



CHAPTER 111

An Act respecting the Montreal Protestant House of Industry and Refuge

[Assented to, the 20th of April, 1934]

WHEREAS the Montreal Protestant House of Industry Preamble.

and Refuge has, by its petition, represented that it was incorporated by act of the Parliament of the Province of Canada, 26 Victoria, chapter 62 (assented to May 12th, 1863), as amended by acts of the Legislature of the Province of Quebec, 32 Victoria, chapter 87; 36 Victoria, chapter 66; 62 Victoria, chapter 98, and 3 Edward VII, chapter 120; that it is expedient to further amend the said charter of said corporation so as to enlarge the scope of its authorized powers and activities and to simplify the machinery for its management and bring it into harmony with that which, in practice, has been found to be the most efficient manner of carrying on the affairs of said corporation; that the amendments hereinafter enacted have been submitted to and unanimously approved by the board of management, the board of governors and the members of said corporation at special meetings thereof duly called for the purpose of considering the same and held at the city of Montreal on November 29th, 1933; and that the said corporation has petitioned for an act amending the statutes aforesaid as hereinafter provided; and

Whereas it is expedient to grant said prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 1 of the act 26 Victoria, chapter 62, is re-26 Vict.,
placed by the following: c. 62, s. 1,
replaced.

"1. Benjamin Holmes, Wm. Murray, Wm. Lunn, Wm. Molson, Geo. H. Frothingham, Jas. P. Clark, Harrison Incorporation.

Name.

Stephens, Jno. Cordner, Jas. L. Mathewson, John Sinclair, W. McDonald, G. F. Prowse, Wm. Clendenning, Henry Lyman, M. H. Gault, Robt. Anderson, D. Lorne MacDougall, James Hutton, Wm. Edmonstone, John Redpath, Peter Redpath, Henry Mulholland, John Caverhill, Thomas Kay, and such other persons, donors or subscribers, as may, under the provisions of this act, become donors or subscribers to the said institution, to the amounts herein-after mentioned, shall be, and they are hereby erected into a body corporate and politic by the name of "The Montreal Protestant House of Industry and Refuge", and shall by that name have perpetual succession and all the rights vested by the Interpretation Act in corporations generally, and shall, by the same name, from time to time, and at all times hereafter be able and capable to purchase, acquire, possess and enjoy and to receive, hold and possess, by last will and testament, grant or donation, (subject to the carrying out in good faith of the special trusts or conditions, if any, established by any such testament or donation) any lands, tenements or hereditaments, moveable or immovable property within this Province; and the same to sell, alienate and dispose of, and to acquire and purchase others in their stead, for the same purpose; and to acquire and erect suitable buildings for the purposes of this act, and the same to maintain, alter or renew from time to time; to provide and procure all materials for work, and the same or any articles or things made or constructed in the said institution to sell and/or dispose of, and to expend the proceeds thereof for its support; and to purchase, erect or lease and to maintain within the city of Montreal one or more places of refuge, homes and day or night asylums or institutions for the relief of destitute or indigent persons seeking or requiring shelter or places of abode, without distinction of religious profession or belief, except in the case of resident homes, which shall be restricted to Protestants, and to conduct and manage such places of refuge, homes, institutions or asylums, in accordance with the rules and regulations to be made for that purpose."

26 Viet.,
c. 62, s. 3,
replaced.

2. Section 3 of the said act, as replaced by the act 3 Edward VII, chapter 120, section 1, is again replaced by the following:

Appropriation, etc.,
of capital,
etc.

"3. All and every the capital, moneys, funds, rents, revenues, issues and profits of the said corporation, including the endowment fund hereinafter mentioned, shall be appropriated and applied solely for the purposes of the corporation and the payment of all outlays and expendi-

tures of the corporation necessary for carrying into effect the objects contemplated by this act. And such capital, moneys, funds, rents, revenues, issues and profits may be invested in real estate, mortgages, bonds, stocks, shares and other securities of such nature and character as may be, from time to time, approved of by resolution of two-thirds of the members of the board of directors present at a special meeting of such board duly called for the purpose. The said corporation shall have, from time to time, power to borrow money and consent to and grant a mortgage or mortgages on its real and immoveable property for the purposes only of obtaining funds for the erection and maintenance of the building or buildings necessary for the purpose or carrying out of the purposes of the corporation. But no lender shall be bound to enquire into the application of said moneys, or the purposes for which the same is borrowed."

