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No.—

3d. SESS. 1ST PARLIAMENT 7 VICTORIA, 1813.

BILL.

An Act to provide for the separate exercise of the Collegiate and University Functions of the College established at the City of Toronto, in Upper Canada: for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University: and for the more efficient establishment and satisfactory Government of the same.

Received and read, first time,

Second reading,

Honorable MR. BALDWIN.

Bibliothèque,
Le Séminaire de Québec
3, rue de l'Université,
Québec 4, QUE.

UNIVERSITY BILL.

(U. C.)

HEADS.

- A** Title.
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ANALYSIS.

A Title.**B Preamble.**

Division of King's College into the University of Toronto, and King's College in that University.

C Separation of the University from the Collegiate part of the University of Toronto, and establishment of Collegiate Grammar School in dependence upon the University.

2. University functions, &c., of the College transferred to the University.
3. University functions, &c., of all the other Colleges in Upper Canada transferred in like manner to the University.
4. Abolition of the Office of Chancellor, Vice-Chancellor and all the other University Offices in all such Colleges.
5. Upper Canada College incorporated as a Royal Collegiate High School, in connection with and dependence upon the University.

D Organization of the University and Collegiate Grammar School.**I. The University and its Corporate Powers.**

6. University to consist of King's College, Regiojolis College, Queen's College, Victoria College, and of the High School as a dependency and of such other Colleges as may hereafter be established.

7. University incorporated under the name of the Chancellor, Masters and Scholars of the University of Toronto, with power of holding in Mortmain and all other usual Corporate powers.

II. The Executive management of University.

8. University to have a Chancellor and Vice-Chancellor.
9. Of whom the Caput of the University to consist.
10. The Governor of the Province to be Chancellor, *ex officio*.
11. The Vice-Chancellor to be elected annually by the Convocation from the Heads of Colleges and the Professors on the foundation of the University.
12. In the absence of Chancellor and Vice-Chancellor, or when no Vice-Chancellor, Senior Member of Caput to perform duties of Vice-Chancellor under name of Pro Vice-Chancellor.
13. The Members of the Caput except the Chancellor and Vice-Chancellor to be appointed annually by the different Colleges and faculties.
14. Executive management of University vested in Chancellor, Vice-Chancellor and Caput.

III. The Legislative powers of University, how exercised.

15. Legislative powers vested in Chancellor and Convocation.
16. Convocation to consist of heads of Colleges Professors, Masters of Arts, and persons having any degree in Divinity, Law or Medicine continuing themselves on the Books of the University.

IV. Control by means of an Extra-mural body consisting principally of lay members.

17. Establishment of a Board of Control to consist of certain *ex officio* and twenty other Members to be appointed in the first instance by the Governor in Council and as vacancies occur by the Governor in Council upon the recommendation of the Board itself.

18. Board how summoned,—who to preside,—Quorum,—power of adjournment.

V. Manner of passing University Statutes.

19. Bye-Laws to be proposed by Caput to Board of Control, and if approved by Board to be submitted by Caput to Convocation, and if passed by Convocation then presented to the Chancellor for his assent, and upon his assent to become a Statute of the University.

20. Amendments proposed by the Convocation to be returned to Caput.

21. No draft of any Bye-Law to be approved by Board of Control until considered at two Meetings held on different days.

22. No draft of any Bye-Law to be finally passed by Convocation till considered and approved at two several Convocations held on two different days.

23. Queen may within two years disallow any Statute which disallowance shall operate as a repeal.

VI. Visitors.

24. The Judges of Her Majesty's Courts of Law and Equity, having general jurisdiction throughout Upper Canada to be Visitors.

VII. Educational Machinery.

25. To be such Professorships, Lecturerships and Teacherships as may be established by Statute of the University, one of them to be a Professorship of Agriculture.

26. Professors, Lecturers and Teachers to be appointed by Chancellor on recommendation of a majority of Members of Board of Control.

27. Professors on foundation of particular Colleges not to be deemed by virtue of such Professorships, Professors within the meaning of 9, 11 and 16 Sections of this Act.

28. Additional duties may be attached to any Professorship by any Statute of University without any claim for additional allowance in respect of such duties.

29. University to make special provision by Statute for discipline and Superintendence of all persons matriculated in the University, but not on the Books of any particular College.

VIII. The establishment of Independent Colleges and their incorporation with the University.

30. Upon any person conveying an amount of Property to Trustees in Trust for any College intended to be erected, sufficient to secure an annual income equivalent to the value of 1000 bushels of wheat, and producing a certificate from the Board of Control of their having done so, Crown may by Letters Patent incorporate such College with the University.

31. Persons thus founding Colleges with Professorships of Divinity, may impose religious and other Tests in their discretion.

IX. The conferring of Degrees.

32. Degrees to be conferred by Convocation by Diploma.

33. Six Examiners for Degrees to be appointed annually by the Chancellor on the recommendation of the Board of Control.

34. No Degree except Honorary Degrees and Degrees in Divinity, to be conferred but upon certificate of qualification from Examiners.

35. Upon production, by any person having a Degree in the University, of a Certificate of qualification from any College of the University having a Professor of Divinity on its foundation, Convocation bound to confer on the party the Degree designated by such Certificate.

X. Property of University.

36. Property of the University vested in the Corporation of the Chancellor, Masters and Scholars thereof.

37. The Chancellor, Masters and Scholars of the University to have power to sue for all debts &c. due to the University by whatever name.

38. The Chancellor, Masters and Scholars of the University, liable to all debts, &c. contracted by the University by whatever name.

XI. Fiscal Affairs.

39. Fiscal same as Calendar year.

40. Salaries to be payable quarterly.

41. None of the real Property of University, and none of the invested property, to be sold or applied but by Statute of University.

42. Duty of Chancellor, &c. to insure Buildings belonging to University, at such amount as may be approved by Board of Control.

43. Proceeds of Sales of waste Lands investments paid off, and surplus of annual income over expenditure, to form the University Investment Fund, monies of which to be invested in Government or Landed Securities.

44. Annual income of University from Fees, Rents, Interest, Dividends and General Donations and Subscriptions to form the University Income Fund, the monies of which to be applied as in next section.

45. University Income Fund charged with,—1st, Payment of expenses of Collection. 2nd, Payment of Taxes, Insurance and Repairs. 3rd, Salaries of Superior Officers, as Bursar, &c. Lecturers and other Teachers not Professors, and the subordinate Officers. 4th, incidental expenses. 5th, Salaries of Vice-Chancellor and Professors, and 6 Special appropriations—With proviso.—1st, That surplus after the satisfaction of three first charges of one year, to be alone applicable to satisfaction of three last charges of next year. 2nd, In event of such Balance falling short, amount of deficiency to be deducted from all the Salaries constituting the fifth charge for such next year, by proportionate quarterly deductions. 3rd Incumbents, no claim to have such deficiency made good.

46. Annual surplus, if any, of University Income Fund to be carried to credit of Investment Fund, and invested with the other monies of that Fund.

XII. Collegiate High School.

47. Collegiate High School incorporated under the name of The Principal Tutors and Scholars of the Royal Collegiate High School of the University of Toronto, with power to hold in Mortmain and all other usual Corporate powers.

48. Principal of High School to be appointed by Chancellor on recommendation of Caput of University.

49. Vice Principal, Tutors, &c. of High School to be appointed by the Caput of University, with the approval of the Board of Control.

50. Council of High School to consist of Principal, Vice Principal and Tutors, who, with approval of Caput of University, may make Rules, &c. for Collegiate School subject to be over-ruled by Statute of University.

51. Property of High School vested in the Corporation of the Principal Tutors and Scholars thereof.

52. The Principal Tutors and Scholars of High School to have power to sue for all debts, &c. due to Upper Canada College by whatever name.

53. The principal Tutors and Scholars of High School liable to all debts, &c. contracted by or on behalf of Upper Canada College.

54. Fiscal year and periods of payment of Salaries same with those of University.

55. Salaries of Principal Vice-Principal Tutors, &c. to be established by direction of High School Council confirmed by Statute of University.

56. Fiscal affairs of the High School to be conducted and managed by Bursar of University under the like management and direction as those of University, Bursar at all times giving information to High School Council of state of funds, &c.

57. None of real property of High School and none of invested property to be sold but by direction of High School Council confirmed by Statute of University.

58. Duty of University to keep Buildings of High School insured out of funds of School to amount approved by Council of High School.

59. Proceeds of Sales of waste Lands, Investments paid off, and surplus of amount of income to form the High School Investment Fund, monies of which to be invested in Government or Landed Securities approved of by Council of High School.

60. Annual Income of High School from fees, rents, interests, dividends and general donations and subscriptions to form the High School Income Fund, the monies of which to be applied as provided by the next Section of this Act.

61. High School Income Fund charged with,—1. Payment of expenses of collection. 2. Taxes, insurance and repairs. 3. Salaries of Officers, Teachers and Servants not members of the Council. 4. Incidental expenses directed by High School Council confirmed by Statute of University. 5. Salaries of Principal and Tutors who are members of the Council and 6 Special appropriations by direction of Council of the School confirmed by Statute of University. With Proviso.—1st That surplus after satisfaction of first 3 charges for one year to be alone applicable to the satisfaction of 3 last charges of next year. 2nd In event of such balance falling short of such deficiency to be deducted from all the salaries constituting the fifth charge for such next year, by proportionate quarterly deductions. 3rd Incumbents, no claim to have such deficiency made good to them.

62. Annual surplus if any of High School Income Fund to be carried to credit of High School Investment Fund, and invested with the other monies of that Fund.

63. Caput of University to have power to suspend Principal and Tutors of High School for limited period, and with approval of Board of Control to remove them.

XIII. Miscellaneous Provisions respecting University and Collegiate School.

64. No Religious Tests to be imposed either in University or Collegiate School except with respect to Professorships, &c., of Divinity.

65. University not to erect or establish Colleges or Professorships of Divinity except such as may be incorporated with it under the 30th Section, or to afford them any assistance except a site for a College.

66. Neither University or High School to borrow any money except under authority of a Statute of University, establishing an annual sinking fund of five per centum besides the interest to pay of Capital borrowed.

67. Caput of University to make annual report of affairs of University.

68. University to be entitled for the use of its Library to one copy of all works published in the Province, which shall be delivered to Librarian within certain time under a penalty of £5 besides value of work for default.

E *King's College.*

69. Repeal of Upper Canada Act, 7 W. IV, chap. 16, and as respects College, such parts of Charter as confers University powers, &c., and all Statutes and Rules for carrying the same into effect.

70. Corporate name of College to be the President Masters and Scholars of King's College in the University of Toronto.

71. The President, Vice-President and one Professor or the Vice-President and two Professors to be a Quorum of College Council.

72. Seniority among the Professors to be governed by seniority of chairs and not of appointments to such chairs.

73. If not, 7 Professors qualified to be Members of College Council under charter vacancies, to be filled by Bishop and Clergy of Protestant Episcopal Church, who shall have power to decide on the person to retire on appointment of a Professor qualified to sit in such Council.

74. Power of suspending Members of Council from their seats, and of allowing the sufficiency of their excuses for absence vested in College Council.

75. No Statute of King's College to be repugnant to Statutes of University, and as far as they are so to be void.

76. Disallowance of Statutes of College to be made known to President in lieu of Chancellor as in Charter.

77. The initiative in the proposal of bye-laws to be with the President, who shall consult thereon the Senior Member of the College Council.

78. Persons before they receive from the College, certificates for Degrees in Divinity, bound to conform to the Provisions of the Charter.

79. Statutes of College providing for appointment of Vice-President, confirmed, except the part limiting their continuance.

80. All the Statutes of the College establishing any other Professorships than those of Divinity and Hebrew repealed, but College to have power to re-enact them or establish other similar chairs.

F *Regiopolis College.*

81. Repeal of so much of Upper Canada Act of 7 Wm. IV, chap. 56, or of Statutes of College as are repugnant to this Act.

82. Corporate name of College to be the President, Masters and Scholars of the College of Regiopolis in the University of Toronto.

G *Queen's College.*

83. Repeal of Proviso to 7th Section, and Sections 10 and 15 of Upper Canada Act 3 Vic. chap. 35, and of all such parts of charter as give the like powers, and such parts as give it University powers, &c., and all Statutes and Rules for carrying the same into effect or as are repugnant to this Act.

