

IX. In case any of the co-proprietors or parties interested shall refuse or neglect to pay any of the moneys which may become due to the said Chairman and Trustees under and by virtue of this Act, the said Chairman and Trustees shall be authorized to take proceedings before any Justice of the peace for the District residing in the County of Yamaska, for recovering the same, and such justice is hereby authorized to take cognizance of such proceedings and to give judgment therein, in a summary manner, and to issue his warrant for levying the amount recovered, with costs.

In case of their refusal or neglect.

X. Nothing herein contained shall be construed to affect the rights of Her Majesty, Her Heirs and Successors; or of any body corporate or politic, or of any person, such only excepted as are herein mentioned.

Rights of Her Majesty, &c., reserved.

XI. So much of the Act hereinbefore cited as is inconsistent with this Act shall be and the same is hereby repealed.

Inconsistent enactments repealed.

XII. This Act shall be deemed a Public Act.

Public Act.

C A P. C C X V I I.

An Act to incorporate the Canadian Literary Institute of Woodstock.

[Assented to 10th June, 1857.]

WHEREAS it has been represented to the Legislature of this Province, that divers inhabitants of the said Province have used their efforts to establish an Educational Institution in connection with that denomination of Christians called Regular Baptists, in the Town of Woodstock, in this Province; And whereas it would tend greatly to advance and extend the usefulness of the said Institution and to promote the object of the projectors thereof, that it should be incorporated: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. There shall be, and there is hereby constituted and established, at the Town of Woodstock, a body politic and corporate, under the name and style of the "Canadian Literary Institute," which corporation shall consist of fifteen Trustees, two thirds of whom shall belong to the denomination of Christians called Regular Baptists, and five of whom shall go out of office annually, in rotation, and their places shall be supplied in manner hereafter mentioned; and that Archibald Burch, of Woodstock, Esquire, Edward Topping, of Woodstock, Esquire, John Hatch, of Woodstock, Esquire, Reverend T. L. Davidson, of Brantford, M. A., Abram Carrol, of Oxford, Esquire, James Kintrea, of Woodstock, Esquire, William Winter, of Brantford, Esquire, H. J. Barber, of Townsend, Esquire, the Reverend William

Corporation established. Corporate name and constitution.

First Trustees.

General corporate powers. William Wilkinson, A.M., of Lobo, the Reverend R. A. Fyfe, of Toronto, Ed. V. Bodwell, J. P., of Mount Elgin, Reid Baker, of Waterdown, Esquire, Oliver Mabee, of Vittoria, Esquire, Jordan Charles, of Woodstock, Esquire, and Rowley Kilbourne, of Beamsville, Esquire, shall be and are hereby appointed and declared to be the first fifteen Trustees of the said Institution, and shall be and are hereby constituted one body politic and corporate by the name of the "Trustees of the Canadian Literary Institute," and shall by the same name and for the purposes aforesaid, have perpetual succession to be kept up in manner hereinafter directed, and shall have a common seal, with power to break, alter, and renew the same at their discretion, and may by the same name sue and be sued, implead and be impleaded, answer and be answered in any and every court of this Province; and the said Trustees and their successors shall have full power to make and establish such and so many rules and orders and regulations (not being contrary to the laws of this Province or this Act) as they shall deem useful or necessary, as well concerning the system of education in, as for the conduct and government of the said Institution, and for the superintendence, advantage, and improvement of all the property, real or personal, which may belong to the said Corporation, and they shall be able and capable in law to take, purchase and hold, by any legal title whatsoever, all such land, tenements, possessions and property, real and personal, as may be necessary for the actual use and occupation of the Institution, and to accept and hold within the limits hereinafter prescribed, for the benefit of the said Institution, any gifts or bequests, or property, real or personal, to sell and alienate any property so given or bequeathed, and to apply the proceeds of such sale or sales for the use and benefit of the said Institution; Provided always, that no real estate not required for the use and occupation of the said Institution, shall at any time be held by it for a longer period than two years, and that any such real estate not sold and alienated within two years of the time when the same is received by the said Corporation, shall revert to the party from whom the same came to the Corporation, or to his or her heirs or devisees; Provided also, that no money arising from the sale of any property derived by gift or bequest, shall be invested in real estate, but shall be used or invested for the benefit of the Institution.

Real property.

Proviso: as to real estate.

Proviso: as to investments.

May appoint an Attorney, &c.

Proviso: as to By-laws.

II. And the said Corporation shall further have the right of appointing an attorney or attorneys for the management of its affairs, and all other rights necessarily incident to a body corporate; Provided always, that no rule, order, or regulation which shall be made and established by the said Corporation in manner aforesaid, shall be of any force or effect until the same shall have been sanctioned by a vote of at least three-fifths in number of the said Trustees or their successors as aforesaid.

III. For making provision for filling up vacancies in the places of Trustees dying, resigning, or going out of office, and for transacting other business of the same, there shall be holden in each year an annual meeting of the subscribers or contributors to the said Institution ; and the first of such annual meetings shall be holden at the Town of Woodstock, on the third Thursday in December, in the year of our Lord one thousand eight hundred and fifty-seven, and each subsequent annual meeting shall be holden on the Thursday next before the twenty-fifth of December in each succeeding year.

Annual meetings of subscribers.

First meeting.

Subsequent meetings.

IV. At the annual meeting to be holden on the third Thursday in December, one thousand eight hundred and fifty-seven, and every subsequent annual meeting, five of the said Trustees shall go out of office until the whole of the Trustees appointed by this Act shall have gone out of office, and at each of such annual meetings as last aforesaid, five Trustees shall be elected by ballot by the subscribers, and shall hold office for three years from the time of their appointment ; Provided always, that no person shall be eligible to vote at such elections who shall not have subscribed five pounds at least to the funds of the said Institution ; and the Board of Trustees so elected and filled up shall, by a majority, elect a Secretary, Treasurer, Principal, and Teachers to the said Institution ; Provided always, that the Treasurer shall, before entering on this duty as such, find good and sufficient security to the satisfaction of the said Trustees, for the due performance of the trusts reposed in him ; Provided always, that no act in the premises shall be done at any such annual or other meeting of the subscribers, unless such act shall be agreed to by a vote of two-thirds of the subscribers present at such meeting.

Retirement of Trustees and election of others.

Proviso : who may vote.

Proviso.

Proviso.

V. All 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 Institute, and to no other object, institution or establishment whatever.

Application of revenues of the Corporation.

VI. It shall be the duty of the said Corporation, at all times when they may be called upon so to do by the Governor of this Province, to render an account in writing of their property, in which shall be set forth in particular, the income by them derived from property held under this Act, and the source from which the same has been derived ; also the number of Teachers employed in the various branches of instruction, the number of Scholars under instruction, and the course of instruction pursued.

Return to be made to the Governor when required.

VII. This Act shall be deemed a Public Act.

Public Act.