

[GOVERNMENT OF LOWER CANADA, 1818]

[58 George III]

**Letters patent appointing and confirming the incorporation of the trustees  
of the Royal Institution for the advancement of Learning**

[8 October 1818]

[1]

Letters Patent appointing Trustees for the Schools of Royal  
Foundation in this Province

*Fiat*

Recorded in the Register's Office of the Records at Quebec  
the 15th day of October 1818. In the Fifth Register of Letters  
Patent [and] Commissions

[Folio] 237.

Province of Lower Canada.

Signed—*Richmond Lennox & Aubigny* [2]

**G**eorge The Third by the Grace of God, of  
the United Kingdom of Great Britain and  
Ireland King Defender of the Faith.

To all to whom these Presents shall come or may  
in any wise concern Greeting

**W**hereas from our paternal regard for the  
Welfare and prosperity of our faithful and  
loyal subjects of our Province of Lower  
Canada, we have given directions for establishing  
a competent number of free schools for the in-  
struction of the children of our said subjects in the  
first rudiments of useful learning and also when  
occasion should require for foundations of a more  
enlarged and comprehensive nature.

And whereas we have further signified our Roy-  
al intention that a suitable proportion of the lands  
of the Crown be set apart and the revenue thereof  
appropriated to such purposes.

And whereas at the prayer and instance of our  
faithful and loyal subjects the Legislative Council  
and Assembly of our said Province of Lower  
Canada (being desirous to contribute every thing  
in their power to the execution of a plan so pecu-  
liarily beneficial to the rising generation) and by  
their advice and consent it was amongst other

things enacted and declared in and by a Statute  
made and passed in our Provincial Parliament of  
Lower Canada in the forty first year of our Reign  
entitled “*An Act for the establishment of free  
schools and the advancement of Learning in this  
Province*” That it should and might be lawful to  
and for His Excellency our Governor, Lieutenant  
Governor, or person administering the Govern-  
ment of our said Province for the time being by an  
Instrument under the Great Seal of our said Prov-  
ince to constitute and appoint such and so many  
persons as he should see fit to be Trustees of the  
Schools of Royal Foundation in our said Province,  
and of all other Institutions of Royal Foundation  
to be thereafter established for the advancement  
of Learning therein, as also for the management  
[and a]dministration improvement and ameliora-  
tion of all estates and property moveable [or]  
immoveable which should in any manner or way  
whatsoever be thereafter appropriated to the said  
schools or institutions for the purposes of educa-  
tion and the advancement of Learning within our  
said 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  
should be so removed or should die or resign their  
trust

And whereas it was in and by the said Statute  
further enacted that the said trustees and their  
Successors to be named in manner therein before  
directed and appointed should be and they were  
thereby declared to be a body corporate and Politic  
in name and in deed by the name of “The Royal  
Institution for the advancement of Learning” and  
that by the same name they should have perpetual  
Succession and a common Seal with divers other  
rights privileges powers authorities and Immuni-  
ties by the said Act vested in and confirmed to  
them as in and by the said Act (reference being  
thereunto had) will more fully and at large appear.

Now therefore know ye that our trusty and well  
beloved His Grace Charles Duke of Richmond  
Knight of the most noble order of the Garter our  
Captain General and Governor in Chief of our said  
Province being thereunto by the said above recited  
Act in manner aforesaid duly authorized and em-

[1.]

[1] UK Treasury Solicitor file 644a on the case of “*Francis des Rivières v. The Royal Institution for the Advancement of Learning*. Appeal from Court of Appeals for Province of Lower Canada, re McGill College”, 1823-34, pp. 13b, 14a; provided by UK National Archives, file TS-11-168-026 and -027. Text missing from this copy has been supplied from other sources, where shown. The original is one block of text. For easier reading, this edition divides the text into paragraphs.

[2] The letters patent were signed on the King's behalf by General Charles Lennox, 4th Duke of Richmond, 4th Duke of Lennox, 4th Duke of Aubigny, KG, PC (1764–1819), who was governor-in-chief of British North America from 8 May 1818 till his death from rabies on 28 August 1819. A prominent soldier and war hero, he was anti-Catholic and anti-French and during his one and a half years he managed to ruin English-French political relations.

powered hath nominated constituted and appointed and by these presents doth nominate constitute and appoint

the Lieutenant Governor of Upper Canada for the time being,

The Lord Bishop of Quebec,

The Honorable Jonathan Sewell Chief Justice or the Chief Justice of Lower Canada for the time being,

The Honorable James Monk Chief Justice or the Chief Justice of the Court of King's Bench at Montreal for the time being,

The Chief Justice of Upper Canada for the time being,

The Speaker of The Legislative Council of Lower Canada,

The Speaker of the House of Assembly of Lower Canada,

The Honorable John Richardson and The Honorable Rofs Cuthbert, Members of the Executive Council of Lower Canada,

The Honorable and Reverend John [Strachan] D. D. a member of the Executive Council of [Upper Canada]

to be Trustees

of the Schools of Royal Fou[ndation in our said] Province and

of all other Institutions of Royal Foundation to be hereafter established

for the advancement of Learning therein,

as also for the management and administration improvement and amelioration of all estates and property moveable or immoveable which are at present or which shall hereafter in any manner or way whatsoever be appropriated to the said schools and Institutions for the purposes of education and the advancement of Learning within our said Province.

To have hold exercise and enjoy the said trust and to be and remain with their Successors a Body corporate and Politic in name and in deed by the name of "The Royal Institution for the advancement of Learning" with all and singular the rights privileges, powers, authorities and immunities to the same by the said recited Act annexed according to the tenor and effect, true intent and meaning thereof.

In Testimony whereof we have caused these our Letters to be made Patent and the Great Seal of our said Province to be hereunto affixed.

Witness our trusty and well beloved His Grace Charles Duke of Richmond Knight of the most noble order of the Garter Captain General and Governor in Chief in and over our Province of Lower Canada, Vice Admiral of the same &c &c &c at our Castle of Saint Lewis in our City of Quebec in our said Province the eighth day of October in the year of our Lord one thousand eight hundred and eighteen, and in the fifty eighth year of our Reign.

(signed *L L Montizambert* Actg. Dy. Secty

I do hereby certify that the foregoing to be a true copy from the original as found on Record in the fifth Register of Letters Patent and Commissions Folio 237.

Provincial Secretary's Office.  
Quebec 14 August 1820.

signed *L L Montizambert* Actg. Provl. Secy.

(endorsed) Exemplification of Letters Patent erecting the Royal Institution for the advancement of Learning.—The Hon. J. Richardson & al. vs Iors Desrivieres & al. Plff's Exhibit No. 7. filed 2<sup>d</sup> June 1823.