84. Corporate name of College to be the Principal, Masters and Scholars of Queen's College in the University of Toronto.

H *Victoria College.*

85. Repeals so much of 3rd Section of Provincial Act of 4 & 5 Vic. chap. 37, as gives power of conferring Degrees, and all such parts of Charter as gives the like power, and all Statutes of College for carrying the same into effect, or as are repugnant to this Act.

86. Corporate name of College to be the Principal, Masters and Scholars of Victoria College in the University of Toronto.

I *General Miscellaneous Provisions.*

87. Power of making Bye-laws, conferred by Charter or otherwise upon any of the Colleges of the University to be subject to further restriction, that they shall not be repugnant to this Act.

88. Neither the University nor any of the Colleges erected or to be erected, to issue Notes nor act as Bankers.

89. Instruments, &c., entered into with Colleges by whatever name to be good to them by their respective corporate names.

90. The Corporations of the different Colleges liable to all debts, &c., contracted by them under whatever name respectively.

91. All powers and privileges of the different Colleges not expressly taken away, confirmed.

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

92. Governor may within three years appoint a Commission to enquire into accounts and Fiscal affairs of the University, and report a system for the keeping of the Books.

93. Such Commission to have power to send for persons and papers.

94. The completion of the Building for the accommodation of the University to be under the direction of the Board of Works.

95. £500 per annum, for four years, out of the University Investment Fund, granted to each of the 4 Colleges, payable quarterly.

96. Present Debt of High School to University cancelled.

97. High School granted £500 out of University Funds for four years.

98. Persons already appointed, whether regularly or otherwise, to Professorships, in King's College, to be for 12 months and such further period as Chancellor may by warrant direct, deemed Professors of the said University and Members of the Caput thereof.

99. Each of such Professors to receive £100 per annum from date of his original appointment, till he shall be appointed to, or been offered a Professorship with a salary attached to it.

100. Upon any such Professor being appointed to any such Professorship, with a salary attached to it, he shall receive an allowance equivalent to what would have been the amount of such salary from the date of his original appointment, to a Chair in King's College less the portion of the £100 per annum,—allowance made him under the last preceding section of this Act.

101. Chancellor empowered to make good to certain persons certain deficiencies, should they occur.

K *Common Conclusion.*

102. Act to be a Public Act and may be amended, &c. this Session.

BILL.

A *Title.*

An Act to provide for the separate exercise of the Collegiate and University Functions of the College established at the City of Toronto, in Upper Canada : for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University : and for the more efficient establishment and satisfactory Government of the same.

B *Preamble.*

WHEREAS a University for the advancement of learning in that Division of this Province called Upper Canada, established upon principles calculated to conciliate
5 the confidence and ensure the support of all classes and denominations of the people, would, under the blessing of Divine Providence, greatly promote the best interest, religious, moral and intellectual of the
10 people at large ; and whereas with a view to supply the want of such an Institution, His late Majesty King George the Fourth was graciously pleased by Royal Charter, tested at Westminster the fifteenth day of March,
15 in the eight year of his Reign, to establish a College at Toronto (then called York) in that division of the Province, under the name of King's College, with the style and privileges of an University, and afterwards to
20 endow the same with certain of the waste lands of the Crown, in that part of the Province ; and whereas with a like view, certain other Colleges and Collegiate Institutions have since then been established, in
25 the same division of the Province, one at the same place under the name of " Upper Canada College, " endowed also out of the public lands, one at Kingston under the name of " the College of Regiopolis, " endowed
30 by private means alone, another at the same place under the name of " Queen's

B *Preamble.*

College " or " the University at Kingston, " in like manner endowed by private means alone, and another at Cobourg under the name of " Victoria College, " endowed by private means assisted by a Parliamentary 5 Grant, the two latter of such Colleges having likewise the style and privileges of Universities : And whereas the people of Upper Canada consist of several and various denominations of christians, to the members 10 of each of which without distinction, it is desirable to extend the benefits of an University Education, and to maintain the just rights and privileges of all, without offence to the religious opinions of any, by leaving 15 the teaching of Divinity, and the education of the Clergy and Ministers of Religion to Collegiate Institutions incorporated into the University, but managed under their several charters, in connection with the different 20 churches or other religious bodies contemplated by their Founders, as declared in such Charters respectively : And whereas by an Act of the Provincial Parliament, of the late Province of Upper Canada, 25 passed in the seventh year of the Reign of His late Majesty King William the Fourth, numbered Chapter sixteen, and intituled, " An Act to amend the Charter of King's College, " the Charter of the said first 30 mentioned College was in certain particulars altered and amended in order as the Preamble to the said Act recites to meet the desire and circumstances of the Colony : And whereas for the more complete ac- 35 complishment of these desirable objects it is expedient to repeal the said Act, and to substitute some other provisions in lieu thereof, for the purpose of providing for the separate and more efficient exercise of the 40 Collegiate and University functions of the said Institution : And, whereas, with a view to the same objects, it is also expedient to alter and amend in several particulars certain other Acts of Parliament of the said late 45 Province, and an Act of the Parliament of

B *Preamble.*

this Province referring to others of the said Colleges and Collegiate Institutions respectively: To Incorporate such Institutions with the said University, and to transfer to
 5 and vest in such University the sole power of conferring degrees in the several Arts and Faculties in Upper Canada, and to make some other provisions for the efficient establishment and satisfactory government
 10 of the said University;—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,
 15 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, and intituled "*An Act to*
 20 "*Re-unite the Provinces of Upper and Lower*
 "*Canada, and for the Government of Canada,*"
 " and it is hereby enacted by the authority of the same, that the University functions, powers and privileges of the said College, so established at or in the neighbourhood of the City
 25 of Toronto in Upper Canada, under authority of the said Charter of His late Majesty King George the Fourth, shall be held, exercised, and enjoyed seperately and apart from the Collegiate functions, powers,
 30 and privileges of the said College; and that for this purpose the said College shall be divided into two Institutions, the one to be called the University of Toronto, and the other King's College, in the said
 35 University.

Division of King's College into the University of Toronto, and King's College in that University.

C *Separation of the University from the Collegiate part of the University of Toronto and establishment of Collegiate Grammar School in dependencè upon the University.*

II. And be it enacted that all the University functions, powers, and privileges in the said Charter of His late Majesty King George the Fourth granted to or vested in
 40 the said College or University of King's

University functions, &c., of the College transferred to the University.

C *Separation of the University from the Collegiate part of the University of Toronto and establishment of Collegiate Grammar School in dependence upon the University.*

College, shall be and the same are hereby transferred from the said College, and together with all other powers and privileges of what nature or kind soever, held or enjoyed by the Universities of the United Kingdom of Great Britain and Ireland, or any of them, shall be and the same are hereby vested in the said University of Toronto. 5

University functions, &c., of all the other Colleges in Upper Canada transferred in like manner to the University.

III. And be it enacted, that all and singular the University functions, powers 10 and privileges, of what nature or kind soever, vested either by Charter, Act of Parliament, or otherwise howsoever, in any of the said other Colleges before mentioned, that is to say, in Upper Canada College, the 15 College of Regiopolis, Queen's College, or Victoria College, or any of them, shall be and the same are hereby in like manner transferred to and vested in the said University, and henceforth none of the said 20 Colleges nor any other College, or Collegiate Institution of what nature or kind soever now established, or which may hereafter be established in Upper Canada shall grant or confer, or assume to grant or confer any of 25 the Degrees of Doctor, Master, or Bachelor, in any of the Arts or Faculties, but the conferring of all such degrees in that Division of this Province, shall henceforth rest solely with and be vested in the said 30 University, any thing in any Charter of any such College or Collegiate Institution to the contrary thereof in any wise notwithstanding.

Abolition of the Office of Chancellor, Vice-Chancellor and all the other University Offices in all such Colleges.

IV. And be it enacted, that henceforth 35 there shall be no Chancellor, Vice-Chancellor, or other University officer, of in for or belonging to any of the said Colleges of King's College, Regiopolis College, Queen's College, or Victoria College. 40

C *Separation of the University from the Collegiate part of the University of Toronto and establishment of Collegiate Grammar School in dependence upon the University.*

V. And be it enacted, that Upper Canada College shall henceforth be called and known by the name of the Royal Collegiate High School of the University of Toronto, and shall be incorporated with the said University of Toronto as a Collegiate Grammar School, in connection with and under the control of the said University.

Upper Canada College incorporated as a Royal Collegiate High School, in connection with and dependence upon the University.

D *Organization of the University and Collegiate Grammar School.*

I. The University and its Corporate Powers.

VI. And be it enacted, that the University of Toronto shall consist of all the Colleges hereinbefore mentioned, that is to say, King's College, Regiopolis College, Queen's College, and Victoria College, and of the said Royal Collegiate High School, as a dependency upon and under the management of the said University, and of such and so many other Colleges as may hereafter from time to time be established and incorporated with the said University in the manner hereinafter provided.

University to consist of King's College, Regiopolis College, Queen's College, Victoria College, and of the High School as a dependency and of such other Colleges as may hereafter be established.

VII. And be it enacted, that the said University, and the Chancellor, Masters, and Scholars thereof for the time being, shall by and under the name of the Chancellor, Masters, and Scholars of the University of Toronto, henceforth continue and be a body corporate and politic, and have perpetual succession and a common Seal with power to change, alter, or make anew the same, and shall and may by the name aforesaid contract and be contracted with, sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts and places whatsoever, and that they and their successors by and under the name aforesaid, shall be able and capable in Law

University incorporated under the name of the Chancellor, Masters and Scholars of the University of Toronto, with power of holding in Mortmain and all other usual Corporate powers.

D *Organization of the University and Collegiate Grammar School.*

of purchasing, and by devise, bequest or otherwise, acquiring, having, holding and enjoying, to them and their successors, any estate real or personal, to and for the use of them the said Chancellor, Masters and 5 Scholars, or to for or in trust for any other use or purpose whatsoever, and of letting, conveying, or otherwise disposing thereof from time to time as they may deem necessary or expedient. 10

II. The Executive management of University.

University to have a Chancellor and Vice-Chancellor.

VIII. And be it enacted, that there shall be in the said University a Chancellor and Vice-Chancellor of the said University.

Of whom the Caput of the University to consist.

IX. And be it enacted, that there shall be in the said University a Council to be called 15 the Caput of the said University, which Caput shall consist of the Chancellor, the Vice-Chancellor, one Professor from each College having less than four Professors on the foundation thereof, and two from each 20 of such Colleges having four or more Professors on the foundation thereof, four Professors from the faculty of Arts, and two from each of the two other faculties of Law and Medicine, and that the Chancellor 25 or in his absence the Vice-Chancellor or Pro Vice-Chancellor for the time being, and in case of their being neither Chancellor, Vice-Chancellor, nor Pro Vice-Chancellor present, the member of such Caput who 30 shall be senior on the books of the said University shall preside in the said Caput, and in the event of an equality of Votes on any question the person so presiding shall have an additional or casting Vote. 35

The Governor of the Province to be Chancellor, *ex officio*.

X. And be it enacted, that the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, shall *ex officio* be the Chancellor of the said University. 40

D *Organization of the University and Collegiate Grammar School.*

II. The Executive management of University.

XI. And be it enacted, that the Vice-Chancellor of the said University shall be elected annually from among the heads of Colleges and such Professors as hold chairs upon the foundation of the said University, by the convocation of the said University at such time as shall be prescribed by a Statute of the University to be passed for that purpose, and shall hold his office for 10 one year, that is to say, from the time of his election to the day next before the day for the election of Vice-Chancellor for the following year, both days inclusive.

The Vice-Chancellor to be elected annually by the Convocation, from the Heads of Colleges and the Professors on the foundation of the University.

XII. And be it enacted, that in the 15 absence of the Chancellor and Vice-Chancellor, or in the absence of the Chancellor, and when there shall be no Vice-Chancellor the member of the Caput senior in standing on the books of the said University for the time being, shall under the 20 name of Pro Vice-Chancellor exercise all the powers, and perform all the duties of Vice-Chancellor of the said University.

In the absence of Chancellor and Vice-Chancellor or when no Vice-Chancellor, Senior Member of Caput to perform duties of Vice-Chancellor under name of Pro Vice-Chancellor.

