

B I L L.

An Act to amend the Charter of the University established at Toronto by His late Majesty King George the Fourth, to provide for the more satisfactory government of the said University, and for other purposes connected with the same; and with the College and Royal Grammar School forming an appendage thereof.

Received and read first time;

Second reading,

[1000 Copies.]

Honble. Mr. BALDWIN.

TORONTO UNIVERSITY AND UPPER CANADA
COLLEGE BILL.

SYNOPSIS.

I. Title, Preamble and Repealing Sections.

Section 1—Repeal of U. C. 7 Wm. 4. Chap. 16.

2—Repeal of so much of Charter as inconsistent with this Act.

II. University of Toronto.

3—Corporate name and powers.

4—Governor the Visitor.

5—Chancellor to be elected triennially by convocation.

1. Proviso: To be natural born or naturalized subject and not ecclesiastic.

2. Proviso: Not to hold any other employment.

6—Vice Chancellor to be appointed annually by Senate.

1. Proviso: To be natural born, &c.

2. Proviso: Not to hold any office in any other University.

3. Proviso: To reside in University, &c.

7—President to be appointed by Crown.

1. Proviso: To be natural born or naturalized subject, and not to be officer of other University, &c.

2. To reside in University, &c.

8—Vice-Chancellor to appoint a Pro-Vice-Chancellor.

9—Precedence of Vice-Chancellor, &c.

10—Duties of Vice-Chancellor.

Proviso: Powers not to interfere with those of President over undergraduates.

11—Duties of President.

12—No Faculty of Divinity.

13—Three Faculties, Arts, Law and Medicine, with Deans and power of making By-laws with Assent of Senate.

14—Caput, Five Members, President, three Deans and fifth Member appointed by Vice-Chancellor.

15—General Duties, &c., of Caput.

16—Caput to report annually to Senate and transmit duplicate to Governor.

17—Senate to consist of Chancellor, Vice-Chancellor, President, and all the Professors, and twelve or more additional Members, six or more by incorporated Colleges and six by the Crown, these last twelve to hold seats for three years and to go out by rotation. The Crown Members to be laymen.

1. Proviso : Quorum and who to preside.
2. Proviso : Crown not to appoint ecclesiastics to seats.
3. Crown or Incorporated College to appoint only M. A. of University of five years' standing.
4. Proviso : Such Proviso not to apply to any appointment before 1860.

18—Appointment of such additional Members by Colleges and Crown.

1. Proviso : Crown to appoint to Collegiate Seats till Colleges entitled.
2. Proviso : Crown not restricted by 2d Proviso of Sec. 17.

19—Powers of Senate to make Statute, &c.

1. Proviso : Not repugnant to Laws of U. Kingdom or of U. Canada.
2. Proviso : Not to be passed at same meeting that proposed.
3. Proviso : Crown to have power to disallow within two years.

20—Members of Convocation.

Proviso : That Honorary Degree not to confer power of voting.

21—Endowment Board—Three Members, one to be appointed by Crown, one by Senate, and one by College Council of U. C. College.

Proviso : Crown Member to be Chairman of Board and to hold no other place in University, &c.

22—Endowment Board to have charge of property &c. of University. (59)

1. No power to alienate Endowment contrary to 37th Sec. of this Act.
2. Proviso : To give all information called for by Caput, &c.
3. To give like information to Auditors.
4. Proviso : To make Annual Report to Senate, &c., to transmit duplicate to Governor, &c.

23—Two Auditors—one by Chancellor or Vice-Chancellor and other by Senate, to report to Senate, and send duplicate to Governor, &c.

24—Appointment of Professors to be in Crown; out of four to be reported by Senate, and manner of selecting same.

1. Proviso : No Sitting of Senate to report on Candidates till one month after Caput's report on applications.

2. Proviso : If not four found capable of filling Chair, fact to be stated in report of Senate.

3. Temporary provision to be made for fulfilment of Duties of Chair during vacancy.

25—Senate to have power to suspend Professor.

1. Proviso : Entry to be made of grounds.

2. Proviso : Record to be sent to Visitor.

3. Proviso : Continuance of Suspension for three months, without appeal to vacate Chair.

4. Proviso : Temporary provision to be made for performance of duties of Chair during suspension.

26—Governor may remove on report of Senate.

27—Examinations for Degrees to be open; and by such and so many Examiners as Senate shall appoint.

28—University to have no power to confer any Degree in Divinity—but in all the other Arts and Faculties.

Proviso : That Degree *ad Eundem* to be granted to Graduates of Universities in British Dominions only, and such Foreign Universities as University Statutes may declare entitled.

29—No Religious Test required of persons admitted into University, or to any Office or Professorship therein. (64)

30—University not to borrow money without providing a Sinking Fund to pay off Loan in 20 years. (65)

31—A Copy of all Books published in Province to be presented to Library of University.

32—Property of University vested in Corporation. (66)

33—Chancellor, &c. to have power to sue for Debts due the University. (67)

- 34—Chancellor, &c. liable to all Debts due by University. (68)
- 35—Fiscal year same as Calendar year. (69)
- 36—Salaries to be payable Quarterly. (70)
- 37—None of Real property to be disposed of but by Statute. (71)
- 38—Proceeds of Sales of Lands, &c., to form Investment Fund. (72)
- 39—Annual Income, &c., to form Income Fund. (73)
- 40—Charges upon Income Fund. 1, 2, 3, 4, 5 & 6. (74)
- 41—If Income Fund not sufficient to satisfy annual charges upon same deficiency to be equally deducted from all Salaries constituting fifth Annual charge upon such Fund. (75)
1. Proviso: Deficiency to be made up by surplus accruing during five following years. (75-1)
 2. Proviso: Beyond which no claim for any part of such deficiency. (75-2)
- 42—Surplus if any of Income Fund to be transferred to University Investment Fund. (76)
- 43—Upon surrender by present Colleges having University power of all but the power of conferring Degrees in Divinity, they, to have right of sending a Member to the Senate.
- 44—Present Statutes of University in force till altered or repealed. (77)
- 45—Present Degrees, &c., confirmed.
- 46—Present Professors except Professors of Divinity to remain. (78)
- Proviso: That Commission of Visitation may re-arrange Chairs, &c.
- 47.—Commission of Visitation to be issued to adapt Statutes to alterations in Charter. (79)
- 48—Commission of Visitation to consider cases of Professors who have been disappointed in expectations held out to them, &c.
- 49—Commission of Visitation to be directed to consider Chair of Agriculture.
- 50—Commissioners to be directed to provide for Scholarships, &c.
1. Proviso: Scholars to receive Education gratis, and 2 for each County stipends from University Funds.
 2. Proviso: No County to have benefit of such Scholarships, unless permanent provision made by County for one or two others.

3. Proviso: That Scholarships to be filled upon Public Examination.
4. Certificate of Birth or Residence from Municipal Council required.
5. Who to be deemed the Youth of a given County.
6. Certificate to be in force for a year, and no longer.

III. Upper Canada College and Royal Grammar School.

- 51—Upper Canada College and Royal Grammar School to remain an Appendage of University, under a separate organization—and incorporated. (3)
- 52—Governor General to be Visitor, &c. (4)
- 53—College to have a Principal to be appointed by Crown on recommendation of Senate of University, as in case of Chairs in University. (7)
1. Proviso: To be natural born subject, and not Officer of any other College, &c. (7-1)
 2. Proviso: Residence in College, &c. (7-2)
 3. Proviso: During vacancy of office, College Council to make provision for duties. (7-3)
- 54—Ordinary general discipline, &c. to be vested in Principal in subordination to College Council. (15)
1. Proviso: Principal to confer with Senior Master in cases of weight.
 2. Proviso: In matters affecting Masters or expulsion of Scholars, appeal to be to Council. (15)
 3. Proviso: Mode and manner of exercising their powers may be regulated by Collegiate Statute. (15)
- 55—Principal to report annually to College Council and transmit duplicate to Governor General. (16)
- 56—College Council, Principal, two Senior Masters, and two other Masters to be appointed by Crown during pleasure, with four to be Quorum. (17)
1. Proviso: Crown Member not to be Ecclesiastic. (17-2)
 2. Proviso: To be M. A. in University of Toronto of five years' standing. (17-3)
 3. Proviso: Last proviso not to take effect till 1860. (17-4)

