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No. 151.

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1st Session, 6th Parliament, 21 Vict., 1858.

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(PRIVATE BILL.)

## BILL.

An Act to incorporate the Grand Lodge  
of the Independent Order of Good Tem-  
plars.

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Received and read, first time, Tuesday, 11th  
May, 1858.

Second reading, Wednesday, 12th May, 1858.

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MR. WALKER POWELL.

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TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

## An Act to incorporate the Grand Lodge of the Independent Order of Good Templars.

**W**HEREAS certain persons have associated themselves, in this Preamble.  
Province, under the name of the Grand Lodge of the Independent Order of Good Templars; And whereas in consideration of the moral objects which that Association has in view, and for the purpose of enabling them to manage the pecuniary affairs of the said Association, it is desirable that the said Grand Lodge of the Independent Order of Good Templars should be protected by an Act of Incorporation: Therefore, Her Majesty, &c., enacts as follows:

I. Jonathan M. Van Norman, Esther M. Kerr, James Russell, Simeon Morrell, William A. Ferguson, F. W. Morse, J. W. Gifford, members of the Grand Lodge of the Independent Order of Good Templars, of Canada, and their successors, and such and so many other persons and parties as have become or shall become members thereof, shall be and are hereby constituted a body politic and corporate, by the name of the "*Grand Lodge of the Independent Order of Good Templars of Canada*" and by that name shall and may sue or be sued, implead and be impleaded, answer and be answered unto, in all courts of law and equity whatsoever, and shall have uninterrupted succession and a common seal, which may by them be changed or varied at their pleasure.

Incorporation, and corporate name and powers.

II. It shall be lawful for the said corporation to acquire and hold land and real or personal estate and property; Provided that the real estate to be held by the said Grand Lodge shall at no time exceed, in value, the sum of ten thousand pounds; And it shall be lawful for the said corporation to sell, lease, or otherwise dispose of the said real estate or property as they may see fit.

Holding property. Proviso: real estate limited. May be sold, &c.

III. It shall and may be lawful for the said corporation to appoint such members thereof as they may think proper, in such manner as they may by their By-laws provide, for the purpose of managing the funds and property of the said corporation, and to revoke such appointments and substitute others in their places as they may think expedient, and to demand and accept such security as they may, from time to time, deem proper, from such parties; or from any other officers appointed by said corporation for the performance of their respective duties, and to make, ordain and put in execution all such By-laws and Rules as they may think necessary for the purposes aforesaid, not inconsistent with the laws of this Province.

Corporation may appoint officers. And make By-laws.

Subordinate lodges may become incorporated, &c.

IV. Each subordinate lodge of Good Templars, now instituted, or which hereafter may become instituted, within Canada, may, in manner hereinafter specified, be and become a body politic and corporate, by the name, number and place of location, by which it is or may be designated in the said Grand Lodge; And each subordinate lodge, upon so becoming incorporated, shall have all the powers and privileges conferred upon the Grand Lodge of the Independent Order of Good Templars, by the first section of this Act, for the sole purpose of managing their real and personal estate; Provided that the said real estate, to be held by such subordinate lodge, shall in no case exceed the value of five thousand pounds. 5

Proviso, as to real estate.

Mode in which subordinate lodges may become incorporated.

V. Each subordinate lodge which may be desirous of becoming incorporated shall and may, by a vote of two-thirds of its members present at any regular meeting (of the intention to propose which vote two weeks' notice, at least, shall be given, in regular meeting of such subordinate lodge, by some member thereof, in writing), decide to become so incorporated; And upon a copy of the vote of such decision, specifying the name, number and place of location of such lodge, and the names of not less than ten members of such subordinate lodge, under the seal of the said subordinate lodge, and its recording secretary and presiding officer, together with a certificate of the Grand Lodge, under its corporate seal, and the signatures of its presiding officer and secretary, that such subordinate lodge is in good standing in the Order, being filed in the office of the Registrar of the County in which such lodge is situated, the members of such subordinate lodge, whose names may be included in such vote as aforesaid, and their associates and successors, members of such subordinate lodge, shall be and become, from the time of filing such certificate as aforesaid with such Registrar, a body politic and corporate as aforesaid, by the style or name, number or place of location of such subordinate lodge. 15 20 25 30

Subordinate lodges may invest their surplus funds and how.

