing Committee whom the said Committee shall appoint, shall be sufficient attestation of all proceedings had, or notices to be issued by the said Association : Provided always, that if any such election shall not be had on the day appointed for the same, the Corporation shall not be dissolved, but such election shall be had on any subsequent day to be notified as aforesaid, and the Managing Committee and officers aforesaid shall continue in office until others shall be elected in their stead ; and the day of annual election may always be changed by any By-law of the Corporation.

Proviso :  
If any election should not be had on any given day.

By-laws, how made.

V. And be it enacted, That the By-laws of the Corporation shall be made by the said Managing Committee, and being so made, and signed by a majority of the said Committee, and the seal of the Corporation being thereunto affixed, shall be binding on all the Members of the Corporation, and shall be kept open to their Inspection.

Visiting Committees to be appointed.

VI. And be it enacted, That it shall and may be lawful for the said Association, at such first meeting for the election of officers and at every following annual general meeting, to elect by ballot two Visiting Committees, one to consist of nine ladies, members of the Association, and the other of nine gentlemen, members of the Association, (each of which Committees shall from time to time,

Their powers and duties.

and as any vacancy in the office may occur, appoint its own President, and add to its numbers (if desirable,) for the purpose of visiting, severally and respectively, the female and male departments of the Montreal Gaol and the Montreal House of Correction, or any other Gaol or House of Correction now being or hereafter to be in the District of Montreal, and of instructing the prisoners therein, and of relieving and improving the condition, moral and physical, of the same, which said Committees shall from time to time report to the Managing Committee on the state and discipline of the said Gaol and House of Correction, and the said Association shall report annually to the three Houses of the Legislature on the state and discipline of the said Gaol and House of Correction and on all subjects connected therewith; and the said Committees of the said Association and all and every the members of the said Committees shall have free access to the said Gaol and House of Correction at all lawful hours and seasons when visiting is permitted, and under such restrictions always as may be deemed necessary by the officers of said Gaol and House of Correction for the safe-keeping of said prisoners; and in the event of any vacancy occurring in the Managing Committee or in either of the said Visiting Committees from death, resignation, absence or any other cause in the interval between two general annual meetings, the Managing Committee shall nominate and appoint any members or member of the said Association to fill such vacancies in the said Committees respectively; but the non-filling up of such vacancies shall not in any way invalidate the proceeding of any of the said Committees: and any members of any of the said Committees shall form a *Quorum* thereof, and any majority of such *Quorum* may exercise all the powers of the Committee.

Vacancies in the Managing or Visiting Committees — how filled.

Non-filling up of vacancies not to vitiate proceedings.

*Quorum*.

VII. And be it enacted, That nothing here-  
in contained shall have the effect of render-

Members not to be liable for debts, &c., of

the Corpora-  
tion ing all or any of the said several persons  
hereinbefore mentioned, or all or any of the  
members of the said Corporation or any per-  
son whatsoever, individually liable or ac- 5  
countable for or by reason of any debt, con-  
tract or security for or by reason of the said  
Corporation or for or on account or in re-  
spect of any matter or thing whatsoever re-  
lating to the said Corporation.

Married wo-  
men not to re-  
quire *autori-  
zation*. VIII. And be it enacted, That it shall not 10  
be necessary for the validity of any act per-  
formed by any married woman as a member  
of the said Corporation, or to her becoming  
such that she be thereunto specially autho-  
rized by her husband, any law, usage or 15  
custom to the contrary notwithstanding.

Rights of the  
Crown saved. IX. And be it enacted, That nothing  
herein contained shall affect or be construed  
to affect in any manner or way the rights of  
Her Majesty, Her Heirs or Successors, or of 20  
any person or persons, or of any body politic  
or corporate, such only excepted as are  
herein mentioned and provided for.

Public Act. X. And be it enacted, That this Act shall  
be deemed a Public Act, and shall be pub- 25  
licly taken notice of as such by all Judges,  
Justices of the Peace and other persons  
whatsoever without being specially pleaded.