- 57—Principal, and in his absence Senior Master present, to preside at Meetings of Council.
- 58—Council to have power to make College Statutes, &c. (19)
1. Proviso: Statutes not to be repugnant to laws of U. C., &c. (19-1)
 2. Proviso: Not to be passed at same Meeting as proposed. (19-2)
 3. Proviso: To be approved by Caput of University.
 4. Proviso: Crown may disallow within two years. (19-3)
- 59—Endowment Board to have charge of property of College. (22)
1. Proviso: To give all information required by Governor, Principal of College, Council of College. (22-1)
 2. Proviso: To Auditors. (22-2)
 3. To make annual report to Council and transmit duplicate to Governor. (22-3)
- 60—Two Auditors of Accounts, one appointed by Principal and other by College Council, to report to College Council and transmit duplicate to Governor. (23)
- 61—Principal and Masters of College to be appointed by Crown. (24)
- 62—Senate of University to have power to suspend Principal or Masters. (25)
1. Proviso: Grounds to be entered on Books of Senate. (25-1)
 2. Proviso: Copy of Entry, &c. to be transmitted Visitor. (25-2)
 3. Proviso: Continuance of suspension for three months without appeal to vacate. (25-3)
 4. Proviso: Temporary provision to be made by Council for performance of duties. (25-4)
- 63—Governor General, may remove Principal and Masters, on report of Senate of University. (26)
- 64—No Religious Test, &c. (29)
- 65—College not to borrow without providing Sinking Fund to pay debt off in twenty years. (30)
- 66—Property of College vested in Corporation. (32)
- 67—Debts due to College vested in Corporation of College. (33)

- 68—Corporation of College liable to all Debts due by College. (34)
 Proviso: That Debt to University be cancelled.
- 69—Fiscal year same as Calendar year. (35)
- 70—Salaries to be payable Quarterly. (36)
- 71—None of Real Property to be disposed of but by Statute of College. (37)
- 72—Proceeds of Sales of Lands to form Investment Fund. (38)
- 73—Annual Income to form Income Fund. (39)
- 74—Charges on Income Fund, 1, 2, 3, 4, 5 and 6. (40)
- 75—If Income Fund not sufficient to satisfy Annual Charges upon the same, deficiency to be equally deducted from all Salaries constituting Fifth Annual Charge upon such Fund. (41)
1. Proviso: Deficiency to be made up by surplus accruing during Five following years. (41-1)
 2. Proviso: Beyond which no claim for any part of such deficiency. (41-2)
- 76—Surplus if any of Income Fund to be transferred to Investment Fund. (42)
- 77—Present Statutes of College to remain till altered. (44)
- 78—Present Principal and Masters to continue. (46)
 Proviso: Commission of Visitation may re-arrange duties. (46)

IV. Miscellaneous and Temporary Provisions.

- 79—Commission of Visitation to issue. (47)
- 80—Actions at Law and Suits in Equity by or against University, College, &c., not to abate.
- 81—Theological Library to be transferred at request of Society for promotion of Christian Knowledge.
- 82—Act to be public Act, &c.
- 83—Act may be amended, &c. this Session.

TORONTO UNIVERSITY

AND

UPPER CANADA COLLEGE BILL.

BILL.

I. TITLE, PREAMBLE AND REPEALING SECTIONS.

An Act to amend the Charter of the University established at Toronto by His late Majesty King George the Fourth, to provide for the more satisfactory government of the said University, and for other purposes connected with the same, and with the College and Royal Grammar School forming an appendage thereof.

2 **W**HEREAS a University for the Preamble.
advancement of Learning in that
division of the Province called Upper Ca-
4 nada, established upon principles calculated
to conciliate the confidence and insure the
6 support of all classes and denominations of
Her Majesty's subjects, would, under the
8 blessing of Divine Providence, encourage
the pursuit of Literature, Science and Art,
10 and thereby greatly tend to promote the
best interests, Religious, Moral and Intel-
12 lectual of the people at large. And whereas
with a view to supply the want of such an
14 Institution His late Majesty King George
the Fourth, by Royal Charter bearing date
16 at Westminster the fifteenth day of March,
in the eighth year of His Reign, was
18 pleased to establish at Toronto, then called
York, in that division of the Province, a
20 Collegiate Institution, with the style and
privileges of a University, and was after-
22 wards pleased to endow the said Institution
with certain of the Waste Lands of the Crown,
24 in that part of the Province. And whereas

REPEALING SECTIONS.

the people of this Province consist of various denominations of Christians, to the members of each of which denominations it is desirable to extend all the benefits of a University Education, and it is therefore necessary that such Institution, to enable it to accomplish its high purpose, should be entirely free in its government and discipline from all Denominational bids, so that the just rights and privileges of all may be fully maintained without offense to the religious opinions of any. And, whereas the Legislature of the late Province of Upper Canada having been invited by His late Majesty King William the Fourth, "to consider in what manner the said University could be best constituted for the general advantage of the whole Society," as appears by the Despatch of His Majesty's Secretary of State for the Colonies, bearing date the eighth day of November, in the year of our Lord, one thousand eight hundred and thirty-two, the Parliament of that Province, afterwards, by an Act passed in the seventh year of the Reign of His said late Majesty King William the Fourth, chaptered sixteen, and intituled, *An Act to amend the Charter of King's College*, did alter and amend the said Charter in certain particulars, in order, as the Preamble to the said Act recites, "to meet the desire and circumstances of the Colony." And whereas such alteration and amendment have been found insufficient for these purposes, and therefore, as well for the more complete accomplishment of this important object, in compliance with His said late Majesty's Most Gracious invitation, as for the purpose of preventing the evil consequences to which frequent appeals to Parliament on the subject of the constitution and government of the said University is calculated to produce; it has become expedient and necessary to repeal the said Act, and to substitute other Legislative provisions in lieu thereof: Be it, &c.,

REPEALING SECTIONS, &c.

That the said Act shall be and the same is hereby repealed.

Repeal of U.C.
7 Wm. 4.
chap 16.

II. And be it enacted, That so much of the said Charter, so granted by His said late Majesty King George the Fourth as aforesaid, as is contradictory to or inconsistent with this Act or any of the provisions thereof, or as makes any provision in any matter provided for by this Act other than such as is hereby made in such matter, shall be, and the same is hereby repealed and annulled; any thing in the said Charter or the said Act of the Parliament of the late Province of Upper Canada to the contrary notwithstanding.

Repeal of so much of charter as inconsistent with this Act.

II. UNIVERSITY OF TORONTO.

III And be it enacted, That from henceforth the said University so established by the said Royal Charter of His said late Majesty King George the Fourth, bearing date the fifteenth day of March, in the eighth year of His Reign as aforesaid, shall be known and designated by the name and style of "The Chancellor, Masters and Scholars of the University of Toronto," in the stead and place of the name given there to in and by the said Charter, and the same shall continue to be a University for the Education of Youth, and the conferring Degrees in Arts and Faculties, as provided by the said Charter; and the said University, by the said name of "The Chancellor, Masters and Scholars of the University of Toronto," shall continue to be a Body Corporate and Politic with perpetual succession and a Common Seal, and all other corporate and other rights, powers and privileges conferred by the said Royal Charter, except so far as the same are repealed, altered or modified by the provisions of this Act, and all and singular the rights, powers and privileges

Corporate name and powers.

II. UNIVERSITY OF TORONTO.

conferred by the said Charter, except as
 aforesaid, shall be and the same are hereby 2
 confirmed to the said Chancellor, Masters
 and Scholars, and their Successors for ever. 4
 And the said University, by and under the
 name aforesaid, shall be able and capable in 6
 Law of purchasing, acquiring, taking,
 having, holding and enjoying by gift, grant, 8
 conveyance, devise, bequest, or otherwise, to
 them and their Successors, any estate or 10
 property, real or personal, to and for the use
 of the said University, or to, for, or in trust 12
 for any other use or purpose whatsoever in
 any way connected with the advancement 14
 of Education or the Arts or Sciences, and
 of letting, conveying or otherwise disposing 16
 thereof from time to time as they may deem
 necessary or expedient. 18

Governor the
 Visitor.

IV. And be it enacted, That the Govern-
 nor, or person administering the Govern- 20
 ment of this Province for the time being,
 shall be the Visitor of the said University 22
 for and on behalf of Her Majesty, Her Heirs
 and Successors, which Visitatorial power 24
 shall and may be exercised by Commission
 under the Great Seal of this Province, the 26
 proceedings whereof having been first con-
 firmed by the Governor, or person admin- 28
 istering the Government of the Province in
 Council, shall be binding upon the said 30
 University and its Members, and all others
 whomsoever. 32

Chancellor to
 be elected tri-
 ennially by
 convocation.

