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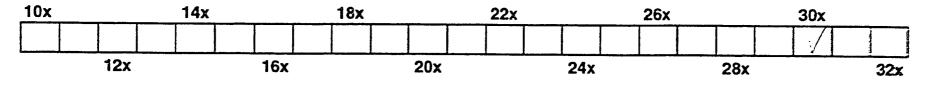
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1st Session, 8th Parliament, 27 Victoria, 18

BILL.

An Act to amend chapter 88 of the Cons idated Statutes for Lower Canada, int uled An Act concerning the protect and enforcement of Corporate Rights.

Received and read, first time, Wednesd 23rd September, 1863.

Second Reading, Thursday, 24th Septber, 1863.

Mr. HARWOOD

QUEBEC:

PHINTED FOR THE CONTRACTORS BY HUNI ROSE & LEMIEUX, ST. URSULE STREET No. 187.7

RIL.

[1863.-2nd Sess.

An Act to amend Chapter 88 of the Consolidated Statutes for Lower Canada, intituled, An Act concerning the protection and enforcement of corporate rights.

WHEREAS it hath happened or may happen, that Letters' Patent Preamble. have been or may be issued by the Crown, granting lands or property to persons holding certain offices, ecclesiastical or otherwise, or to persons named in such Letters Patent as Trustees for the purposes

- thereof, to the end that such lands may be held as the site of a Church, Chapel, or Burial Ground, or of some other institution, building, or place for religious or other purposes of a public or quasi-public nature, by the persons so named and their successors in office or by their successors to be appointed as Trustees in some manner prescribed by such
- 10 Letters Patent; And whereas, it has happened or may happen that such persons or some of them have died or may die or be removed without having any successors in office, or without Trustees having been appointed in the manner prescribed in such Letters Patent to succeed them, and doubts have arisen or may arise, as to the legal consequence of
- 15 any such case, which doubts it is expedient to obviate or remove ; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, declares and enacts as follows :---

1. In the cases mentioned in the Preamble of this Act or any of Letters Pathem, the Officers, Functionaries, Trustees or persons to whom any such tent granting 20 land or property shall be or has been granted to be held as aforesaid, sons and their shall be held to have been and to be a corporation, body politic and cor- successors for porate, for the purposes mentioned in such Letters Patent, and to public purhave, and to have had perpetual succession as such; and no failure held to have of successors in office of any member of such corporation and no been granted 25 failure to elect or appoint any such Trustee in the manner prescribed to them as a by the Letters Patent, shall operate a dissolution of such Corporation, corporation.

- which shall be held to be continued in the remaining member or members thereof; nor if such corporation be, at the time of such failure, a party to any suit, action, or proceeding, shall such failure
- 30 suspend the instance or render it necessary to call in the heirs or representatives of any deceased or former member of such corporation, but such said action or proceeding shall be continued to judgment and execution by or against the corporation as if no such failure had occurred; except always that if there be reason to an-
- 85 prehend any failure of justice by reason of such failure of members of the corporation as aforesaid, the Superior Court may, by writ of mandamus to be issued at the instance of any party interested, and directed to such Functionaries or persons as the Court may see fit, order the election or appointment of such member or members of the
- 35 said corporation as may be necessary, in the manner prescribed by such Letters Patent, or in case no such manner of 'election or appointment is in such Lettres Patent prescribed, or the same cannot from circum-

stances be complied with, then in such manner as the Court may see fit to direct; and to such proceedings the provisions of the fourteenth section of the Act concerning the protection and enforcement of corporate rights, chapter 88 of the Consolidated Statutes for Lower Canada, and the other provisions of the said Act, shall apply so far 5 sa they can be made applicable.

2. This Act shall extend only to Lower Canada.