

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

12 Victoria – Chapter 144

**An Act to incorporate Les Clercs Paroissiaux ou Catéchistes de Saint Viateur, in the Village of Industry, in the County of Berthier. 25th April, 1849.**

Whereas an Association hath existed for several years in the Village of Industry, in the County of Berthier, under the name of Les Clercs Paroissiaux ou Catéchistes de Saint Viateur, for the instruction of young persons in the sciences, and in the elements thereof; And whereas the Members of the said Association have, by their petition, prayed to be incorporated, and, in consideration of the great benefits which must arise from the Institution, it is expedient to grant their prayer: 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 Reverend François Thérèse Lahaye, Priest, Etienne Champagneur, Augustin Fayard, Louis Chrétien, Abraham Jacques Duhaut, Paschal Lajoie, Louis Langlais, Joseph Vadebonœur, Octave Goudreault, Godefroy Lacas, and Gilbert Joly, the present officers and members of the said Association, and such other persons, being natural born subjects of Her Majesty, or naturalized according to law, as shall hereafter become members of the said Association according to the Rules and Regulations thereof and the provisions of this Act, shall be and they are hereby constituted and declared to be a body politic and corporate, in deed and in name, by the name of Les Clercs Paroissiaux ou Catéchistes de Saint Viateur, 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 personal or moveable property, and any lands, tenements, and hereditaments, and real or immoveable property and estate, situated, lying, and being within this Province, or annual rents, (*rentes constituées*) not exceeding in yearly value the sum of five thousand pounds currency, and the same to exchange, or 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 Association 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 expended within the Province of Lower Canada, and not elsewhere, and 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 young persons in the sciences and in the elements thereof, 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 Association 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 Association, shall he 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 said several persons hereinbefore mentioned, or 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 if the said Corporation shall from any other cause whatsoever be dissolved, the moveable property which shall then be *en nature*, and the immoveable property and *rentes constituées* which shall have been given, devised or bequeathed to the said Corporation, or the immoveable property received in exchange for or purchased by any means of the sale of the property so given, devised or bequeathed, and which shall be in possession of the said Corporation at the time of its dissolution, shall return to and belong to the legal heirs of the

person or persons respectively who shall have given, devised or bequeathed such property to the said Corporation.

VII. And be it enacted, That in case of such dissolution of the said Corporation, the real property by them purchased and acquired and paid for out of their own revenues, and not by the sale or exchange of any property given, devised or bequeathed to them, as well as all other property then belonging to the said Corporation, and not liable to be claimed by and revert to the heirs of any donor or testator under the provisions of the next preceeding section of this Act, shall be at the disposal of the Provincial Parliament, for the purpose of being applied to the maintenance of some charitable institution, or to the education of the poor, in the parish in which such property shall be situate.

VIII. And be it enacted, That no Deed of Sale or Conveyance by which the said Corporation shall purchase or acquire any real or immoveable property or annual rent, (*rentes constituées*) shall be valid or effectual to any intent or purpose whatsoever, unless in such Deed it be stated and set forth that such purchase or acquisition is made with the funds of the said Corporation itself, or with funds arising from the sale or alienation of such and such property, describing the same, given, devised or bequeathed to the said Corporation by such and such person or persons, designating the same by name or otherwise, as the case may be.

IX. And be it enacted, That 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 and affairs, in which shall be set forth in particular the income by them derived from property held under this Act, and the means by which the same has been acquired; also 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.

X. 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.

XI. 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.