Proviso: To
 be natural born
 or naturalized
 subject, and not
 ecclesiastic.

Proviso: Not

V. And be it enacted, That there shall
 be a Chancellor of, in and for the said Uni- 34
 versity, who shall be elected by a majority
 of voices in open convocation, and shall 36
 hold Office for the period of three years:
 Provided always, nevertheless, firstly, that 38
 the person so to be elected Chancellor shall
 be a natural born or naturalized subject of 40
 Her Majesty, and shall not be a Minister,
 Ecclesiastic or Teacher under or according 42
 to any form or profession of religious faith
 or worship whatsoever; and provided also, 44

II. UNIVERSITY OF TORONTO.

secondly, that, at the time of his Election, or
 2 while he shall continue Chancellor, he shall
 not hold any other office, place or employ-
 4 ment either in the said University or in any
 other University, College, Seminary, School
 6 or place of Learning or Education in this
 Province, or elsewhere.

to hold any
 other employ-
 ment.

8 VI. And be it enacted, That there shall
 be a Vice-Chancellor, of, in and for the said
 10 University, who shall be or shall have been
 a Professor of and in the same, and shall be
 12 elected annually by the Senate of the said
 University; Provided always, nevertheless,
 14 firstly, that the person so to be elected Vice-
 Chancellor shall be a natural born or natu-
 16 ralized subject of Her Majesty, and shall not,
 at the time of his election, or while he shall
 18 continue Vice-Chancellor, hold any office,
 place or appointment in any other Univer-
 20 sity, College, Seminary, School or place of
 Learning or Education in this Province, or
 22 elsewhere; and provided also, secondly,
 that the election of any Professor of the
 24 said University to be Vice-Chancellor, as
 aforesaid, shall not in any way affect any
 26 Professorship or Professorships that he may
 then hold, but the same shall continue to be
 28 held by him as if he had not been elected
 such Vice-Chancellor; and provided also,
 30 thirdly, that such Vice-Chancellor shall,
 during the time that he shall hold such office,
 32 reside within the said University, or if per-
 mitted so to do by any Statute of the said
 34 University to be passed for that purpose,
 then in such place as may be prescribed by
 36 such University Statute.

Vice-Chancel-
 lor to be ap-
 pointed an-
 nually by
 Senate.

Proviso: To
 be natural
 born, &c.

Proviso: Not
 to hold any of-
 fice in any
 other Univer-
 sity.

Proviso: To
 reside in Uni-
 versity, &c.

38 VII. And be it enacted, That there shall
 be a President of in and for the said Uni-
 40 versity, who shall be appointed by the
 Crown under the Great Seal of the Pro-
 42 vince; Provided always, nevertheless, firstly,
 that the person so to be appointed President
 shall be a natural born or naturalized sub-
 44 ject of Her Majesty, and shall not at the

President to be
 appointed by
 Crown.

Proviso: To
 be natural
 born or natu-
 ralized subject,
 and not to be
 officer of other
 University, &c.

II. UNIVERSITY OF TORONTO.

To reside in
University, &c.

time of his appointment, or while he shall
continue President thereof, hold any office, 2
place or appointment in any other Univer- 4
sity, College, Seminary, School, or place of
Learning or Education in this Province, or 4
elsewhere; and provided also, secondly, 6
that such President shall, during the time
that he shall hold such office, reside within 8
the said University, or if permitted so to do
by any Statute of the said University, to be 10
passed for that purpose, then in such other
place as may be prescribed by such Uni- 12
versity Statute; and provided also, thirdly, and
lastly, that during the vacancy of the office 14
of President of the said University, such
temporary provision shall and may be made 16
by the Caput of the said University for the
performance in the best manner in their 18
power of the duties attached to such office
as shall or may be directed or appointed by 02
any University Statute to be passed for that
purpose. 22

Vice-Chancel-
lor to appoint
a Pro-Vice-
Chancellor.

VIII. And be it enacted, That it shall
and may be lawful for the Vice-Chancellor, 24
with the assent of the Senate, to appoint a
Pro-Vice-Chancellor, who shall be autho- 26
rized to perform the duties of the said office
of Vice-Chancellor, whenever the said 28
Vice-Chancellor shall from illness or other-
wise be unable to perform the same himself. 30

Precedence of
Vice-Chancel-
lor, &c.

IX. And be it enacted, That the Vice-
Chancellor of the said University, or in his 32
absence, the Pro-Vice-Chancellor, while
actually performing the duties of Vice- 34
Chancellor, shall take precedence next after
the Chancellor thereof, and the President 36
of the said University next after the Vice-
Chancellor, or Pro-Vice-Chancellor, while 38
so actually performing the duties of Vice-
Chancellor, and the Pro-Vice-Chancellor, 40
except as aforesaid, next after the President.
And the Professors, Officers, Members and 42
Servants of the said University in such
order as shall or may from time to time be 44

II. UNIVERSITY OF TORONTO.

fixed by any Statute of the said University
2 to be passed for that purpose.

X. And be it enacted, That it shall be
4 the duty of the Vice-Chancellor of the said
University, in subordination to the Senate
6 thereof, to maintain and enforce the obser-
vance of the Statutes of the said University
8 by the President and Professors and other
Members thereof, and to maintain and en-
10 force all necessary discipline therein in
regard to such President, Professors and
12 Members, by admonitions and otherwise, as
shall or may by Statute of the said Univer-
14 sity be provided in that behalf, together
with all such other duties, consistent with
16 the powers by this Act conferred upon other
Officers of the said University, as shall or
18 may by any such Statute be directed or
provided, or to the said office attached:
20 Provided always nevertheless, that nothing
herein contained shall be construed to in-
22 terfere with the power over the under-
graduates of the said University, herein-
24 after conferred upon the President thereof.

Duties of Vice-
Chancellor.

Proviso: Pow-
ers not to inter-
fere with those
of President
over under-
graduates.

XI. And be it enacted, That it shall be
26 the duty of the President of the said
University, in subordination to the Caput
28 and Senate thereof, to exercise a general
superintendence over all the under-graduates
30 of the said University and over all the
officers and servants of the same, and over
32 the studies, exercises, and literary pursuits
prescribed to such under-graduates by or
34 under the authority of the Statutes of the
said University, with all such other duties,
36 as consistently with the powers by this Act
conferred upon other officers of the said
38 University, shall or may by any such Statute
be directed or provided or to the said office
40 attached.

Duties of Pro-
sident.

XII. And be it enacted, That there shall
42 be no Faculty of Divinity in the said
University, nor shall there be any Profes-

No Faculty of
Divinity.

II. UNIVERSITY OF TORONTO.

sorship, Lectureship or Teachership of
Divinity in the same. 2

Three Facul-
ties, Arts, Law
and Medicine,
with Deans
and power of
making By-
laws with as-
sent of Senate.

XIII. And be it enacted, That there shall 4
be in the said University three Faculties,
to be called the Faculty of Arts, Law and 6
Medicine respectively, each of which Fa-
culties shall be composed of such of the 8
Professors as shall be fixed by any Univer-
sity Statute to be passed for that purpose, 10
and shall be presided over by a Dean to be
elected annually from among the Professors 12
composing such Faculty, and each of such
Faculties shall and may moreover make 14
such By-Laws as they may think proper
for the government of such Faculty, such 16
By-Laws not being contrary to this Act, or
to the Charter or Statutes of the said Uni- 18
versity; Provided always, nevertheless,
that no such By-Law shall be of any force 20
or effect until approved by the Senate of
the said University, at a meeting thereof 22
to be called for the purpose of considering
the same. 24

Caput, Five
Members, Pre-
sident, three
Deans and
fifth Member
appointed by
Vice-Chancel-
lor.

XIV. And be it enacted, That there shall 26
be in the said University a Council of five
Members, to be called the Caput of the said
University, which Caput shall consist of the 28
President of the said University for the
time being, the Deans of the three Faculties 30
of Arts, Law and Medicine, and a fifth
Member to be appointed to such Council 32
annually by the Vice-Chancellor of the said
University, of which Caput any four Mem- 34
bers shall be a quorum for the despatch of
business, in which said Caput the President 36
of the said University, or in his absence the
Deans of Faculty, in the order above men- 38
tioned, shall preside.

General Du-
ties, &c., of
Caput.

