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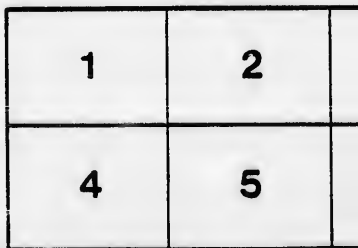
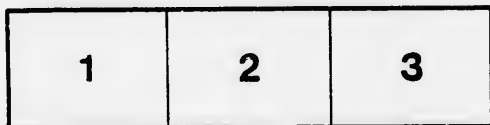
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CONSTITUTION
AND
BY-LAWS
OF THE
MONTREAL FIREMEN'S
Benevolent Association.



MONTREAL
1818



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J. Henriette Latouche

CONSTITUTION,

BY-LAWS,

AND

RULES OF ORDER,

Modem L. Prevost
OF THE
MONTREAL FIREMEN'S

Benevolent Association.

Henri H.

Instituted at Montreal in July 1846, and Incorporated
by Act of Parliament July 1847.



MONTREAL.

1848.

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Latauche Prevost

Madam L Prevost

Madam L Prevost

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Mlle H. Lemaitre Mlle M. M.

Latauche Prevost Mlle Lemaitre Mlle M.

PRINTED BY JAMES POTTS, HERALD OFFICE, MONTREAL.
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ACT OF INCORPORATION.

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CAP. CL.

AN ACT TO INCORPORATE THE MONTREAL FIREMEN'S
BENEVOLENT ASSOCIATION.

9th July, 1847.

WHEREAS an Association hath been formed in the City of Montreal, in this Province by divers persons connected with the Fire Department of the said City, under the name of *The Montreal Firemen's Benevolent Association*, for the purpose of affording relief to those Firemen who may be injured in health or in limb, in the discharge of their duties as Firemen; and of allowing a funeral benefit to the relatives of those Firemen who may die from injuries received whilst engaged in their duties as Firemen; And whereas the persons hereinafter named, Office-bearers of the said Association, and acting on behalf of the members thereof, have, by their petition to the Legislature, represented that they have formed themselves into an Association, and acquired considerable funds for the

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MONTREAL FIREMEN'S

purposes aforesaid, and have further represented that the benefits derivable from such an Association, to that class of the community of which they form part, would not only be secured, but be greatly enhanced, by the incorporation of the members thereof, 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 that behalf; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intitled, "*An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*," and it is hereby enacted by the authority of the same, That Wm. Speirs, M. Moses, David Brown, John Fletcher, Norton B. Corse, John Orr, Alex. Bertram, Wm. Muir, Norman S. Frost, Olivier Rodier, W. Ewan, D. McNeven, James Morrison, Philip Groux, Abraham Wilson, John Ferguson, George Rogers, Robert Wright, John Perrigo, John R. Cameron, James Ruthven, Wm. Watson, Wm. Stewart, H. Colquhon, John Ranson, J. B. Tison, Arthur Samuels, S. Robinson, S. McConkey, Thomas Hood, and P. C. Brouiette, with all such other persons as now are, or being duly competent, may hereafter be associated with them for the purposes hereinbefore mentioned, and their successors for ever, shall be one body politic and corporate, in deed and in name, by the name and style of *The Montreal Firemen's Benevolent Association*, and shall by that name have

perpetual succession and a common seal, and shall have power, from time to time, to alter, renew or change such common seal at their pleasure, and shall by the same name, from time to time, and at all times hereafter, be able and capable to have, take, receive, purchase, acquire, hold, possess and enjoy, to them and their successors as aforesaid, to and for the uses and purposes of the said Corporation, without any further authorization or letters of *mortmain*, all land or property, moveable or immoveable, which may hereafter be acquired, ceded, exchanged, given, bequeathed or granted to the said Corporation, or to sell, alienate, convey, let, or lease the same, if need be: Provided always, that the rents, issues and profits, arising from the immoveable property of the said Corporation, shall not at any time exceed the annual sum of one thousand pounds, current money of this Province; and shall and may, by the same name, be able and capable to sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts of Law and places, in as large, ample, and beneficial a manner and form as any other body politic and 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.

II.—And be it enacted, That in all and every suit or suits in law which may hereafter be instituted against the said Corporation, service of process at the residence of the President, Secretary, or Treasurer, shall be sufficient to compel the said Corporation to appear and plead to such suit or suits; any law, custom, or usage, to the contrary in anywise notwithstanding.

