



CHAPTER 142

An Act to consolidate the charter of the College of L'Assomption

[Assented to, the 15th of March, 1933]

WHEREAS the College of L'Assomption has, by its petition, represented: Preamble.

That, on the 18th of September, 1841, The Corporation of the College of L'Assomption was constituted by the act 4-5 Victoria, chapter 68;

That the said act was amended by the act 22 Victoria, chapter 17;

That the powers conferred upon The Corporation of the College of L'Assomption, by its act of incorporation, are now insufficient and that certain provisions of its charter prevent the corporation from attaining the ends for which it was constituted;

That, during a century of existence, The Corporation of the College of L'Assomption has considerably developed and that it is now in its interest to better define its rights and powers and to amend certain provisions restricting and limiting the powers of the institution;

Whereas this new charter has received the approval of the Roman Catholic religious authority of the diocese of Montreal; and

Whereas it is expedient to grant the prayer contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. A body politic and corporate under the name of *La Incorporation du Collège de L'Assomption* is hereby constituted and established in the town of L'Assomption, district Name. of Joliette.

Head office. **2.** The head office of the corporation shall be in the town of L'Assomption, district of Joliette.

Constitution of corporation. **3.** The corporation shall consist, for the present, of His Excellency the Roman Catholic Archbishop of the diocese of Montreal or of his delegate or of the administrator of the diocese, of a superior elected for three years by the members of the corporation, according to the by-laws and statutes of the corporation, and of the following persons, namely: Canon Elisée Hébert, Revs. Pierre Gauthier, Augustin Gervais, Siméon Peltier, Ernest Turcot and Donat Martineau, and of those who may hereafter replace them or become members thereof, according to the by-laws and statutes of the said corporation.

Powers, etc., of corporation. **4.** The corporation shall have the powers, rights and privileges pertaining to ordinary civil corporations, and it may:

a. Have a common seal and alter it at will;

b. Appear before the courts;

c. Accept, acquire and possess, according to law, rights, moveables and immoveables, provided the annual revenue thereof does not exceed one hundred thousand dollars;

d. Administer such property and draw the revenues thereof, rent, sell, exchange, cede and alienate the same in any way whatsoever, or otherwise dispose of same;

e. Borrow, contract obligations, pledge its property and hypothecate its immoveables by ordinary obligations or by an issue of bonds, under a deed of trust or without such deed;

f. Hypothecate, mortgage or pledge its moveables and immoveables and, generally, avail itself of the provisions of section 14*a* of the Special Corporate Powers Act (Revised Statutes, 1925, chapter 227);

g. Adopt, for its organization and management, for the administration of its property and the use of its funds and, generally, for everything connected with its object, the realization of its purpose, the direction of its work and the exercise of its powers, the by-laws, rules and decisions which it deems appropriate, provided they contain nothing contrary to the laws of this Province.

Additional powers. **5.** The corporation shall be governed by its statutes. It may exercise all the powers necessary for its objects and, for such purpose, may make by-laws, in particular, for the administration and disposal of its property, its internal management, the constitution of its council, the number,

election and powers of its directors and councillors, the functions of each of its members, and their admission and withdrawal.

In all deeds in which it figures the corporation may act Acting in by any person authorized for such purpose by resolution deeds. of its council.

In the absence of authorization, the superior shall act Superior to *pleno jure* and bind the corporation. act.

6. The council of management shall be empowered to Powers of acquire by purchase, gift, legacy or otherwise, for the pur- council of poses of the said corporation, any land, hereditament, manage- moveable or immoveable property, and is likewise empower- ment. ed to sell, lease, exchange, hypothecate and alienate same and dispose thereof, and acquire others in their stead, for the above-mentioned purposes, provided that the average net revenues for ten years of all the immoveable property of the said corporation, other than that on which the buildings of L'Assomption College and its dependencies are situated, at no time exceed the annual sum of one hundred thousand dollars.

