C. 16-17. Anno quattuordecimo primo Georgii III. A. D. 1801

-contained shall extend to alter or prejudice the Right of His Majesty, His Heirs or Successors, or those of any Person or Persons, or Body Politic or Corporate whatsoever, not particularly mentioned in this Act.

XVI And be it further enacted by the Authority aforesaid, that this Act shall be deemed and taken to be a Public Act, and all Judges, Justices and other Persons are hereby required to take notice thereof as such, without the same being specially pleaded.

C A P. XVII.

An Act for the Establishment of Free Schools and the Advancement of Learning in this Province.

30th April 1802, Presented for His Majesty's Assent and Referred "for the consideration of His Majesty's Pleasure thereon."

7th April 1802, Assented to by His Majesty in His Privy Council.

19th August 1802, The Royal Assent signified by Proclamation of His Excellency the Lieutenant Governor.

M O S T G R A C I O U S S O V E R E I G N.

WHEREAS Your Majesty from your Paternal Regard, for the welfare and prosperity of your Subjects of this Province, hath been most graciously pleased to give directions, for establishing of a competent number of Free Schools for the instruction of their Children, in the first Rudiments of useful Learning, and also occasion may require, for Foundations of a more enlarged and comprehensive nature; And whereas Your Majesty hath been further most graciously pleased to signify your Royal Intentions, that a suitable proportion of the Lands of the Crown, be set apart, and the revenue thereof appropriated to such purposes, Therefore We, Your Majesty's Faithful and Loyal Subjects, the Legislative Council and Assembly of your Province of Lower Canada, with the most lively gratitude for this new influence of Your Majesty's Paternal Attention, to the wants of Your Majesty's Subjects, and desirous to contribute everything in our power, for the execution of a plan so peculiarly beneficial to the rising Generation, do most humbly beseech Your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty by and with Advice and Consent of the Legislative Council and Assembly of the Province of Lower Canada, consolidated and assembled by virtue 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
by enabled by the authority aforesaid, that is shall and may be lawful to and for his Excellency the Governor, Lieutenant Governor, or Perfon administering the Government of this Province for the time being, by an Instrument under the Great Seal of this Province, to constitute and appoint such and so many persons, as he shall see fit, to be Trustees of the Schools of Royal Foundation in this Province, and of other Institutions of Royal Foundation, to be hereafter established for the advancement of Learning therein, as also for the management and administration, improvement and enlargement of all Estates and Property, movable or immovable, which shall in any manner or way whatsoever, be hereafter appropriated to the said Schools and Institutions, for the purposes of Education and the advancement of Learning, within this Province, to remove from time to time, the said Trustees or any or either of them, and to appoint others to be the successors of such as shall be removed, or shall die, or refuse their Trust.

II. And be it further enabled by the authority aforesaid, that the said Trustees and their Successors, to be named in manner herein before directed and appointed, shall be and they are hereby declared to be, a Body Corporate and Political, in name and in deed, by the name of "The Royal Institution for the Advancement of Learning," and that by the same name, they shall have perpetual Succession and a Common Seal, with power to change, alter, break and make new the same, when and as often as they shall judge the same to be expedient, and that they and their Successors, by the same name, may sue and be sued, impugned and be impugned, answer and be answered unto, in all or any Court of Record or Places of Judicature within this Province, and that they and their Successors, by the name aforesaid, shall be able and capable in Law, to purchase, take, have, hold, receive, enjoy, possess and retain, without licence in Contemn or Lettres d'amnisté, all Lands, Tenements and Immovable Property, movables, goods, chattels and moveable Property, which hereafter shall be paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever for and in favor of the said Schools and Institutions of Royal Foundation, and for the purposes of Education and the Advancement of Learning, within this Province, and do, perform and execute all and every lawful Acts and Things, in as full and ample manner and form, to all intents, constructions and purposes, as any other Body Corporate or Corporate, by Law, may or ought to do.

III. And be it further enabled by the authority aforesaid, that all Lands, Measurages, Tenements and Hereditaments and Immovable Property, and all rents, sums and sums of money charged upon, and due or payable out of any Measurages, Lands Tenements, Hereditaments and Immovable Property, and all sums or sums of money goods chattels, effects or moveable Property, which shall hereafter be paid, given, granted, purchased, appropriated, devised or bequeathed in any manner or way whatsoever, for and in favor of the said Schools and Institutions of Royal Foundation, to and for the purposes of Education and the Advancement of Learning within this Province, shall and the same are hereby yielded, in the said Trustees and their Successors, to and for the use, and purposes herein mentioned, declared and enabled, concerning the
C. 17. Anna quadragesimo primo GEORGI III. A.D. 1801.

