



MONDAY, MAY, 4 1840.

LUNDI, MAI, 4 1840.

THE QUEBEC GAZETTE.



PUBLIC NOTICE.

THE following Draughts of Ordinances, about to be submitted by HIS EXCELLENCY THE GOVERNOR GENERAL, for the concurrence of the Special Council, at a session thereof summoned to meet at the Government House, in the City of Montreal, on the TWENTIETH day of APRIL instant, are published in conformity with the 5th Section of the Act of the Imperial Parliament, 2d. and 3d. Victoria, Chapter 53.

By Command,

T. W. C. MURDOCH,
Chief Secretary,

Government House,
Montreal, 14th April, 1840.

Draught of An Ordinance for the Incorporation of "The Advocates Library, and Law Institute of Montreal."

WHEREAS a Society consisting of Advocates practising in the Courts of this Province having for its objects the formation of a Law Library and the advancement of the profession of the Law, in learning, and usefulness, has, for several years past, existed in the City of Montreal, under the name of "The Advocates Library and Law Institute," and a large number of Books have been purchased, and otherwise acquired by the said Society; And whereas upon the Petition of the said "Advocates' Library and Law Institute," it appears expedient and proper that the said Society should be erected into a body corporate; Be it therefore ordained and enacted by His Excellency the Governor of this Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of this Province, constituted and assembled by virtue of and under the authority of An Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, "An Act to make temporary provision for the Government of Lower Canada," and also by virtue of and under the authority of a certain other Act of the same Parliament passed in the Session held in the second and third years of the Reign of Her present Majesty, intituled, "An Act to amend An Act of the last Session of Parliament, for making temporary provision for the Government of Lower Canada," and it is hereby ordained and enacted by the authority of the same, that the Honorable George Pyke, the Honorable Samuel Gale, Charles Richard Ogden, John Boston, Alexander Buchanan, the Honorable Dominique Mondelet, John Samuel MacCord, Samuel Wentworth Monk, Frederick Griffin, James G. Scott, Robert Lester Morrogh, William Badgely, Campbell Sweeney, John Bleakley, Duncan Fisher, Come S. Cherrier, Hugh Taylor, Aaron P. Hart, Henry Ogden Andrews, John Platt, James Scott, Charles D. Day, William C. Meredith, Louis Thomas, Drummond, Robert Easton, Samuel C. Monk, Robert MacKay, Edward Barnard, Charles Sabrevois De Bleury and Francis Godschall Johnson, proprietors of the said "Advocates' Library and Law Institute" and all persons who may be hereafter admitted members of the said Society, shall be, and they are hereby ordained, constituted and declared to be a corporation, body politic and corporate by the name of "The Advocates' Library and Law Institute of Montreal," and shall by that name have perpetual succession, and a common seal, and as such corporation, body politic and corporate, are hereby vested with all and every the books, manuscripts and furniture, and the goods and chattels to the said Society, and the said proprietors belonging; and shall and may by the said name of "The Advocates' Library and Law Institute of Montreal," sue and be sued, answer and be answered unto, in all Courts and places whatsoever, and also have power and authority to acquire, take and receive by gift, donation, legacy or otherwise, all and every sum and sums of money, and all goods and chattels whatsoever, not to exceed in value or amount the sum of ten thousand pounds current money of this Province, and to purchase and take by devise or gift, and otherwise acquire, hold and enjoy lands, tenements

and hereditaments not to exceed in value the sum of five thousand pounds current money of Lower Canada, for them and their successors for the use and purposes of the said "Advocates Library and Law Institute of Montreal," without Her Majesty's Letters of Mortmain, and the same to sell or alienate, and others in their place and stead to acquire, any Law, usage, or custom to the contrary notwithstanding; Provided always that nothing herein contained shall prevent, or shall be construed to prevent the said corporation from taking by special donation, devise, bequest or legacy any sum or sums of money, goods, or chattels, or real, or immoveable estate, and property exceeding in value the said sum of five thousand pounds for the purpose of endowing or maintaining a lectureship or lectureships for the advancement of Legal Science; Provided that the value and amount of the sum and sums of money, goods or chattels, real or immoveable estates, and property which may be given, bequeathed or devised for the purpose of endowing or maintaining such lectureship or lectureships as aforesaid, shall not in the whole exceed the sum of ten thousand pounds.

II. And be it further ordained and enacted by the authority aforesaid, that after the passing of this Ordinance no person shall be admitted or become a member of the said Corporation who shall not have been duly admitted to practise the Law as a Barrister or Attorney in some portion of Her Majesty's Dominions, or who shall not be a Prothonotary or Sheriff therein; Provided always that it shall and may be lawful for the said Corporation, from time to time, to admit such, and so many persons to be Honorary members thereof, as the said Corporation may deem worthy, which said Honorary Members nevertheless shall not be admitted to vote at any meeting of the said Corporation.

III. And be it further ordained and enacted by the authority aforesaid, that all and every the persons hereinbefore mentioned as proprietors of, and in, the said Society, and the Corporation hereby erected, and all and every the persons to be admitted as members of the said Corporation, shall have equal rights, share, interest and property in the said Corporation, and in the estate and property belonging, or hereafter to belong, thereto, which said right, share, interest and property shall not be transferable in any manner or way, by such person or persons, to any other person or persons, and shall not pass by devise, inheritance or otherwise, but shall, in case of the death, resignation or expulsion of such person or persons, be merged in the said Corporation, and belong to, and form part thereof.