XIII. And be it enacted, that the several 25 members of the Caput except the Chancellor and Vice-Chancellor, shall be appointed annually by the respective Colleges and Faculties, at such time and in such manner as shall be prescribed by a Statute of the 30 said University, to be passed for that purpose, and shall hold their seats in such Caput by virtue of such appointment for one year, that is to say, from the time of such appointment to the day next before the 35 day for the appointment of members of the Caput for the following year, both days inclusive.

The Members of the Caput except the Chancellor and Vice-Chancellor to be appointed annually by the different Colleges and faculties. 1

XIV. And be it enacted, that the Executive Power and Government of the said 40 University shall be vested in and exercised

Executive management of University vested in Chan-

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II. The Executive management of University.

cellor, Vice-Chancellor and Caput.

by the Chancellor, or in his absence the Vice-Chancellor of the said University, and the Caput thereof; and that all the Acts of the Chancellor and Vice-Chancellor of the said University, in the Executive Govern- 5
ment thereof, except in matters in which the said Chancellor and Vice-Chancellor or either of them, are by this Act invested with separate and distinct powers, or hereafter may be invested with such separate and distinct 10
powers by a Statute of the said University, shall be under the direction and subject to the control of the Caput of the said University, which Caput except as before excepted, shall have full power by itself or 15
its committees to make orders and give directions in all such matters.

III. The Legislative powers of University, how exercised.

Legislative powers vested in Chancellor and Convocation.

XV. And be it enacted, that the Legislative Powers and Government of the said University shall be vested in the Chancellor 20
and Convocation thereof, who in the manner hereinafter provided, shall and may make all such Statutes, Bye-Laws and Ordinances as they may think necessary or expedient touching or concerning the good 25
Government of the said University, and the Royal Collegiate High School, and the different Colleges of the said University, or touching or concerning the different Professorships, Masterships, and Teacherships 30
in or belonging to the same, the Studies, Lectures, Examinations, Degrees in Arts and Faculties, and all matters regarding the same, the number, residence and duties of the Officers, Professors, Masters, Teachers, 35
Scholars and Servants of the said University, the said High School and the different Colleges of the said University, the management of the revenues and property of the said University, and of the said High School, 40

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III. The Legislative powers of University. how exercised.

the salaries, stipends, provisions and emoluments of the Officers, Professors, Scholars and Servants of those Institutions, and touching and concerning any other matter
 5 or thing which to them shall seem good, fit and useful, for the well being and advancement of the said University, and High School; and also from time to time by any new Statutes, Bye-laws or Ordinances, to
 10 revoke, renew, amend, augment or alter all, every or any of the said Statutes, Bye-laws or Ordinances, as from time to time to them shall seem necessary or expedient.

XVI. And be it enacted, that the Chan-
 15 cellor and Vice-Chancellor of the said University, the heads of all the Colleges in the same, whether under the name of President, Principal or any other designation, and all other persons holding Professorships
 20 in the said University, on the foundation of the said University, and all persons admitted therein to the degree of Master of Arts, or to any degree in Divinity, Law or Medicine, and who from the time of such admission to
 25 such degree shall pay the annual sum of twenty shillings of lawful money of Canada, for and towards the support and maintenance of the said University, shall be and be deemed taken and reputed to be members of the
 30 convocation of the said University.

Convocation to consist of heads of Colleges Professors, Masters of Arts, and persons having any Degree in Divinity, Law or Medicine continuing themselves on the Books of the University.

IV. Control by means of an Extra-mural body consisting principally of lay members.

XVII. And be it enacted, that there shall be in the said University, a body to be called the Board of Control of the said University; which shall consist of the Bishop, for
 35 the time being, of the Protestant Episcopal See of Toronto, in connection with the United Church of England and Ireland, or the Bishop for the time being of whatever Pro-

Establishment of a Board of control to consist of certain *ex officio* and twenty other Members to be appointed in the first instance by the Governor in Council and as

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IV. Control by means of an Extra-mural body consisting principally of lay members.

vacancies occur by the Governor in Council upon the recommendation of the Board itself.

testant Episcopal See in connection with the said Church shall contain the City of Toronto within its territorial limits; the Bishop for the time being, of the Roman Catholic See of Toronto, or the the Bishop for the time 5 being of whatever Roman Catholic See shall contain the City of Toronto within its territorial limits; the Moderator of the Synod for the time being of the Presbyterian Church in Upper Canada, in connection with the 10 Church of Scotland; the President of Conference for the time being, of the Wesleyan Methodist Church in Upper Canada; and the Bishop, Moderator, Superintendent, President, or other head for the time being, 15 of any other religious Body or Denomination in Upper Canada, professing belief in the Holy Scriptures, who shall have an endowed College in the said University, in connection with such Body; or if any such 20 Body or Denomination shall have no such Bishop, Moderator, Superintendent, President, or other head, then any person appointed for such purpose by such Body or Denomination, the Members for the time 25 being, representing the City of Toronto in the Provincial Parliament; the Members for the time being, representing the different Ridings of the County of York in the Provincial Parliament; the Treasurer of the 30 Law Society of Upper Canada for the time being; the President of the Medical Board for Upper Canada for the time being; and the Mayor of the City of Toronto for the time being, and of twenty others, such twenty 35 others to be in the first place appointed by the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, by and with the advice and consent of the Executive 40 Council thereof, by warrant under his hand and seal, and thereafter as vacancies shall

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IV. Control by means of an Extra-mural body consisting principally of lay members.

occur in the said Board, by the death, resignation, refusal to act, or incapacity from mental or bodily infirmities, of any of such twenty members, the same to be supplied by the
 5 like appointment of the Governor, Lieutenant Governor, or Person Administering the Government of this Province for the time being, by and with the like advice and consent of the Executive Council thereof, upon
 10 the recommendation of the said Board of a fit and proper person to fill such vacancy.

XVIII. And be it enacted, that the said Board of control shall meet in the said University—when and as often as they may be
 20 called together by the Chancellor or Vice-Chancellor of the said University for the time being, by warrant under hand and seal, setting forth briefly the object of such meeting, as for the consideration of Drafts
 25 of proposed Statutes, for the recommendation of persons to be appointed examiners, for the recommendation of a candidate to fill the chair of a Professorship, or the like, and notice of the issue of which warrant shall be
 30 given by the Bursar of the said University for the time being, or by such other officer of the same as any statute of the said University may direct to every Member of such Board, by a letter signed by such Bursar, or other
 35 officer stating the day place and hour of such meeting, and the object thereof, as set forth in the warrant by which the same shall be called, and which letters shall be left at the place of residence of such Members of the
 40 said Board as reside in the City of Toronto, at least two full days before the day appointed for such meeting, and shall be sent by post to such members thereof as reside elsewhere, properly directed, according to any
 45 general instructions in writing left by such members respectively, at the office of such

Board how
 summoned,—
 who to preside,
 —Quorum,—
 power of ad-
 journment.

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IV. Control by means of an Extra-mural body consisting principally of lay members.

Bursar, or other officer for that purpose, or if no such instructions shall have been so left, then directed as correctly as such Bursar or other officer can, with reasonable diligence ascertain; and at every meeting of such Board some Member thereof shall, by the Members present be appointed to preside, and the Bursar of the said University or such other officer thereof, as any statute of the said University may direct, shall act as Clerk to such Board, and the proceedings of such Board shall be authenticated by the signatures of the Chairman for the time being, and such Bursar or other officer who shall be bound to authenticate and give effect to the same according to the direction of the said Board: Provided always, nevertheless, Firstly, that not less than twelve members shall be a Quorum of such Board for the dispatch of business: And provided always, also Secondly, that such Board having once met in compliance with any such warrant, may adjourn, from time to time till the business for which they were called shall have been finally disposed of.

V. Manner of passing University Statutes.

XIX. And be it enacted, that every Statute of the said University shall, in the first instance, be proposed by the Caput to the Board of Control in the shape of a Draft, and having been approved or modified by that Board, shall in its approved or modified form be submitted by the Caput if they shall deem it expedient so to do, to the Convocation of the said University, and be passed by them, after which it shall be presented to the Chancellor of the said University for his assent thereto, and if he shall give such assent under his hand and seal, at any time within twelve calendar months after the same shall have been passed by the Convocation, such

Bye-Laws to be proposed by Caput to Board of control and if approved by Board to be submitted by Caput to convocation and if passed by convocation then presented to the Chancellor for his assent and upon his assent to become a Statute of the University.

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V. Manner of passing University Statutes.

Draft shall then, and not otherwise, become a Statute of the said University and be enrolled as such in the archives thereof.

XX. And be it enacted, that in the event of
5 any amendment being proposed in Convocation to any such Draft, and such amendment being adopted by the Convocation, the Draft with such amendment shall be returned to the Caput, and shall not be further proceed-
10 ed upon by the Convocation, unless again submitted to the Convocation by the Caput, with the approbation of the Board of Control as in the first instance.

Amendments proposed by the convocation to be returned to Caput.

XXI. And be it enacted, that no Draft of
15 any Statute shall be approved by the Board of Control of the said University, until it shall have been considered at two several meetings of the said Board held on different days, such days to be not less than eight full days ex-
20 clusive from each other.

No Draft of any Bye-Law to be approved by Board of Control until considered at two Meetings held on different days.

XXII. And be it enacted, that no such Draft shall be finally passed by the Convocation of the said University, until the same shall have been considered and approved of
25 by two several convocations held on two different days, such days to be not less than one month from each other.

No Draft of any Bye-Law to be finally passed by Convocation till considered and approved at two several Convocations held on two different days.

XXIII. And be it enacted that it shall and may be lawful for Her Majesty, Her Heirs
30 or Successors, at any time within two years after the passing of any Statute of the said University to declare Her disallowance of the same, and that such disallowance being signified to the said University by the
35 Chancellor thereof, by an instrument in the nature of a proclamation under his hand and seal, shall operate as a repeal of such statute from the date of such instrument.

Queen may within two years disallow any Statute which disallowance shall operate as a Repeal.

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VI. Visitors.

The Judges of Her Majesty's Courts of Law and Equity, having general Jurisdiction throughout Upper Canada to be Visitors.

XXIV. And be it enacted, that the Judges for the time being of Her Majesty's Courts of Law and Equity, having general jurisdiction throughout Upper Canada, shall, on behalf of Her Majesty, Her Heirs and Successors, 5 be visitors of the said University.

VII. Educational Machinery.

To be such Professorships, Lecturerships and Teacherships as may be established by Statute of the University, one of them to be a Professorship of Agriculture.

XXV. And be it enacted, that there shall be on the foundation of the said University such and so many Professors, Lecturers, and Teachers in the different Arts and 10 Faculties in the said University, as shall or may, from time to time be established and provided for by any Statute of the said University, passed as hereinbefore provided: Provided always, that one of such Profes- 15 sorships shall be a Professorship of Agriculture.

Professors, Lecturers and Teachers to be appointed by Chancellor on recommendation of a majority of Members of Board of Control.

XXVI. And be it enacted, that the Professorships, Lecturerships, and Teacherships in the said University established by Statute of 20 the said University and provided for upon the foundation thereof, shall be filled by appointment under hand and seal by the Chancellor of the said University for the time being, upon the recommendation in writing of 25 a majority of the members for the time being, of the Board of Control of the said University, or in default of such recommendation within twelve calendar months after the first establishment of any such Professorship, 30 Lecturership, or Teachership, or after any subsequent vacancy in the same, then by appointment, under hand and seal of such Chancellor for the time being without any such recommendation. 35

Professors on foundation of particular Colleges not to be deemed by virtue of such

XXVII. And be it enacted, that no person holding a Professorship in or upon the foundation of any of the Colleges of the said University, shall by virtue of such Professor-

D *Organization of the University and Collegiate Grammar School.*

VII. Educational Machinery.

ship be deemed a Professor, within the meaning of the ninth, eleventh and sixteenth sections of this Act, or within the meaning of any Statute of the said University, treating 5 of the Professors of the University by such general designation.

Professorships, Professors within the meaning of 9, 11 and 16 Sections of this Act.

