

NATIONAL ASSEMBLY
Thirty-third Legislature, first session

1987, chapter 140

**AN ACT TO AMEND THE ACT TO INCORPORATE THE
FRASER INSTITUTE**

Bill 229

Introduced by Madam Joan Dougherty, Member for Jacques-Cartier

Introduced 2 December 1987

Passage in principle 18 December 1987

Passage 18 December 1987

Assented to 18 December 1987

Coming into force: 18 December 1987

Act amended:

Act to incorporate the Fraser Institute (1870, chapter 50)



Éditeur officiel
Québec



CHAPTER 140

An Act to amend the Act to incorporate the Fraser Institute

[Assented to 18 December 1987]

Preamble WHEREAS the Fraser Institute was incorporated by chapter 50 of the statutes of 1870 to give effect to the provisions of the will of Hugh Fraser, executed on 23 April 1870 before John C. Griffin and colleague, notaries, under number 31 928, to establish, in the wording of the said will, “a free public library, museum, and gallery, to be opened to all honest and respectable persons whomsoever of every rank in life without distinction, without fee or reward of any kind”, but subject to such rules and regulations as may be made by the board of governors thereof;

Whereas the number of the members of the board of governors of the Fraser Institute was increased from five originally provided in its said charter of incorporation to fifteen by chapter 159 of the statutes of 1930-31;

Whereas Joseph William Andrew Hickson died on 22 April 1956 and bequeathed the residue of his estate to the Fraser Institute;

Whereas in accordance with the will of Joseph William Andrew Hickson, the Fraser Institute petitioned for an Act to amend the aforesaid statutes to change the name of the Fraser Institute to “The Fraser-Hickson Institute, Montréal” and under the terms of section 1 of chapter 161 of the statutes of 1956-57 the name was changed accordingly;

Whereas section 3 of chapter 50 of the statutes of 1870 as replaced by section 1 of chapter 159 of the statutes of 1930-31 and by section 3 of chapter 161 of the statutes of 1956-57 provides that The Fraser-Hickson Institute, Montréal, shall be administered by a board of fifteen

governors, and in case of vacancy in the office of president, or in the office of a governor, the remainder of the board of governors shall have power to appoint some person duly qualified under the will of Hugh Fraser to be governor or president of the said board, as the case may be;

Whereas the will of Hugh Fraser provides that the board of governors shall always be composed of persons professing some form of the Protestant faith;

Whereas in accordance with the will of Hugh Fraser, provision was made for rules and regulations to be made by the governing body of the Institute from time to time;

Whereas The Fraser-Hickson Institute, Montréal is a well-known institute open to all members of the community of every rank in life without distinction, and is an institute devoted to promoting the diffusion of useful knowledge to members of its community by affording them free access to books, to scientific objects and subjects, and to works of art, the whole in accordance with the will of the late Hugh Fraser and the aforesaid statutes;

Whereas the board of governors of the Institute has approved a proposal and resolved to allow membership to their body on a basis extending beyond the qualification as to faith contemplated under the will of Hugh Fraser;

Whereas in order to achieve greater community consensus and obtain the advice and counsel of a wider range of interested parties, the board of governors has resolved to remove the aforesaid qualification as to faith and thereby promote the wider objectives of the Institute and ensure the free dissemination of knowledge to the public without distinction;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1870, c. 50,
title
replaced

1. The Act to incorporate the Fraser Institute (1870, chapter 50) is amended by replacing the title by the following:

“An Act respecting The Fraser-Hickson Institute, Montréal”.

1870, c. 50,
s. 3,
replaced

2. Section 3 of the said Act, replaced by section 1 of chapter 159 of the statutes of 1930-31 and by section 3 of chapter 161 of the statutes of 1956-57, is replaced by the following section:

Board of
governors

“3. The Fraser-Hickson Institute, Montréal shall be administered by a board of 15 governors, one of whom shall be the president. In case of vacancy in the office of president or governor, the remainder of the board of governors shall have power, by a vote taken in the usual manner, to appoint some duly qualified person to be president or governor, as the case may be.

Membership

Notwithstanding paragraph 18 of the will of Hugh Fraser executed on 23 April 1870 before John C. Griffin and colleague, notaries, under number 31 928, membership on the board of governors of The Fraser-Hickson Institute, Montréal is not restricted to persons professing some form of the Protestant faith.”

Coming into
force

3. This Act comes into force on 18 December 1987.