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No. 146.
PRIVATE BILL.

1st Session, 4th Parliament, 16 Victoria, 1852.

BILL.

**AN Act to Incorporate the Trustees of
the *Hamilton Orphan Asylum.***

Received and read a first time, Monday, 4th
Oct., 1852.

Second reading, Wednesday, 6th Oct., 1852.

SIR ALLAN N. McNAB.

QUEBEC :

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

B I L L .

An Act to incorporate the Trustees of the *Hamilton Orphan Asylum.*

WHEREAS an Association has been formed in the City of Hamilton for the purpose, among others, of providing for the destitute Orphans of the said City; and whereas certain members of the said Association, and others interested in its welfare, have by their petition represented that the said Association would be rendered more efficient by giving to it the character of a Corporation; Be it therefore enacted, &c.,

Preamble.

That John Fisher, Edward Jackson, John Young, E. C. Thomas, M. Aikman, J. B. Dayfoot, Sir Allan N. MacNab, and all others who may from time to time be elected to succeed them as Trustees in the manner hereinafter mentioned, shall be and they are hereby nominated and constituted a body politic and corporate by the name and style of "*The Trustees of the Hamilton Orphan Asylum.*"

Certain persons incorporated.

Corporate name.

II. And be it enacted, That the said Corporation shall have perpetual succession, and may have a common seal, with power to break, change and renew the same, when and as often as they shall think proper; and may, under the same name, contract and be contracted with, sue and be sued, implead and be impleaded, prosecute and be prosecuted, in all Courts and places whatsoever in this Province; and that, by the same name, they, the said Trustees, and their successors, from time to time and all times hereafter, shall be able and capable to have, take, receive, purchase and acquire, hold, possess, enjoy, and maintain, to and for the use of the said Corporation, all lands and property, moveable and immovable, which may hereafter be sold, ceded, exchanged, given, bequeathed, devised or granted to the said Corporation, and to sell, alienate, convey or lease the same, if need be; (provided that the annual income to be derived from such property shall not exceed the sum of :)

and the said Corporation shall enjoy all the rights and privileges enjoyed by other bodies politic and corporate recognised by the Legislature.

Corporate powers.

Quorum of Trustees.

III. And be it enacted, That no act done by the said Trustees shall be valid and effectual, unless four of such Trustees, at the least, shall be present, and the major part of them consent thereto.

Trustees to fill vacancies in their body.

IV. And be it enacted, That the said Trustees shall fill up all vacancies which may occur in their body, when and as often as the same shall happen, whether by resignation, absence for twelve months from the City, neglecting to attend to any of the business of the Corporation for six consecutive months, when not absent from the City, or by death.

Who may be subscribers.

V. And be it enacted, That the subscribers to the said Institution shall consist of females only; the amount of their subscriptions, and the conditions thereof, to be determined, in the first place, by the persons now acting as the Committee or Board of Management, and hereafter, from time to time, by the Ladies' Committee of Management hereinafter named.

List of subscribers to be kept.

VI. And be it enacted, That the said Trustees shall keep, or cause to be kept, in a book to be opened for that purpose, a list of all subscribers to the said Institution, and that a meeting of such subscribers shall be held within three months after the passing of this Act, and also annually, at a period to be fixed at such first meeting, of the time and place of which meetings the Committee of Management hereinafter named, for the time being, shall give due notice in some newspaper published in the City of Hamilton; Provided always, that if from any cause such meetings shall not take place at the time so appointed, such meetings may be called as aforesaid at any subsequent time.

Proviso.

Ladies' Committee of management.

VII. And be it enacted, That at the said first meeting, and at each of the future annual meetings, the subscribers then present shall elect from among the subscribers a Ladies' Committee of Management, which shall consist of a President, two or more Vice Presidents, a Treasurer and Secretary or Secretaries, and such others persons as the subscribers present at such meeting may appoint to the number, in all, of fifteen persons, five of whom shall be a quorum, and who shall continue in office until their successors are appointed.