XXVIII. And be it enacted, that it shall be in the power of the said University, by any Statute to be passed for that purpose, to 10 attach any other duties connected with the said University, or the government or discipline thereof, or to the government or discipline of the Professors, Lecturers, Teachers or Members, or of the Officers or 15 Servants thereof to any other Professorship, Lecturership or Teachership, on the foundation of the said University, or to any office of the said University, without making any additional allowance to the person filling such 20 Professorship, Lecturership, Teachership or office for the performance of such additional duties, unless they shall think it expedient so to do, and the person filling the same for the time being, shall be bound to perform 25 such duties, whether they were attached to such Professorship, Lecturership, Teachership or office, before or after his appointment to the same.

Additional duties may be attached to any Professorship by any Statute of University without any claim for additional allowance in respect of such duties.

XXIX. And be it enacted, that the said 30 University shall make special provision by Statute for the matriculation, discipline, and superintendence of all such persons as shall be matriculated in the said University, without being on the books and subject to the 35 discipline of any College of the said University: Provided always, that nothing in this section shall be held to limit or restrain the power of the said University over any College or Hall, or over any of the Professors, 40 Officers or Members of the said University, or of any College or Hall thereof.

University to make special provision by Statute for Discipline and Superintendence of all persons matriculated in the University, but not in the Books of any particular College.

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VIII. The establishment of Independent Colleges and their incorporation with the University.

Upon any person conveying an amount of Property to Trustees in Trust for any College intended to be erected, sufficient to secure an annual income equivalent to the value of 1000 bushels of wheat, and producing a certificate from the Board of Control of their having done so, Crown may by Letters Patent incorporate such College with the University.

XXX. And be it enacted, that upon Her Majesty, Her Heirs or Successors, or any other person or persons, bodies politic or corporate, conveying or procuring to be conveyed to competent Trustees in due 5 form of law, property either real or personal, of sufficient value in the opinion of the Board of Control of the said University, for the endowment of a College in the same, and producing a certificate signed by a majority 10 of the Members of the said Board of Control of the said University for the time being, of his or their having done so, it shall and may be lawful in any charter of incorporation or other letters patent which it may please Her 15 Majesty, Her Heirs or Successors for that purpose, to grant under the Great Seal of this Province to declare such College incorporated with the said University, and thereupon such College shall, to all intents and 20 purposes whatsoever, be incorporated with and form part of the said University, and become one of the Colleges thereof, with all the privileges attached to such Colleges in general: Provided always, nevertheless, that 25 no such College shall be admitted into, or incorporated with such University, unless the endowment thereof, so conveyed to Trustees as aforesaid, shall appear to the satisfaction of the Governor, Lieutenant 30 Governor, or Person Administering the Government of this Province for the time being, in Council, to be of such value and to be so invested as to insure an annual income in money, equivalent to the then current value 35 of one thousand bushels of wheat, or upwards.

Persons thus founding Colleges with Professorships of

XXXI. And be it enacted, that it shall and may be lawful for the Founder or Founders of any College in the said Univer- 40

D *Organization of the University and Collegiate Grammar School.*

VIII. The establishment of Independent Colleges and their incorporation with the University.

sity, the charter of which shall provide for, allow, or require the appointment or establishment of a Professorship of Divinity therein, to appoint, prescribe and require at
 5 his, her or their discretion, any and such tests, religious, doctrinal or literary, or of any other nature or kind whatsoever, which he, she or they may think expedient, as a qualification for being appointed to, or holding any such
 10 Professorship, or as a qualification for receiving any certificate, to entitle the party receiving the same to any degree in the Faculty of Divinity in the said University, according to the provisions herein contained
 15 for that purpose, and the same with all such rules and regulations as such Founder or Founders shall think fit to prescribe, touching or concerning the same, shall be recited or set forth in the charter for the establish-
 20 ment of the said College, in and the incorporation thereof with the said University, and shall by such charter be confirmed and established; whereupon the same and every part thereof shall be binding and obligatory
 25 upon the said University, and all the officers and members thereof, as well as upon the persons to be appointed to such Professorships, and all others whomsoever, as absolutely to all intents and purposes whatso-
 30 ever, as if the same were Statutes of the said University, passed by the Chancellor and Convocation thereof, in the manner prescribed by this Act.

Divinity, may impose religious and other Tests in their discretion.

IX. The conferring of Degrees.

XXXII. And be it enacted, that the con-
 35 ferring degrees in the said University, shall belong to the Convocation thereof, and that every Diploma conferring any such degree shall be under the Common Seal of the said University, and be authenticated by the

Degrees to be conferred by Convocation by Diploma.

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IX. The conferring of Degrees.

signature of the Chancellor, Vice-Chancellor, or Pro Vice-Chancellor, who shall preside in convocation when the same was conferred, and the signatures of such and so many of the Professors of the said University as may think fit to sign the same. 5

Six Examiners for Degrees to be appointed annually by the Chancellor on the recommendation of the Board of Control

XXXIII. And be it enacted, that there shall be six Examiners for Degrees in the said University, who shall be appointed annually by the Chancellor of the said University, by warrant under his hand and seal, on the recommendation of the Board of Control of the said University, and in case of the death, resignation, refusal to act, or incapacity from mental or bodily infirmity of any one of such Examiners, his place shall be filled by a like appointment, upon a like recommendation. 10 15

No Degree except Honorary Degrees and Degrees in Divinity, to be conferred but upon certificate of qualification from Examiners.

XXXIV. And be it enacted, that no Degree other than an Honorary one, or one in the Faculty of Divinity, shall be conferred by the Convocation of the said University upon any person, without the production of a certificate from the Examiners for the year, or of the majority of them, of such person having passed an Examination before them, which, in their opinion, entitles such person to such Degree, according to the Statutes of the said University. 20 25

Upon production, by any person having a Degree in the University, of a Certificate of qualification from any College of the University having a Professor of Divinity on its foundation, Convocation bound to confer on the par-

XXXV. And be it enacted, that upon the production to the Convocation of the said University, by any person having a degree in such University, of a certificate under the seal of any College of the said University, in which there shall be established a Professorship of Divinity setting forth, that such person had undergone such an examination, under the authority of the said College as according to the Statute of such College entitle him to the Degree of Bachelor of 30 35 40

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IX. The conferring of Degrees.

Divinity, or to the Degree of Doctor of Divinity as the case may be, the said Convocation shall thereupon confer the Degree mentioned in such certificate upon such
5 person.

ty the Degree designated by such Certificate.

X. Property of University.

XXXVI. And be it enacted, that all the property and effects real and personal of what nature or kind soever now belonging to or vested in the said College or University,
10 of King's College or in the Chancellor, President and Scholars thereof, or in any other person or persons or body corporate or politic whatsoever for the use or benefit of the said College or University, shall be and
15 the same are hereby conveyed to and vested in the Chancellor, Masters and Scholars of the University of Toronto, to hold to them and their Successors to the use of them, and their Successors for ever, any thing in the
20 said Charter of his said late Majesty, in any Act of the Parliament of the late Province of Upper Canada, or of this Province or in any Letters Patent, Royal Charters, Deeds or other Instruments to the contrary thereof
25 in any wise notwithstanding.

Property of the University vested in the Corporation of the Chancellor, Masters and Scholars thereof.

XXXVII. And be it enacted, that all debts due to the said College or University of King's College, or to the Chancellor, President and Scholars thereof, in their corporate capacity, and all Judgments recognizances, Bonds, Covenants, and other instruments or contracts, suffered, acknowledged or given to, or made with King's
30 College aforesaid, or with the Chancellor, President and Scholars thereof, in their corporate capacity by whatsoever name shall be available, stand and continue of good purport, and full force and strength to the Chancellor, Masters and Scholars of the University of Toronto, as if the said College or
40

The Chancellor, Masters and Scholars of the University to have power to sue for all debts &c. due to the University by whatever name.

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X. Property of University.

University had been therein named by the corporate name hereby given to the same; and it shall and may be lawful for the said University by the corporate name last aforesaid, to proceed upon the same by execution 5 or otherwise, and recover thereon as if the same had been suffered, acknowledged or given to, or made with them, by the name last aforesaid.

The Chancellor, Masters and Scholars of the University, liable to all debts, &c. contracted by the University by whatever name.

XXXVIII. And be it enacted, that the 10 Chancellor, Masters and Scholars of the University of Toronto, shall both in Law and Equity, be liable to all the present existing debts, contracts, and agreements of the University of King's College, and may be 15 sued upon and recover against for the same, as if the same had been contracted or entered into by them by the name aforesaid.

XI. Fiscal Affairs.

Fiscal same as Calendar year.

XXXIX. And be it enacted, that the Fiscal 20 year of the said University shall commence on the first day of January, and end on the thirty-first day of December, of each year.

Salaries to be payable quarterly.

XL. And be it enacted that the salaries of the different Professors, Lecturers, 25 Teachers, Officers and Servants of the said University, shall by the Statutes establishing the same, be made payable quarterly on the four quarter-days of such Fiscal year, that is to say, the first days of January, April, July, 30 and October in the same.

None of the Real Property of University and none of the invested property, to be sold or applied but by Statute of University.

XLI. And be it enacted, that none of the real property of the said University, and none of the property of the said University invested according to the directions of the 35 forty-fifth section of this Act, shall be disposed of or applied otherwise than by authority of a Statute of the said University.

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XI. Fiscal Affairs.

XLII. And be it enacted, that it shall be the duty of the Chancellor, Masters and Scholars of the said University, from time to time, out of the funds of the said University, 5 to keep all the principal buildings belonging to the said University insured against loss by fire, at some reputable fire office or offices in this country, or elsewhere, to such amount as shall be approved by the Board of Control 10 of the said University.

Duty of Chancellor, &c. to insure Buildings belonging to University, at such amount as may be approved by Board of Control.

XLIII. And be it enacted, that the proceeds arising from the sales of any other lands referred to in the forty-first section of this Act, which it shall, from time to time, be 15 deemed expedient by the said University to sell and dispose of, and all monies received upon investments called in, or paid off, with any surplus of the annual income over the annual expenditure of the said University, as 20 provided by the forty-sixth section of this Act, shall form a fund, to be called in the books of the said University, the University Investment Fund, the monies, at the credit of which fund, shall, from time to time, be in- 25 vested in such government or landed securities as shall be approved of by the Board of Control of the said University.

Proceeds of Sales of waste Lands investments paid off, and surplus of annual income over expenditure, to form the University Investment Fund, monies of which, to be invested in Government or Landed Securities.

XLIV. And be it enacted, that the annual income of the said University, arising from 30 the fees and dues payable to the same for Matriculation, Lectures, Tuition, Degrees or otherwise, and from the annual or other periodical rents, interests and dividends, arising from the property and effects of the said Uni- 35 versity, of what nature or kind soever, whether real or personal, together with all such annual or other donations or subscriptions as may be made and paid into the hands of the Bursar of the said University, for the 40 general benefit thereof, without being specifically appointed by the donor to any parti-

Annual income of University from Fees, Rents, Interest, Dividends, and General Donations and Subscriptions to form the University Income Fund, the monies of which, to be applied as in next section.

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XI. Fiscal Affairs.

cular object or purpose, shall form another Fund, to be called the University Income Fund, the monies, at the credit of which last mentioned fund, shall be appropriated and applied to make good and satisfy the several charges by the next following section of this Act, charged and imposed upon the said fund, in the order in which such charges are therein charged and imposed upon the same.

University Income Fund charged with, 1st, Payment of expenses of Collection. 2nd Payment of Taxes, Insurance and Repairs. 3rd Salaries of Superior Officers, as Bursar, &c. Lecturers, and other Teachers not Professors, and the subordinate Officers. 4th incidental expenses. 5th Salaries of Vice-Chancellor and Professors, and 6 Special appropriations—

XLV. And be it enacted, that the first charge upon the said University Income Fund, shall be the necessary expenses incurred in the receipt, collection and management of the monies of the said University, as well those constituting the Investment Fund, as those constituting the said Income Fund. The second charge upon such Income Fund, the necessary outlay for taxes, insurance and repairs of the buildings and other property of the said University. The third charge upon such Income Fund, the salaries of the Bursar, Librarian, and other similar Officers, of the Lecturers and other Teachers not being Professors, and the salaries, wages, and allowances, of all subordinate officers and servants of the said University. The fourth charge upon the said Fund, such sum of money as by a Statute of the said University, to be passed for that purpose, shall be annually appropriated for the incidental expenses of the said University for the Fiscal year, or so much of such sum as shall be required for such incidental expenses. The fifth charge upon such Fund, the salaries of the Vice-Chancellor and Professors of the said University; and the sixth and last charge, such special appropriations out of the said Income Fund for such year, as shall have been directed to be made, by a Statute of the said University, passed for that purpose; Provided always,

With proviso.

