

C H A P. 131

An Act to confirm the charter of The Ottawa Golf Club and to extend its powers

[Assented to 14th March, 1907]

Preamble.

WHEREAS a petition has been presented by The Ottawa Golf Club, which was incorporated in 1901 under articles 5487 and following of the Revised Statutes, praying for an act to confirm its charter, to change its principal place of business and to increase its powers ;

And whereas it is expedient to grant such prayer ;

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

Corporate powers of Ottawa Golf Club continued, &c.

1. The corporation known as “ The Ottawa Golf Club ” (hereinafter called “ the Club ”) shall, by that name, continue to be a body politic and corporate and shall have perpetual succession and a common seal. It shall continue to own the property, both moveable and immoveable, now belonging to it, and to be responsible for its debts and obligations.

Objects.

2. The object of the club shall be to establish, maintain and conduct a club for the promotion and playing of the game of golf and other lawful games, and for social purposes, and to hold, purchase, provide, erect and maintain convenient club-houses, links, buildings, lands, premises and other conveniences for the accommodation of members of the club and their friends and of the servants and employees of the club, and for the purposes aforesaid or for any purposes incidental thereto ; and generally to afford the members of the club and their friends all the usual privileges, advantages, conveniences and accommodations of a club for such purposes.

Principal place of business.

3. The principal place of business of the club hereafter, shall be at its club house, situate on the Aylmer Road in the township of Hull, in the county of Ottawa, in this Province.

Members, their privileges, &c.

4. The club shall consist of the members now constituting the said club and those who may be hereafter elected as such, with such rights and privileges and subject to such conditions and restrictions as are now or may hereafter be granted and imposed by the by-laws, rules and regulations of the club ; and the present committee of management and officers of the club shall continue in office until replaced in accordance with the by-laws, rules and regulations of the club.

5. The club by its said name shall at all times have the power to receive, acquire, exchange, hold, lease and enjoy both moveable and immoveable property necessary for its actual use or occupation, and the said property to pledge, hypothecate, sell, alienate and dispose of and to acquire other instead thereof, but the club shall not hold immoveable property exceeding the value of five hundred thousand dollars. All acts of the nature above set forth already done by the club are hereby ratified without prejudice to the rights of third parties.

6. The club shall have the power to borrow money, and to draw, make, endorse and except cheques, bills of exchange and promissory notes necessary for the purposes of the club, and every contract, agreement, engagement or bargain made, and every bill of exchange drawn, accepted or endorsed and every promissory note and cheque made, drawn or endorsed, on behalf of the club, by any agent, officer or servant of the club, in accordance with his powers as such under its by-laws, rules and regulations shall be binding upon the club.

In no case shall it be necessary to have the seal of the club affixed to any such contract, agreement engagement, bargain, bill of exchange, promissory note or cheque, or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any by-law, rule or regulation, or special vote or order.

The party so acting as agent, officer or servant of the club, shall not thereby be subjected personally to any liability whatever to any third party therefor.

7. The club may, for the management of its affairs, pass and adopt such by-laws, rules and regulations (not inconsistent with the laws of this Province) as it may deem necessary, respecting the admission and expulsion of members, the classification and the respective rights and privileges of such members, the fees, subscriptions and dues which it may deem advisable to impose, the number, constitution, powers and duties of its officers and of its committee of management, and generally for the administration and management of its affairs; and may also, from time to time, in accordance with its by-laws, rules and regulations, alter or repeal all or any of such by-laws, rules and regulations as it may see fit, and may also delegate to its committee of management all or any of its powers as to passing, adopting, altering and repealing such by-laws, rules and regulations. The by-laws, rules and regulations of the club now in force shall continue to be its by-laws, rules and regulations until altered or repealed as aforesaid.

Members not personally liable for debts. **8.** No member of the club shall be personally liable for any of the debts or obligations thereof.

Retirement of members, &c. **9.** Any member of the club, not being in arrears and not otherwise indebted to the club, may retire therefrom, and shall cease to be such member on giving notice to that effect in such form as may be required by the by-laws, rules and regulations of the club, and every member expelled or retiring from the club, or whose name shall have been struck off the list of members for any of the reasons mentioned in the said by-laws, rules and regulations, shall *ipso facto* forfeit all rights of membership.

Bonds, &c. **10.** The club, upon a resolution adopted by two-thirds of such members present at a special general meeting convened for the purpose, as by the by-laws, rules and regulations of the club are entitled to vote at such meeting, may issue bonds or debentures to such amounts and payable at such dates and bearing such rate of interest and containing such terms and conditions as the resolution may determine, and may pledge or sell such bonds and debentures for such sums and at such times as may be deemed expedient; and to secure the payment of such bonds or debentures the club may, by its duly authorized officers, grant to one or more trustees a hypothec upon the immoveable property of the club mentioning the issue and amount and the dates of payment of such bonds or debentures, the rate of interest payable thereon, and the terms and conditions upon which the same are issued; and, upon the registration of such hypothec in the office of the registration division in which the immoveable property covered by the said hypothec is situate, the said bonds or debentures shall constitute a privileged claim in favor of the holders thereof against the club and give a right of preference thereto over all debts and claims against the club posterior to the issuing of such bonds or debentures, and such hypothec shall, when duly registered as aforesaid, be a valid security in favor of the holders of such bonds or debentures whether issued before or after the execution of such hypothec, notwithstanding article 2017 of the Civil Code.

Coming into force. **11.** This act shall come into force on the day of its sanction.
