

" It follows from what I have said that professors of the succursale at Montreal are not entitled to be styled professors of the University-Laval.

" I think that professors of the succursale are not intitled as such to take part in the Council of the University-Laval.

" For the reasons given I think faculties established by the University-Laval at Montreal or elsewhere than at Quebec cannot form part of the University-Laval.

" As I have already stated the University cannot in my opinion establish itself in different places or have branches there. And I see nothing in the articles of the Code referred to to modify my opinion.

" I am disposed to think that the University Laval when exceeding the powers conferred upon it by its Charter would fall within the scope of article 997 of the Code of Civil procedure of Lower Canada.

" The University Laval having derived its existence from Royal Charter, I think that the Pope can neither derogate from the rights conferred by the Charter, nor confer, so as to give them legal effect, any powers beyond those created by it. I ought to add that the Pope does not seem to have intended either to derogate from or extend the rights possessed under the Charter, but merely to have given directions under a misapprehension as to what those rights really were.....

" I may add to the above that I concur generally with the views expressed by Mr. Archambault in his *Etude Légale* on the various questions with which he deals.

(Signed) FARNER HERSHEY.

" Temple, July 20th 1880."

(Traduction.)

" Je suis d'opinion que l'Université Laval à Québec n'est pas autorisée par la Charte à s'établir ailleurs qu'à Québec, ni à établir des facultés de Théologie, de Loi, de Médecine et des Arts qui existent en même temps à Québec et à Montréal ; que sa Charte, en vertu de laquelle elle est incorporée en fait une Université locale, à Québec, et que cette Université outre-passe les pouvoirs et les privilèges qui lui sont accordés par cette même Charte lorsqu'elle s'établit ailleurs. Différentes considérations appellent cette conclusion, entre autres, je puis mentionner son titre même qui est strictement local, le visiteur qui est l'Archevêque de Québec, le Recteur qui est le Supérieur du Séminaire de Québec, le Conseil Universitaire formé principalement des directeurs de cette institution.