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LOWER CANADA.

COPY

OF

THE CHARTER of the CORPORATION of SAINT
NICOLET in LOWER CANADA, with INSTRUCTIONS
of Lord BATHURST on the Subject.

Ordered to be printed 19th March 1841.

(37.)

LOWER CANADA.

519

C O P Y

OF

The CHARTER of the CORPORATION of SAINT NICOLET in LOWER CANADA, with INSTRUCTIONS of Lord BATHURST on the Subject.

COPY of a LETTER from Lord BATHURST to the Earl of DALHOUSIE.

My Lord,

Downing Street, 2d April 1821.

THE Roman Catholic Bishop of Quebec, when he was last in England, brought under my Consideration certain Points connected with the Administration of the Affairs of the Romish Church in the Province, upon which he was anxious of receiving the Decision of His Majesty's Government.

Accidental Circumstances prevented my communicating to your Lordship at an earlier Period the Answer which I then communicated to M^r de Plessis, and I am afraid that he may have felt some Anxiety from the Delay which has taken place.

I have, however, now to acquaint your Lordship that His Majesty has been pleased to give Permission to the Rev. J. Lartique and the Rev. F. Provenchem to assist him in the spiritual Administration of the District of Montreal and the Countries situated to the North-west of Upper Canada. His Majesty has been further pleased to signify His Pleasure that you should cause Letters Patent to pass the Great Seal of the Province for carrying into effect M^r de Plessis's Wishes with respect to the Establishment of a Roman Catholic Seminary at Nicolet, as proposed by the Bishop in his Letter to Sir J. Sherbrooke, of which a Copy is enclosed, and recommended by him in his Despatch to me (No. 167.) of the 16th November 1817.

I have, &c.

(Signed) BATHURST.

COPY of a DESPATCH from Sir J. C. SHERBROOKE to the Right Honourable the Earl BATHURST.

My Lord,

Quebec, 16th November 1817.

I HAVE the Honour of transmitting to your Lordship herewith a Copy of a Memorial presented to me by the Roman Catholic Bishop, praying for Letters Patent erecting a Corporation for the Management of a Roman Catholic Seminary at Nicolet, and enabling them to hold Property to a certain limited Sum in Mortmain for the Benefit and Support of the Institution.

A Perusal of the Memorial will show your Lordship that the Seminary has been raised to the respectable State in which it now is chiefly by the praiseworthy Exertions and pecuniary Sacrifices of the Roman Catholic Bishop; and as I am convinced that your Lordship will concur in Opinion with me as to the Advantage of encouraging the Diffusion of Knowledge among the People of this Province, by Institutions conducted on the liberal Principles which the Roman Catholic Bishop has adopted in that of Nicolet, I have no Hesitation in requesting your Lordship's favourable Consideration of the Prayer of his Memorial.

I have, &c.

(Signed) J. C. SHERBROOKE.

(Copy.)

A son Excellence le Lieutenant Général Sir John Coape Sherbrooke,
Chevalier Grand-Croix du Très-honorable Ordre du Bain, Gouverneur
en Chef des Provinces du Haut et du Bas Canada, &c. &c.

L'humble petition de Joseph Octave Plessis, évêque catholique de
Québec, lequel représente très respectueusement à votre excellence :

Que lorsqu'il prit possession de son église, en 1806, il trouva dans la paroisse
et seigneurie de Nicolet, district des Trois Rivières, province du Bas Canada,
un séminaire naissant, commencé sous l'épiscopat, et en partie par les soins de
son prédécesseur.

Que considérant qu'il n'y avoit encore aucun établissement de ce genre dans
le dit district des Trois Rivières, et que les enfans de ce district ne pouvaient
qu'avec beaucoup de dépense aller prendre leur éducation dans ceux de Québec
ou de Montréal, il crut de son devoir de donner à ce séminaire et à son
avancement une attention particulière.