XV. And be it enacted, That the ordi- 40
nary general discipline, and government of
the said University in subordination to the 42
Senate thereof, shall be vested in and ex-
ercised by the Caput of the said University, 44

II. UNIVERSITY OF TORONTO.

and that all the acts of the Vice-Chancellor
 2 and of the President of the said University,
 except in matters in which such Vice-
 4 Chancellor, or President, is, or shall be in-
 trusted with separate, distinct and indepen-
 6 dent powers, either by this Act, the Charter
 of the said University, or some Statute
 8 thereof, shall be under the direction and
 subject to the controul of the said Caput,
 10 which, except as before excepted, shall have
 full power to make orders and give direc-
 12 tions in all such matters, subject nevertheless
 to an appeal to the Senate of the said Uni-
 14 versity in all matters directly affecting any
 of the Professors or Officers thereof, or in-
 16 volving the expulsion of any Member from
 the said University: Provided always,
 18 nevertheless, that the mode and manner of
 exercising the powers hereby vested in the
 20 said Caput shall and may from time to time
 be regulated and directed by Statutes of
 22 the said University to be passed for that
 purpose.

24 XVI. And be it enacted, That it shall be
 the duty of the said Caput to make an An-
 26 nual General Report to the Senate of the
 said University, on the general state, con-
 28 dition, progress and prospects of the said
 University, and all things touching the
 30 same, and to make such suggestions as they
 may think proper for the improvement of
 32 the same, a duplicate of which said Report
 such Caput shall transmit to the Governor,
 34 or person administering the Government of
 he Province for the time being, through
 36 the Provincial Secretary thereof.

Caput to report
 annually to
 Senate and
 transmit dupli-
 cate to Gover-
 nor.

38 XVII. And be it enacted, That there
 shall be in the said University a Deliberative
 40 Body, to be called the Senate of the said
 University, which shall consist of the Chan-
 42 cellor, Vice-Chancellor, the President, and
 all the Professors of the said University,
 44 and of twelve or more additional Members,
 who shall be appointed to seats in the same

Senate to con-
 sist of Chan-
 cellor, Vice-
 Chancellor,
 President, and
 all the Profes-
 sors, and
 twelve or mor
 additional
 Members, six
 or more by in-
 corporatd Col.

II. UNIVERSITY OF TORONTO.

leges and six by the Crown; these last twelve to hold seats for three years, and to go out by rotation. The Crown Members to be laymen.

Proviso: Quorum and who to preside.

Proviso: Crown not to appoint ecclesiastics to seats.

Crown or Incorporated College to appoint only M. A. of University of five years' standing.

one half thereof by the Crown and the other half thereof by such Colleges in Upper 2
Canada as now are or hereafter shall be 4
incorporated, with the power of conferring 4
Degrees in Divinity, and not in the other 6
Arts or Faculties, each of which additional 6
Members, except those who shall be first 8
appointed to such seats under this Act, and 8
those who shall be appointed to fill such 10
seats for the residue of the term of office of 10
their immediate predecessors respectively, 12
shall hold his seat in the said Senate for a 12
term of three years, and shall be appointed 14
to and vacate the same according to a cycle 14
to be established by a Statute of the said 16
University to be passed for that purpose, 16
and which shall make such provision for 18
the same as shall insure, that, as nearly as 18
may be, one third of the said additional 20
Members so to be appointed by the Crown 20
as aforesaid, and also one third of the said 22
additional Members so to be appointed by 22
the said Colleges, shall respectively vacate 24
their seats in such Senate every year: Pro- 24
vided always, nevertheless, firstly, that 26
fifteen Members shall be a quorum for the 26
despatch of business, and that the Chancel- 28
lor, and in his absence the Vice-Chancel- 28
lor, and in the absence of both the Pro- 30
Vice-Chancellor, and in the absence of all, 30
then the President of the said University 32
shall preside at all meetings of the said 32
Senate, and in the absence of all of such 34
Officers, then such other Member of the said 34
Senate as shall be appointed for that pur- 36
pose for the time; And provided also, 36
secondly, that no person shall be qualified 38
to be appointed by the Crown to any such 38
seat in the said Senate who shall be a 40
Minister, Ecclesiastic, or Teacher, under or 40
according to any form or profession of Re- 42
ligious Faith or Worship whatsoever: And 42
provided also, thirdly, that no person shall 44
be qualified to be appointed either by the 44
Crown or by any such Incorporated College 46
to a seat in the said Senate who shall not 46

II. UNIVERSITY OF TORONTO.

have taken the Degree of Master of Arts in
 2 the said University at least five years prior
 to the time of his appointment to such seat :
 4 Provided always, nevertheless, fourthly,
 and lastly, that the restriction contained in
 6 the said last foregoing Proviso to this Sec-
 tion, shall not apply to any appointments to
 8 be made to such Senate prior to the year
 of our Lord, one thousand eight hundred and
 10 sixty.

Proviso: Such
 Proviso not to
 apply to any
 appointment
 before 1860.

XVIII. And be it enacted, That every
 12 such Incorporated College in Upper Cana-
 da, as is described in the next preceding
 14 section of this Act, shall be entitled to ap-
 point one of such additional Members of
 16 such Senate, and that the Crown shall in
 like manner be entitled to appoint one other
 18 of such additional Members for every Mem-
 ber that such Colleges shall be so entitled
 20 to appoint respectively as aforesaid, so that
 in all time to come, the number of Crown
 22 Seats and the number of the Collegiate
 Seats in such Senate shall be equal: Pro-
 24 vided always, nevertheless, firstly, that un-
 til there shall be at least six such Incorp-
 26 rated Colleges in Upper Canada, entitled to
 appoint to seats in such Senate, according
 28 to the provisions of this and the next pre-
 ceding section of this Act, it shall and may
 30 be lawful for the Crown, besides appointing
 to the corresponding Crown Seats in such
 32 Senate, to appoint also to the six Collegiate
 Seats therein, or to so many of them as
 34 there shall or may from time to time be no
 such Incorporated College entitled to ap-
 36 point to: And provided also, secondly,
 that in making such appointments to such
 38 Collegiate Seats in such Senate, the Crown
 shall not be restricted in its choice, as by
 40 the second proviso to the said next pre-
 ceding Section of this Act is provided.

Appointment
 of such addi-
 tional Mem-
 bers by Colle-
 ges and
 Crown.

Proviso:
 Crown to ap-
 point to Colle-
 giate Seats till
 Colleges enti-
 tled.

Proviso:
 Crown not
 restricted by
 2d Proviso of
 Sec. 17.

42 XIX. And be it enacted, That the Senate
 of the said University shall have full power
 44 and authority to frame and make such Sta-

Powers of
 Senate to
 make Statute,
 &c.

II. UNIVERSITY OF TORONTO:

tutes, Rules and Ordinances as they may think necessary or expedient touching or concerning the good government of the said University, or touching or concerning the Professors and all others holding office in the same, the Studies, Lectures, Examinations; Exercises, Degrees in Arts and Faculties to be pursued, given, had, or held therein, and all matters touching the same; and for the summoning and holding regular or Special Meetings of the Caput, and of the Senate, and for the times and mode of summoning and holding Convocations of the said University, and all matters relative to the same; the duties of the Chancellor, and the residence and duties of the Vice-Chancellor and President of the said University; the number, examination, residence, duties and order of precedence and seniority of the Professors of the said University; the number of Fellowships, Scholarships, Exhibitions and other prizes of, and in the said University, and all matters relative to the establishment of such Fellowships, Scholarships, Exhibitions and Prizes, and the Examination of Candidates for the same; the number, residence, appointment and duties of all Officers and Servants of the said University; the management of the property and revenues thereof; the salaries, stipends, provision, fees and emoluments of and for the Vice-Chancellor, President, Professors, Fellows, Scholars, Officers and Servants of the said University; and generally concerning any other matter or thing for the well-being and advancement of the said University; and also from time to time to revoke, renew, augment or alter all, every or any of the said Statutes, Rules and Ordinances, as to them shall seem meet or expedient: Provided always, nevertheless, firstly, that such Statutes, Rules or Ordinances, or any of them, shall not be repugnant to the Laws or Statutes of this Province: Provided also, secondly, that no such Statute, Rule or Ordinance shall be passed

Proviso: Not
repugnant to
Laws of U.
Kingdom or of
U. Canada.

