

C A P. L X.

An Act to incorporate the German Society of Montreal.

[Assented to 18th March, 1865.]

**W**HEREAS Henry Meyer, Ernest Idler, J. P. Seybold, Gottleib Reinhard, Christian Beck, David Maysenholder, and others, have, by their petition to the Legislature, represented that the society of which they are members, known as the "German Society of Montreal," has for many years been organized for benevolent and other purposes; and as they have prayed by the said petition that for the better attainment of the object of the said Society, it may be invested with corporate powers, and by reason of the good effected by the said Society, it is expedient to grant their prayer: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

1. The said Henry Meyer, Ernest Idler, J. P. Seybold, Gottleib Reinhard, Christian Beck, David Maysenholder, and such others as now are members of the said Society, or shall hereafter become members thereof under the provisions of this Act, and the by-laws made under the authority thereof, shall be and they are hereby constituted a body politic and corporate, by the name of the "German Society of Montreal," or in German acts and documents, "*Deutsche Gesellschaft*" zu Montreal, or in, or von Montreal, and by that name shall have perpetual succession, and all the powers vested in corporations generally by the Interpretation Act, and shall have power to purchase, take, receive, hold and enjoy such real estate as may be required for the actual occupation of the said corporation, and to alienate, sell, convey, lease, and otherwise dispose of the same, or any part thereof, from time to time, as the occasion may require, and to acquire others in the stead thereof; provided always that the clear annual income of the real estate held by the Corporation at any one time, shall not exceed two thousand dollars.

Certain persons incorporated.

Corporate name and powers.

2. The affairs and business of the said Corporation shall be managed (as far as the by-laws do not invest such power in the charitable committee, or for pressing cases in the assembly of the office bearers of the Society, or their president) by the duly convocated assembly of the members of the Society.

Management of affairs.

3. The by-law of the said Society, in so far as they are not repugnant to the laws of this Province, shall be the by-laws of the corporation hereby constituted, and until they shall be repealed, altered or amended, the corporation may act in accordance with the provisions of the by-laws, and without prejudice to the acknowledged object of the Society.

By-laws continued.

Officers.

4. Until others shall be elected according to the by-laws of the said Society, the present officers of the Society shall be those of the corporation constituted by this Act.

Execution of deeds.

5. All deeds signed by the president, treasurer, and recording secretary, and sealed with the common seal of the corporation, and none other, shall be held to be deeds of the Corporation.

Corporation may collect subscriptions.

6. All subscriptions of members due to the corporation, and all sums of money due to the same, shall be paid to the treasurer thereof, and his receipts therefor shall be valid, and in default of payment, all moneys due to the corporation may be recovered by action at law, brought in the name of the corporation, in any Court of competent jurisdiction, provided that nothing herein contained shall prevent any member from withdrawing from the said Society after the payment of all arrears, and due notice in writing, having been by such member given of his intention so to withdraw from the said corporation, in accordance with the by-laws of the said society.

Allowances made by corporation not liable to be taken in execution.

7. All allowances made by the said society under its constitution and by-laws, to sick members thereof, and to the widows and orphans of deceased members thereof, shall be exempt from any *saisie* issued from any Court of Justice in this Province, either before or after judgment; Provided always, that the foregoing provision shall, in no way, prejudice the rights of creditors to any sum due by the said society to any of its members for considerations arising out of a contract or agreement between the said society and any of its members.

Annual report.

8. The said corporation shall, at all times, when required by the Governor or either branch of the Legislature, make a full return of all property, real and personal, held by it, with such details and information as may be, by the Governor or either branch of the Legislature, demanded.

Public Act.

9. This Act shall be deemed a public Act.