Qu'en peu d'années il parvint à y établir des professeurs en nombre suffisant
pour donner une éducation générale.

Que l'on y enseigne méthodiquement les langues Française, Latine, et
Anglaise, la géographie, l'histoire, la littérature, la poétique, la rhétorique, la
philosophie, et les mathématiques, et que l'on y a commencé cette année des
leçons de langue Grecque.

Qu'au sortir de cette école, ainsi que des séminaires de Québec et de
Montréal, les élèves sont préparés à suivre avec avantage telle profession qu'il
leur plaît, soit l'état ecclésiastique, soit le barreau, soit la médecine, la naviga-
tion, l'arpentage, le commerce, &c.

Qu'au moyen de beaucoup de sollicitude et d'économie, votre pétitionnaire a
soutenu jusqu'ici ce séminaire, et en a étendu les batimens par ses épargnes et
par les contributions de ses amis, en sorte qu'on peut maintenant y trouver place
pour soixante dix pensionnaires.

Que plusieurs particuliers ont fait connaître à votre pétitionnaire, que par des
contributions plus abondantes ils formeraient des fonds suffisans pour la dotation
de ce séminaire, s'ils le voyaient solidement établi par des lettres patentes de sa
majesté.

Que pour faciliter l'obtention de telles lettres patentes, votre pétitionnaire
offre de renoncer lui-même, en faveur de l'établissement, à la propriété de la
maison servant de séminaire, acquise de ses deniers au dit lieu de Nicolet,
laquelle, avec ses dépendances, il n'estime pas au dessous de trois mille livres
du cours de cette province.

Que pour commencer la dotation susdite, votre pétitionnaire offre, en outre
de se defaire (après l'indemnité payée au seigneur du lieu) en faveur du dit
séminaire, d'une étendue de terre d'environ deux cens cinquante acres, à lui
aussi appartenante dans la dite paroisse de Nicolet, dont une portion considerable
est en culture.

Que l'humble désir de votre pétitionnaire serait que ces biens fussent désormais
administrés et l'éducation du dit séminaire dirigée par une corporation de cinq
membres ou "trustees," composée de l'évêque catholique de Québec, de son
coadjuteur, du grand-vicaire du district des Trois Rivières, du curé de la dite
paroisse de Nicolet, et du plus ancien des autres curés du dit district des Trois
Rivières, et par ceux qui leur succederaient dans leurs places respectives.

Que ces "trustees" fussent autorisés à acquérir, au nom du dit séminaire,
assez de fonds pour lui former un revenu annuel de deux mille cinq cens livres
£2,500. courant, sans pouvoir en aucun cas aller au delà, et que, pour cet effet,
les comptes de recette et de dépense fussent soumis à l'inspection annuelle ou
triennale de tels officiers ou commissaires qui seraient appointés en conséquence
par sa majesté ou par son représentant en cette province.

Convaincu plus que personne du vif intérêt que votre excellence daigne
prendre au progrès des lumières et à l'avancement des sujets de sa majesté en
cette

cette province, votre pétitionnaire ose esperer que votre excellence voudra bien faire parvenir la présente petition au pied du trône de sa majesté, et en obtenir le contenu.

Et votre pétitionnaire ne cessera de prier, &c. &c. &c.

(Signé) + J. O. PLESSIS.

Québec, 17 Octobre 1817.

CHARTER of the CORPORATION of SAINT NICOLET.

Province of Lower Canada.—Letters Patent incorporating the Reverend Joseph Octave Plessis, Bishop of the Roman Catholic Church of Quebec, and Four other Members, for the superintending and Management of the Seminary at Nicolet.

GEORGE the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, &c. &c.; to all to whom these present Letters shall come or may in anywise concern, Greeting.

