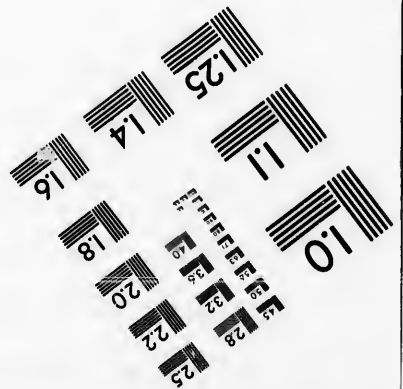
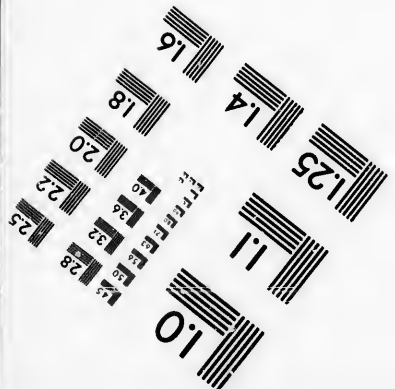
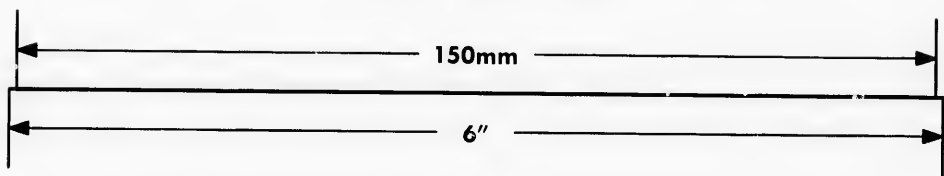
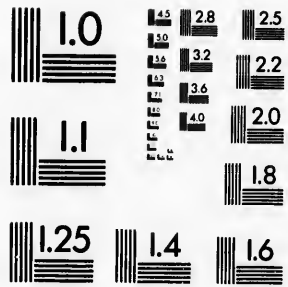
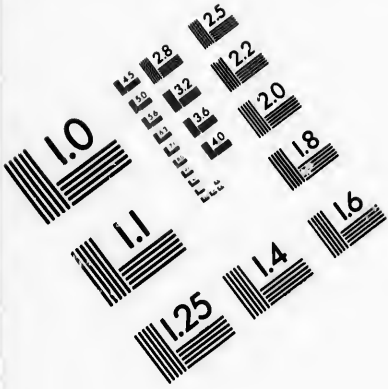


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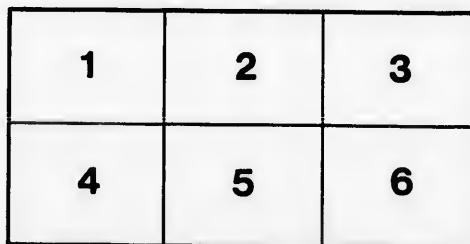
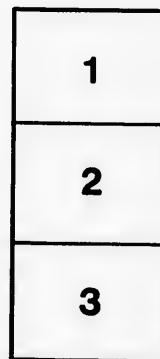
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PRINTED

**REVISED**  
**CONSTITUTION**  
AND  
**ACT OF INCORPORATION,**  
OF THE  
**ST. ANDREW'S SOCIETY.**

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*ADOPTED FEBRUARY 6th, 1865.*

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**MONTREAL :**

**PRINTED BY J. C. BECKET, 38 GREAT ST. JAMES STREET.**

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**1865.**

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# CONSTITUTION

AS PASSED

FEBRUARY 6, 1865.

## ARTICLE I.

*Of the Name and Seal of the Society.*

The name of this Society shall be "THE ST. ANDREW'S SOCIETY OF THE CITY OF MONTREAL," and shall have a common Seal, with its name engraved thereon, around the Arms of Scotland, and the National Motto "*Nemo me impune lacessit.*"

## ARTICLE II.

*Of Resident Members.*

None but Scotchmen and their descendants shall be admitted as Resident members of the Society, and all such can become Members by subscribing to the Constitution, registering his place of nativity, occupation, and address, and paying an annual subscription of two dollars.

