

No. 129.

1st Session, 5th Parliament, 18 Victoria, 1854.

BILL.

An Act to incorporate the Members of
the British American Friendly Society
of Canada.

Received and Read First time, Monday, 17th
Oct., 1854.

Second Reading, Monday, 23rd Oct., 1854.

MR. DORION of Montreal.

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1854.]

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An Act to incorporate the members of the British
American Friendly Society of Canada.

WHEREAS an Association hath been formed in this Province, under ^{Preamble.} the name of "The British American Friendly Society," for the purpose of securing by voluntary subscription or contribution of the members thereof, funds for the mutual relief and maintenance of said members during "Old Age," "Sickness" and "Infirmity," or any other uatural state or contingency whereof the occurrence is susceptible of culations by way of average; and also a provision at death, and is likely to be attended with very beneficial results by promoting the happiness of individuals, and at the same time diminish the public burdens, and that by the contribution of the savings of many persons to one common fund the most effectual provisions may be made for the casualties affecting all the contributors, and that the benefits deriveable from such a society to the members thereof, would not only be secured by the incorporation of the members thereof, but be greatly enhanced, and have prayed to be so incorporated, and whereas it is expedient to grant the prayer of the said petitioners, subject to the provisions and enactments hereinafter set forth and made in their behalf; Be it therefore enacted, &c., as follows:

Wolfred Nelson, Esq., M.D., Hon. Charles Wilson, George Brown, Esq.,
 20 James Harvey Phillips, Joseph Doutre, Esq., J. G. Bibaud, Esq., M.D., Ovide LeBlanc, Charles Laberge, Esq., of Montreal, Hon. Louis Massue, Joseph Cauchon, Esq., Vital Têtu, Aaron Locock Gravelley, Thomas Cary, Louis Prévoist, Zephirin Nault, Esq., M.D., Oliver Robitaille, Esq., M.D., of Quebec, P. B. Dounoulin, A. Polette, Esq., of Three Rivers, Alexandre Dufresne,
 25 St. Athanase, F. R. Tranchmontagne of Berthier, M. E. Haller, Esq., M.D. of Sorel, L. L. L. Desaulniers, M. D., Yamachiche, James M. Dunn, Niagara, Conrad Nahrgang, New Hope, C. W., A. G. Smythe, London, Peter Winter, Esq., Percé, with all such other persons as now are or may be hereafter associated with them for the purposes hereinbefore mentioned, and
 30 their successors for ever, shall be one body politic and corporate, in deed and in name, by the name and style of the British American Friendly Society, and shall by that name have perpetual succession and a common seal, and shall have power from time to time to alter, change, or renew such common seal at pleasure, and shall by the same name, from time to
 35 time, and at such times hereafter, be able and capable to have, receive, purchase, acquire, hold, possess and enjoy, to them and their successors aforesaid, to and for the uses of said Corporation, any messuages, lands, tenements and hereditaments, of whatever nature, quality, or kind, situate and lying, and being within this province to an amount not exceed-
 40 ing the annual value of £5000, currency, and also to take, receive, purchase, acquire, have, hold, possess, to and for the same uses and purposes, any goods and chattels, gifts or benefactions whatsoever, and shall and may by the same name be able and capable to sue in Law and be sued, implead

Certain persons incorporated.

Corporate name and powers.

and be impleaded unto in all Courts of Law and places whatsoever, in all and singular actions, causes, pleas, suits, matters and demands whatsoever, in as large, ample, and beneficial a manner and form as any other body politic or corporate, or any persons able and capable in Law may or can sue, implead, or answer, or be sued, impleaded, or answered in any manner whatsoever. 5

Annual Meeting, election of Directors, quo: um.

II. A meeting of the Members of said Society shall be held the first Monday in October in every year, for the election of not less than five nor more than seven Directors, and seven member shall form a quorum at such meeting, and should it so happen, that an election should not be 10 made on the day designated, the said Corporation shall not thereby be dissolved, but an election may be made on any convenient day within thirty days thereafter, to be designated by the Secretary; after such election of Directors they shall proceed to elect from their own body a President and a Secretary and General Manager and appoint such subordinate Officers as may in the opinion of the Directors be deemed necessary, define their powers and prescribe their duties; the Directors shall 15 also fill all vacancies occurring by death, resignation or otherwise, and shall be eligible for re-election indefinitely.

Election of officers.

Directors may frame By-laws.

III. It shall be lawful for the Directors of said Association to frame such 20 By-laws and regulations as may be deemed necessary to effectually carry out the objects contemplated by the Society, and clearly define the rights and privileges of Members; and to raise from time to time, by subscriptions of the several Members or by voluntary contributions or donations, a Capital Stock or Fund for the effectual relief and maintenance of all and 25 every the Members thereof, their children, relatives or nominees, in sickness, old age, and infirmity, widowhood or any other natural state or contingency, whereof the occurrence is susceptible of calculation by way of average; and for making a provision at the death of any member of any amount not exceeding £2,500, currency. 30

Member deceased or disabled entitled to benefit of Society.