Whereas the Reverend Joseph Octave Plessis, Bishop of the Roman Catholic Church of Quebec, by his Memorial bearing Date the 20th Day of August 1819, hath humbly represented to Us, that when he took possession of his Church, in the Year of our Lord 1806, he found in the Parish and Seigneurie of Nicolet in the District of Three Rivers, in Our Province of Lower Canada, a Seminary then in its Infancy, to which, and to the Advancement thereof, he considered it his Duty to give particular Attention, and in which he was in a few Years enabled to establish a competent Number of Professors for the Purposes of general Education; that by means of much Care and Economy he has hitherto supported the said Seminary, and by his own Savings, and the Contributions of his Friends, has enlarged the Buildings, so as to be able to receive therein Seventy Pensioners; and that many Individuals would, by more liberal Contributions, form Funds sufficient for the Endowment of this Seminary, if it were permanently established by Our Letters Patent: And whereas to facilitate the Attainment of such Letters Patent the said Joseph Octave Plessis has offered to give up, in favour of the Establishment, his Right and Title to the House now used as the Seminary at Nicolet aforesaid, which, with its Dependencies, he considers to be worth 3,000*l.* Currency, and has also offered, by way of beginning the said Endowment in favour of the said Seminary, after Payment of the Seigneur's Dues, an Extent of Land of about 250 Acres, to him also belonging, in the said Parish of Nicolet, of which a considerable Part is in Cultivation: And whereas by Deed of the 4th May last, duly executed before Notaries, and of which Mr. Plasté, one of the said Notaries, hath kept the Original or Minute, the said Joseph Octave Plessis did give, grant, transfer, and set over unto the Trustees herein-after mentioned, in the Hope and on the express Condition that the said Establishment should be by Our Letters Patent vested in the said Trustees, in default of which it was declared that that Deed should be null and of no effect, all the Goods, Lands, and Tenements, Ground Rents, Annuities, and the Principals of the same, with all the Dependencies and Appurtenances, without Exception, as the same are in and by the said Deed described: And whereas the said Joseph Octave Plessis humbly entreated Us, that this Property should henceforth be administered, and the Education of the said Seminary be directed, by a Corporation of Five Members or Trustees, composed of the Bishop of the Roman Catholic Church of Quebec, of his Coadjutor, of the Grand Vicairé of the District of Three Rivers, of the Curé of the said Parish of Nicolet, and of the eldest of the other Curés of the District of Three Rivers, and by those who may succeed them in their respective Offices; which Trustees might be authorized to acquire, in the Name of the said Seminary, sufficient Funds to constitute an annual Income of 2,500*l.* Currency, without Power, in any Case, to exceed that Sum; and that for that Purpose the Accounts of the Receipts and Disbursements might be submitted to the annual or triennial Inspection of such Officers or Commissioners as should be appointed by Us

