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No. 229.

2nd Session, 6th Parliament, 22 Victoria, 1859.

BILL.

An Act to incorporate the Provincial Association for the education of the colored people of Canada.

Received and read, first time, Wednesday, 6th April, 1859.

Second reading, Saturday, 9th April, 1859

MR. ROBINSON.

TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to incorporate the Provincial Association
for the education of the colored people of Ca-
nada.

WHEREAS a charitable Association has for some time past Preamble.
existed in this Province, under the name of "The Provincial
Association for the education and elevation of the colored people of
Canada," having for its object the education of the colored youth of this
5 Province, and their training and preparation for the active duties of
life; And whereas it is expedient to encourage to the utmost so laudable
an undertaking, and the said association having represented that by
being incorporated they would be enabled greatly to extend their philan-
thropic labors, and more easily to manage the affairs and business
10 thereof, it is expedient to incorporate the said Association, and to grant
them the usual powers of bodies incorporated for like purposes: There-
fore Her Majesty, &c., enacts as follows:

the present Trustees of the said association, and such other persons as
15 now are or shall hereafter become members thereof, under the provisions
of this Act, and the By-laws made under the authority thereof, and
their successors, shall be and they are hereby constituted a body politic
and corporate, by the name of the "*Provincial Association for the*
education of the colored people of Canada," and may by that name sue
20 and be sued, implead and be impleaded, answer and be answered, defend
and be defended, in all Courts of Law and places whatsoever, and by
that name they and their successors shall have perpetual succession, and
may have a common seal, and may break, change, alter or renew the
same at pleasure, and shall have power to purchase, take, receive, hold
25 and enjoy such real estate as may be required for the actual occupation
of the said Corporation, and to alienate, sell, convey, lease, or otherwise
dispose of the same, or any part thereof, from time to time, and as
occasion may require, and to acquire other instead thereof; Provided
always, that the said Corporation may acquire any other real estate or
30 any interest therein, by gift, devise or bequest, if made at least six
months before the death of the party making the same, and the Corpo-
ration may hold such estate for a period of not more than three years,
and the same or any part or portion thereof or interest therein which
may not within the said period have been alienated and disposed of,
35 shall revert to the party from whom the same was acquired, his heirs or
other representatives; And provided also, that the proceeds of such
property as shall have been disposed of during the said period, may be
invested in the public securities of the Province, stocks of chartered

Corporate
name and
powers.

Proviso: pro-
perty limited.

Proviso: the
Corporation
may accept
other property
on condition of
disposing of it
within a cer-
tain time.

Proviso: for
investment of
proceeds.

Banks, mortgages, or other approved securities, for the use of the said Corporation.

Board of Trustees.

II. The affairs and business of the said Corporation shall be managed by a board of eleven Trustees, to be elected annually at a general meeting of the members of the said Corporation, to be held on the third Monday in January in each year ; and within one week after their said election the said Board of Trustees shall elect from among their number a President, Vice-President, Treasurer, and Secretary : Any seven members of such Board of Trustees shall be a quorum for the transaction of business : The Trustees at present in office shall be and continue such Trustees until the first general meeting under this Act for the election of Trustees.

Quorum.

Rules, regulations and By-laws may be made by members.

III. The members of the said Corporation, for the time being, shall have full power and authority to make and establish such rules, regulations, and by-laws, in no respect inconsistent with this Act, nor with the laws then in force in this Province, as they may deem expedient and necessary for the interests and administration of the affairs of the said Corporation, and for the admission of members thereof ; and the same to amend and repeal from time to time, in whole or in part.

Property of a present Association transferred.

IV. All real and personal estate at present the property of the said Association, or which may hereafter be acquired by the members thereof in their capacity as such, by purchase, donation or otherwise, and all debts, claims, and rights which they may be possessed of in such capacity, shall be, and they are hereby transferred to the Corporation constituted by this Act ; and the said Corporation shall be charged with all the liabilities and obligations of the said Association ; and the rules, regulations, and by-laws, now or hereafter to be established for the management of the said Association, shall be and continue to be the rules, regulations, and by-laws of the said Corporation, until altered or repealed in the manner prescribed by this Act.

Members competent as witnesses.

V. In any action or suit brought by or against the Association, upon any contract, or for any matter or thing whatsoever, any member thereof shall be competent as witness ; and his testimony shall not be deemed inadmissible on account of interest.

Liability limited.

VI. No member of the said Corporation shall, in his private or natural capacity, be liable for any debt or obligation contracted by the said Corporation.

Failure to hold election not to operate dissolution of Corporation.

VII. In case it should at any time happen that an election of officers should not be made on any day when, pursuant to this Act, it ought to have been made, the said Corporation shall not for that cause be deemed to be dissolved ; but it shall and may be lawful, on any day, to hold and make an election of officers in such a manner as shall be regulated by the by-laws and ordinances of the said Corporation.

Corporation may not establish separate schools for colored people.

VIII. This Act shall not be construed in any way to admit of the establishment of separate schools, academies, or colleges for colored people ; and the trustees of the Corporation shall have no power to build, buy, or rent any building to be used as such, but in all cases shall send all persons

whom they may undertake to educate to the different schools, academies, and colleges already established in the Province : Provided that such schools, academies, and colleges are not set apart as separate for colored persons.

5 VIII. This Act shall be deemed a public Act.

Public Act.