

*The Provincial Statutes of Lower-Canada, Being the fourth session of the eleventh Provincial Parliament of Lower-Canada.* Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1824.

4 George IV – Chapter 31

**An Act to facilitate the establishment and the endowment of Elementary Schools in the Parishes of this Province. (9th March, 1824.)**

Whereas the institution of Elementary Schools in the several Parishes of this Province, in diffusing the principles of a good moral Education, will contribute to promote Industry and Agriculture, and whereas it is necessary to provide means for facilitating their establishment;—Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North-America,' and to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that each and every Fabrique in this Province, shall be, and is hereby authorised and declared capable of acquiring, purchasing, taking, receiving and holding without Letters of Mortmain, all Lands, Tenements, real property, Rentes constitutes, Monies, Chattels, or other personal property which may be conceded, sold, given, devised or bequeathed either by donation entrevifs à cause de mort, Testamentary disposition, or by whatsoever other manner, for the purpose of founding and supporting one or more Elementary School or Schools within the Parish to which such Fabrique shall belong, in the manner and to the amount and annual income hereinafter prescribed.

II. Provided always, and be it further enacted by the authority aforesaid, that when any Lands, Tenements, Houses or other real estate, shall in any way or manner as aforesaid be conceded, sold, given, devised or bequeathed to any such Fabrique, for the purposes aforesaid, such Fabrique shall, within ten years from and after the date of the Instrument by which the same shall have been so conceded, sold, given, devised or bequeathed, sell and dispose of such Lands, Tenements, Houses or real estate, à constitution de rente, for the benefit of the Elementary School or Schools to be by them founded and established by virtue of this Act in the manner hereinafter mentioned. Provided further, that out of any Lands which shall be conceded, sold, given, devised or bequeathed as aforesaid, such Fabrique shall and may, and they are hereby authorised to hold, retain and reserve such part, not exceeding in the whole one acre of superficial extent thereof, as may be necessary, for an emplacement for the erection of a School House thereon.

III. Provided also, and be it further enacted by the authority aforesaid, that the property, real or personal, which may be acquired or held as aforesaid by any Fabrique for the first erection and establishment of each School to be by them established in virtue of this Act, shall not exceed in the whole value thereof the capital or sum of one hundred pounds, current money of this Province, and that the Funds, Tenements, Houses, rentes constituees, Monies, Goods, Chattels, or other property real or personal, which may be constituted, acquired or held by such Fabrique for the maintenance and

support of the Schools so to be established, shall not at any time exceed in the whole annual income thereof, the sum of fifty pounds, current money of this Province, for each and every school to be by them established in virtue of this Act.

IV. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Fabrique of each and every Parish in this Province, and they are hereby authorised to establish one School, and when the number of families actually domiciliated and resident in the Parish to which such Fabrique shall belong shall amount to two hundred, then such Fabrique shall be and is hereby authorised to establish a second School, and so on in the proportion of one School for every hundred families so domiciliated and resident.

V. Provided also, and be it further enacted by the authority aforesaid, that the said Schools, and the property, rents or funds of any description which shall be acquired, held or constituted for their foundation, endowment and support, shall be under the inspection and administration of the same persons, and subject to the same Rules which are prescribed by the Laws and usages of this Province, for the government and administration of the property and establishments of the said Fabriques.

VI. And be it further enacted by the authority aforesaid, that in order to establish and maintain the Schools which may be opened and established at any time hereafter by virtue of this Act, every Fabrique shall be entitled, until it shall have acquired property for establishing and maintaining the said Schools, to apply out of its annual income in the several Parishes in which such Schools may be opened and established under and by virtue of this Act, a sum of money not exceeding in any case one fourth of the actual income of such Fabrique. Provided nevertheless, that no such application of the Funds of a Fabrique shall take place without observing the same formalities usually had and practised in the Parishes of this Province when monies belonging to a Fabrique are applied to objects other than those to which they were originally designed.

VII. And be it further enacted by the authority aforesaid, that the said Fabriques shall annually render an account, in writing, on the third Sunday after Easter, at a meeting of the resident Landholders in the Parish, stating the income and expenditure of the said Schools, for the twelve preceding months, and the number of Pupils and the name of the School-master, which account shall be deposited in the Archives of the Fabrique, and a copy thereof duly certified by a Public Notary and two witnesses, shall also within six weeks after the aforesaid meeting, be deposited in the Office of the Prothonotaries of the Court of King's Bench of the District, to which Copy, all persons being resident Landholders of this Province, shall have free access without paying any fee.

VIII. And be it further enacted by the authority aforesaid, that this Act shall be deemed and taken to be a Public Act, and as such shall be judicially taken notice of by all Judges, Justices of the Peace, and all other persons whomsoever, without being specially pleaded.