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nevertheless, first, that the balance that may remain at the credit of the said Income Fund after satisfying the three first heads of charges upon the same, for each year, shall be alone applicable to the satisfaction and discharge of the three last heads of charges upon such fund for the next year: Provided also, secondly, that in the event of such balance not being sufficient to provide for the whole amount of such three last charges upon such fund for such next year, the amount of the deficiency of such balance to meet the whole amount of such three last charges, shall be deducted in equal proportions from all the salaries constituting the fifth charge upon the said fund for such next year, by proportionate quarterly deductions from such salaries, as the same become respectively payable at each financial quarter of such next year respectively, so far as such deficiency can be ascertained at each of such quarters respectively: And, provided also, thirdly and lastly, that for the deficiency thus occasioned in such salaries, the Incumbents, to whose offices or chairs such salaries shall be attached, shall have no claim upon the said University, or upon the funds thereof, for such deficiency, but the amount of such salaries received by each of such Incumbents, according to the provisions of this Act, shall be deemed and taken to have been received by him in full satisfaction and discharge of the whole of his salary for the year, or portion of a year, for which such proportion of the same shall have been so paid as aforesaid.

1st That surplus after satisfaction of three first charges of one year, to be alone applicable to satisfaction of three last charges of next year.
2nd In event of such Balance falling short, amount of deficiency to be deducted from all the Salaries constituting the fifth charge for such next year, by proportionate quarterly deductions
3rd Incumbents no claim to have such deficiency made good.

XLVI. And be it enacted, that the surplus, if any, of the said University Income Fund, after satisfying and discharging the several charges by the last preceding section of this Act charged upon the same, shall be annually transferred to the Investment Fund of the said University, and with the other

Annual surplus, if any, of University Income Fund to be carried to credit of Investment Fund and invested with the other monies of that Fund.

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XI. Fiscal Affairs.

monies belonging to that Fund, be, from time to time, invested, as in and by the forty-third section of this Act is declared, so that there shall be no balance of the said Income Fund to be carried forward from one Fiscal 5 year to the next, except so much thereof as shall be applicable to the satisfaction and discharge of the fourth, fifth and sixth charges upon such Income Fund for the next year, pursuant to the first proviso to the forty-10 fifth section of this Act.

XII. Collegiate High School.

Collegiate High School incorporated under the name of the Principal Tutors and Scholars of the Royal Collegiate High School of the University of Toronto, with power to hold in Mortmain and all other usual Corporate powers.

XLVII. And be it enacted, that the Principal Tutors and Scholars of the said Collegiate High School of the said University for the time being, shall henceforth, by and 15 under the name of the Principal, Tutors and Scholars of the Royal Collegiate High School of the University of Toronto, be a body corporate and politic, and have perpetual succession, and a common seal, with 20 power to change, alter, or make anew the same, and shall and may by the name aforesaid, contract and be contracted with, sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts 25 and places whatsoever, and that they and their successors, by and under the name aforesaid, shall be able and capable in law of purchasing, or by devise, bequest or otherwise acquiring, having, holding and enjoying 30 to them and their successors, any estate real or personal, to and for the use of them the said Principal, Tutors and Scholars, and of letting, conveying or otherwise disposing thereof, from time to time as they may deem 35 necessary or expedient.

Principal of High School to be appointed by Chancellor on recommendation of Caput of University.

XLVIII. And be it enacted, that the Principal of the said High School shall be appointed by warrant under his hand and

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XII. Collegiate High School.

seal by the Chancellor of the said University, for the time being, on the recommendation of the Caput of the said University.

XLIX. And be it enacted, that the Vice-Principal Tutors, and other Masters and Teachers of the said High School, shall be appointed by the Caput of the said University, with the approval of the board of Control thereof.

Vice Principal, Tutors, &c. of High School, to be appointed by the Caput of the University, with the approval of the Board of Control.

L. And be it enacted, that the Principal, Vice-Principal and Tutors of the said High School, shall form a Council for such High School, of which any three shall be a quorum, and shall, with the approval of the Caput of the said University, have power to make all such Rules and Regulations as they may deem expedient for the good government of the said High School, not inconsistent with the Statutes of the said University; all such Rules and Regulations being at all times, and in all particulars, subject to be over ruled by any statute of the said University, passed by the Chancellor and Convocation thereof, in the manner hereinbefore provided; And that the Principal, or in his absence the Vice-Principal, or in the absence of both the Senior Tutor of the said High School, shall preside in the Council thereof, and in the event of an equality of votes on any question, the person so presiding shall have an additional or casting vote.

Council of High School to consist of Principal, Vice-Principal and Tutors, who, with the approval of Caput of University, may make Rules, &c. for Collegiate School subject to be over-ruled by Statute of University.

LI. And be it enacted, that the Block of Land in the said City of Toronto, on which the buildings heretofore called Upper Canada College, belonging to the said High School, have been erected, bounded on the South, by King Street; on the North, by Newgate Street; on the East, by John Street; and, on the West, by Graves Street, and also, all other property and effects, real

Property of the High School vested in the Corporation of the Principal Tutors and Scholars thereof.

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XII. Collegiate High School.

and personal, of what nature or kind soever, belonging to or vested in Upper Canada College, or in the Principal or any other Officer or Minister thereof, for the use or benefit thereof, or in King's College, or in the Chancellor, President and Scholars thereof, in trust for Upper Canada College, or in any other person or persons, or bodies corporate or politic whatsoever, for the use or benefit of Upper Canada College aforesaid, shall be, and the same are hereby conveyed to, and vested in the Principal, Tutors and Scholars of the Royal Collegiate High School of the University of Toronto, and their successors, to and for the use of them and their successors for ever; any thing in the said Act of Parliament of the late Province of Upper Canada, or in any other Act of the Parliament of Upper Canada, or of this Province, or in any Letters Patent, Royal Charters, Deeds or other instruments to the contrary thereof, in anywise notwithstanding.

The Principal Tutors and Scholars of High School to have power to sue for all debts, &c. due to Upper Canada College by whatever name.

LII. And be it enacted, that all debts due to Upper Canada College, or to the Principal, or any Officer or Member thereof, or to King's College, or the Chancellor, President and Scholars thereof, in trust for Upper Canada College; and all judgments, recogniances, bonds, covenants, and other instruments or contracts, suffered, acknowledged, given to, or made with, Upper Canada College, or such Principal, or other officer or member thereof, on the behalf, or in trust, or for the use or benefit of Upper Canada College, or with King's College, or the Chancellor, President and Scholars thereof, on the behalf, or in trust, or for the use or benefit of Upper Canada College, shall be available, stand and continue of good report, and full force and strength to the Principal, Tutors and Scholars of the Royal

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XII. Collegiate High School.

Collegiate High School of the University of Toronto, as if the said College or High School had been therein named by the corporate name hereby given to the same; and
 5 it shall and may be lawful for the said High School by the corporate name last aforesaid, to proceed upon the same by execution or otherwise, and recover thereon as if the same had been suffered, acknowledged or
 10 given to or made with them by the name last aforesaid.

LIII. And be it enacted, that the Principal, Tutors and Scholars of the Royal Collegiate High School of the University of
 15 Toronto, shall both in law and equity be liable to all the existing debts, contracts and engagements of Upper Canada College, and may be sued upon and recovered against, for the same, as if the same had been con-
 20 tracted or entered into by them by the name aforesaid.

The principal Tutors and Scholars of High School liable to all debts, &c. contracted by or on behalf of Upper Canada College.

LIV. And be it enacted, that the Fiscal year of the said Collegiate High School, and the periods and manner of payment of the
 25 salaries of the Principal, Tutors and other Teachers, Officers and Servants of the said Collegiate High School, shall be the same as those of the said University.

Fiscal year and periods of payment of Salaries same with those of University.

LV. And be it enacted, that the salaries
 30 of the Principal, Vice-Principal, Tutors, Masters and other Teachers, Officers and Servants of the said Collegiate High School, shall be established by the direction of the Council of the said High School, confirmed
 35 by a statute of the said University; and no such salary, when once so established, shall by any subsequent direction of the said Council, or Statute of the said University, be
 40 reduced, unless such subsequent direction and Statute shall be given and passed when

Salaries of Principal Vice-Principal Tutors, &c., to be established by direction of High School Council confirmed by Statute of University.

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XII. Collegiate Grammar School.

the place to which such salary shall be attached shall be vacant, or unless such reduction shall be limited to take effect only after the next vacancy of such place.

Fiscal affairs of the High School to be conducted and managed by Bursar of University under the like management and direction as those of University, Bursar at all times giving information to High School Council of state of funds, &c.

LVI. And be it enacted, that the Fiscal Affairs, and other matters connected with the property and effects, real and personal of the said Collegiate High School, shall be conducted and managed by the Bursar of the said University of Toronto, under the like management, direction and control, as the Fiscal, and other similar affairs of the said University; the said Bursar at all times affording to the Council of the said High School, or to any member thereof, all such information touching such Fiscal or other affairs of the said School as may be reasonably required by such Council or member respectively.

None of real property of High School and none of invested property to be sold but by direction of High School Council confirmed by Statute of University.

LVII. And be it enacted, that none of the real property of the said Collegiate High School, and none of the property thereof invested according to the directions of the fifty-ninth section of this Act, shall be disposed of or applied otherwise than by the direction of the Council thereof, confirmed by a Statute of the said University, to be passed for that purpose.

Duty of University to keep Buildings of High School insured out of funds of School to amount approved by Council of High School.

LVIII. And be it enacted, that it shall be the duty of the Chancellor, Masters and Scholars of the said University, from time to time out of the funds belonging to the said Collegiate High School, to keep all the principal buildings belonging to the said School insured against loss by Fire, at some reputable Fire Office or Offices in this Country or elsewhere, to such amount as shall be approved by the Council of the said School.

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LIX. And be it enacted, that the proceeds arising from the sales of any of the lands referred to in the fifty-seventh section of this Act, which it shall from time to time be deemed expedient by the direction of the Council of the said High School, confirmed by a Statute of the said University to be passed for that purpose, to sell and dispose of, and all monies received upon Investments, called in or paid off shall form a fund to be called in the books of the said University, the High School Investment Fund, the monies at the credit of which shall from time to time be invested in such Government or landed securities as shall be approved by the Council of the said School.

Proceeds of sales of waste Lands, Investments paid off, and surplus of amount of income to form the High School Investment Fund, monies of which to be invested in Government or Landed Securities approved of by Council of High School.

LX. And be it enacted, that the annual income of the said High School, arising from the fees and dues payable to the same for tuition or otherwise, and from the annual or other periodical Rents, Interests and Dividends arising from the property and effects of the said School, of what nature or kind soever, whether real or personal, together with all such annual or other donations or subscriptions as may be made and paid into the hands of the Bursar of the said University, for the general benefit of the said School, without being specifically appropriated by the donor to any particular object or purpose shall form another Fund, to be called the High School Income Fund, the monies at the credit of which last mentioned Fund shall be appropriated and applied to make good and satisfy the several charges by the next ensuing section of this Act charged and imposed upon the said Fund, in the order in which such charges are therein charged and imposed upon the same.

Annual Income of High School from fees, rents, interests and dividends and general donations and subscriptions to form the High School Income Fund, the monies of which to be applied as provided by the next Section of the Act.

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High School Income Fund charged with, 1. Payment of expenses of collection. 2. Taxes, insurance and repairs. 3. Salaries of Officers, Teachers and Servants not members of the Council. 4. Incidental expenses directed by High School Council confirmed by Statute of University. 5. Salaries of Principal and Tutors who are members of the Council and 6 Special appropriations by direction of Council of the School confirmed by Statute of University.