## ARTICLE III.

*Of Honorary Members.*

Natives of Scotland, or their descendants, who may be strangers to the city, may be proposed and admitted as Honorary Members, on the same evening; and they, as well as the Resident Members, shall be entitled to a certificate of their admission, authenticated with the Seal of the Society, and signed by the Se-



cretary. None shall be admitted as Honorary Members who reside in the County of Montreal.

#### ARTICLE IV.

##### *Of the Officers of the Society.*

A President, two Vice-Presidents, seven Managers, two Chaplains, one or more Physicians, a Treasurer, a Secretary and an Assistant Secretary, shall be chosen from among the Resident Members at the Preparatory Meeting hereafter mentioned, who shall be installed, and shall enter upon the duties of their respective offices, on the Festival of St. Andrew next ensuing. The election shall be by ballot; and a plurality of votes shall decide. The President shall be first chosen and duly announced to the Meeting, and afterwards the rest of the Officers shall be by nomination or ballot, for their respective Offices separately. The Officers of the same description shall rank according to plurality of votes.

#### ARTICLE V.

##### *Of the Stated Meetings of the Society.*

The Society shall hold four Quarterly Meetings every year, viz. : on the first Thursday in February, in May, August and November, the last of which shall be called "the Meeting preparatory to the Anniversary Assembly." The President, or in his absence the Officer highest in rank who may be present, shall appoint the place of meeting, and the Secretary shall, at his desire, give due notice thereof to the Resident members, and thirteen shall be necessary to constitute a quorum. At all meetings the names of the members present shall be recorded up to the quorum.

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## ARTICLE VI.

*Of the Special Meetings of the Society.*

The President, or in his absence, the Officer highest in rank who may be in the city, shall, when an emergency occurs which in his opinion may render it expedient, or upon application made for that purpose by the Board of Managers, or by the Standing Committee hereafter mentioned, call a Special Meeting of the Society. The Secretary shall give due notice to the Resident Members, twenty-one of whom shall be required to constitute a quorum. Special Meetings shall be competent to the transaction of any business that may come before them, except when it is otherwise prescribed in this Constitution.

## ARTICLE VII.

*Of the Anniversary Assembly.*

As the benevolent views of the Society will be greatly promoted by social intercourse among the Members, the Society shall hold an Anniversary Assembly, and such Members, as may be thereunto disposed, shall celebrate the day by dining together or in any other way which the majority of those present at the preparatory meeting may deem advisable; and the members shall on that day appear with a St. Andrew's Cross, or a Thistle displayed on the left breast. When St. Andrew's Day happens on Sunday, the first day of December shall be observed as the Festival.

## ARTICLE VIII.

*Of the duty of the President.*

The President shall, when he is present, preside at all meetings of the Society, preserve order, put the question

and declare the decision. He shall call a Special Meeting of the Society when he shall judge it proper, or when applied to for that purpose by the Board of Managers, or the Standing Committee hereafter mentioned, and he shall appoint the place of all meetings.

#### ARTICLE IX.

##### *Of the Duty of the Vice-Presidents.*

The duties specified in the foregoing Article shall, in the absence of the President, devolve on the first Vice-President, and in the absence of both, on the second Vice-President.

#### ARTICLE X.

##### *Of the Duty of the Managers.*

The Managers shall constitute a Board for dispensing the Society's bounty, agreeably to the regulations and restrictions prescribed in this Constitution, or by the Laws and Resolves of the Society; and for this purpose they shall meet at least once a month, and three shall be necessary to form a quorum.

#### ARTICLE XI.

##### *Of the duty of the Chaplains.*

It shall be the duty of the Chaplains to perform the religious duties customary at the meetings of the Society; by their council and advice to promote harmony and good will among the Members, and to visit such sick and distressed persons as may be recommended to their attention by the Board of Managers.

## ARTICLE XII.

*Of the duty of the Physicians.*

It shall be the duty of the Physicians to give their advice and assistance to such sick or maimed persons as may be recommended to their care by the Board of Managers.

