

No. 43.

2nd Session, 7th Parliament, 26 Victoria, 1862

BILL.

An Act to repeal Chapter 71 of the Consolidated Statutes of Canada and to make further provision for the Incorporation of Charitable, Philanthropic and Pro-
fessional Associations.

Received and read, 1st time, Friday, 27
February, 1863.

Second Reading, Monday, 2nd March, 1863

MR. JOBIN.

QUEBEC :

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An Act to repeal Chapter 71 of the Consolidated Statutes of Canada, and to make further provision respecting Charitable, Philanthropic, and Provident Associations.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows : Preamble.

1. All persons who, with the view of making provision by means of contributions, subscriptions, donations, or otherwise, against sickness, unavoidable misfortune, or death, and with the view of relieving the widows and orphan children of members deceased, shall have united themselves into a society for such purpose, may deposit at the Registration Office of the County in which such society shall carry on its operations, a declaration in the form attached to this Act, showing the name of the society, the date of its formation, and the object for which the society has been formed. Declaration of formation to be registered.

2. Such declaration shall be signed by the President and other officers, or by at least ten members of the society, and shall be recorded in a register to be kept for that purpose by the Registrar of the County, who shall receive two dollars for such registration, and a further sum of twenty cents for each hundred words contained in such declaration, and shall deliver certified copies thereof, on receipt of ten cents for each hundred words, and twenty-five cents for each certificate ; and every such certified copy shall be evidence in all judicial and other matters relating to such society. Duty of Registrar.

3. Such registration shall have the effect of conferring all the rights and privileges appertaining to a Corporation, and such society, and all other persons who may subsequently become members thereof, may at all times, by the name under which they have been formed, acquire, hold, possess, exchange, accept and receive for them and their successors all lands, tenements and hereditaments and all real or immoveable property situate in Lower Canada, necessary for the actual use and occupation of the said society, and may hypothecate, sell, alienate, or dispose of the same, and acquire others in their stead for the same purposes ; and any majority of the society, for the time being, shall have full power and authority to make and establish such rules, regulations, and by-laws, not contrary to this Act, or the laws at the time in force in Lower Canada, as to them shall seem fit and necessary for the interests and the administration of the affairs of such society, and for the admission and expulsion of its members, and to alter and repeal the same from time to time, in whole or in part, as well as those of such society in force at the time of the registration of the declaration mentioned in the first section of this Act ; it shall also have power to execute and administer, and shall do, execute and administer all and every, the other affairs and things relating to the said society, and to the management and administration thereof, in so far as the same may come under their control,—due regard, however, being had to the regulations and by-laws of the society. Effect of registration. Corporate powers conferred.

Application
of revenues.

4. Provided that the rents, revenues, and profits arising from every description of moveable property belonging to such society, shall be appropriated and employed exclusively for the maintenance of the members of the said society, for the construction and repair of the buildings necessary for the purposes of the society, and for the payment of expenses which may be legitimately incurred for the purposes above mentioned. 5

Titles to property not affected.

5. The registration of the declaration mentioned in the first section of this Act, shall not affect the right or title of such society to any real estate or moveable property whatsoever, belonging to such society, nor the recourse which any creditor may have either against such society or against any member thereof for any debt incurred previous to such registration. 10

Corporation to appoint officers.

6. The members of such society for the time being, or the majority of them, shall have power to appoint such Attorneys or persons charged with the administration of the property of the society and such officers, managers, delegates or servants of such society, as may be required for the proper management of the affairs thereof, and to allow them reasonable and proper remuneration; and all the officers so appointed, may exercise such other powers and authority for the management and good administration of the affairs of such society as may be conferred upon them by the rules and By-laws thereof. 20

Annual reports to Parliament.

7. The said society shall be bound to make annual reports to the two Houses of the Legislature, containing a general statement of the affairs of the society, which said reports shall be presented within the first twenty days of each session of the Legislature. 25