LXI. And be it enacted, that the first charge upon the High School Income Fund, shall be the necessary expenses incurred in the receipt, collection and management of the monies of the said School, as well those 5 constituting the Investment Fund of the said School as those constituting the said Income Fund thereof. The second charge upon such Income Fund, the necessary outlay for taxes, insurance, and repairs of 10 all the buildings and other property of the said School. The third charge upon such Income Fund, the Salaries of such of the Officers, Teachers and Servants of the said School as shall not be members of the Council 15 thereof. The fourth charge upon the said Fund, such sum of money as by direction of the Council of the said High School, confirmed by a Statute of the said University to be passed for that purpose, shall 20 be annually appropriated for the incidental expenses of the said School for the Fiscal year, or so much of such sum as shall be required for such incidental expenses. The fifth charge upon such Fund, the 25 salaries of the Principal and Tutors of the said High School who shall be members of the Council thereof. And the sixth and last charge, such special appropriations out of the said Fund for such year as shall be directed 30 to be made by the Council of the said High School, confirmed by a Statute of the said University passed for that purpose: Provided always, nevertheless—First, that the balance that may remain at the credit of 35 the said High School Income Fund, after satisfying the three first charges upon the same for each year, shall be alone applicable to the satisfaction and discharge of the three last charges upon such Fund, for the 40 next year: Provided also,—Secondly, that in the event of such balance not being sufficient to provide for the whole amount of

With Proviso. 1st That surplus after satisfaction of first 3 charges for one year to be alone applicable to the satisfaction of 3 last charges of next year. 2nd In event of such balance falling short of such deficiency to be deducted

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such three last charges upon such Fund for such next year, the amount of the deficiency of such balance to meet the whole amount of such three last charges, shall be
 5 deducted in equal proportions from all the salaries constituting the fifth charge upon the said Fund for such next year, by proportionate quarterly deductions from such salaries as the same become respectively
 10 payable at each Fiscal quarter of such next year respectively, so far as such deficiencies can be ascertained at each of such quarters respectively: And provided also—Thirdly and lastly, that for the deficiency thus occasioned in such salaries, the Incumbent
 15 to whose Office or Tutorship such salary shall be attached shall have no claim upon the said High School or upon the Funds thereof for such deficiency, but the amount
 20 of such salary received by each of such Incumbents, according to the provisions of this Act, shall be deemed and taken to have been received by him in full satisfaction and discharge of the whole of his claims for the
 25 year or portion of a year, for which such proportion of the same shall have been so paid as aforesaid.

from all the salaries constituting the fifth charge for such next year, by proportionate quarterly deductions. 3rd Incumbents, no claim to have such deficiency made good to them

LXII. And be it enacted, that the surplus if any of the said High School Income Fund,
 30 after satisfying and discharging the several charges by the last preceding section of this Act charged upon the same, shall be annually transferred to the Investment Fund of the said High School, and with the other
 35 monies belonging to that Fund, be from time to time invested as in and by the 59th section of this Act is directed, so that there shall be no balance of the said Income Fund, to be carried forward from one Fiscal
 40 year to the next, except so much thereof as shall be applicable to the satisfaction and

Annual surplus if any of High School Income Fund to be carried to credit of High School Investment Fund, and invested with the other monies of that Fund.

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discharge of the fourth, fifth and sixth charges upon such Income Fund for the next year, pursuant to the first proviso to the sixty-first section of this Act.

Caput of University to have power to suspend Principal and Tutors of High School for limited period and with approval of Board of Control to remain therein.

LXIII. And be it enacted, that it shall 5 and may be lawful for the Caput of the said University to suspend for any period not exceeding one calendar month the Principal, Vice-Principal or any of the Tutors or other Masters or Teachers of the said 10 Collegiate High School, and with the approval of the Board of Control of the said University, to remove any such Principal, Vice-Principal, Tutor, Master or Teacher: Provided always, that the grounds 15 of every such suspension and of every such removal shall be set forth at length in the Minute Book of the said Caput.

XIII. Miscellaneous Provisions respecting University and Collegiate School.

No Religious Tests to be imposed either in University or Collegiate School except with respect to Professorships, &c., of Divinity.

LXIV. And be it enacted, that no religious test or qualification whatsoever, 20 shall be required of or appointed for any person admitted or matriculated as a member, whether as Scholar, Student or otherwise of the said University, or of the said Collegiate High School, or of or for any 25 person appointed to any Office, Professorship, Lecturership, Tutorship, or other place either in the said University, or in the said High School, or of or for any person admitted to any degree other than a Degree in Divinity, 30 in any Art or Faculty in the said University.

University not to erect or establish Colleges or Professorships of Divinity except such as may be incorporated with it

LXV. And be it enacted, that it shall not be lawful by any Statute of the said University or otherwise howsoever, to erect 35 or establish any College for the study of Divinity, or any Professorship, Lecturership or Teachership of Divinity, in the said

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XIII. Miscellaneous Provisions respecting University and Collegiate School.

University, except only such as may be erected and established in and incorporated with the said University, according to the provisions of the 30th section of this Act, 5 and all Colleges of Divinity that may be erected or established in, and incorporated with the said University in the manner aforesaid, and all Professorships of Divinity in any of the Colleges of the said University, 10 shall be supported and maintained by the funds arising from their respective endowments, the fees and dues payable by such members of the said University and others, as may avail themselves of the benefits of 15 such Colleges and Professorships respectively, and the voluntary subscriptions and donations of those who may choose to contribute to the support of the same, and not from the funds of the said University : 20 Provided always, that nothing in this section contained shall prevent the assignment and allowance of an appropriate site for any such College on the lands belonging to the said University.

under the 30 Section or to afford them any assistance except a site for a College.

25 LXVI. And be it enacted, that it shall not be lawful either for the Chancellor, Masters or Scholars of the University of Toronto, or for the Principal, Tutors and Scholars of the Royal Collegiate High 30 School of the said University, to borrow any money on the security of the said University, or of the said High School, or of the funds or other property of either or otherwise howsoever, except under authority of a 35 Statute of the said University, by which there shall at the same time be appropriated such an amount of the annual income of the said University, or of the said High School, as the case may be, arising from 40 the interest and dividends of money actually invested under the authority of the

Neither University or High School to borrow any money except under authority of a Statute of University, establishing an annual sinking fund of five per centum besides the interest to pay of Capital borrowed.

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forty-first and fifty-seventh sections of this Act respectively, as shall be sufficient to meet the annual interest upon such loan, and in addition thereto five per centum per annum upon the original principal of such loan, to constitute a sinking fund for the final redemption, satisfaction and discharge of the said original principal of such loan, and the annual interest and sinking fund of every such loan, shall constitute an extra charge upon the Income Fund of the said University, or of the said High School, which so long as any part of the original principal of such loan shall remain unpaid, shall take precedence of the fourth, fifth and sixth annual charges upon such Income Fund respectively, as the same are respectively charged and imposed by the forty-fifth and sixty-first sections of this Act upon the said Income Funds respectively.

Caput of University to make annual report of affairs of University.

LXVII. And be it enacted, that the Caput of the said University shall annually on or before the first day of March in each year, report to the Governor, Lieutenant Governnor, or person administering the Government of this Province, for the time being, for the information of Parliament, the progress and state of the said University, and of the said Royal Collegiate High School thereof, during the then preceding Fiscal year, of the said University, with an account of the property, funds, income debts and incumbrances of each of such Institutions respectively.

University to be entitled for the use of its Library to one copy of all works published in the Province, which shall be deli-

LXVIII. And be it enacted, that a printed copy of the whole of any book which shall be published in this Province after the passing of this Act, whether consisting of the whole or only part of a volume if seperately published, together with all

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Maps, Prints or other Engravings belonging thereto; and of every Pamphlet, Sheet of Letter Press, Sheet of Music, Map, Chart or Plan seperately published, furnished and
 5 coloured in the same manner as the best copies of the same shall be published, and also of any second or subsequent edition which shall be so published with any additions or alterations, whether the same shall
 10 be in Letter Press, or in the Maps, Prints or other Engravings belonging thereto, and whether the first edition of such Book shall have been published before or after the passing of this Act, bound, sewed or stich-
 15 ed together as offered for sale generally by the publisher thereof, and upon the best paper upon which the same shall be printed, shall within six calendar months after the same shall first be sold, published or offered
 20 for sale, be delivered on the part of the publisher at the Library of the said University, and a receipt taken for the same from the Librarian, which receipt shall set forth the title and edition of such Book at
 25 length, and upon demand be given by such Librarian to the person depositing such copy at the said Library, and on default of such delivery within the time aforesaid, the Publisher of every such Book, Pamphlet,
 30 Sheet of Letter Press, Sheet of Music, Map, Chart or Plan, shall forfeit besides the value of such copy which he ought to have delivered, a sum not exceeding five pounds to be recovered by the Librarian
 35 or other Officer or Agent of such Librarian properly authorized for that purpose, for the use of the said University, to be applied for the augmentation of the said Library, to be recovered in a summary way on con-
 40 viction before any two Justices of the Peace for the District, County, City or place where the Publisher making default shall

vered to Librarian within certain time under a penalty of £5 besides value of work for default.

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reside or be found, or by action of debt in the name of the Chancellor, Masters and Scholars of the said University in an action of debt or other proceeding of the like nature in any Court of competent jurisdiction in this Province, in which action the said University if they shall recover, shall recover their costs reasonably incurred, to be taxed as between Attorney and Client. 5

E *King's College.*

Repeal of Upper Canada Act, 7 W. IV, chap. 16, and as respects College, such parts of Charter as confers University powers, &c, and all Statutes and Rules for carrying the same into effect,

LXIX. And be it enacted, that the said 10 Act of the Parliament of the late Province of Upper Canada, passed in the seventh year of the Reign of His late Majesty King William the Fourth, numbered chapter sixteen, and intituled, "An Act to amend 15 the Charter of the University of King's College,"—and also as respects the said College of King's College all such parts of the Charter granted to the said College, under the name in the said Act mentioned, 20 or under any other name whatsoever as give to such College the functions, or grant to or confer upon it the powers or privileges of an University, or as recognize or provide for the appointment of Uni-25 versity Officers, together with all Statutes, Rules, Ordinances and Regulations of the said College as provide for the Government of the said College as an University, or as pertain to or provide for the exercise 30 of such functions, powers or privileges, or any of them, or the appointment or election of such Officers, and all such other Provisions, Statutes, Rules, Ordinances or Regulations as are in any way repugnant to 35 or inconsistent with this Act, from henceforth shall be and the same hereby are repealed and annulled to all intents and purposes whatsoever, any thing in the said

E *King's College,*

Act of Parliament, or in the said Charter, or in any other Charter, Grant or other Instrument to the contrary thereof in any wise notwithstanding.

- 5 LXX. And be it enacted, that instead of the name mentioned in the said Charter and Act of Parliament, the corporate name of the said College of King's College shall henceforth be the President, Masters and
10 Scholars of King's College in the University of Toronto.

Corporate name of College to be the President Masters and Scholars of King's College in the University of Toronto.

- LXXI. And be it enacted, that the President and Vice-President of the said College with any one Professor thereof or the
15 Vice-President of the said College with any two Professors thereof shall form a Quorum for the despatch of business, any thing in the Charter of the said College to the contrary thereof notwithstanding.

The President, Vice-President and one Professor or the Vice-President and two Professors to be a Quorum of College Council.

- 20 LXXII. And be it enacted, that seniority among the Professors of the said college of King's College as well in the College as in the Council thereof shall be governed by the precedence of the Professorships held by
25 such Professors and not by the precedency of the appointments of such Professors to their respective chairs, anything in the said Charter of the said College to the contrary notwithstanding.

Seniority among the Professors to be governed by seniority of chairs and not of appointments to such chairs.

- 30 LXXIII. And be it enacted, that in case at any time there shall not be within the said College of King's College seven Professors of Arts and Faculties qualified to be members of the College Council within the
35 terms of the said Charter of His late Majesty King George the Fourth, the Council of the said College shall be filled up to the requisite number of seven exclusive of the President for the time being, by such per-
40 sons being graduates of the said College and Ministers of the Protestant Episcopal Church in Upper Canada in connection

If not. 7. Professors qualified to be Members of College Council under charter vacancies, to be filled by Bishop and Clergy of Protestant Episcopal Church, who shall have power to decide on the person to retire on appointment of a Professor qualified to sit in such Council.