## ARTICLE XIII.

*Of the duty of the Treasurer.*

The Treasurer shall have the custody of the money and other property of the Society. He shall appoint a suitable person to collect the dues under his direction, and shall keep regular accounts, etc. of his receipts and expenditures, in suitable books provided for that purpose. He shall at each Quarterly Meeting present an abstract of his accounts, stating the sum received and expended since the previous meeting, and likewise the whole amount received and expended since the previous Anniversary Festival, and specifying the cash in hand, and what may be required before the next meeting, that the Society may, if they think proper, take order for the disposition thereof.

## ARTICLE XIV.

*Of the duty of the Secretary*

The Secretary shall have the custody of all the records and journals of the Society, and shall make a regular entry of all the proceedings at each meeting. He shall keep a correct list of the Members of the Society.

He shall summon the Resident Members to all Meetings directed in this Constitution, or called by the presiding Officer. He shall, on the order of the So-

ciety, erase from the list of Members the names of all such persons as by the terms of this Constitution shall have forfeited their title to Membership, making report thereof at the next meeting. He shall appoint a Messenger to the Society for delivering notifications of the time and place of meetings. He shall also have the custody of the Seal and the Badge of the Society. In the absence of the Secretary, the duties above specified shall devolve on the Assistant Secretary.

#### ARTICLE XV.

##### *Of the Death, Resignation or Removal of Officers.*

In case of the death, resignation or removal of any of the Officers during the year for which they were elected, the Society shall at the next meeting, choose others in their room, to serve for the remaining part of the year.

#### ARTICLE XVI.

##### *Of the Standing Committee.*

The Chaplains, the Physicians, the Treasurer and the Secretary, together with four other Resident Members of the Society, not being Officers, who shall be appointed in the same manner as the Committee of Accounts hereafter mentioned, shall constitute a Standing Committee, whose duty, jointly or severally, it shall be to pay attention to Emigrants from Scotland, to enquire into their treatment during the passage, making report thereof to the Society, and into their circumstances and views, to assist them with their advice, and to recommend such of

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them as they may think proper to the Board of Managers for pecuniary relief. They shall likewise execute such business as may from time to time be committed to them by any law or resolve of the Society. They shall meet as often as the nature of their duties may require; and shall make report of their proceedings to the Society.

#### ARTICLE XVII.

##### *Of the Committee of Accounts and the Committee of Instalment.*

A Committee of Accounts, consisting of five Members, not being Officers, shall be appointed annually at the Preparatory Meeting, whose duty it shall be to assist in making out the accounts, examine the books and accounts of the Treasurer and Secretary, and to make report to the Society on St. Andrew's Day ensuing. At the same meeting a Committee of two Members shall be appointed, who shall on the Anniversary Festival, present and instal the Officers elected for the ensuing year. These Committees, and all Special Committees shall be nominated by the presiding Officer, and appointed by vote of the Society.

#### ARTICLE XVIII.

##### *Of the Funds of the Society.*

The funds of the Society shall be improved to the best advantage; therefore, if at any time there shall be more money in the hands of the Treasurer than the exigencies of the poor require, the same shall be loaned out at interest, or otherwise disposed of, as may be determined on by the Board of Managers with the concur-

rence of the President and Vice-Presidents. It shall not be competent for any meeting to direct the disposition or appropriation of any part of the Society's Stock previously loaned out or vested in public securities, or in real property, unless the President or one of the Vice-Presidents, and at least fifty of the Resident Members be present.

#### ARTICLE XIX.

##### *Of Life Members.*

On the payment by any Member of a sum not less than five pounds, the same shall be accepted in lieu of the annual Subscription of two dollars per annum.

#### ARTICLE XX.

##### *Of delinquency in paying dues.*

Although the title of membership of the St. Andrew's Society is simply to subscribe the Constitution and pay the annual Subscription of two dollars, it is nevertheless understood that if any member, unless he be in indigent circumstances, of which the Society shall judge, shall refuse or neglect to pay his dues for one year after they have accrued, provided he has been called upon by the Secretary or Collector, he shall be considered as having withdrawn himself from the Society, and the Secretary shall erase his name from the list of Members.