Powers of Committee of management.

VIII. And be it enacted, That the Ladies' Committee of Management shall have full power to frame and establish such By-laws, Orders and Regulations, (not being contrary to the laws of this Province or of this Act,) as they shall deem useful or necessary for the conduct or government of the Institution; and from time to time to alter, repeal and change the said By-laws, Orders and Regulations, or any of them.

IX. And be it enacted, That the said Ladies' Committee of Management shall and may send out to service, and apprentice thereto, or to any healthy trade or business, all youths, male or female, having the protection or aid of the said Institution, to such 5 person or persons, and upon such terms, as to the said Ladies' Committee of Management may seem fit and proper; and for that purpose shall have power, on behalf of and for such youths and themselves, to enter into and make with any person or persons with whom such youths may be placed by the said Ladies' Com- 10 mittee of Management, articles of apprenticeship and agreement: and that such articles of agreement may be enforced as well by action at law or in equity for breach thereof, warranting any such action, as by summary application to a Magistrate or Justice of the Peace (who is hereby authorized and empowered to act thereon,) 15 on any such occasion as would, according to the laws of this Province, warrant the interference or adjudication of any one or more Justice or Justices of the Peace in disputes between masters and apprentices: Provided always, that a copy of the articles or indenture apprenticing such youth shall, within three days 20 from the time when such articles or indenture were executed, be lodged with the Clerk of the Common Council of the City of Hamilton, who is hereby required to file such copies.

Duties of
Committee of:
management
youths may
apprentice.

Proviso, as to
indentures.

X. And be it enacted, That the persons now acting as the Committee or Board of Management of the said Institution, shall 25 have the like powers and be considered as Managers of the Corporation, until such time as Managers shall be appointed under the provisions of this Act.

Members of
Committee to
be Managers
of Corpora-
tion.

XI. And be enacted, That the Ladies' Committee of Manage- 30 ment shall have power to establish, in connection with the said Institution, a Benevolent Society and House of Industry, for the purpose of visiting and relieving the sick and destitute poor, and may frame By-Laws and Rules for the management and govern- ment of the said Society.

Benevolent
Society and
House of In-
dustry.
be established.

XII. And be enacted, That the said Trustees, on a requisition 35 signed by not less than five subscribers to the Institution, may, at any time, by a notice to be inserted not less than days previously, in one or more of the newspapers published in the City of Hamilton, call a general meeting of the subscribers to the Institution, specifying the hour, day, place, and object of the said 40 meeting; and the said subscribers, or the majority of them present at any such meeting, shall have full power to alter, suspend or revoke any By-laws, Orders, or Regulations, for the management of the said Institution, after notice of any motion for any such alteration, suspension or revocation shall have been given at the 45 general meeting next preceding that at which such motion shall be made and considered.

General mee-
tings.

Committee of
Management
to appoint
officers &c.

XIII. And be it enacted, That the Ladies' Committee of Management shall have power to appoint such officers and servants of the said Corporation as shall be necessary for the conduct and management of the Institution, and to allow them such compensation for their respective services as shall be reasonable. 5

Trustees may
revoke By-
laws.

XIV. And be it enacted, That should the subscribers, or the Ladies' Committee of Management, neglect or fail to make such By-laws, Rules or Regulations as may be necessary for the due government of the said Institution, or should such By-laws, Rules or Regulations, or any of them, be disapproved by the Trustees, or a majority of them, then and in every such case the Trustees shall have full power to make the same, and to alter or revoke any of the existing By-laws, Rules or Regulations. 10

Married
women may
Act without
their hus-
bands.

XV. And be it enacted, That it shall not be necessary to the validity of any Act performed by any married woman as a member of the said Ladies' Committee of Management, or as a subscriber to the said Corporation, that she be thereunto specially authorized by her husband, or that her husband join with her, any law, usage or custom to the contrary notwithstanding. 15

Public Act.

XVI. And be it enacted, That this Act shall be a Public Act. 20