3. Section 4 of the said act is replaced by the following: ^{26 Vict., c. 62, s. 4, replaced.}

"4. The said corporation, acting by its board of directors hereinafter mentioned, from time to time, shall have full power and authority to make and establish all such by-laws, rules and regulations, not being contrary to this act nor to the laws of this Province, as shall be deemed necessary or useful for the management, regulation and control of the said institution, and of its agents and servants and the management of its affairs generally, and also for the admission, election or appointment of life governors, the appointment of all meetings of the board of directors, the mode and time of election of directors, the appointment and removal of its officers and servants and their wages or allowances and from time to time to alter, repeal and change the said by-laws, rules and regulations, or any of them, and shall and may do all matters and things relating to the said corporation which may be found useful and necessary fully to carry out the purposes of this act."

4. Section 5 of the said act, as replaced by the act ^{26 Vict., c. 62, s. 5, replaced.} 62, section 1, is again replaced by the following:

"5. The control and direction of said corporation shall be vested in a board of directors, not more than fifteen nor less than ten in number, and such directors shall be Protestants resident within the district of Montreal, who shall be elected by the members of said corporation at the annual meeting thereof from among those qualified as life governors viz., those who have heretofore subscribed and paid or ^{Board of directors.}

may hereafter subscribe and pay the sum of one hundred dollars or upwards to the corporation and who may have thereupon been appointed life governors, or from among those who shall subscribe a sum of not less than twenty-five dollars as an annual subscription; provided always that of the said board of directors, one-third, to be chosen by lot, shall retire at the end of one year, one-third, to be chosen in like manner, shall retire at the end of two years, and the remaining one-third at the end of three years; and provided further that thereafter all directors shall be elected for a term of three years, retiring in rotation, and those retiring shall be eligible for re-election”.

26 Vict.,
c. 62, s. 5a,
added.

5. The said act is amended by inserting therein, after section 5 thereof, the following section:

Power of
board of
directors.

5a. “The board of directors shall have power and authority, from time to time, to appoint one or more committees, consisting of such number of directors as shall be deemed expedient, and to such committees the board of directors shall have authority to delegate the performance of certain specified duties and the exercise of certain specified powers in connection with the management and administration of the institution.”

26 Vict.,
c. 62, s. 6,
repealed.

6. Section 6 of the said act is repealed.

Id., s. 7,
replaced.

7. Section 7 of the said act is replaced by the following:

Voting at
meetings.

“**7.** At all meetings of the corporation, the right of voting shall be as follows:

Fixing of
number of
votes.

For contributors to the corporation at any one time of not less than twenty-five dollars and under one hundred dollars, one vote; of one hundred dollars and under two hundred dollars, two votes; for any additional hundred dollars up to one thousand dollars, one additional vote; and for each additional two hundred dollars over one thousand dollars, one additional vote; but no contributor shall have more than twenty votes.”

26 Vict.,
c. 62, s. 8,
replaced.

8. Section 8 of the said act is replaced by the following:

Drawing up
of by-laws,
etc.

“**8.** It shall be the duty of the board of directors first elected in accordance with the provisions of this act to draw up within three months from their election revised by-laws, rules and regulations, and to report the same to the next annual meeting of the corporation which meeting shall have power to approve, alter or amend the same.”

9. Section 9 of the said act is replaced by the following: 26 Vict., c. 62, s. 9,

“**9.** If, at any time, from misfortune or accident overreplaced.
which the directors shall have no control, the original Endow-
endowment fund of the corporation shall have been dimin-ment fund
ished below the amount at which it was ascertained and annual
established in accordance with the provisions of the section revenue.
9 of this act, 26 Victoria. chapter 62, as it existed prior to
being replaced by the act 24 George V, chapter 111, then
one-fifth of the annual revenue produced by the remainder
of the said endowment fund shall be applied yearly to the
increase of such endowment fund until it shall be restored
to its said original amount.”

10. This act shall come into force on the day of its Coming into
sanction. force.