IV. And be it further ordained and enacted by the authority aforesaid, that it shall be lawful for the said Corporation, and they are hereby empowered to make By-laws, rules and regulations as well for establishing the terms and conditions of the admission of members to the said Advocates' Library and Law Institute, and the annual subscription, and the fines to be paid by the members thereof, as for the expulsion of members for misconduct or the violation of the rules and regulations of the said Corporation, and also for the good government of the said Corporation in all respects whatsoever; Provided always that all such By-laws, rules and regulations shall be adopted at a general meeting by a majority of all the members of the said Corporation, and shall be rescinded, altered or amended in like manner only; And Provided also that until such By-laws, rules and regulations shall be so made and adopted, the By-laws, rules and regulations of the said Society, now in force, shall be and continue to be, the By-laws, rules and regulations of the said Corporation.

V. And be it further ordained and enacted by the authority aforesaid, that it shall be lawful for the said Corporation to demand, sue for, and recover from any member or members thereof, or from his or their legal representative or representatives by action or actions at law before any of Her Majesty's Courts in this Province, having competent jurisdiction, any and all monies which have heretofore become due to the said Society, or which may hereafter become due to the said Corporation, and upon judgment rendered to have, and obtain execution thereof in due course of Law.

VI. And be it further ordained and enacted by the authority aforesaid, that upon default of any member or members of the said Corporation to pay any monies in which he or they may hereafter become indebted to the said Corporation, it shall be lawful for the said Corporation at any General Meeting to declare the rights, shares and interest of such member or members forfeited, and to expel him or them from the said Corporation, and from all use, property, right and participation therein; Provided always that notice thereof in writing, shall be given to the member or members so in default at least fifteen days previously to such forfeiture, and expulsion; And Provided also that upon application made in writing, and payment of all arrears, such forfeiture and expulsion may be revised and taken off by a vote of two thirds of the members of the said corporation at the General Meeting, next after that in which such forfeiture and expulsion may have been declared.

VII. And be it further ordained and enacted by the authority aforesaid, that the officers of the said Corporation shall con-

sist of a President, Vice President, Treasurer, and three Directors, one of whom shall also be Secretary to the Society, which President, Vice President and Directors shall be a Committee, of whom three shall constitute a quorum for the management and transaction of all business and affairs of, and for the said Corporation, and shall be elected annually at such time and place, and in such manner as may be appointed by the By-laws rules and regulations of the said Corporation; Provided always that if the election shall not take place upon the day appointed, the Corporation shall not lapse or cease by reason thereof, but the officers, for the time being, shall continue in office until others shall be elected.

VIII. And be it further ordained and enacted by the authority aforesaid, that until the first election shall take place the present officers of the said Society shall be, and continue to be, the officers of the Corporation hereby erected, and that the first General Meeting of the said Corporation shall be held within three months after the day of next, at such time and place as may be appointed by the said Committee, whereof notice in writing shall be given to the members of the said Corporation, at least six days before the day of meeting.

IX. And be it further ordained and enacted by the authority aforesaid, that the members of the said Corporation may vote by proxy at any General Meeting or other Meeting of the said Corporation; Provided always that no member shall be proxy to vote for more than two absent members at any one meeting of the said Corporation.

X. And be it further ordained and enacted by the authority aforesaid, that any member or members of the said Corporation, shall be competent and admitted to give evidence in and before any Court in this Province in any suit, action at law, or other proceeding wherein or whereunto the said Corporation may be party, or have an interest, any law usage or custom to the contrary notwithstanding.

XI. And be it further ordained and enacted by the authority aforesaid, that this Ordinance shall be a public Act, and as such shall be judicially taken notice of by all Courts, Judges, Magistrates and other persons whomsoever without being specially pleaded.

Draught of An Ordinance further to continue for a limited time a certain Ordinance therein mentioned, relative to the apprehension and detention of Persons charged with High Treason or Treasonable practices or other offences of a like nature.

WHEREAS it is expedient further to continue for a limited time the Ordinance hereinafter mentioned; Be it therefore ordained and enacted by His Excellency the Governor of the Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of An Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, "An Act to make temporary provision for the Government of Lower Canada," and it is hereby ordained and enacted by the authority of the same, that the Ordinance of His Excellency the administrator of the Government of this Province, authorized to execute the Commission of the Governor thereof, and of the Special Council for the affairs of the said Province, made and passed in the second year of Her Majesty's Reign, and intituled, "An Ordinance to authorize the apprehension and detention of persons charged with High Treason, Suspicion of High Treason, Misprision of High Treason and Treasonable Practices, and to suspend for a limited time as to such persons a certain Ordinance therein mentioned and for other purposes," which has since been continued in force, by subsequent Ordinances, until the first day of June, one thousand eight hundred and forty, when it would otherwise expire, shall be, and the said Ordinance is hereby continued and shall remain in force until the first day of April, one thousand eight hundred and forty one, any thing in the said Ordinance or in any other Ordinance to the contrary notwithstanding.

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