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No. 113.

3rd Session, 8th Parliament, 61 Victoria, 1898

BILL.

An Act to incorporate the Subsidiary
High Court of the Ancient Order of
Foresters, in the Dominion of Canada.

First reading, April 6th, 1898.

(PRIVATE BILL.)

Mr. LANDERKIN.

OTTAWA

Printed by S. E. Dawson
Printer to the Queen's most Excellent Majesty
1898

An Act to incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

I. H. J. Snelgrove of the town of Cobourg, W. Baird of the town of Galt, H. E. Griffiths of the city of Toronto, L. Secord of the city of Brantford, W. Williams of the city of Toronto, S. H. Kent of the city of Hamilton, G. Dulmage of the city of Belleville, H. J. Boyde of the city of London, W. G. Scott of the town of Mount Forest, E. F. Clarke, of the city of Toronto, C. B. Heyd, of the city of Brantford, W. Douglass of the town of Owen Sound, F. Abbott of the town of Meaford, H. Catley of the town of Mount Forest, Will J. Vale of the city of Toronto, D. F. Macwatt of the town of Barrie, W. Mills of the town of Ingersoll, all in the province of Ontario; John Anderson, C. Chappell and James Wills, all of the city of Montreal, in the province Quebec; and Scott E. Morrill of the city of St. John in the province of New Brunswick; members of the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, together with such persons as are or become members of the said subsidiary high court, are hereby incorporated under the name of "The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada," hereinafter called "the Society," for the following purposes and objects:—

- (a.) To unite fraternally all persons entitled to membership under the laws of the Society; and the word "laws" shall include general laws and by-laws;
- (b.) To give all moral and material aid in its power to its members, and those dependent upon them;
- (c.) To educate its members socially, morally and intellectually;
- (d.) To establish a fund for the relief of sick and distressed members;
- (e.) To establish a benefit fund, from which, on satisfactory evidence of the death of a member of the Society who has complied with all its lawful requirements, a sum not exceeding three thousand dollars shall be paid to the widow, orphans, dependents, or other beneficiary whom the member has designated, or to the personal representative of the member as laid down in the said laws;

(f.) To secure for its members such other advantages as are, from time to time, designated by the laws of the Society.

- Head office. **2.** The head office of the Society shall be in the city of Toronto, but its location may be changed to any other place in Canada at any regular or at a special meeting called for that purpose, and the Society may open local branches throughout Canada. 5
- Branches. **3.** Subject to the laws of the Society, branches under the names of "subordinate courts," "subordinate circles," "subordinate conclaves" or "juvenile branches" may from time to time be established, under the title designated in the charter granted by the Society constituting such branches; and the trustees of each branch already established, and to be hereafter established in Canada, shall be a body corporate and politic, subject to the laws of the Society; but no such branch shall have power to establish benefit funds under paragraphs (d) and (e) of section 1 of this Act; and each of such branches shall be so incorporated under the corporate name of "The Officers of (*giving the title of the branch*);" and, upon being established, and before proceeding to act as such corporation, such branch shall cause to be registered at full length in the registry office of the city, county or registration division within which such branch is established, a declaration signed by the officers of such branch stating the fact of such establishment, the date of the instrument affecting it, the corporate name, and the names in full of the officers thereof. 10 15 20 25
- Declaration of formation of branches to be registered. **4.** The value of the real property which the Society or any branch thereof may hold shall not exceed, in the case of the Society, one hundred thousand dollars, and in the case of any branch, ten thousand dollars, but in towns having less than six thousand inhabitants the value of such real property shall not, in the case of any one branch, exceed five thousand dollars; and the Society may, by laws, determine the manner in which such real property shall be held and conveyed, subject always to the laws of the province in which such real estate is situate; provided always, that no part of the benefit funds shall be used for such purpose. 30 35
- Power to hold real property. **5.** The property of each branch only shall be liable for the debts and engagements of such branch.
- Liability of branches. **6.** The surplus funds of the Society shall be invested in mortgages which are a first charge on lands held in fee simple in Canada, or in deposits with, or in registered debentures of, loan and investment companies incorporated in Canada, or in debentures of municipal or school corporations in Canada, or in securities of the Dominion of Canada or any province thereof, or shall be deposited in a chartered bank in Canada. 40 45
- Investment of funds. **7.** Whenever, under the laws of the Society, any branch becomes dissolved, or the Society at any time revokes the warrant or charter under which the branch is operating, whether such branch is incorporated or not, such dissolution or revocation shall be certified in duplicate by the chief execu- 50
- When branch dissolved, certificate to be filed.

tive officer, and by the secretary of the Society under the seal thereof; one of the said duplicates shall be filed with the Superintendent of Insurance, and the other with the Secretary of State, and this certificate, from the filing thereof with the
 5 Secretary of State, shall, ipso facto, operate to dissolve the said branch, and to vest its property, both real and personal, in the chief executive officer and the secretary of the Society and their successors in office as trustees for the creditors and persons beneficially entitled, and the surplus, if any, after the
 10 liabilities are satisfied, shall vest in the registered Society to its own use absolutely. Provided, however, that in the case of real estate it shall be sold within seven years after the dissolution of such branch. Real estate to be sold within 7 years after dissolution.

S. Within three months from the passing of this Act, a
 15 certified copy of the present constitution and laws of the Society, and its form of beneficiary certificate, shall be deposited with the Secretary of State, and another copy with the Superintendent of Insurance, and copies of any future changes or amendments thereto shall be so deposited within three months
 20 from their adoption by the Society, and in default of compliance with any provision of this section the Society shall incur a penalty of ten dollars for each day during which such default continues. Constitution and by-laws to be deposited.

9. *The Insurance Act*, except section 43 thereof, shall not
 25 apply to the Society. R.S.C., c. 124.