

The Provincial Statutes of Lower-Canada, Being the third session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1833.

3 William IV – Chapter 36

An Act to incorporate the Seminary of Saint Hyacinthe of Yamaska, in the District of Montreal.

3d April, 1833.—Presented for His Majesty's Assent and reserved "for the signification of His Majesty's pleasure thereon."

13th April, 1834.—Assented to by His Majesty in Council.

7th January, 1835.—The Royal Assent signified by the Proclamation of His Excellency the Governor in Chief.

Whereas it hath been represented to the Legislature of this Province, by the Right Reverend J.J. Lartigue, Bishop of Telmesse, that he has, under the Will of the late Mr. Antoine Girouard, in his life time Rector of the Parish of St. Hyacinthe of Yamaska, become Proprietor of the College, which has for a long time existed in the Parish under the name of "The Yamaska College," and has been maintained, partly at the expense of the said late Mr. Rector, and partly by the aid of the Provincial Legislature; and that for the purpose of carrying into effect the views of the Founder and his own, as well as for the advancement of Education in this Province, he is desirous that in order to ensure the stability and permanency of the same, the Members composing it should be incorporated by Law, and the property belonging to it should be held in Mortmain; and hath offered in furtherance of the said object, and on certain conditions, to endow the future Corporation of the said College with all the immoveable property belonging to the Estate of the said late Mr. Girouard, (which property is valued in the inventory of the said Estate, at about one hundred and ninety-eight thousand, nine hundred livres, of the former currency of this Province,) as the same shall be found in the hands of the present Proprietor thereof, at the time when such Law shall come into force, and according to the agreement which he shall then enter into with the said future Corporation;—And whereas it would tend greatly to the advancement of Education in this Province, that the said College should be incorporated and the said Property held in Mortmain as prayed for:—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 there shall be and there is hereby constituted and established at St. Hyacinthe aforesaid, and in the College aforesaid, a Body

Politic and Corporate, under the name of “The Corporation of the Seminary of St. Hyacinthe of Yamaska,” which Corporation shall consist of—Firstly;—The Superior Ecclesiastical Dignitary resident in the District of Montreal, exercising an immediate jurisdiction in Spiritual matters over all the Roman Catholics in the said District, and recognized as such by the Catholic Bishop of Quebec and his successors in office—Secondly:—The Director of the said Seminary of St. Hyacinthe appointed to be such by the Superior Ecclesiastical Dignitary of the Roman Catholic Church residing in the said District of Montreal as hereinbefore designated, and his successors in office;—Thirdly—The Rector or Missionary of the said Parish of St. Hyacinthe of Yamaska, appointed to the Rectory by the Roman Catholic Bishop or his successors in office;—Fourthly and Fifthly—Of the two Priests, or, if there be none, of the two Ecclesiastics who shall have been longest resident in the said Seminary of St. Hyacinthe, with the permission of the Superior Dignitary of the Roman Catholic Church in the District (as hereinbefore designated,) and who shall hold some office in the said Seminary, and their successors in office: and such Corporation shall have perpetual succession and may have a Common Seal, with power to change, alter, break or renew the same when and as often as they shall think proper, and the said Corporation may, under the said name sue and be sued, plead and be impleaded, prosecute and be prosecuted, in all Courts of Law now established in this Province; and shall have full power to make and establish such and so many Rules, Orders and Regulations, (not being contrary to the Laws of the Country) as they shall deem useful or necessary as well concerning the system of Education in, as for the conduct and government of the said Seminary and the Corporation thereof, and the superintendence, advantage and improvement of all the property, moveable or immovable, belonging to or which shall hereafter belong to the said Corporation; and shall have power to take under any legal title whatsoever, and to hold for the said Seminary, without any further authorization or Letters Mortmain, all land and property, moveable or immovable, which may hereafter be sold, ceded, exchanged, given, bequeathed or granted to the said Corporation, or to sell or alienate the same if need shall be: Provided always, that the net rents, issues and profits arising from the immovable property and territorial acquisitions of the said Corporation shall not at any time exceed the annual sum of three thousand pounds, current money of this Province; and the said Corporation shall further have the right of appointing an Attorney or Attornies for the management of their affairs, and generally shall enjoy all the rights and privileges enjoyed by other bodies, politic and corporations, recognized by the Legislature.

II. Provided always, and be it further enacted by the authority aforesaid, that all the property which shall at any time belong to the said Corporation, as well as the Revenues thereof, shall at all times be exclusively applied and appropriated to the advancement of Education in the said College, and to no other object, Institution or Establishment whatsoever.

III. And be it further enacted by the authority aforesaid, that this Act shall be considered a Public Act, by all Judges, Justices of the Peace, and Officers of Justice, and by all other persons whomsoever, and shall be judicially taken notice of without being specially pleaded.

IV. And be it further enacted by the authority aforesaid, that this Act shall not extend to weaken, diminish or extinguish the rights and privileges of His Majesty, His Heirs and Successors, nor of any other person or persons, body politic or corporate, excepting only such rights as are hereby expressly altered or extinguished.