7. In the event of the corporation acquiring by purchase, gift or legacy, any immoveable property, over and Sale of sur- above what it is authorized to possess, the said purchase, plus proper- gift or legacy shall not in consequence be null, but the ties. corporation shall be bound, within ten years from the taking possession thereof, to sell or alienate the said immoveable property, wholly or in part, or some other of its immoveable property, in order not to exceed the amount of the annual sum above prescribed.

8. The corporation shall also have the right to appoint Power to ap- one or more procurators to manage its affairs, and, generally, point procur- shall enjoy all the rights and privileges of other corpora- rators, etc. tions recognized by the Legislature. It shall also specially have the power to publish, purchase and sell schoolbooks and stationery, pamphlets, text-books, and other publications in any way serviceable to its professors and pupils and conducive to the advancement of the work of the corporation; to erect such constructions as it may deem suitable for its purposes; to establish, in conformity with the conditions and formalities required by law and the by-laws of the Board of Health of the Province of Quebec, a cemetery on its property, or a vault or crypt, to deposit therein the mortal remains of members or benefactors of the corporation or of any other person in any way connected with the corporation.

Power to keep, etc., agricultural farm.

9. To render more profitable the object of its teaching and to carry out the purposes for which it was constituted, the corporation is authorized to keep, maintain and operate the agricultural farm which it now owns, as well as all the lands which the said corporation may acquire, for the same purposes, in the parish of L'Assomption.

Establishing of experimental farm.

It shall also be authorized to establish, under the laws of the Province, an experimental farm for the theoretical and practical training of the pupils who may attend the courses presently given or any other yearly or periodical course which may be given or established by the said corporation.

Powers connected therewith.

For such purpose, the corporation shall be authorized to possess, acquire and construct buildings for the purpose of establishing or operating such farm, to acquire and possess, both thoroughbred and draught animals, farm implements and accessories and, if need be, to sell or exchange such animals and do everything relating to the ordinary operating of an agricultural farm.

Produce thereof.

The corporation may use the produce of such farm for the maintenance of its college, for its staff and pupils, and sell any surplus in the ordinary business way, provided that any revenue and profit derived from such farm be used for the maintenance of the latter or for the purposes of the teaching provided by the institution.

Establishing of agricultural school.

10. Subject to the laws of the Province, the corporation is authorized to establish an agricultural school to give a training enabling the pupils who may attend it to acquire, besides the subjects generally taught in a commercial college, agricultural science. The courses may be both theoretical and practical, and the farm possessed by the corporation shall be used for the purposes of the agricultural training given at the agricultural school and, for such purpose, the Lieutenant-Governor in Council may determine and ordain what by-laws shall govern the school, the kind and methods of teaching, the qualifications of the professors, the hours of courses and the duration of the scholastic year, provided, however, that the pupils in the classical course be authorized, if the corporation deem it advisable, to attend wholly or in part the regular courses of the said school or the special courses, theoretical or practical.

Power to enter into certain agreements.

11. The corporation is authorized to enter into agreements either with the Dominion Government, or with the Provincial Government, or with the municipalities of the

town and parish of L'Assomption, for the maintenance of its agricultural farm, of the agricultural school, and for any purpose relating to the operating of either.

It may also, subject to the laws of the Province, enter into agreements with the said municipalities of L'Assomption to obtain an exemption of taxes, both real estate and special, on all the moveable and immoveable property owned by it. Power to enter into certain agreements.

12. The corporation may construct a waterworks system to serve the needs of the college itself, of its dependencies, of the agricultural farm and of the agricultural school, and it may also permit the use of such waterworks for a remuneration. Construction of waterworks authorized.

13. The acquisitions of immoveables effected and the alienations hitherto granted by the corporation shall be valid, notwithstanding the absence or insufficiency of any authorization which may have been necessary for the purposes of such acquisitions or alienations, and the new corporation of the College of L'Assomption shall possess all the rights and privileges and assume all the obligations formerly executed or contracted by it under the name of "The Corporation of the College of L'Assomption". Certain acquisitions and alienations ratified.

14. The acts of the Parliament of Canada, 4-5 Victoria, chapter 68, and 22 Victoria, chapter 17, are repealed. Acts repealed.

15. This act shall come into force on the day of its sanction. Coming into force.