IV. In case any Member become deceased or disabled he shall be dealt with as prescribed in the By-laws, and in case any Member of said Society shall be rendered disabled or die, who shall be entitled to any sum agreeably with the rules of said Corporation not exceeding £2,500 currency, it shall be lawful for the Directors of said Corporation to pay the 35 same at any time after the decease of such Member according to the By-laws of said Society, and whenever the Directors of said Society at any time after the decease of any Member shall have paid and divided any sum of money to next of kin of such deceased Member, or amongst any person or persons who shall at the time of such payment appear to the Directors to be legally entitled to the amount due any deceased 40 member, the payment of any such sum shall be valid and effectual.

Rules to be entered in a Book, and to be binding on Members and officers.

V. All the rules for the proper management of said Society shall be entered in a Book to be kept by an Officer of said Society, which Book shall be open at all seasonable times for the inspection of Members, and 45 all rules from time to time made and in force for the management of said Society shall be binding on the several Members and Officers of the said Society and the several contributors thereto and their representatives, all of whom shall be deemed to have taken full notice thereof by such entry and contribution aforesaid; the entry of such rules in such Book aforesaid, 50 or a true copy thereof, shall be received as evidence of such rules respectively in all cases, and no *certiorari*, suspension, advocacy, seduction or other legal process shall be brought or allowed to remove any such

rules in any Court, and no rule adopted by the Board of Directors shall be altered, rescinded or repealed unless at a general meeting convened by Public Notice written or printed, signed by the Secretary or other principal Officer of said Society in pursuance of a requisition for that purpose
5 by seven or more Members of said Society.

VI. The Directors may, from time to time, elect and appoint any number of Members of said Society to be a Committee, not less than three nor over five, and shall and may delegate to such Committee all or any of the powers given by this Act to be executed, who, being so
10 delegated shall continue to act as such Committee for and during such time as they shall be appointed for said Society for general purposes, and in all cases where a Committee shall be appointed for any particular purpose, the powers delegated to such Committee shall be reduced into writing and entered into a Book by the Secretary of said Society,
15 and a majority of the Members of such Committee shall at all times be necessary to concur in any Act of such Committee, and such Committee shall in all things delegated to them, act for and in the name of such Society, and all acts and orders of such Committee, under the powers delegated to them, shall have the like force and effect as the acts and orders
20 of such Society could or might have had in pursuance of this Act; Provided always that the transactions of such Committee shall be entered in a Book belonging to such Society, and shall be from time to time, and at all times, subject and liable to the review, allowance, or disallowance, and control of the Directors, in such manner and form as
25 the By-laws shall have directed and appointed or shall in like manner direct and appoint.

Directors may appoint Committee of Members for general purposes.

Proviso.

VII. The Secretary of the Society shall prepare or cause to be prepared a yearly general statement of the whole number of Members, their ages, number of deaths, quantity of sickness experienced, together
30 with a full statement of the funds, and effects of or belonging to said Society, with an account of all and every the various sums of money received and expended by or on account of said Society, duly attested, and every member shall be entitled to receive a copy of such periodical statement.

Annual General statement to be prepared.

VIII. A Minor over the age of fifteen years may become a Member of said Society, and be empowered to execute all instruments, give all necessary acquittances, and enjoy all the privileges, and be liable to all the responsibilities appertaining to Members of matured age, notwithstanding his or her incapacity or disability in Law to act for himself or
40 herself; Provided that such Minor be admitted into said Society by and with the consent of his or her parents, masters or guardians.

Minors over fifteen years of age may become Members.

IX. All surplus funds on hand at the expiration of each year after paying all claims for benefits and expenses of management, shall be set aside as a reserve fund until such surplus amounts to Fifty Thousand
45 Pounds, from which time the subsequent annual surplus shall be divided among the Members in ratio to their annual deposits.

Surplus fund to be set aside as a reserve Fund.

X. The said Society shall not be dissolved so long as the intents or purposes declared, or any of them remain, to be carried into effect without obtaining the votes or consent of three fourths in value of the then
50 existing Members to be ascertained in the manner hereinafter specified, and for the purpose of ascertaining the votes of such three fourths in value, every member shall be entitled to one vote, and an ad-

Dissolution of Society, how effected.

ditional vote for every five years that he may have been a member, and in case of dissolution the intended appropriation or division of the funds or other property of said Society shall be fairly and distinctly stated in the proposed plan of dissolution prior to such consent being given; and the division or distribution of the stock or funds or any part thereof shall be strict in accordance with the general intents and purposes of said Society. 5

Public Act.

XI. This Act shall be held Public Act.