III.—And be it enacted, That the members of the

said Corporation, or the major part of those who shall be present at any General Meeting of the said Corporation, held according to the requirements and provisions of this Act, shall have power and authority to frame and make By-laws, Rules and Regulations, (not being contrary to the laws of this Province, or to this Act) touching and concerning the admission of members, the conditions upon which any person shall remain a member of the said Corporation, the immunities and privileges such member or his heirs shall receive from the said Corporation, and for appointing such officers for managing the affairs thereof, and investing them with such powers, and granting them such tenure of office as the Corporation may deem expedient, and for the good government of the said Corporation, and the income and property thereof, and any other matter or thing relative to the same, which to them may seem fit or expedient for the effectual attainment of the objects of the said Corporation, and the administration of its concerns.

IV.—And be it enacted, That at any time after the passing of this Act, it shall be lawful for any ten members of the said Corporation, by a notice to be published at least ten days previously, in one or more newspapers published in the City of Montreal, to call a General Meeting of the members of the Corporation, to be held at some certain place in the said City, to be named in such notice, on a day and at an hour to be also named therein; and at such meeting, or at any adjournment thereof, the majority of the members present (the whole members present not being less than twenty, except for the purpose of choosing a Chairman and adjourning, for which any number shall suffice)

shall have power to make any such By-Laws as aforesaid.

V.—And be it enacted, That until the first election of a Board of Management shall take place under the By-Laws to be passed as aforesaid, the present Board of Management of the said Association shall be, and continue to be, the Board of Management of the Corporation hereby created.

VI.—And be it enacted, That no member of the said Corporation shall, in his private or natural capacity, be liable for any debts or obligations of the said Corporation.

VII.—And be it enacted, That this Act shall be held and considered to be a Public Act, and as such shall be judicially taken notice of, held and considered in all Courts of Justice, and by all Judges and Justices of the Peace, and by all others whom it may concern, without being specially pleaded.



BY-LAWS

OF THE

MONTREAL FIREMEN'S BENEVOLENT ASSOCIATION.

ARTICLE I.

TITLE AND OBJECT.

This Society shall be called "THE MONTREAL FIREMEN'S BENEVOLENT ASSOCIATION," and shall have for its object the relief of members who may be injured while engaged in their duties as Firemen.

ARTICLE II.

OF MEMBERSHIP.

SECTION I.

This Association shall be composed of the Officers, enrolled and supernumerary members of the Fire Companies belonging to, or that may hereafter join the Association; the number of supernumerary members over those allowed by the Corporation By-Laws, shall not exceed ten to each company.

SECTION 2.

In the event of new companies being organized, (under the control and sanction of the Fire Committee of the City Corporation) after the As-

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BENEVOLENT ASSOCIATION.

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sociation has been in operation under these By-Laws, said companies shall be admissable into the Association, upon application by letter to the Board of Managers, and upon payment of the dues of the current six months. All applications for admission to be laid before a regular meeting of the Board, and passed by a majority of votes of members present.

SECTION 3.

Each Captain of companies belonging to the Association at the time of the adoption of these By-Laws (or that may hereafter be admitted) shall be required to furnish the Secretary with a roll of his company, their places of residence and occupation, date of entrance &c. ; and afterwards with the name of those members who may join or leave their respective companies, as soon after such admission or leaving, as circumstances will permit.

SECTION 4.

When a Member leaves (except he is entitled to become a past-member,) or is expelled from his Company, all his interest in the Funds of the Association shall cease ; and it shall be the duty of the Captain to notify the Secretary of all expulsions.

SECTION 5.

A certificate of Membership, signed by the President and Secretary of the Association, and coun-

tersigned by the Captain of his Company, shall be given to each Member upon his name being enrolled in the Secretary's book, said certificate to be shewn to the Visiting Committee when visited under injuries received at fires, &c., said certificate to be delivered up (if required) when a member leaves or is expelled from his Company.

ARTICLE III.

GOVERNMENT, AND BOARD OF MANAGEMENT.

SECTION 1.

This Association shall be governed by a Board of Managers, to be chosen annually, consisting of three members from each Fire Company ; each company to elect its own managers, previous to, and make a return of the same, at the Annual Meeting.

SECTION 2.

The Board of Managers shall choose by ballot, (at the first meeting after their election) a President, two Vice-Presidents, Secretary, Assistant Secretary, and Treasurer, from members of their own body, all of whom shall remain in office until their successors are appointed.

SECTION 3.

Members of the Board elected to any office, must have a majority of the votes polled, and if

BENEVOLENT ASSOCIATION.

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there are three or more candidates, the ballot shall be continued, and the name of the Candidate having the lowest number of votes, left out each time the ballot is repeated.

SECTION 4.

