

Laws of Her Majesty's Province of Upper Canada, passed in the year 1849. Montreal: Stewart Derbyshire & George Desbarats, 1849.

12 Victoria – Chapter 107

An Act to incorporate The College of Bytown. 30th May, 1849.

Whereas His Lordship, Joseph Eugène, Roman Catholic Bishop of Bytown, hath by his Petition to the Legislature represented that a College hath been established at Bytown for the education of youth, and hath prayed that corporate powers be conferred on the said College, and in consideration of the great advantages to be derived from the said Institution, it is expedient to grant the prayer of the said Petition: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the said College, which shall be composed of the Roman Catholic Bishop of Bytown as President thereof, the Superior of the said College, the Curé of the Parish of Bytown, the Director of the said College, the Professors of Philosophy and Belles Lettres, and the Bursar of the said College, together with all such other necessary officers as may be hereafter appointed under the provisions of this Act, and their several and respective successors,—shall be and is hereby constituted a Body Politic and Corporate in deed and in name, by and under the name of The College of Bytown, and by that name shall have perpetual succession and a common seal, and shall have power, from time to time, to alter, renew, or change such common seal at their pleasure, and shall, by the same name, from time to time and at all times hereafter, be able and capable to purchase, acquire, hold, possess and enjoy, and to have, take, and receive, to them and their successors, to and for the uses and purposes of the said Corporation, any lands, tenements, and hereditaments, and real or immoveable property and estate, situate, lying and being within this Province, not exceeding in yearly value the sum of two thousand pounds currency, and the same to sell, alienate and dispose of, and to purchase others in their stead for the same purpose; and by the said name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered unto in all courts of law and places whatsoever, in as large, ample and beneficial a manner as any other body politic or corporate, or as any persons able or capable in law may or can sue and be sued, implead and be impleaded, answer and be answered unto in any matter whatsoever; and any majority of the members of the Corporation for the time being, shall have power and authority to make and establish such By-laws, Rules, Orders and Regulations, not being contrary to this Act, nor to the laws in force in this Province, as shall be deemed useful or necessary for the interests of the said Corporation, and for the management thereof, and for the admission of Members into the said Corporation, and from time to time to alter, repeal and change the said By-laws, Rules, Orders and Regulations or any of them, or those of the said Institution in force at the time of the passing of this Act; and shall and may do, execute and perform all and singular other the matters and things relating to the said Corporation and the

management thereof, or which shall or may appertain thereto; subject, nevertheless, to the rules, regulations, stipulations and provisions hereinafter prescribed and established.

II. Provided always, and be it enacted, That the rents, revenues, issues and profits of all property, real or personal, held by the said Corporation, shall be appropriated and applied solely to the maintenance of the Members of the Corporation, the construction and repair of the buildings requisite for the purposes of the said Corporation, and to the advancement of education by the instruction of youth, and the payment of the expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

III. And be it enacted, That all and every the estate and property real and personal belonging to or hereafter to be acquired by the Members of the said Institution as such, and all debts, claims and rights whatsoever due to them in that quality, shall be and are hereby vested in the Corporation hereby established; and the By-laws, Rules, Orders and Regulations now made for the management of the said Institution, shall be and continue to be the By-laws, Rules, Orders and Regulations of the said Corporation until altered or repealed in the manner herein provided.

IV. And be it enacted, That the Members of the said Corporation for the time being, or a majority of them, shall have power to appoint such Attorney or Attorneys, Administrator or Administrators of the property of the Corporation, and such Officers and Teachers and Servants of the said Corporation as shall be necessary for the well conducting of the business and affairs thereof, and to allow to them such compensation for their services respectively as shall be reasonable and proper; and all Officers so appointed shall be capable of exercising such other powers and authority for the well governing and ordering of the affairs of the said Corporation, as shall be prescribed by the By-laws, Rules, Orders and Regulations of the said Corporation.

V. And be it enacted, That nothing herein contained shall have the effect or be construed to have the effect, of rendering all or any of the Members of the said Corporation, or any person whatsoever individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the Corporation, or for or on account or in respect of any matter or thing whatsoever relating to the said Corporation.

VI. And be it enacted, That it shall be the duty of the said Corporation to lay before each branch of the Provincial Legislature within fifteen days after the beginning of each Session, a detailed Statement of the number of Members of the said Corporation, the number of Teachers employed in the various branches of instruction, the number of Scholars under instruction, and the course of instruction pursued, and of the real or immovable property or estate held by virtue of the present Act, and of the revenue arising therefrom.

VII. And be it enacted, That nothing herein shall affect, or be construed to affect in any manner or way, the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any body politic or corporate, such only excepted as are hereinbefore mentioned and provided for.

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