E *King's College.*

with the United Church of England and Ireland, as shall for that purpose be appointed by the Bishop and Clergy of the Protestant Episcopal See of Toronto aforesaid, having the cure of souls or the majority of them, who shall also have the power of deciding in each case what particular member of the said College Council shall vacate his seat in the said Council upon the admission of any new member of the said Council, holding a Professorship in the said College and of appointing members thereof, in the terms of the said Charter in the place of such as may die, resign, refuse to act, be suspended or removed from the same or by reason of any bodily or mental infirmity or absence from the Province shall become incapable of attending the meetings of the said Council.

Power of suspending Members of Council from their seats, and of allowing the sufficiency of their excuses for absence vested in College Council.

LXXIV. And be it enacted, that the power of suspending members of the said Council of King's College from their seats in such Council and of allowing as sufficient the cause for their absence from such Council by the said Charter vested in the Chancellor, shall henceforth be vested in and executed by the said Council.

No Statute of King's College to be repugnant to Statutes of University, and as far as they are so to be void.

LXXV. And be it enacted, that none of the Statutes, Rules or Ordinances of the said College of King's College, shall be repugnant to the Statutes of the said University and so far as they shall be repugnant to such latter Statutes they shall have no effect nor be in anywise binding.

Disallowance of Statutes of College to be made known to President in lieu of Chancellor as in Charter.

LXXVI. And be it enacted, that the disallowance of any of the Statutes Rules or Ordinances of the said College of King's College, by the said Charter, required to be made known to the Chancellor of the said College, shall henceforth be made known to the President thereof, and the making

E *King's College.*

known the same to the President shall have the like effect as by the Charter is given to the making known thereof to the Chancellor.

- 5 LXXVII. And be it enacted, that the initiative in the proposal of Statutes, Rules and Ordinances to the said College Council of King's College, by the said Charter vested in the Chancellor thereof shall
10 henceforth be vested in and exercised by the President of the said College who shall consult with the next senior member of such Council respecting the same, in the same manner as in and by the said Charter was
15 required of the said Chancellor.

The initiative in the proposal of by-laws to be with the President, who shall consult thereon the Senior Member of the College Council.

- LXXVIII. And be it enacted, that any person before he shall receive from the said College Council of King's College, any certificate entitling him to be admitted as
20 herein provided, to any degree in divinity, in the said University, shall conform to all the provisions in the said Charter contained and required of persons, prior to their being admitted to any such Degree.

Persons before they receive from the College, certificates for Degrees in Divinity, bound to conform to the Provisions of the Charter.

- 25 LXXIX. And be it enacted, that so much of the present Statutes or Ordinances in the nature of Statutes of the said College of King's College, as provide for the establishment of the office of Vice-President of
30 the said College and so much of such Statutes or Ordinances as provide for the establishment of the Professorships of Divinity and Hebrew, and so much of the same as regulate the place and precedence
35 of the Vice-President of the said College and of the said Professors of Divinity and Hebrew, shall be valid and effectual Statutes of the said College, and shall to all intents and purposes whatsoever be and continue
40 binding upon the said College of King's College, and all members thereof until altered or repealed by some subsequent Statute of such College, anything in the Charter

Statutes of College providing for appointment of Vice-President, conformed, except the part limiting their continuance.

E *King's College.*

of the said College contrary thereof in any wise notwithstanding, except only so much of the same as limits the continuance of the said office of Vice-President.

All the Statutes of the College establishing any other Professorships than those of Divinity and Hebrew repealed, but College to have power to re-enact them or establish other similar chairs.

LXXX. And be it enacted, that so much of the Statutes or Ordinances in the nature of Statutes of the said College of King's College as provide for the establishment of any other Professorships then those of Divinity and Hebrew, shall be and the same are hereby repealed and annulled, and the Professorships abolished to all intents and purposes whatsoever; Provided always nevertheless, that nothing herein contained shall prevent the said College of King's College from re-enacting any such Statutes or Ordinances or re-establishing any such Professorships or erecting any others in lieu thereof, if they shall deem it expedient so to do.

F *Regiopolis College.*

Repeal of so much of Upper Canada Act of Wm. IV, chap 56, or of Statutes of College as are repugnant to this Act.

LXXXI. And be it enacted, that so much of the said Act of the Parliament of the late Province of Upper-Canada passed in the seventh year of the Reign of His late Majesty King William the Fourth, numbered chapter fifty-six, and intituled, "An Act to incorporate certain person therein named as a Board of Trustees for the erection, superintending, and management of a Roman Catholic College at Kingston to be know by the name of the College of Regiopolis and for other purposes therein mentioned," and all the Rules, Ordinances, and Regulations of the said College, in any way repugnant to or inconsistent with this Act, from henceforth, shall be and the same hereby are repealed and annulled to all intents and purposes whatsoever, anything in the said Act of Parliament or the Deed therein mentioned, or in any Charter or other instrument to the contrary thereof in anywise notwithstanding.

F *Regiopolis College.*

LXXXII. And be it enacted that instead of the name mentioned in the said Act of Parliament the Corporate name of the said College of Regiopolis shall henceforth be the President, Masters and Scholars of the College of Regiopolis in the University of Toronto.

Corporate name of College to be the President Masters and Scholars of the College of Regiopolis in the University of Toronto.

G *Queen's College.*

LXXXIII. And be it enacted, that the Proviso to the seventh section of an Act of the Parliament of the late Province of Upper-Canada, passed in the third year of the Reign of Her Majesty Queen Victoria, numbered chapter thirty-five, and intituled, "An Act to establish a College by the name and style of the 'University at Kingston'" the whole of the tenth and fifteenth sections of the said Act and all such parts of the Charter granted to such College under the name of Queen's College at Kingston or under any other name whatsoever as make the like provisions or give any the like directions as the said proviso or the said tenth and fifteenth sections of the said Act of Parliament, and all such other parts of the said Act and of the said Charter as give to such College the functions of or grant to or confer upon it the powers or privileges of an University, or as recognize or provide for the appointment of University officers together with all such Statutes, Rules, Ordinances, and Regulations of the said College as provide for the Government of the said College, as an University, or as pertain to or provide for the exercise of such functions, powers, or privileges, or any of them, or the appointment or election of any such officers and all such other Provisions, Statutes, Rules, Ordinances, or Regulations, as are in any way repugnant to or inconsistent with this Act from henceforth, shall be and the same hereby are repealed and annulled to all intents and

Repeal of Proviso to 7th Section, and Sections 10 and 15 of Upper Canada Act 3 Vic. chap. 35, and of all such parts of charter as give the like powers, and such parts as give it University powers, &c. and all Statutes and Rules for carrying the same into effect or as are repugnant to this Act.

G *Queen's College.*

purposes whatsoever, anything in the said Act of Parliament or the said Charter or any other Charter, Grant or other instrument to the contrary thereof in anywise notwithstanding.

5

Corporate name of College to be the Principal Masters and Scholars of Queen's College in the University of Toronto.

LXXXIV. And be it enacted, that instead of the name mentioned in the said Act of Parliament or that mentioned in the said Charter the Corporate name of the said College shall be "The Principal Mas- 10
ters and Scholars of Queen's College in the University of Toronto."

H *Victoria College.*

¹ Repeals so much of 3rd Section of Provincial Act of 4 & 5 Vic. chap. 37, as gives power of conferring Degrees and all such parts of Charter as gives the like power, and all Statutes of College for carrying the same into effect, or as are repugnant to this Act.

LXXXV. And be it enacted, that so much of the third section of an Act of the Parliament of this Province passed in the 15
fourth and fifth years of the Reign of Her Majesty Queen Victoria, numbered chapter thirty-seven, and intituled, "An Act to incorporate Upper Canada Academy under the name and style of Victoria College," as 20
gives a power of conferring degrees in the several arts and faculties and all such parts of the Charter granted to the said College under the name of the "Upper-Canada Academy," or under any other name what- 25
soever, as make any the like provisions or give any the like directions as the said recited part of the said section of the said Act of Parliament and all such other parts of the said Act and of the said Charter as 30
give to such College the function or grant to or confer upon it the powers or privileges of an University, or as recognize or provide for the appointment of University officers together with all such Statutes, 35
Rules, Ordinances, and Regulations of the said College as provide for the Government of the said College, as an University or as pertain to or provide for the exercise of such functions, powers or privileges, or the ap- 40
pointment or election of any such officers; and all such other Provisions, Statutes,

H *Victoria College.*

Rules, Ordinances or Regulations as are in any way repugnant to or inconsistent with this Act, from henceforth shall be and the same hereby are repealed and annulled to
 5 all intents and purposes whatsoever, any thing in the said Act of Parliament or the said Charter or any other Charter, Grant or other instrument to the contrary thereof in anywise notwithstanding.

10 LXXXVI. And be it enacted, that instead of the name mentioned in the said Act of Parliament or that mentioned in the said Charter the corporate name of the said College shall be "The Principal
 20 Masters and Scholars of Victoria College in the University of Toronto."

Corporate name of College to be The Principal Masters and Scholars of Victoria College in the University of Toronto.

I *General Miscellaneous Provisions.*

LXXXVII. And be it enacted, that the powers of making Statutes, By-laws and Ordinances conferred by Charter or Act of
 25 Parliament or by both upon any of said Colleges, shall be subject to this further restriction besides those contained in such Charter or Act of Parliament, that is to say, that the same be not repugnant to or inconsistent with this Act or the Statutes of the
 30 said University.

Power of making By-laws, conferred by Charter or otherwise upon any of the Colleges of the University to be subject to further restriction, that they shall not be repugnant to this Act.

LXXXVIII. And be it enacted, that it shall not be lawful for the said University, nor for any of the said Colleges by this Act,
 35 or otherwise incorporated with the said University or hereafter to be established, in or incorporated with the said University under the provisions herein contained, to issue or authorize the issue of any Bill or
 40 Note intended to pass into circulation as money, or in any other way to act as Bankers or to authorize any person or persons whomsoever to act as such in their behalf.

Neither the University nor any of the Colleges erected or to be erected, to issue Notes or act as Bankers.

I *General Miscellaneous Provisions.*

Instruments, &c., entered into with Colleges by whatever name to be good to them by their respective corporate names.

LXXXIX. And be it enacted, that all debts due to either of the said Colleges of Regiopolis College, Queen's College or Victoria College, and all judgments, recognizances, bonds, covenants, and other instruments or contracts, suffered, acknowledged or given to, or made with any of the said Colleges, respectively, or to or with any other person or persons, bodies corporate or politic, for or on behalf of or in trust for any of such Colleges, by whatever name or names soever the said Colleges may be called in the same shall be available stand and continue of good purport and full force and strength, to the said Colleges respectively, as if the said Colleges had been therein named by the respective corporate names being given to them respectively, and it shall and may be lawful for such Colleges by the corporate names hereby given to them respectively, to proceed upon the same by execution or otherwise, and recover thereon as if the same had been suffered, acknowledge or given to or made with them by the said corporate names, so given to them as aforesaid respectively.

The Corporations of the different Colleges liable to all debts, &c., contracted by them under whatever name respectively.

XC. And be it enacted, that the several Colleges of Regiopolis College, Queen's College and Victoria College respectively, by and under their respective corporate names shall both in law and equity be liable to all the debts contracted, and engagements entered into by those Colleges respectively, or any person or persons duly authorized on their behalf may be sued upon and recovered against for the same, as if the same had been contracted or entered into by them, by the respective corporate names hereby given to such Colleges respectively.

All powers and privileges of the different Colleges not expressly taken away confirmed.

XCI. Act be it enacted, that all the rights, powers and privileges of the said Colleges of King's College, Regiopolis College, Queen's College and Victoria College,

I *General Miscellaneous Provisions.*

not taken away by this Act shall be and the same are hereby ratified, established and confirmed unto the said Colleges respectively for ever.

J *Temporary Provison for the advantage of the University and its Colleges respectivly, and for the protection of Individuals heretofore appointed to Professorships.*

5 XCII. And be it enacted, that it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of this Province for the time being, if he shall think it expedient so to
 10 do, to appoint at any time within three years after the passing of this Act, any three Commissioners and to renew such commission from time to time within the
 15 said three years, as occasion may require, to examine into all the accounts and other Fiscal affairs of the said University and of the said Collegiate High School, and into all matters in any way connected with the same and to report to him thereon; And in
 20 the event of the said Commissioners or the majority of them disapproving of the system upon which such accounts have heretofore been kept, to frame and report a new system for the keeping of such accounts, which
 25 system so reported, if approved by the Governor, Lieutenant Governor or Person Administering the Government of the Province for the time being, shall be adopted and used by the Bursar of the said Univer-
 30 sity in keeping such accounts, until otherwise directed by a Statute of the said University; and each of such Commissioners on the making their final report shall be entitled to such allowance out of the Invest-
 35 ment Fund of the said University, as the Governor, Lieutenant Governor or Person Administering the Government of the Province, for the time being, shall by Warrant under his Hand and Seal, think fit to appoint, and which

Governor may within three years appoint a Commission to enquire into accounts and Fiscal affairs of the University, and report a system for the keeping of the Books.