VI. It shall and may be lawful for the treasurer of each subordinate lodge so incorporated, and he is hereby empowered, from time to time, by and with the consent of such subordinate lodge, to be testified in such manner as may be directed by their By-laws, to lay out and invest all such sum and sums of money as shall, from time to time, be collected and not required for the immediate exigencies of such subordinate lodge, in real estate or on mortgage, or in public or other stock or funds, or in such other manner as such subordinate lodge may deem best, and from time to time, with the like consent, to alter, sell and transfer such securities, real estate or funds respectively, and otherwise to re-invest or dispose of the same; and that the certificate, bill of sale, deed, or other instrument of transfer, sale or discharge of such estate or fund, or security, shall be made under the seal of such subordinate lodge, and all such investments shall be made, and sureties taken, and sales and transfers made, in the corporate name and capacity of such subordinate lodge. 35 40 45

Subordinate lodge may take security from its treasurer.

VII. It shall and may be lawful for such subordinate lodge, when so incorporated, to receive from the treasurer thereof, from time to time, in their corporate capacity, sufficient security, by bond or otherwise, as such subordinate lodge may deem expedient, for the faithful performance of his duty as such, and that he will well and truly account for and pay and invest, from time to time, all such sums of money, funds or other property, as may come to his hands or under his control, belonging to the said subordinate lodge, as directed by the said subordinate lodge. 50

VIII. No member of any subordinate lodge, so incorporated, shall have any power to assign or transfer to any person or persons whomsoever, any interest which he may have to or in the funds or property of such subordinate lodge, but the same shall at all times be and remain under the control of such subordinate lodge; And no property or stock of any kind, belonging to such incorporated subordinate lodge, shall be subject to the payment of the private debts of its members, nor to be liable to be taken in execution by any judgment creditor against any individual members of such subordinate lodge.

Property of incorporated lodge not subject to debts of individual members, &c.

IX. The property of each of the subordinate lodges, when incorporated, shall alone be held responsible for the debts and engagements of the subordinate lodge owning such property.

Each lodge to pay its own debts.

X. Upon the dissolution of any subordinate lodge, so incorporated, the property held by it the time of such dissolution, after the payment of the debts and engagements of such subordinate lodge, shall be disposed of, sold or conveyed in such manner as the members present at any regular meeting, when such dissolution shall have been determined upon by a two-third vote, may direct; And in case of no disposition of the funds and property of such subordinate lodge shall be made, then all such funds and property as such subordinate lodge may be possessed of, at the time of such dissolution, shall be *ipso facto* vested in the Grand Lodge aforesaid, to be, by such Grand Lodge, applied first to the debts or liabilities of such dissolved subordinate lodge, and the balance, if any, in such manner as the Grand Lodge may deem best for the general interests of the Order in Canada.

Disposal of the property of a lodge on its dissolution.

XI. If at any time hereafter, any one or more of the subordinate lodges shall become so far involved as to be unable to meet its engagements, then, and in such case, it shall and may be lawful for the said Grand Lodge to enter into and upon, and take possession of the said property, both real and personal, of which the said subordinate lodge so becoming bankrupt shall be possessed, and the same and all debts owing to the said subordinate lodge, and all liens and securities therefor, and all the said rights of action of the said corporation, for any goods or estate, real or personal, shall forthwith and thereafter be and become vested in the members, trustees, or officers appointed for the purpose of managing the real and personal estate and effects of the said Grand Lodge, and their successors and assigns; And upon so entering and taking possession of the said estates and effects of the said subordinate lodge, the said Grand Lodge, so far as the said property shall extend, shall be and become liable for, and subject to, all debts and liabilities contracted by such subordinate lodge, in its corporate capacity, and shall and may thenceforth substitute the names or name of such trustees or officers as aforesaid for the time being, and of their successors, in all actions then pending, and in their own names or name bring and prosecute all such actions or action, suits or suit as the said subordinate lodge might otherwise have done, and may give such release and such discharges as might have been given by the said subordinate lodge, and may sell and convey all such property, both real and personal, as the said subordinate lodge was possessed of, or was entitled to at the time of such bankruptcy, and may give all such deeds as may be necessary for the proper conveyance of the same.

What shall be done when a subordinate lodge becomes unable to pay its debts.

Returns to be made by the Grand Lodge to the Legislature.

XII. The Grand Lodge, hereby incorporated, shall, when required by either of the three branches of the Legislature, present a return showing the amount of the real or other property held by the Grand Lodge, and by each of the subordinate lodges incorporated under the provisions of this Act, together with lists of the names of the managers, officers, and members of such Grand Lodge and subordinate lodges respectively. 5

Duration of this Act.

XIII. This Act shall continue in force for the period of ten years from the time of the passing thereof, and no longer.

Public Act.

XIV. This Act shall be deemed a public Act.