II. UNIVERSITY OF TORONTO.

and adopted at the same meeting at which
 2 it is first introduced and considered, but that
 a Second Meeting of the said Senate shall
 4 be specially convened for the passing and
 adopting any such Statute, Rule or Ordi-
 6 nance: And provided also, thirdly, and
 lastly, that it shall and may be lawful for
 8 the Crown, at any time within two years
 from the passing of any such Statute, Rule
 10 or Ordinance, by Letters Patent under the
 Great Seal of this Province, to disallow such
 12 Statute, Rule or Ordinance, and thereupon
 every such Statute, Rule or Ordinance shall,
 14 from the date of such Letters Patent, stand
 repealed and be of no force or effect what-
 16 soever.

Proviso: Not
 to be passed at
 same meeting
 that proposed.

Proviso:
 Crown to
 have power to
 disallow with-
 in two years.

XX. And be it enacted, That the Chan-
 18 cellor, Vice-Chancellor, President, and Pro-
 fessors of the said University, and all other
 20 Members of the Senate and of the Caput of
 the said University, and all persons admitted
 22 in the said University to the Degree of Doc-
 tor or Bachelor in Law or Medecine, or to
 24 that of Master in any of the other Arts or
 Faculties, and who shall have paid from the
 26 time of his admission to such Degree the
 annual sum of twenty shillings of lawful
 28 money of Canada for and towards the sup-
 port and maintenance of the said University,
 30 shall be and be deemed, taken and reputed
 to be Members of the Convocation of the
 32 said University: Provided always, neverthe-
 less, that no person upon whom an Honorary
 34 Degree only shall have been conferred by
 the said University, shall have any right by
 36 virtue thereof to vote as a Member of such
 Convocation.

Members of
 Convocation.

Proviso: That
 Honorary
 Degree not to
 confer power
 of voting.

XXI. And be it enacted, That there shall
 be for the said University, and for the Col-
 40 lege and Royal Grammar School of Upper
 Canada College, a Body to be called "The
 42 Endowment Board of the University of To-
 ronto and of the College and Royal Gram-
 44 mar School of Upper Canada College;"

Endowment
 Board—Three
 Members, one
 to be appointed
 by Crown, one
 by Senate, and
 one by College
 Council of U.
 C. College.

II. UNIVERSITY OF TORONTO.

which shall consist of three Members, who shall hold their places at such Board, during the pleasure of the parties in whom their appointment is hereby vested respectively, one of which Members shall be appointed by the Governor, or person administering the Government of this Province for the time being, one by the Senate of the said University, and one by the College Council of the said College and Royal Grammar School: Provided always, nevertheless, that the Member of such Board to be so appointed by the Governor, or person administering the Government of the Province, as aforesaid, shall be the Chairman of such Board, and shall be so expressly named in the Instrument by which he shall be so appointed, which said Chairman of the said Board shall be a person holding no Professorship, Office or Employment whatsoever in the said University, or in the said College or Royal Grammar School, or in any other University, College, Collegiate Institution, School, or other place of Learning in this Province, or elsewhere, and shall not be a Member of the Senate or Caput of the said University, or of any other such University, College, Collegiate Institution, School, or other place of Learning as aforesaid, nor shall he, during the time that he shall continue to be Chairman of such Board, be capable of being appointed to any such Professorship, Office or other Employment whatsoever, either in the said University, or in the said College and Royal Grammar School, or in any such other University, College, Collegiate Institution, School, or other place of Learning, as aforesaid, or to any seat in the Senate or Caput of the said University, or Council of the said College and Royal Grammar School, or in any other Council, Board or Body, belonging to, or connected with the same, or any of them.

Proviso:
Crown Member to be
Chairman of
Board, and to
hold no other
place in Uni-
versity, &c.

Endowment
Board to have

XXII. And be it enacted, That it shall be the duty of the said Endowment Board

II. UNIVERSITY OF TORONTO.

to take upon themselves the general charge, charge of property, &c. of University.
 2 superintendence and management of the
 whole property and effects, real and per-
 4 sonal, of the said University, under the di-
 rection of such University Statutes as shall
 6 or may be passed for that purpose: Pro-
 vided always, nevertheless, firstly, that no-
 8 thing herein contained shall be construed to
 confer upon the said Endowment Board a
 10 power to alienate any portion of the endow-
 ment of the said University, contrary to
 12 the provisions of the thirty-seventh Section
 of this Act: And provided also, secondly,
 14 that such Endowment Board shall from
 time to time, and at all times, as the same
 16 may be required, afford to the Governor, or
 person administering the Government of
 18 this Province for the time being, and also
 to the Chancellor, Caput and Senate of the
 20 said University, or to such Committee or
 Committees of such Caput or Senate as
 22 they may respectively appoint for that pur-
 pose, all such information respecting such
 24 property and effects, and the whole fiscal or
 financial affairs of the said University, as the
 26 said Governor, or person administering the
 Government of the Province, or the said
 28 Chancellor, Caput or Senate, or any such
 Committee or Committees of such Caput
 30 or Senate shall or may from time to time
 require: And provided also, thirdly, that
 32 such Board shall in like manner afford the
 like information to the Auditors to be ap-
 34 pointed annually for auditing the Accounts
 of the said University: And provided also,
 36 fourthly, and lastly, that it shall moreover
 be the duty of such Board annually to make
 38 a full Report of the state of the property
 and effects of the said University under their
 40 charge, superintendence and management,
 and generally of the whole fiscal or financial
 42 affairs of the said University, to the Senate
 of the said University, and at the same time
 44 to transmit a duplicate of such Report to
 the Governor, or person administering the
 46 Government of this Province, through the
 Provincial Secretary thereof.

No power to alienate Endowment contrary to 37th Sec. of this Act.

Proviso: To give all information called for by Caput. &c.

To give like information to Auditors.

Proviso: To make Annual Report to Senate, &c. to transmit duplicate to Governor, &c.

II. UNIVERSITY OF TORONTO.

Two Auditors. XXIII. And be it enacted, That there shall be two Auditors of Accounts of the 2
 —one by Chancellor or Vice-Chancellor, and other 4
 by Senate, to report to Senate, and send 6
 duplicates to Governor, &c. thereof, whose duty it shall be to examine 8
 and audit the Accounts of the said Endow- 10
 ment Board, as far as they regard the pro- 12
 perty and effects of the said University, and 14
 all other Accounts of the said University 16
 generally, and to make a Report upon the 18
 same to the Senate of the said University, 20
 a duplicate of which Report such Auditors 22
 shall transmit to the Governor, or person ad- 24
 ministering the Government of the Province 26
 for the time being, through the Provincial 28
 Secretary thereof. 30

Appointment of Professors to be in Crown; out of four to be reported by Senate, and manner of selecting same. XXIV. And be it enacted, That the Pro- 20
 fessors of the said University shall be ap- 22
 pointed by the Crown upon the report or 24
 resolutions of the Senate of the said Univer- 26
 sity in the manner following, that is to say: 28
 whenever any new Chair shall be established 30
 in such University, or whenever any Chair 32
 theretofore established in the same shall 34
 become vacant, by death, or otherwise, it 36
 shall be the duty of the Caput of the said 38
 University, under and subject to such regu- 40
 lations as may be established by any Uni- 42
 versity Statute to be passed for that purpose, 44
 to make known by public advertisement 46
 the fact of such Chair being vacant as afore- 48
 said, the duties imposed by the Statutes of 50
 the said University upon the incumbent of 52
 such Chair, together with the salary and 54
 emoluments belonging to the same, and re- 56
 quiring that the names, residence and addi- 58
 tions, and also the testimonials of all Candi- 60
 dates for such Chair, should be transmitted 62
 to and deposited in the proper office of the 64
 said University, by a day to be named in 66
 such advertisements; and it shall be the 68
 duty of the said Caput, on some day to be 70
 specially appointed for that purpose, after 72

II. UNIVERSITY OF TORONTO.

the day so fixed for the receipt of such applications as aforesaid, to proceed to take the said testimonials of the different Candidates for such Chair into consideration, and thereupon, on the same, or on some subsequent day, and with as much deliberation as may be, to make a report addressed to the Senate of the said University upon the same, and the said Senate shall be specially called together by a notice addressed to each Member thereof, and sent to him through the Post Office, to take such report into consideration, and it shall be the duty of the said Senate, upon full examination of such testimonials, and the report of the Caput upon the same, and if in their discretion they shall think fit so to do, or if the same shall be required by any Statute of the said University to be passed for that purpose, then by personal, public, oral examination of such Candidates, and by all such other ways, methods and means as shall or may be directed in that behalf by any such University Statute, to select four of the Candidates for the said Chair, who, in their judgment, the said Senate shall deem best qualified to fill the same, with advantage to the said University, and to transmit the names of such four Candidates together with their testimonials, the report of the Caput thereon, and their own report or resolutions, adopting, qualifying or dissenting from such report, or any part thereof, with their reasons therefor, and for the selection of such four Candidates, to the Governor, or person administering the Government of this Province for the time being, through the Provincial Secretary thereof; and it shall and may be lawful for the said Governor, or person administering the Government of this Province for the time being, to appoint some one of the said four Candidates to fill such vacant Chair in the said University: Provided always, nevertheless, firstly, that no sitting of the Senate of the said University shall be held to take such testimonials and the re-

Provido: No Sitting of Senate to report on Candidates till one month after

II. UNIVERSITY OF TORONTO.

Caput's report
on applications.