The Board shall meet monthly, eleven to form a quorum, and it shall be their duty to manage and superintend all things pertaining to the Association, to obtain contributions to the Funds, to sanction the payment of all Benefits and Accounts, and to amend, repeal or adopt, such Rules and By-Laws as may be necessary for the good government of the Association, and in accordance with the Act of Incorporation.

SECTION 5.

The Chairman of the Fire Committee, the Chief Engineer of the Fire Department, and past officers of companies who may have served as members of the Board, shall be eligible to be elected honorary members of the Board. They shall have the privilege of attending all meetings, taking part in any discussion, and upon payment of the annual subscription be entitled to benefits, but shall not be eligible to office.

ARTICLE IV.

FUNDS.

SECTION 1.

The Funds of the Association shall consist of a Permanent, Contingent and Widow and Orphan's

Fund, and shall be raised by a yearly subscription from each company belonging to the Association, of the sum of 5s. per member, composing said company or companies, and by subscriptions and donations from all who may be willing to contribute thereto.

SECTION 2.—PERMANENT FUND.

The Permanent Fund shall be composed of such donations as may be specially given for that purpose, and whatever part of the balance of the Contingent Fund the Society may determine at the annual meeting each year; the interest only of this fund to be used for contingencies.

SECTION 3.—CONTINGENT FUND.

The Contingent Fund shall consist of three-fourths of the members' subscription, interest upon Permanent Fund deposited, and whatever subscriptions or donations as may be specially made to it. This fund shall be applied to the payment of sick benefits, and the contingent expenses of the Association.

SECTION 4.—WIDOW AND ORPHAN'S FUND.

This Fund shall be composed of one-fourth of the members' annual subscription, the fines imposed upon officers and others for neglect of duty, and whatever special donations may be made for that purpose, and to be applied solely to the relief of widows of firemen whose death may have been

brought on by injuries received at fires, &c. ; provided however, that no benefit be paid from this fund until it amounts to £50.

ARTICLE V.**DUTIES OF OFFICERS.****SECTION 1.**

The President (and in his absence the Vice-President) shall authorize and preside at all meetings of the Association and Board of Managers, sign all passed accounts and orders upon the Treasurer, and call special meetings whenever requested to do so, in writing, by any five members of the Board, or twenty members of the Association.

SECTION 2.

The Secretary shall keep correct minutes of the proceedings, issue notices of meetings, notify the Visiting Committee of members requiring to be visited, sign all certificates of membership, and keep a roll of, and account with, each company belonging to the Association ; he shall collect all monies due, and pay them to the Treasurer, taking his receipt for the same.

SECTION 3.

The Assistant Secretary shall aid the Secretary in his duties, and in his absence act in his stead.

SECTION 4.

Clause 1.—The Treasurer shall keep an account of all monies received and paid, and render a correct statement of the same, semi-annually ; he shall not keep in his hands, at any time, more than ten pounds, the balance to be placed in the Savings' Bank, in the name of the Association, and the signature of the President, or any of the Vice-Presidents, and Secretary and Treasurer shall be necessary to the withdrawal of any amount.

Clause 2.—Upon his appointment to office, the Treasurer shall give to the President and Vice-Presidents a bond with two securities, to be approved of by the Board, for the due and faithful performance of the duties of his office.

ARTICLE VI.

DUES AND BENEFITS.

SECTION 1.

The yearly subscription from Companies shall be at the rate of five shillings per member, and shall be payable in advance on the 1st of January and 1st of July of each year.

SECTION 2.—SICK BENEFITS.

Clause 1.—Companies shall be entitled to draw benefits only for members within the number paid for by said companies.

Clause 2.—When a member engaged in his duties as fireman shall receive such injuries to his limbs or health, as may prevent him from following or attending to his occupation, he shall receive the sum of six dollars per week while so disabled, and a proportionate sum for any time less than a week; in all cases, the Committee shall require a Doctor's certificate, and the production of the certificate of membership, before any benefit shall be paid.

Clause 3.—In extraordinary cases, such as the fracture of a limb, so much of the Physician's bill as the Board may deem reasonable shall be paid.

Clause 4.—In the event of a member receiving an injury which, although it may not wholly prevent him from attending to his daily occupation, still may cause him to require medical advice, the Committee may grant whatever relief they may deem necessary, according to the circumstance of the case, provided said relief does not exceed the sum of fifteen shillings currency.

Clause 5.—When a Member receives such injuries as above, he shall without delay inform (or cause to be informed,) his Captain or Officer commanding his Company thereof; and in the event of his neglecting to do so for one week after receiving such injury, he shall not be entitled to Benefits.