#### ARTICLE XXI.

##### *Of Members absent from the City.*

Any Member being absent more than a year at one time may if he think fit, decline paying his subscription for the time he has been absent, and on his stat-

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ing in writing to the Treasurer the time of his absence,  
the charge standing against him in the Treasurer's  
books shall be annulled.

#### ARTICLE XXII.

*Of the order to be observed in Meetings.*

At each meeting of the Society after the Presiding  
Officer shall have taken the Chair, the minutes of the  
previous meeting shall be read by the Secretary.

#### ARTICLE XXIII.

*Of the mode of altering the Constitution.*

The Constitution (excepting article XVIII, as  
specially provided) shall not be altered except at a  
special meeting called for that purpose, at which the  
President, or one of the Vice-Presidents and not less  
than twenty-one resident Members are present, the con-  
sent of two-thirds of whom shall be necessary to ratify  
an amendment, and all proposed amendments shall be  
submitted to the consideration of the Society at a pre-  
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CAP. CXXXVIII.  
OF THE  
**STATUTES**  
OF THE  
PROVINCE OF CANADA.

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An Act to incorporate the St. Andrew's Society of  
Montreal.

[Assented to 16th August, 1858.]

**W**HEREAS Alexander Morris hath, by Preamble. Pe-  
tition to the Legislature, represented  
that the Association known as the St. Andrew's  
Society of Montreal, has for many years been  
formed for the benevolent purposes of affording  
pecuniary, medical and other relief, to such na-  
tives of Scotland and their descendants, as may  
from sickness or other causes have fallen into  
distress, and of aiding, directing and relieving  
the necessities of Scottish emigrants on their ar-  
rival in Canada, and have, for the said purposes  
opened and maintained a building in the City of  
Montreal, known as the St. Andrew's Home, and  
which is used for the said purpose; and hath

prayed that for the better attainment of the objects of the said Association, it may be invested with corporate powers; and by reason of the good effected by the Association, it is expedient to grant the prayer of the said petition: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows;

Incorporation. Corporate name and general powers.

1. The said Alexander Morris, and William Edmonstone, David Brown, William Murray, Ewen McLennan, J. C. Becket, and George Templeton, and such other persons as are now members of the said Association, or shall hereafter become members thereof, under the provisions of this Act, and the By-laws made under the authority thereof, and their successors, shall be and they are hereby constituted a body politic and corporate by the name of the "St. Andrew's Society of Montreal," and may by that name sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all Courts of Law and places whatsoever; and by that name they and their successors shall have perpetual succession, and may have a common seal, and may break, change, alter or renew the same at pleasure, and shall have power to purchase, take, receive, lease or let, hold and enjoy such real estate as may be required for the actual occupation of the said corporation, and to alienate, sell, convey, lease, or otherwise dispose of the same, or any part thereof, from time to

May hold real estate for certain purposes; and other real estate on condition of parting with it in three years.

time, require that the real estate or bequest of death of a corporation not more part or may not be attached from within other of the proceeds disposed of in the of charters securities  
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time, and as occasion may require, and to acquire other instead thereof; provided always that the said corporation may acquire any other real estate or any interest therein by gift, devise or bequest if made at least six months before the death of the party making the same, and the corporation may hold such estate for a period of not more than three years, and the same, or any part or portion thereof, or interest therein, which may not within the same period have been alienated and disposed of, shall revert to the party from whom the same was acquired, his heirs or other representatives; and provided also that the proceeds of such property as shall have been disposed of during the said period may be invested in the public securities of the Province, stocks of chartered banks, mortgage, or other approved securities for the use of the said Corporation.

Proviso; as to investment of proceeds.

2. The affairs and business of the said Corporation shall be managed by a Committee of Management, consisting of a President, a first and second Vice-Presidents, a Secretary and Assistant Secretary, a Treasurer, two Chaplains one or more Physicians, five Managers, who shall be a Charitable Committee, and a Committee of Accounts, composed of five members, who shall be Auditors, and a Committee of Instalment, composed of two members, to be elected annually, at a General Meeting of the Members of the Corporation, held in conformity to the By-laws there-

Committee of Management, &c.