Proviso: If not
four found
capable of fil-
ling Chair, fact
to be stated in
report of
Senate.

Temporary
provision to be
made for fulfil-
ment of Duties
of Chair dur-
ing vacancy.

Senate to have
power to sus-
pend Profes-
sor.

Proviso:
Entry to be
made of
grounds.

port of the Caput thereon into consideration,
or for the examination of the Candidates for 2
such Chair, within a shorter period than one 4
calendar month after such report of the said 4
Caput shall have been prepared, and the 6
notice of such sittings addressed to the dif- 6
ferent Members of the said Senate delivered 6
at the Post Office as aforesaid: And pro- 8
vided also, secondly, that in case there shall 8
not be as many as four, of the said Candi- 10
dates for such vacant Chair, whom the said 10
Senate shall in their judgment deem quali- 12
fied to fulfil the duties thereof as aforesaid, 12
they shall nevertheless still transmit the 14
names of four of such Candidates, if there 14
shall have been so many, and shall, in so 16
transmitting the same, state which of such 16
four Candidates they do not deem suffi- 18
ciently qualified to be appointed to such va- 18
cant Chair, as aforesaid, and the grounds of 20
such opinion: And provided also, thirdly, 20
and lastly, that during the vacancy of any 22
such Chair such temporary provision shall 22
and may be made by the Caput of the said 24
University for the performance of the duties 24
attached to the same as shall or may be di- 26
rected and appointed by any University 26
Statute to be passed for that purpose. 28

XXV. And be it enacted, That it shall
and may be lawful for the Senate of the 30
said University, upon the report of the Vice- 30
Chancellor thereof or upon that of a com- 32
mittee of its own Members, to suspend any 32
Professor of the said University from his 34
office for any just and reasonable cause to 34
them appearing: Provided always, never- 36
theless, firstly, that the grounds of every 36
such suspension shall be entered and re- 38
corded at length on the Books of the said 38
Senate, and every Professor so suspended 40
shall thereupon cease from the performance 40
of his duties and from the exercise of his 42
rights, functions and privileges until, and 42
unless such suspension shall be removed by 44
the Visitor of the said University under his 44

II. UNIVERSITY OF TORONTO.

Privy Seal: And provided also, secondly,
 2 that a copy duly authenticated of the entry
 and record of such suspension, and the
 4 grounds thereof, be forthwith transmitted to
 the said Visitor through the Provincial Se-
 6 cretary: And provided also, thirdly, that
 the continuance of any such suspension for
 8 a period of three calendar months continu-
 ally without any appeal by such Professor
 10 to the said Visitor, against such decision of
 the said Senate, shall *ipso facto* vacate such
 12 Professorship, as if the party so suspended
 were naturally dead: And provided also,
 14 fourthly, and lastly, that during every such
 suspension, such temporary provision shall
 16 and may be made by the Caput of the said
 University for the performance in the best
 18 manner within their power of the duties of
 such suspended Professor as is hereinbefore
 20 provided with respect to those of a vacant
 Chair.

Proviso:
 Record to be
 sent to Visitor.

Proviso: Con-
 tinuance of
 Suspension for
 three months,
 without appeal
 to vacate
 Chair.

Proviso: Tem-
 porary provi-
 sion to be made
 for perfor-
 mance of du-
 ties of Chair
 during suspen-
 sion.

22 XXVI. And be it enacted, That if upon
 the report of the Vice-Chancellor, or upon
 24 that of a committee of their own Members,
 the Senate of the said University, after af-
 26 fording to the party all reasonable oppor-
 tunity of being heard in his defence, shall
 28 report to the Governor, or person admin-
 istering the Government of this Province
 30 for the time being, through the Provincial
 Secretary thereof, their opinion that any
 32 Professor of the said University ought to be
 removed from his Professorship, and shall
 34 in such report set forth at length the grounds
 and reasons for such opinion, it shall and
 36 may be lawful for the Governor, or person
 administering the Government thereof for
 38 the time being, if he shall deem it just and
 proper so to do, by an Instrument under his
 40 Privy Seal to remove such Professor from
 his Professorship, and thereupon such Chair
 42 shall be dealt with as if it had become vacant
 by the death of such Professor.

Governor may
 remove on re-
 port of Senate.

II. UNIVERSITY OF TORONTO.

Examinations for Degrees to be open, and by such and so many Examiners as Senate shall appoint.

XXVII. And be it enacted, That the examinations of Candidates for Professors, 2
Chairs, and for Degrees in Arts and Facul- 4
ties in the said University shall be public, 4
and shall be conducted by such and so many 6
Examiners as shall or may be appointed by 6
the Senate of the said University, according 8
to the provisions of any University Statute 8
or Statutes to be passed for that purpose.

University to have no power to confer any Degree in Divinity—but in all the other Arts and Faculties.

XXVIII. And be it enacted, That the 10
said University shall have no power to con- 12
fer any Degree in Divinity, but shall have 12
full power and authority to confer all other 14
Degrees in all other Arts and Faculties 14
whatsoever, including Honorary Degrees, 16
and Degrees *ad eundem*, and all other Uni- 16
versity powers and privileges, as fully and 18
effectually to all intents and purposes what- 18
soever as such power and authority is held, 20
possessed or enjoyed by the Universities of 20
the United Kingdom of Great Britain and 22
Ireland, or any of them : Provided always, 22
nevertheless, that Degrees *ad eundem* shall 24
by the said University be conferred only 24
upon the Graduates of Universities within 26
Her Majesty's Dominions, or on the Gra- 26
duates of such Foreign Universities as shall 28
or may from time to time be declared en- 28
titled to the said privilege by a Statute or 30
Statutes of the said University to be passed 30
for that purpose.

Proviso. That Degree *ad Eundem* to be granted to Graduates of Universities in British Dominions only, and such Foreign Universities as University Statutes may declare entitled.

No Religious Test required of persons admitted into University, or to any Office or Professorship therein.

XXIX. And be it enacted, That no reli- 32
gious Test or qualification whatsoever shall 32
be required of or appointed for any person 34
admitted or matriculated as a Member of 34
such University whether as a Scholar, Stu- 36
dent, Fellow, or otherwise, or of or for any 36
person admitted to any Degree in any Art 38
or Faculty in the said University, or of or 38
for any person appointed to any Office, 40
Professorship, Lectureship, Mastership, Tu- 40
torship, or other place or employment what- 42
soever in the same, nor shall religious obser- 42
vances, according to the forms of any par- 44

II. UNIVERSITY OF TORONTO.

particular Religious Denomination, be imposed upon the Members or Officers of the said University, or any of them.

4 XXX. And be it enacted, That it shall
 6 not be lawful for the Chancellor, Masters
 8 and Scholars of the University of Toronto,
 10 or for the said Endowment Board, on their
 12 behalf, to borrow any money on the security
 14 of the said University, or of the funds or
 16 other property thereof, or otherwise how-
 18 soever, except under the authority of a
 20 Statute of the said University, by which
 22 Statute there shall at the same time be ap-
 24 propriated, such an amount of the annual
 26 income of the said University, arising from
 28 the interest and dividends of money actu-
 30 ally invested under the authority of the
 32 thirty-eighth Section of this Act, as shall
 34 be sufficient to meet the annual interest
 36 upon such loan, and in addition thereto a
 38 sufficient sum *per centum per annum* upon
 40 the original principal of such loan, to con-
 42 stitute a Sinking Fund for the final redemp-
 44 tion, satisfaction and discharge of the said
 46 original principal of such loan within at
 least twenty years from the time of the
 contracting of the same, and the annual
 interest of such loan, and the annual appro-
 priation for such Sinking Fund for the re-
 demption and satisfaction thereof, shall
 constitute an extra charge upon the Income
 Fund of the said University as hereinafter
 established, which so long as any part of
 the said original principal of such loan shall
 remain unpaid shall take precedence of the
 fourth, fifth and sixth ordinary annual charges
 upon such Income Fund as the same are
 respectively charged and imposed upon
 the same by the fortieth Section of this
 Act: And until such payment and satisfac-
 tion of the whole principal and interest
 of such loan, any University Statute, either
 Visitatorial or Senatorial, whereby such pro-
 vision shall or may be attempted to be re-
 pealed or altered, shall be null and void to
 all intents and purposes whatsoever.