the same; and that the said Trustees, or the major part of them, shall and may have power and authority, to diminue, sell and lease, such Messuages, Lands, Tenements, Houses, Situate and the moveable property, therein or therein to be purchased, appropriated, devised or bequeathed, for any term of years not exceeding twenty one years, and have, take and receive the rents, Issue and profits thereof. Provided always, that the said Trustees, from time to time, shall pay or cause to be paid, into the hands of the Receiver General of this Province for the time being, all and every such rents, Issue and profits, sums and sums of money, which they shall receive by virtue of this Act, forthwith upon the receipt thereof, subject to the disposal of His Excellency, the Governor, Lieutenant Governor or Person administering the Government of this Province, to and for the purposes of this Act, by Warrant under his Hand and Seal; and the said Receiver General is hereby required to receive and account for the same, in like manner, as other public monies, now by him received, are by him accounted for, to His Majesty, through the Commissioners of His Majesty's Treasury, for the time being, as the Crown shall direct.

IV. And it is further enacted by the authority aforesaid, that it shall and may be lawful, to and for the Governor, Lieutenant Governor or Person administering the Government of this Province, by an Instrum, or Instructions under the Great Seal of this Province, from time to time, to nominate a President or Principal of the said Corporation, hereby created, and such other Officers, Clerks and Servants, as he shall judge necessary, for the well ordering and governing of the affairs and business of the said Corporation, to fix the place, times and manner in which the said Corporation shall assemble, and the number and description of Members which shall be requisite, for transacting the business of the said Corporation, and for the execution of the trust reposed in them; and the President and such number of Members of the said Corporation, which shall be so fixed, being assembled, as such place and times, and in such manner as shall be so fixed, shall have full power and authority, to make, ordain and constitute such and so many Bye-laws, Rules, Orders, Constitutions and Ordinances, not repugnant to the Statutes, Customs or Laws of this Province, or the expr. Regulations of this Act, as to them, or the greater part of them, shall and may by and when they shall be judged necessary and expedient, as well for the directions, conduct and government of the said Corporation of the Pre schools of Royal Foundation of this Province, and all other Institutions of Royal Foundation for the Advancement of Learning, which shall be hereafter established within this Province, and of the Scholars, Scholars, Professors and Students thereof, respectively, as for the management and administration, improvement and amendment of all effects and property, moveable and immovable, which shall in any manner or way be hereafter paid, given, granted, purchased, appropriated, devised or bequeathed, in any manner or way for and in favour of the said Schools and Institutions of Royal Foundation, for the purposes of Education and the advancement of Learning within this Province. Provided always, notwithstanding, that no such Law, Rules, Orders, Constitutions or Ordinances, shall have any force or effect until the same shall have been published and confirmed by
VIII. And be it further enacted by the authority aforesaid, that the School-houses to be provided by the inhabitants, shall be erected in such manner as is herein after directed, which Lot or Lots of ground, so to be purchased, shall be conveyed to the Royal Institution for the Advancement of Learning.

IX. And be it further enacted by the authority aforesaid, that it shall be the duty of
of the said Commissioners, to superintend the erection of the School houses and Apartments as aforesaid, within the limits of their Commissions respectively; And when and to whom the same shall be completed, to give Information thereof to the Governor, Lieutenant Governor, or Person administering the Government of this Province, for the time being.

X. And be it further enacted by the authority aforesaid, that it shall and may be lawful, to and for the Governor, Lieutenant Governor or Person administering the Government of this Province, by an Instrument, under his hand and Seal at Arms, to nominate and appoint one or more fit and proper Person or Persons, to be the School-masters or School Masters of every Free School of Royal Foundation, to be establish’d and continued by virtue of this Act, to remove, from time to time, such School Master or School Masters and to appoint another or others in their stead or such as shall be so removed, or shall die or resign his or their trust; and to fix and determine the Salary or remuneration to be allowed to such School Master or School Masters, and that from and after the passing of this Act, no such Master or Masters shall teach in any Free School of Royal Foundation hereafter to be establish’d, without a Commission for that purpose first had and obtained, from the Governor, Lieutenant-Governor or Person administering the Government of this Province, for the time being, under his hand and Seal at Arms.

XI. And be it further enacted by the authority aforesaid, that when any School or School house, erected by virtue of this Act, in any Parish or Township in this Province shall require repair, the same shall be repair’d by the Inhabitants of the Parish or Township, in and for whose use the same shall be erected, and in the same manner and form, as is herein provided for the erection of School houses.

XII. And be it further enacted by the authority aforesaid, that the School houses erected by virtue of this Act, shall and may be appropriated to the use and purpose of the Circuit Courts or any other of His Majesty's Courts which may be held in any Parish in which such School house is erected, and for holding the Polls for the election of Members to serve in the Provincial Parliament, when the same shall be held in any Parish in which such School house is erected.