Annual election of.

**Quorum.** of; and any five Members of the Committee shall be a quorum for the dispatch of business.

**Deeds of the Corporation.** 3. All deeds sealed with the common seal of the Corporation, and signed by the President, Vice-Presidents, and by some other Member of the Committee of Management, and countersigned by the Treasurer, and none other, shall be held to be Deeds of the Corporation; provided always, that the Treasurer, for the time being, may receive all moneys payable to the Corporation, and grant valid receipts therefor.

**Proviso.** 4. It shall be lawful for the said Corporation to make By-laws, for the admission and expulsion of members and for the proper administration of the property and affairs of the Corporation, and to repeal or amend the same, from time to time and such By-laws and amendments shall be proposed and seconded at a previous Quarterly Meeting. No number of Members less than thirty-six Members of the Corporation (including the presiding Officer) shall form a meeting for the purpose of altering such By-laws, nor shall any alteration be made therein, unless two thirds of the Members present agree to it.

**Power to make By-laws.** 5. The Annual and General Meetings of the Corporation shall be held in such manner after such notice, upon such requisition, and at such times, in the city of Montreal, as shall be directed by the By-laws of the Corporation.

**Amendment of By-laws.** 6. The By-laws of the said Association, in so far as they may not be repugnant to this Act or

**Annual General Meetings.**

**Present By-laws in**

of the Committee laws of this Province, shall be the By-laws of force until  
 dispatch of business. the Corporation hereby constituted, until they altered.  
 the common seal shall be repealed or altered as aforesaid; pro-  
 by the President ided always, that no By-law shall impose a Proviso.  
 the other Member nalty or forfeiture exceeding two dollars.

7. Until others shall be elected, according to Present offi-  
 none other, shall he By-laws of the Corporation, the present cers con-  
 rporation; provid officers of the Association shall be those of the tinued until  
 for the time bei aid Corporation, that is to say: Alexander others are  
 ble to the Corpor rris, President; the said David Brown shall elected.  
 s therefor. e the first Vice-President; the said William Ed-  
 he said Corporat onstone shall be the second Vice-President;  
 nission and expu he said William Murray shall be the Treasurer;  
 roper administrat he said Ewen McLennan shall be the Secretary;  
 of the Corporatio said George Templeton, Assistant Secretary;  
 same, from timee Reverend William Snodgrass and the Rev.  
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 ers less than thir the present Officers thereof shall be Members of  
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 a meeting for of Accounts respectively.

laws, nor shall a  
 unless two thirds B. No person otherwise competent to be a Witness  
 o it. witness in any suit, action or prosecution in in suits  
 which the said Corporation may be engaged, where the  
 shall be deemed incompetent to be such witness, Corporation  
 y reason of his being or having been a member is a party,  
 r officer of the said Corporation.

8. All subscriptions of members due to the Recovery of  
 id Association, i Corporation under any By-law, all penalties in subscrip-  
 ant to this Act or red under any By-law by any person bound tions, &c.

thereby, and all other sums of money due to the Corporation, shall be paid to the Treasurer thereof, and in default of payment may be recovered in any action brought by him in the name of the Corporation, in any Court of competent civil jurisdiction; Provided always, that nothing herein contained shall be construed to prevent any member from withdrawing at any time from the said Corporation, after payment of all arrears due to the funds thereof, including the annual subscription for the year then current and giving notice in writing of such withdrawal.

Proviso.

Statement of accounts to be published.

**10.** The said Committee of management shall yearly, in the month of December, insert in some newspaper published in the city of Montreal, a statement of the amount of the funds and property, debts and liabilities of the Corporation, certified by the Treasurer and two or more of the Auditors elected at any General Meeting of the Corporation.

Saving of H. M's Rights, &c.

**11.** Nothing in this Act shall affect any rights of Her Majesty, or Heirs or Successors, or any party or person whomsoever, such rights only excepted as are herein expressly mentioned and affected.

Public Act.

**12.** This Act shall be deemed a Public Act.

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