University not
 to borrow
 money without
 providing a
 Sinking Fund
 to pay off Loan
 in twenty
 years.

II. UNIVERSITY OF TORONTO.

A Copy of all
Books publish-
ed in Province
to be presented
to Library of
University.

XXXI. 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 separately published, together with all maps, prints, or other engravings belonging thereto, and of every pamphlet, sheet of letter-press, sheet of music, map, chart or plan separately published, furnished and 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 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 stitched 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 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 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, 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, 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 conviction before any two Justices of the Peace for the district, county, 2
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II. UNIVERSITY OF TORONTO.

city, or place where the publisher making
 2 default shall reside or be found, or in the
 name of the Chancellor, Masters and Scho-
 4 lars of the said University, in an action of
 debt or other proceeding of the like nature,
 6 in any Court of competent jurisdiction in
 this Province, in which action the said
 8 University, if they shall recover, shall reco-
 ver the costs reasonably incurred, to be
 10 taxed as between Attorney and Client.

XXXII. And be it enacted, That all the
 12 property and effects, real and personal, of
 what nature or kind soever, now belonging
 14 to or vested in the said University, or in
 the Chancellor, President and Scholars
 16 thereof, or in any other person or persons,
 or Body Corporate or Politic what-
 18 soever, for the use or benefit of the said
 University, shall be and continue vested in
 20 the Chancellor, Masters, and Scholars of
 the University of Toronto, to hold to them
 22 and their successors, to the use of them and
 their successors for ever, any thing in the
 24 said Charter of His said late Majesty, in any
 Act of the Parliament of the late Province
 26 of Upper Canada, or of this Province, or
 in any Letters Patent, Royal Charters,
 28 Deeds, or other Instruments to the contrary
 thereof in anywise notwithstanding.

Property of
 University
 vested in Cor-
 poration.

30 XXXIII. And be it enacted, That all
 debts due to the said University, or to the
 32 Chancellor, President and Scholars thereof,
 in their Corporate capacity, and all judg-
 34 ments, recognizances, bonds, covenants and
 other instruments or contracts suffered, ac-
 36 knowledged, or given to, or made with them
 as aforesaid, or with the Chancellor, Presi-
 38 dent and Scholars thereof in their Corporate
 capacity, by whatsoever name the same may
 40 have been suffered, acknowledged, given, or
 made, shall be available, stand and continue of
 42 good purport, and full force and strength to
 the Chancellor, Masters and Scholars of the
 44 University of Toronto, as if the said Uni-

Chancellor,
 &c. to have
 power to sue
 for debts due
 the University.

II. UNIVERSITY OF TORONTO.

versity 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 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.

Chancellor,
&c. liable to
all debts due
by University.

XXXIV. And be it enacted, That the 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 said University, and may be sued upon and recovered against for the same, as if the same had been contracted or entered into by them by the name aforesaid

Fiscal year
same as Calen-
dar year.

XXXV. And be it enacted, That the Fiscal 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 quar-
terly.

XXXVI. And be it enacted, That the Salaries of the different Professors, Lecturers, 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, and October, in the same.

None of Real
property to be
disposed of but
by Statute.

XXXVII. And be it enacted, That none of the real property of the said University, and none of the property thereof invested according to the directions of either the thirty-eighth or forty-second sections of this Act, shall be disposed of or applied otherwise than by authority of a Statute of the said University.

Proceeds of
Sales of Lands,
&c., to form

XXXVIII. And be it enacted, That the proceeds arising from the sales of any of

II. UNIVERSITY OF TORONTO.

the lands referred to in the thirty-
 2 seventh section of this Act, which it shall
 from time to time be deemed expedient by
 4 the said University to sell and dispose of,
 and all monies received upon investments
 6 called in, or paid off, together with any
 surplus of the income over the expenditure
 8 of the said University, as provided by the
 forty-second section of this Act, shall form
 10 a Fund, to be called in the Books of the said
 University "The University Investment
 12 Fund," the monies at the credit of which
 Fund shall, from time to time, be invested
 14 in such Government or landed securities as
 shall be approved of by the Senate of the
 16 said University.

Investment
Fund!

XXXIX. And be it enacted, That the
 18 annual income of the said University, arising
 from the fees and dues payable to the
 20 same for Matriculation, Lectures, Tuition,
 Degrees, or otherwise, or from such portion
 22 thereof as by any Statute or Statutes of the
 said University, shall be payable into the
 24 General Funds of the said University, and
 not to the Professors or Officers thereof, and
 26 from the annual or other periodical rents,
 interests and dividends, arising from the
 28 property and effects of the said University,
 of what nature or kind soever, whether
 30 real or personal, together with all such an-
 nual or other donations or subscriptions as
 32 may be made to the said University for the
 general benefit thereof, without being spe-
 34 cifically appointed by the Donor to any par-
 ticular object or purpose, shall form another
 36 Fund, to be called "The University Income
 Fund," the monies at the credit of which
 38 last mentioned Fund shall be appropriated
 and applied to make good and satisfy the
 40 several charges by the next following Sec-
 tion of this Act, charged and imposed upon
 42 the said Fund in the order in which such
 charges are therein charged and imposed
 44 upon the same.

Annual In-
come, &c., to
form Income
Fund.

II. UNIVERSITY OF TORONTO.

Charges upon
Income Fund,
1, 2, 3, 4, 5
& 6.

XL. And be it enacted, That the first annual 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 as those constituting the Investment Fund, as those constituting the said Income Fund. The second charge upon such Income Fund shall be 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, shall be the salaries of the Bursar, Librarian, and other similar Officers, of those 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 shall be such sum of money as by any Statute or Statutes 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 shall be the salaries of the Vice-Chancellor, President, and Professors of the said University, and so much of those of the Members of the Endowment Board of the said University and College as shall be payable out of the Funds 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 any Statute of the said University, passed for that purpose. 38

If Income Fund not sufficient to satisfy annual charges upon same deficiency, to be equally deducted from all Salaries constituting fifth annual

XLI. And be it enacted, That whenever the Income Fund of the said University for any year shall not be sufficient to satisfy and discharge the different charges upon the same for such year, as herein provided, the amount of the deficiency for such year shall be deducted in equal proportions from all

II. UNIVERSITY OF TORONTO.

the salaries constituting the fifth annual charge upon such Fund for the following year by proportionate quarterly deductions from such salaries as the same become respectively payable at each financial quarter of such following year : Provided always, nevertheless, firstly, that the parties whose receipts of salary may have been diminished by such proportionate deductions, as aforesaid, shall be entitled to have such deficiency made good in part or in the whole, as the case may be, out of any surplus, or surplusses of Income over expenditure, that may accrue during the five years next ensuing that in which such proportionate deductions shall have been so made as aforesaid : Provided also, secondly, that for the deficiency thus occasioned in such salaries, and which, at the end of every fifth year, may yet remain unsatisfied as aforesaid, the incumbents to whose Offices or Chairs such salaries shall be attached respectively, shall have no claim upon the said University or upon the Funds thereof, 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 such five years for which such proportion of the same shall have been paid to him as aforesaid.

charge upon such Fund.

Proviso : Deficiency to be made up by surplus accruing during five following years.

Proviso : Beyond which no claim for any part of such deficiency.

XLII. And be it enacted, That the surplus, if any, of the said University Income Fund, after satisfying and discharging the several charges whether ordinary or extra, by this Act charged upon the same, shall be annually transferred to the Investment Fund of the said University, and with the other monies belonging to that Fund shall be from time to time invested, as in and by the thirty-eighth 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 year to the next.

Surplus if any of Income Fund to be transferred to University Investment Fund.