or Our Representatives in Our said Province : And whereas We, having taken the Premises into Our Consideration, have signified Our Royal Will and Pleasure, by a Despatch from Our trusty and well-beloved the Right Honourable Earl of Bathurst, one of Our Principal Secretaries of State, bearing Date the 2d April 1821, that Our Captain General and Governor in Chief in and over Our said Province of Lower Canada, should cause Letters Patent to pass the Great Seal of Our said Province for carrying into effect the Wishes of the said Reverend Joseph Octave Plessis with respect to the Establishment of a Roman Catholic Seminary at Nicolet, as proposed by him in and by his said Memorial. Now therefore know ye, that We, having taken the Premises into Our Royal Consideration, and being willing to favour the Wishes of the said Joseph Octave Plessis in this Behalf, have nominated, constituted, and appointed and incorporated, and by these Presents do nominate, constitute, appoint, and incorporate, the said Reverend Joseph Octave Plessis, Bishop of the said Roman Catholic Church of Quebec, and the Bishop of the Roman Catholic Church of Quebec for the Time being ; the Reverend Bernard Claude Parret, Coadjutor of the said Bishop, and the Coadjutor for the Time being ; the Reverend François Noiseux, Grand Vicairé at the District of Three Rivers, and the Grand Vicairé of the said District for the Time being ; the Reverend Jean Raimbault, Priest Curé of the Parish of Nicolet, and the Curé of the Parish of Nicolet, and the Curé of the said Parish for the Time being ; and the Reverend Joseph Morin, Priest, now the Senior Curé of the said District of Three Rivers, and the Senior Curé of the said District for the Time being ; to be a Body Corporate and Politic, in Name and in Deed, for the Purposes aforesaid, by the Name of "The Corporation for the superintending and Management of the Seminary of Nicolet," to 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 they and their Successors, by the same Name, shall have full Power and Authority to sue and to be sued, implead and to be impleaded, to answer and to be answered unto, in all Manner of Courts and Places of Judicature that now are or hereafter shall be established within this Our said Province of Lower Canada, as well temporal as spiritual, and of what Nature or Kind soever such Suits or Actions be or shall be ; and shall have full Power and Authority to make, ordain, and constitute such and so many Bye Laws, Rules, and Orders, not repugnant to the Laws of Great Britain or the Laws of Our said Province, as by them, or the major Part of them, shall or may be judged expedient and necessary, as well for the Education, Conduct, and Government of the said Seminary of Nicolet, as for the Management and Administration, Improvement and Amelioration of all Estates and Property, moveable and immoveable, which are at present or which shall hereafter in any Manner or Way whatsoever be appropriated to the said Seminary of Nicolet : And We do by these Presents, for Ourselves, Our Heirs and Successors, give and grant unto the said Corporation full Power, Authority, and Ability to purchase, take, have, hold, and retain, for the Uses, Ends, and Purposes hereinbefore mentioned, and without any other or further Licence or Letters of Amortizement than these Presents, all and all Manner of Messuages, Lands, Tenements, and Property, moveable and immoveable, which may or shall be sold, given, granted, devised, or bequeathed unto the said Corporation, either by *Acte entre vifs* or *Disposition Testamentaire*, according to the Laws of our said Province of Lower Canada ; provided nevertheless, that the actual Rents, Issues, Revenues, and net Proceeds of the Property and Estate of the said Corporation shall not at any Time exceed the annual Sum of 2,500*l.* of lawful current Money of Our said Province, and that the said Corporation shall not at any one Time possess Property of any Description whatsoever producing a greater net actual and annual Revenue than the said Sum of 2,500*l.* Currency : And further, that Our said Corporate Body shall have full Power and Authority to ask for, sue, recover, and receive such Rents, Issues, and Profits as may become due from the said Property so belonging or which hereafter may belong to the said Corporation, and shall give, execute, and deliver such Discharge or Discharges, Receipt or Receipts, Acquittance or Acquittances as may be requisite and necessary in respect of the same : And We do hereby require and command all Our Officers, Ministers, and loving Subjects, in their several and respective Stations and Places, to be aiding and assisting unto Our said Corporate Body in all Things to be performed in the due Execution of these Our Letters Patent. In testimony

testimony whereof We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of Lower Canada to be affixed hereunto.

Witness Our trusty and well-beloved Geo. Earl of Dalhousie, Knight, &c. &c., at Our Castle of Saint Lewis in Our City of Quebec in Our said Province, the 10th Day of December 1821, and in the Second Year of Our Reign.

(Signed) D.

(Signed) J. READY,
Act. Prov. Sec.

FIAT.

Recorded in the Register's Office of the Records at Quebec on the 11th Day of December 1821, in the Seventh Register of Letters Patent and Commissions, Folio I.

(Signed) J. READY,
Act. Prov. Reg.

I do hereby certify the foregoing contains a true Copy of an Entry as on Record in the Registry Office of the Records at Quebec, in the Seventh Register of Letters Patent and Commissions, Folio I.

(Signed) D. DALY,
Secretary and Registrar.

22d December 1828.

Colonial Office, Downing Street,
12th March 1841.



WILLIAM ...