Clause 6.—It shall be the duty of each Commanding Officer to report every case of accident

that occurs in his Company (as soon as he is informed thereof,) to the Secretary, who shall examine the Roll Book to see if the person injured is enrolled, or eligible to Benefits, and if so, he (the Secretary) shall notify the Sick or Visiting Committee forthwith, so that the case may be attended to without delay.

SECTION 3.—FUNERAL BENEFITS.

Clause 1.—In the event of the death of a Member from injuries received while engaged in his duties as Fireman, a Funeral Benefit of £7 10s. shall be paid to his relatives; said sum to be paid from the Funds, when they amount to £100, and when under that sum, by a levy upon each Company.

Clause 2.—The Secretary shall notify each Company to attend the Funeral of such Member in uniform, with crape on the left arm.

SECTION 4.—BENEFIT TO WIDOWS AND ORPHANS.

Clause 1.—The widow of every deceased Member, whose death may have been caused by injuries received while engaged in his duties as Fireman, shall receive the sum of £10 per annum, payable quarterly during the term of her widowhood.

Clause 2.—Should such deceased Member leave no widow, or should his widow afterwards die, the said yearly sum of £10 shall be paid in like man-

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ner to his orphan child or children, if any there be, under the age of fourteen years; the claim of each such child to such benefit, ceasing, as he or she shall attain the age of fourteen years.

Clause 3.—Should the widow of such deceased Member marry again, the payment of all benefits to her from the Funds of the Association, shall cease forthwith.

SECTION 5.

All Benefits paid must be sanctioned by the Board of Managers, except an urgent case occur during the interval of the Monthly Meetings, when the President shall have power to order the payment of one, two, and not more than three weeks benefit; said order to be laid before the Board, and passed at its next meeting.

ARTICLE VII.

OF COMMITTEES AND THEIR DUTIES.

SECTION 1.—VISITING COMMITTEE.

The President shall appoint, on the night of his election, a Visiting or Sick Committee, consisting of one of the Managers from each Company, whose duties shall be, to visit those who may be injured at Fires, and pay them their weekly benefit, and render to the Secretary a Report of the same. Two to form a quorum to report—the President,

Vice-President and Secretary, to be members *ex officio* of this Committee.

SECTION 2.—COMMITTEE OF ACCOUNTS.

A Committee, consisting of three Members of the Board, shall be appointed by the President, whose duties shall be, to audit the Treasurer's books and accounts.

SECTION 3.—REPORTS TO BE MADE IN WRITING.

All Reports of Committees, standing or special, must be made in writing, and signed by a majority of the Members thereof.

ARTICLE VIII.

PAST MEMBERS.

SECTION 1.

Members having served seven consecutive years in the Fire Department, and having been honorably discharged therefrom, shall become Past Members.

SECTION 2.

Past Members shall be entitled to all the benefits, according to Article VI. and Section 2 of the By-Laws, provided they continue to pay their Annual Subscription to the Funds, either personally, or through the Company to which they formerly belonged.

ARTICLE IX.

MEETINGS OF THE BOARD OF MANAGERS.

SECTION 1.—TIME OF MEETING.

The Board shall meet on the last Wednesday of each month for the transaction of such business as may be brought before them. The hour of meeting shall be seven o'clock in winter, and eight in summer.

SECTION 2.

The Board shall close its Meetings at or before ten o'clock, unless there is some important matter under discussion, in which case it shall be necessary to move for an extension of time, not to exceed half an hour.

SECTION 3.—SPECIAL MEETINGS.

Special Meetings may be held when called by the President, or either of the Vice-Presidents; and no business, other than that for which such Meeting may be specially called, shall be transacted at any such Special Meeting.

SECTION 4.—MOTIONS TO BE MADE IN WRITING.

All Motions brought before the Board, to be made in writing, if required by the Secretary.

SECTION 5.—CHAIRMAN TO HAVE THE CASTING VOTE.

The Chairman at any Meeting, regular or special, shall give the casting vote when the Board is equally divided, but shall have no other vote.

SECTION 6.

No language or remark shall be allowed at any Meeting of the Board, calculated to injure the feelings of any Member, or reflecting upon the character or efficiency of any Company belonging to the Association; and any Member transgressing upon this point after having been called to order by the Chair, shall be liable to be excluded from the Meetings of the Board, by a vote of the Members present.

ARTICLE X.

DISABILITIES, FINES, AND PENALTIES,

SECTION 1.—WHEN COMPANIES ARE NOT ENTITLED TO BENEFITS.

Any Company neglecting to pay their subscription within a month from the date it becomes due, shall not be entitled to benefits for injuries received, during the period of such neglect, nor until one week after having paid up their arrears.

SECTION 2.—WHEN MEMBERS ARE NOT ENTITLED TO BENEFITS.

