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[No. 58.]

5th Session, 8th Parliament, 29-30 Victoria, 1866.

B I L L .

**An Act to amend certain Acts respecting the
College of Regiopolis, and to confer the
powers and privileges of an University on the
same.**

PRIVATE BILL.

**Received and read first time, Tuesday, 19th
June, 1866.**

Second reading, Friday, 22nd June, 1866.

HON. ATTORNEY GEN. MACDONALD.

Printed by G. E. Desbarats.

33

An Act to amend the Acts respecting the College of Regiopolis and to erect the same into an University.

WHEREAS the College of Regiopolis, in the City of King-
 5 ston, in the Province of Canada, has by its petition
 represented, that by an Act of the Legislature of Upper Canada,
 passed in the seventh year of the Reign of His Majesty King
 10 William Fourth, Chapter fifty-six, and intituled: *An Act to in-*
corporate certain persons therein named as a Board of Trustees
for the erection, superintending and management of a Roman
Catholic College at Kingston, to be known by the name of the
College of Regiopolis, and for other purposes therein mentioned,
 15 certain land therein mentioned was conveyed to and vested in
 Trustees for the erection, support and maintenance of a Roman
 Catholic Seminary, and the said Trustees and their successors
 were thereby declared to be a body corporate and politic by the
 name of *The College of Regiopolis*, and it was enacted that the
 20 Trustees should have power at all times thereafter to make such
 rules and regulations not repugnant to the laws of this Province,
 as might be necessary for the due management of the said land
 and also the Roman Catholic Seminary to be erected thereon:
 and further that the provisions in the Act contained for the
 25 appointment of Trustees to fill the place of any dying, resigning
 or becoming incapable of acting have been found inconvenient,
 and that it is desirable to have other provisions made in lieu
 thereof in such respect, and that it has also been found desira-
 ble that the rank and privileges of an University may be con-
 30 ferred on the said College; and has prayed that provisions
 may be enacted for the purpose of providing Trustees for the
 purposes contemplated by the said Act, and that an University
 may be established in connection with the said College to be
 known by the name of "The University of Regiopolis," with
 the usual rank, powers and privileges incidental to Universities;
 and whereas it is expedient that the prayer of the said petition
 should be granted: Therefore, Her Majesty, by and with the
 advice and consent of the Legislative Council and Assembly of
 Canada, enacts as follows:

Preamble.

Act of U. C.
7 W. 4., c. 56.

35 **1.** The second section of the said Act, made and passed
 in the seventh year of the reign of King William the Fourth, is
 hereby repealed.

Sect. 2, re-
pealed.

2. The very Reverend George A. Hay, the very Reverend
 Oliver Kelly, the Reverend Edmund P. Roach, and the Reverend
 40 John O'Brien, are hereby declared to be, together with the
 Roman Catholic Bishop of Kingston and the very Reverend

Trustees under
the said Act
appointed.

- Vacancies among them, how filled. Angus Macdonell, Trustees for the purposes of the said Act hereinbefore mentioned; and whenever it shall happen that any one or more of the Trustees herein named shall die or become resident abroad, or shall resign his trust or become incapable of acting therein, it shall and may be lawful for the remaining trustees to elect and appoint others being clergymen of the Roman Catholic religion resident in Upper Canada, to complete the number of six trustees for the purposes contemplated by the said Act, in accordance with the terms and provisions of the Deed of Conveyance in the said Act mentioned, and all vacancies that shall from time to time happen in and among said trustees shall be filled up in like manner; provided always, that the omission to elect and appoint new trustees upon any such vacancies shall not operate as a forfeiture of the land in the said Act mentioned. 5 10 15
- Proviso.
- What real estate the College may hold. 8 V., c. 73. **3.** For and notwithstanding anything contained in an Act of the Parliament of Canada, passed in the eighth year of Her Majesty's reign, chaptered seventy-nine, and intituled: *An Act to authorize the conveyance of certain real estates to the College of Regiopolis, and to enable the said College to acquire and hold property to a certain amount*, the College of Regiopolis shall and may hold real estate, the rents, issues and profits whereof shall not exceed twenty-five thousand dollars per annum. 20
- University constituted. **4.** The Roman Catholic Bishop of Kingston and the principal and professors of the College of Regiopolis, and the Trustees mentioned in the second section of this Act for the time being, shall be a body corporate by and under the name of the University of Regiopolis, with the powers vested in Corporate bodies by the Interpretation Act. 25 30
- Governor to be visitor. **5.** The Governor shall on behalf of Her Majesty, be visitor of the said University.
- Senate. **6.** The said Bishop of Kingston and the Principal and Professors of the said College, and the Trustees aforesaid, for the time being, shall constitute the Senate of the said University, and shall in that capacity have the management of and superintendence over the affairs and business of the University. 35
- Senate to make Statutes for certain purposes. **7.** The Senate may, from time to time, make and alter any Statutes not being repugnant to the laws of Upper Canada: 40 45
1. Touching the examination for degrees, or for scholarships, prizes or certificates of honor, and
 2. The granting of such degrees, scholarships or certificates, and
 3. The fees to be paid by the Candidates for examination or upon taking any degree, and