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

amounts respectively shall be paid by the Bursar of the said University, out of such funds in obedience to any such Warrants respectively.

Such Commission to have power to send for persons and papers.

XCIII. And be it enacted, that the 5
Commissioners for the time being, to be
appointed under the authority of the last
preceding section of this Act or a majority
of them, shall have power by summons or
otherwise to require from time to time the 10
attendance before them, at any time and
place which they or a majority of them
may appoint, all and every of the said
Officers and Servants of the said Univer-
sity and of the said Collegiate High School, 15
and of all such persons as have heretofore
been Members of the College Council of King's
College aforesaid, or been any way con-
cerned in the management of the said Col-
lege of King's College, or the said Collegiate 20
High School, or who shall hereafter be
Members of the Caput of the said Univer-
sity, or of the Council of the said Collegiate
High School, or be in any way concerned
in the management of either ; and also to 25
require from time to time, from such
persons respectively, the production to them
the said Commissioners for the purposes of
such examination of all books, accounts,
documents and other papers of what nature 30
or kind soever, touching or in any way
relating to the premises and which shall
be in the custody or power of any such
officer or other person.

The completion of the Building for the accommodation of the University to be under the direction of the Board of Works.

XCIV. And be it enacted, that no further 35
proceeding shall be had in the erection of
the buildings for the permanent accomoda-
tion of the said University, other than the
one now erected and covered in, until the
authorities of the said University shall 40
have submitted the Plans, Elevations and

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

Estimates for such buildings, and every thing connected with the same, to the Board of Works of this Province, and such Board shall have made a Report thereon
 5 to His Excellency the Governor General, and that in any Statute of the said University, appropriating the whole or any portion of the principal of the present invested
 10 monied property, or the whole or any portion of the principal of the proceeds of sales of any part of the present landed property of the said University, for the purpose of
 15 completing the erection of the remainder of such buildings, express provision shall be made, that the Plans and Elevations for the same shall be approved by the said Board
 20 of Works, and the money so appropriated, expended under the direction and control of that Board; and upon the passing of any
 25 such Statute, the said Board of Works shall take charge of the expenditure of such money, and of the erection of such buildings, in the same manner as of other Public Works of this Province, and in default of
 every part thereof shall be utterly null and void to all intents and purposes whatsoever.

30 XCV. And whereas the said College of King's College, being, by its Charter exclusively under the management and control of members of the Protestant Episcopal Church in Upper Canada, in connection
 35 with the United Church of England and Ireland; and the said College of Queen's College, by its Charter, principally under that of the Presbyterian Church in Upper Canada, in connection with the Church of
 40 Scotland; the said College of Regipolis under that of the Roman Catholic Church in Upper Canada; and the said College of

£500 per annum, for four years, out of the University Investment Fund, granted to each of the 4 Colleges payable quarterly.

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

Victoria College, under that of the Wesleyan Methodist Church in Upper Canada; the means and energies of these Colleges respectively, will, in a great measure, be directed to the education of such members 5 of those religious bodies respectively, as may be intended for the ministry in such bodies; And it is, therefore, both just and expedient, that the means for the maintenance and support of the said Colleges re- 10 spectively, should be derived from such funds as are more particularly applicable to the propagation of religious knowledge through the instrumentality of such religious bodies respectively; And, whereas, by 15 the Act of the Imperial Parliament of the third and fourth years of the Reign of Her Majesty Queen Victoria, numbered chapter seventy-eight, and entitled, "An Act to " provide for the sale of the Clergy Re- 20 " serves in the Province of Canada, and " for the distribution of the proceeds thereof," certain funds are set apart for the propagation of such religious knowledge; And whereas, steps have been or are about 25 to be taken to procure the application of a portion of such funds for the maintenance and support of such Colleges, but it is expedient to make temporary provision for the same out of the funds of the said Uni- 30 versity, so as to afford time for the completion of the contemplated arrangements, or for providing from some other source for the maintenance and support of the same: Be it therefore enacted, by the authority afore- 35 said, that the sum of five hundred pounds of lawful money of Canada, shall be annually paid by the Chancellor, Masters and Scholars of the said University, out of the Investment Fund of the said University, to 40 the authorities of each of the said Colleges respectively, in four quarterly payments of

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

one hundred and twenty-five pounds each, for the four Fiscal years of the said University next after the passing of this act.

XCVI. And whereas, the said Collegiate
 5 High School has, for many years under the name of Upper Canada College, been in the receipt of an annual Parliamentary Grant; and has, notwithstanding such aid, become indebted, in a considerable amount to the
 10 said University of Toronto, for monies advanced by the latter for the maintenance and support of the former; and whereas, the payment of such debt contracted under the management of the University authori-
 15 ties is beyond the means of the said High School, and it would be injurious to the interests of both the University and High School as an appendage of the said University, suddenly to withdraw the whole of
 20 the support to which the said High School has been accustomed to look, and it is therefore expedient to relieve the said High School from the said debt, and to afford it for a limited period, some additional sup-
 25 port out of the funds of the said University, similar to that afforded by the last preceding section of this Act, to the four Colleges of King's College, Queen's College, Regi-
 30 polis College, and Victoria College: Be it therefore enacted, that whatever sum or sums of money shall or may be now due from the said High School, under the name of Upper Canada College, or under any other name, to the said University of Toronto, under the
 35 name of King's College or under any other name whatsoever, shall be, and the same is hereby for ever cancelled and discharged.

Present Debt of High School to University cancelled.

XCVII. And be it further enacted, that
 40 the sum of five hundred pounds of lawful money of Canada, shall be annually accounted for and paid by the Chancellor,

High School granted £500 out of University Funds for four years.

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

Masters and Scholars of the University of Toronto out of the Investment Fund of the said University, to the Principal, Tutors and Scholars of the Royal Collegiate High School of the said University, in four 5 quarterly payments of one hundred and twenty-five pounds each, for the four Fiscal years of the said University next after the passing of this Act.

Persons already appointed, whether regularly or otherwise, to Professorships, in King's College, to be for 12 months and such further period as Chancellor may by warrant direct, deemed Professors of the said University Members of the Caput thereof.

XCVIII. And be it enacted, that for the 10 period of twelve calendar months next after the passing of this Act, and for such further time thereafter as the Chancellor of the said University for the time being, shall from time to time, by warrant under his 15 hand and seal, to be issued from time to time, prior to the termination of such current period of limitation in his discretion, think fit to limit or appoint the several persons heretofore appointed, either re- 20 gularly and formally, or otherwise, to any Professorships or supposed Professorships in King's College, whether such Professorships existed in the form, or by the designation in or by the warrants 25 or instruments appointing them respectively mentioned or not, shall be deemed and taken to be Professors of the said University of Toronto, by virtue of such warrants or appointments and Members of the Caput of 30 the said University, after the expiration of which twelve months or such further period as may for that purpose, be limited as aforesaid all such warrants and appointments shall become void, and of none effect, to all 35 intents and purposes whatsoever.

Each of such Professors to receive £100 per annum from date of his original appointment, till

XCIX. And be it enacted, that each of such persons shall be entitled out of the said University Investment Fund, to an allowance after the rate of one hundred 40 pounds per annum, from the date of his

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

first original appointment to any such Professorship in King's College, until he shall be appointed to or confirmed in a Professorship in the said University, or in
 5 some College thereof, to which a salary shall be regularly attached, or until he shall have been offered a new Professorship, or to be confirmed in the Professorship now held by him, and shall have declined to
 10 accept such new Professorship, or to be confirmed in the one so held by him as aforesaid.

he shall be appointed to, or been offered a Professorship with a salary attached to it.

C. And be it enacted, that upon any of such persons being appointed to any such
 15 new Professorship, or confirmed in any Professorship now held by him as aforesaid, such person if he shall have continued to have performed the duties required of him by the Statutes of King's College and of the
 20 said University, from the time of his first original appointment to such Professorship in King's College as aforesaid, to the time of his appointment to such new Professorship, or confirmation in the one so held by him
 25 as aforesaid, shall be entitled to receive out of the Investment Fund of the said University, such sum of money as shall be equivalent to the salary attached to the Professorship to which he shall be appointed or in which he shall be confirmed as
 30 aforesaid, reckoned from the time of his first original appointment to such Professorship in King's College as aforesaid, after deducting from such amount whatever sums shall
 35 have been paid to such person under the authority of the ninety-eight section of this Act, which amount so to be paid to such person shall be in full satisfaction of his services to the said College and University,
 40 to the time of his appointment to or confirmation in such last mentioned Professorship.

Upon any such Professor being appointed to any such Professorship, with a salary attached to it, he shall receive an allowance equivalent to what would have been the amount of such salary from the date of his original appointment, to a Chair in King's College less the portion of the £100 per annum, allowance made him under the last section of this Act.

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of Individuals heretofore appointed to Professorships.*

Chancellor empowered to make good to certain persons certain deficiencies, should they occur.

CI. And whereas, certain of such persons were by His Excellency the late lamented Sir Charles Bagot, as Chancellor of the said University, induced to give up certain preferments or other pursuits or employments in England, in which they were then engaged, and from which they were deriving their support, for the purpose of accepting certain Professorships in the said University, under an assurance that the emolument 10 of such Professorships would at the least be equal to certain specified amounts respectively, and it is therefore expedient to make special provision to protect such persons from pecuniary loss: Be it therefore 15 enacted by the authority aforesaid, that in the event of any of such persons having been appointed to any Professorship or other employment in the said University, in the said High School thereof, or in any College 20 of the said University, or being hereafter appointed to any permanent Professorship or other employment in the said University, in the said High School, or in any such College, the salary and emoluments where- 25 of together with all other fees and emoluments which he shall or may derive by virtue either of such Professorship, or employment, or of any other office or employment in the said University, in the 30 said High School, or in any of the Colleges of the said University, shall fall short of the amount so assured to such person, it shall and may be lawful for the Chancellor of the said University for the time being, 35 from time to time so long and as often as such salary and emoluments shall so fall short of such amount as aforesaid, to make good to such person out of the Funds of the said University, the amount of such 40 deficiency, by annually granting to such person his warrant on the Bursar of the

J *Temporary Provision for the advantage of the University and its Colleges respectively, and for the protection of individuals heretofore appointed to Professorships.*

said University, payable out of the Investment Fund thereof, for the amount of such deficiency, and every such warrant the said Bursar is hereby authorized and required
5 to pay and discharge out of the monies at the credit of such fund: Provided always, nevertheless—Firstly, that no person shall be entitled to the benefit of the provision made by this section unless by an Instru-
10 ment under the hand and seal of the Chancellor of the University for the time being, such person shall within six calendar months after the passing of this Act be declared entitled to the benefit thereof: And provid-
15 ed always, also—Secondly, that no such Instrument shall be valid for the purpose intended unless it shall contain a full statement by way of recital, of the circumstances under which such person was induced to
20 give up such preferment, pursuit or employment, and which in the judgment of the said Chancellor shall entitle such person to the benefit of the same: And provided always, also—Thirdly, and lastly, that no
25 such warrant for the payment of any such deficiency shall be issued by any such Chancellor, except upon its appearing to his satisfaction either by the certificate of the Bursar or otherwise, as such Chancellor
30 may from time to time require what the whole amount of the said Salary and emoluments of such person has been for the year, for the deficiency in which such warrant shall be issued, and such amount
35 as well as that thereby required to be paid being set forth in every such warrant.

K *Common Conclusion.*

Act to be a
Public Act and
may be amend-
ed, &c. this
Session.

CII. And be it enacted, that this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all Judges, Justices and others, without being specially pleaded, and that 5 the same may be amended or repealed by any Act to be passed in this present Session of Parliament.