Clause 1.—No Fireman shall be entitled to receive relief, unless he is a regular enrolled Member of a Fire Company belonging to the Association, and his name enrolled in the Secretary's Book, and within the number paid for by his Company.

Clause 2.—No Benefit shall be given to any Fireman, receiving an injury while in a state of intoxication.

Clause 3.—No Member shall be entitled to any Benefit for injuries received, who shall for the period of seven days, neglect to inform his Commanding Officer thereof.

Clause 4.—No Benefit shall be allowed to any Member who may receive an injury at a Drill or Parade, who is at the time of said Drill or Parade, unwell and under medical treatment.

SECTION 3.—COMPANIES REFUSING TO PAY.

Should any Company refuse or neglect to pay their subscription for three months after it has become due, said Company shall be struck off the Roll; but any Member of said Company may become eligible to Benefits upon payment of his individual subscription to the Secretary.

SECTION 4.—FINES.

Clause 1.—Members of the Board absenting themselves from any of the Meetings without a sufficient excuse, shall be fined the sum of one shilling and threepence; the validity of the excuse to be decided by a majority of the Members present.

Clause 2.—When a Member of the Board absents himself from three successive Meetings without giving any excuse, the Company to which such

Member belongs, shall be notified of his absence, and should they fail in causing him to attend, or sending another in his stead, they shall be liable for all Fines incurred by the absence of such Member.

Clause 3.—Members of the Visiting Committee failing to visit a sick Member after having been notified by the Secretary to that effect, shall incur a fine of 2s. 6d.

Clause 4.—The fines shall be payable with the dues, and companies or individual members neglecting or refusing to pay their fines at that time, viz: in January and July, shall be considered in arrears, and shall not be entitled to benefits until such arrears are paid up.

ARTICLE XI.

RULES OF ORDER FOR MEETINGS.

SECTION 1.—ANNUAL MEETING.

Rule 1.—The Secretary shall call the Roll of Companies by their numbers.

Rule 2.—He shall read the Report of the proceedings of the past year, and the Treasurer's Annual Statement.

Rule 3.—Receive the Return of Managers for the ensuing year.

Rule 4.—Read the amendments to the Constitution and By-Laws that may have been made by the Board during the past year.

Rule 5.—New business.

Rule 6.—Adjournment.

SECTION 2.—MONTHLY MEETINGS OF THE BOARD.

Rule 1.—Call the Roll of members.

Rule 2.—Read the Minutes of last meeting.

Rule 3.—Absentees of previous meetings.

Rule 4.—Report of Visiting Committee and of Benefits paid.

Rule 5.—Applications for Relief.

Rule 6.—Report of Special Committees.

Rule 7.—Reading and passing of Bills.

Rule 8.—Unfinished business.

Rule 9.—New business.

Rule 10.—Adjournment.

SECTION 3.

Rule 1st.—Every member shall have the privilege of speaking twice on any question, but not oftener, unless by permission of the Chair.

Rule 2nd.—Any member intending to speak on a question, shall rise in his place and respectfully address the Chair, confining himself to the question, and avoiding personalities; and should more than one member rise to speak at the same time, the Chairman shall determine which is entitled to the floor.

Rule 3rd.—Any member may require the division of a question, when the sense will admit of it.

Rule 4th.—The yeas and nays shall be taken and recorded, on the call of any member, duly seconded.

Rule 5th.—After any question has been decided, any two members having voted in the majority, may at the same or next meeting, move for a reconsideration thereof.

ARTICLE XII.

No member of the Association shall be allowed to make application to the City Council for relief under injuries received at fires ; but the Board shall make such arrangement with the Council as may be mutually agreed on, and put into the funds of the Association, such money as may be received in lieu of members making individual application.

ARTICLE XIII.

ANNUAL MEETING.

The Annual General Meeting of the Association shall be held in the month of January, when the state of the funds and a Report of the proceedings of the past year shall be read, and the return of the election of the new Board of Managers be received from the several companies and made known. Six days notice of the above meeting shall be given in two of the newspapers.

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ARTICLE XIV.

AMENDMENTS TO BY-LAWS.

No motion to repeal, suspend or amend these By-Laws, or any part or parts thereof, (except the Rules of Order) shall be put to vote, until the same shall have been read at three consecutive regular meetings of the Board; and at the third reading the vote shall be taken. Two-thirds of the members present and voting shall constitute a majority upon Amendments.

ARTICLE XV.

AMENDMENTS TO RULES OF ORDER.

The Rules of Order may be altered at any Meeting of the Board, (notice of the proposed alteration having been made at a previous Meeting) by a vote of the majority of Members present.



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