

No. 163.

1st Session, 4th Parliament, 16 Victoria, 1862.

BILL.

An Act to amend two certain Acts therein mentioned, and for other purposes connected with the administration of McGill College.

Received and read a First time, Monday, 11th October 1862.

Second reading, Tuesday, 12th October, 1862.

QUEBEC.

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B I L L .

An Act to amend two certain Acts therein mentioned, and for other purposes connected with the administration of McGill College.

WHEREAS the President and Trustees of the Royal Institution for the advancement of Learning, Governors of McGill College, have, by their petition, prayed for the amendment and extension of an Act of the Parliament of the late Province of Lower Canada made and passed in the 41st year of the Reign of His late Majesty King George the Third, and intituled, "*An Act for the establishment of Free Schools and the advancement of Learning in this Province*," and of an Act of the Parliament of this Province made and passed in the 8th year of Her Majesty's Reign, and intituled "*An Act to enable the Corporation of the Royal Institution for the advancement of Learning to dispose of certain portions of land for the better support of the University of McGill College*" and it is expedient to amend the said Acts :

Preamble.

Act of L. C. 41 Geo. 3. 17.

Act of Canada 8 Vict. c. 78.

15 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, intituled, "*An Act to re-unite the Provinces of Upper and Lower Canada*," and it is hereby enacted by the authority of the same, that in the absence of the President or Principal of the Royal Institution for the advancement of Learning, the member first or senior in order of appointment present at any meeting of the said Corporation shall preside.

Who shall preside in the absence of the President.

II. And be it enacted, That it shall be lawful for the said Royal Institution for the advancement of Learning to appoint from time to time officers and servants of the Corporation and the same to remove.

Power to appoint and remove Officers and Servant.

30 III. And be it enacted, That at any meeting after the passing of this Act to be assembled and held in accordance with the provisions

Power to make By-laws

concerning meetings of the Corporation.

of the said Act, passed in the 41st year of the Reign of His late Majesty King George the Third, it shall be lawful for the said Royal Institution for the advancement of Learning to provide and fix by By-laws, Rules and Orders 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 and executing the trust of the said Corporation. 5

Disallowance of By-laws by the Governor substituted for the necessity of his sanctioning them.

IV. And be it enacted, That all By-laws, Rules, Orders, Constitutions and Ordinances hereafter to be made by the said Royal Institution for the advancement of Learning, not being repugnant to any law of this Province, shall have full force and effect without being sanctioned or confirmed by the Governor of this Province, Provided always that a certified copy thereof shall be sent to the Governor through the Post-Office, and that it shall be lawful for him to signify his disallowance of the same within sixty days thereafter. 15

Corporation may dispose of lands for an irredeemable ground rent, but it need not be subject to increase.

V. And be it enacted, That it shall be lawful for the said Royal Institution for the advancement of Learning to alienate and dispose in perpetuity of such portions of the lands, tenements and estate by them held or to be held in trust for McGill College, as they may deem expedient for the support and advantage of the said College, for an annual, irredeemable ground rent (rente foncière non rachetable) and not otherwise, subject to such terms and conditions and with such formalities only of procedure as they may deem most advantageous for the said College; and it shall not be necessary that such ground rent (rente foncière) be subject to any future increase of amount. 25

Corporation may cancel existing deeds on terms to be agreed upon: raise loans etc.

VI. And be it enacted, That it shall be lawful for the said Royal Institution for the advancement of Learning, if they shall deem it to the advantage of the said College so to do, to cancel and annul any deed or deeds heretofore by them granted for the disposal of any portion of the said lands, tenements and estate, upon such terms as by them and the other parties to such deed or deeds may be mutually agreed upon, as also, from time to time, to obtain and take any loan or loans of money for the uses of the said College, and upon such security, whether by hypothecation or otherwise, and upon such other terms and conditions as they may stipulate and assume; Provided always that the amount of such loan or loans shall not, at any one time, in the whole, exceed the sum of 30 35 04

Proviso.

VII. And be it enacted, That the rents, issues and profits, sum
 and sums of money by the said Royal Institution for the advance-
 ment of Learning held and possessed or which may be by them
 hereafter received, shall not be paid into the hands of the Receiver
 5 General of this Province, but the same shall be received by the
 Treasurer of the said Royal Institution for the advancement of
 Learning, and be by him deposited and disposed of in such manner
 as, from time to time, the said Royal Institution for the advance-
 ment of Learning may direct; Provided always that the said
 10 Royal Institution for the advancement of Learning shall, on or
 before the day of in every year furnish to the
 Governor of this Province, a detailed statement and account
 affirmed by the Treasurer before a Judge of any Court of Record,
 of the receipt and expenditure of such monies during the year
 15 immediately preceding.

Moneys of
 Corporation
 not hereafter
 to be paid to
 Receiver Gen-
 eral.

Proviso annual
 accounts to be
 furnished to
 the Governor.

VIII. And be it enacted, That all such parts and provisions of the
 said two Acts, intituled respectively, "*An Act for the establish-
 ment of Free Schools and the advancement of Learning in this
 Province,*" and "*An Act to enable the Corporation of the Royal
 20 Institution for the advancement of Learning to dispose of certain
 portions of land for the better support of the University of McGill
 College*" as are repugnant to or in any manner inconsistent with
 the provisions of this Act are hereby repealed;—Provided always
 that nothing herein contained shall impair or affect any rights
 25 heretofore acquired under and by virtue of the said Acts or either
 of them or any remedies or proceedings for the enforcement of or
 in relation to such rights; but all such rights, remedies and pro-
 ceedings shall be and remain as if this Act had not been passed.

Provisions of
 the said two
 Acts, incon-
 sistent with
 this Act re-
 pealed.

Proviso: ex-
 isting rights
 not impaired.]

IX. And be it enacted, That this Act shall be a Public Act. Public Act.