4. The application of such fees, and
5. Touching the periods of the regular meetings of the Senate and the mode of convening special meetings thereof, and
6. The appointment of examiners, officers and servants of the said University, and in like manner the removal of any of them, and
7. Touching the time and the mode of holding an examination of the Candidates as aforesaid, and of the subjects of such examination, and
8. Generally for promoting the purposes of the said University, touching all other matters regarding the same, or the business thereof, or for any purpose for which provisions may be required for carrying out the same according to its intent and spirit.
8. All such Statutes shall be reduced into writing, and the common seal of the University shall be annexed thereto, and when they have been approved of by the said Bishop of Kingston, they shall be binding upon all members or officers of the University, and upon all candidates for degrees, scholarships, prizes or certificates of honor, to be conferred by the said University, and upon all others whom it may concern.
9. All questions which come before the Senate shall be decided by a majority of the members present, but in case of equality of votes the maxim *præsumitur pro negante* shall prevail.
10. At every meeting of the Senate, the Bishop or in his absence the Principal of the College shall preside as chairman, or, in the absence of both, a chairman shall be chosen by the members present or a majority of them; and no question shall be decided at any meeting unless a majority of the Senate are present at the time of such decision, nor shall any meeting be legal unless held at the times or convened in the manner provided for by Statute to be passed as aforesaid.
11. In order to extend the benefits of Colleges and Establishments already instituted or to be instituted in this Province for the promotion of Literature, Science and Art, whether incorporated or not incorporated, by connecting them with the said University, all persons shall be admitted as candidates for the respective Degrees of Bachelor of Arts and Master of Arts, in the said University, on satisfying the Senate by proper certificates, that such persons have, in any of the Institutions hereinafter mentioned, gone through and completed such course of instruction as the Senate by Statutes made as aforesaid from time to time determine.

Statutes approved by the Bishop to be binding.

Majority to decide.
Equality of votes.

Who to preside at meetings of the Senate.

Who may be admitted as candidates for degrees.

From what Institutions such candidates may come.

12. The Institutions in which such course of instruction may be completed shall be all colleges in Upper or Lower Canada, incorporated by Royal Charter, or by Act of Parliament of this Province, or of either of the late Provinces of Upper or Lower Canada, and also such other Institutions, incorporated or unincorporated now or at any time after this Act takes effect, established for the purposes of education within the Province, as the Senate may, from time to time, by statute prescribe. 5

As to degrees in Medicine or Law.

13. And for the purpose of granting the degrees of Bachelor of Medicine and Doctor of Medicine, and for the improvement of medical education in all its branches, as well in medicine as in surgery, midwifery and pharmacy, and for the purpose of granting the degrees of Bachelor of Laws and Doctor of Laws respectively, the said Senate shall, from time to time report to the Governor through the Provincial Secretary, which appear to them to be the Medical Schools and Institutions, or the Law Schools and Institutions in this Province, whether incorporated or unincorporated, from which either singly or jointly with other medical or law schools or institutions in this Province, or in other parts of Her Majesty's dominions, or in foreign parts, it may be fit and expedient to admit candidates for degrees in medicine or in Law, and on approval of such report by the Governor, the Senate shall admit any person to examination as a Candidate for the respective degrees of Bachelor of Medicine or Doctor of Medicine, Bachelor of Laws or Doctor of Laws, in the said University, on his satisfying the Senate that he has attended in one or more of such schools or institutions during such period, and that he has gone through and completed such course of instruction as the regulations of the Senate determine. 10 15 20 25

Report to the Governor as to the schools from which candidates may come.

Amendment of such reports from time to time.

14. The Senate may, from time to time, with the approval of the Governor, vary, alter and amend any such reports, by striking out any of the Institutions or Schools included therein, or by adding others thereto; and all Institutions from which, under this or the three last preceding sections Students may be examined for degree shall be said to be affiliated for that purpose to the University. 30 35

Affiliated Institutions.

Examinations for degrees.

15. The Senate may, after examination, confer the several degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, Doctor of Laws, Bachelor of Medicine and Doctor of Medicine, and may examine for medical degrees in the four branches of Medicine, Surgery, Midwifery and Pharmacy; and such reasonable fees shall be charged to the Candidates for examination for degrees or for certificates of honor as aforesaid, and shall be paid and applied, as the Senate, from time to time, determine. 40 45

Fees, and how paid and applied.

Attainments of candidates to be as high as in University of London.

16. The regulations of the Senate, with respect to the Literary and Scientific attainments of persons obtaining degrees or certificates of honor, and their examination, shall, in so far

as circumstances will, in the opinion of the Senate, permit, be similar to those at present in force for like purposes in the University of London, to the end that the standard of qualification in the University of Regiopolis may not be inferior to that at present adopted for a like degree or Certificate of Honor in the University of London.

17. Each Examiner may be required to make the following declaration before the said Bishop or the Principal of said College : Examiners to be sworn.

10 “ I solemnly declare that I will perform my duty of Examiner The oath.
without fear, favor, affection or partiality towards any Candidate, and that I will not knowingly allow to any Candidate any advantage which is not equally allowed to all.”

18. The Senate may, according to regulations previously Senate may grant prizes, &c.
15 made and published, grant scholarships, prizes and rewards to persons who distinguish themselves at their examination.

19. The Senate of the University shall report to the Governor, at such time as he may appoint, on the general state, progress and prospect of the University, and upon all matters Reports to the Governor by the Senate.
20 touching the same, with such suggestions as they think proper to make ; and the Senate shall also at all times, when thereunto required by the Governor, inquire into, examine and report upon any subject or matter connected with the University ; and copies of such annual or other reports shall be laid
25 before both Houses of the Provincial Parliament at the then next Session thereof.

20. This Act shall be deemed a Public Act.

Public Act