II. UNIVERSITY OF TORONTO.

Upon surren-
der by present
Colleges
having Uni-
versity power
of all but the
power of con-
ferring Degrees
in Divinity,
they, to have
right of send-
ing a Member
to the Senate.

XLIII. And be it enacted, That so soon
as any of the Incorporated Colleges, Colle- 2
giate Institutions or Universities in Upper
Canada, having the power of conferring 4
Degrees not only in the Faculty of Divinity,
but in the other Arts and Faculties also, shall 6
have signified to the Governor, or person
administering the Government of this Prov- 8
ince for the time being, under their Corpo-
rate Seal, their desire to become entitled to 10
appoint a Member to the Senate of the said
University according to the provisions of 12
this Act in that behalf, it shall and may be
lawful for the Crown, by Letters Patent un- 14
der the Great Seal of the Province, reciting
such Instrument, to declare so much of the 16
Charter of such College, Collegiate Institu-
tion, or University, whether the same shall 18
be granted by Parliament or otherwise, as
shall have been granted to, or vested in such 20
College, Collegiate Institution or University
the power of conferring such Degrees, 22
saving always nevertheless to such College,
Collegiate Institution or University the 24
power of conferring Degrees in the Faculty
of Divinity, to be from the date of such Let- 26
ters Patent, or from such other day as may
be named therein for that purpose, to be 28
repealed, abrogated and annulled, and there-
upon from such day all such powers and 30
privileges, with the saving aforesaid, shall
be and the same are hereby declared to be 32
absolutely repealed, abrogated and annulled
accordingly, anything in the several Charters 34
of such Colleges, Collegiate Institutions or
Universities, whether granted by the Parlia- 36
ment or otherwise, to the contrary thereof in-
in anywise notwithstanding. 38

Present Sta-
tutes of Univer-
sity in force
till altered or
repealed.

XLIV. And be it enacted, That all Sta- 40
tutes, Rules and Ordinances of the said first
mentioned University in force at the time 42
of the passing of this Act, and which are
not inconsistent with the provisions thereof, 44
shall be and continue in force till repealed,
altered or amended by some other Statute of.

II. UNIVERSITY OF TORONTO.

the said University; either Visitorial or Senatorial to be hereafter enacted or passed for that purpose.

4 XLV. And be it enacted, That nothing
 herein contained shall be deemed in any
 6 manner to affect any Degrees conferred or
 terms kept, or studies or exercises performed
 8 in the said University, and the same shall
 be valid and effectual for all purposes what-
 10 soever; and the same shall continue to be
 deemed Degrees conferred and Terms kept
 12 and studies and exercises performed in the
 said University as if this Act had not been
 14 passed.

Present Degrees, &c., confirmed.

XLVI. And be it enacted, That with the
 16 exception of the Professor of Divinity,
 every Professor, Lecturer and Officer of the
 18 said University now actually holding a
 Chair, or Office in the same, shall continue
 20 to hold his Chair, Place, or Office under a
 new Warrant to be issued to him for the
 22 same, until he shall be removed therefrom
 in the manner prescribed by this Act:
 24 Provided always, nevertheless, that nothing
 herein contained shall prevent or be con-
 26 strued to prevent the Commission of Visitation
 to be issued as hereinafter directed,
 28 or any other such Commission of Visitation,
 or any University Statute to be passed for
 30 that purpose from re-arranging such Chairs
 or the duties attached to the same respect-
 32 ively, or from adding to, varying or deducting
 from the duties of the Chair or Chairs
 34 held by any such Professor, Lecturer or
 Teacher in the said University, or from so
 36 altering or varying the amount of salary or
 emolument receiveable by any such Profes-
 38 sor, Lecturer or Teacher, as shall be neces-
 sary to give effect to the provisions of this
 40 Act, for the prevention of the dissipation of
 the Endowment or Capital Stock of such
 42 University, and restricting its expenses and
 disbursements to the amount of its annual
 44 income from the same.

Present Professors except Professors of Divinity to remain.

Proviso: That Commission of Visitation may re-arrange Chairs, &c.

II. UNIVERSITY OF TORONTO,

Commission of
Visitation to
be issued to
adapt Statutes
to alterations
in Charter.

XLVII. And whereas for the purpose of
adapting the Statutes of the said University 2
to the alterations hereby made in the Char- 4
ter thereof, it is desirable that a Commission 4
of Visitation should be issued to consider 6
of and report upon the same: Be it there- 6
fore enacted, That so soon after the passing 8
of this Act as to the Governor, or person 8
administering the Government of the Pro- 10
vince for the time being, shall seem expedient, 10
a Commission of Visitation under the Great 12
Seal shall be issued directed to not less than 12
five Commissioners who shall be thereby 14
directed to confer with the authorities of the 14
said University upon the subject of such 16
alterations and amendments in or to such 16
Statutes, Rules or Ordinances as they shall 18
think proper to recommend for this purpose, 18
and generally for the well-ordering of the 20
said University, and thereupon to report a 20
Code of proper Statutes, Rules and Ordinances 22
for the government of the said Univer- 22
sity, which Code having been first approved 24
by the Governor, or person administering 24
the Government of the Province for the 26
time being, shall be obeyed in future in the 26
said University until by lawful authority the 28
same shall or may be amended, altered or 28
repealed.

Commission of.
Visitation to
consider cases
of Professors
who have been
disappointed
in expectations
held out to
them, &c.

XLVIII. And whereas certain of the 30
Professors of the said University claim to 30
have been induced to give up certain prefer- 32
ments or other pursuits or employments in 32
which they were at the time engaged; and 34
from which they were deriving their support, 34
for the purpose of accepting certain of the 36
Chairs in the said University under the ex- 36
pectation of such appointments being per- 38
manent, and with the assurance that the 40
emoluments thereof would at least be equal 40
to certain specified amounts respectively, 42
and it is therefore expedient that the cases 42
of such persons should be specially enquired 44
into and reported upon, with a view to as- 44
certaining the merits of their respective

II. UNIVERSITY OF TORONTO.

cases, and how far if their claims be found
 2 just, some reasonable satisfaction may be
 afforded them for such losses as they may
 4 have sustained or may sustain from such
 expectations and assurances not having been
 6 realized : Be it therefore enacted, That the
 said Commissioners shall be directed by
 8 such Commission of Visitation to enquire
 into the case of any such person, upon the
 10 same being specially referred to them by the
 Governor, or person administering the
 12 Government of the Province for the time
 being, through the Provincial Secretary
 14 thereof, and if upon any such reference they
 shall find any such person reasonably
 16 entitled to any such satisfaction, they shall
 report the same, and if they shall deem
 18 proper shall report one or more Statutes,
 Rules or Ordinances for providing for such
 20 satisfaction if they shall find the Funds of
 the said University adequate to bear the
 22 same.

XLIX. And be it enacted, That the said
 24 Commissioners shall be further directed by
 the said Commission of Visitation to con-
 26 sider and report upon the best means of
 making the Chair of Agriculture recently
 28 established in the said University, more
 efficient and useful; and to consider and
 30 report generally upon the best means of
 making the said University, as far as its
 32 Funds will permit, the instrument of draw-
 ing forth and stimulating the talent of the
 34 Youth of Upper Canada, by the establish-
 ment of Fellowships, Scholarships Exhibi-
 36 tions, Prizes and other Rewards, and by such
 other means as in their judgment may be
 38 best adapted to such end.

Commission of
 Visitation to
 be directed to
 consider Chair
 of Agriculture.

L. And whereas it is expedient to stimu-
 40 late the Youth of the Province to avail
 themselves of the benefit of a University
 42 Education, by the establishment of a certain
 number of Scholarships in the said Univer-
 44 sity, for each County of Upper Canada,

Commission-
 ers to be direct-
 ed to provide
 for Scholar-
 ships, &c.

II. UNIVERSITY OF TORONTO.

for the purpose of assisting (as far as possible) with pecuniary aid, those of the 2
 deserving Youth of each County, whose 4
 parents may be unable to meet the expense 4
 necessarily attendant upon such an educa- 6
 tion: Be it further enacted, That it shall be 6
 the duty of the said Commissioners, in the 8
 Code of Statutes so to be reported by them 8
 as aforesaid, to provide for the establish- 10
 ment of four Scholarships for each County 10
 in Upper Canada, so soon as the Funds of 12
 the said University shall permit, and to re- 12
 gulate every thing appertaining to the 14
 election, rights, privileges and emolments 14
 of such Scholars to be elected to the same: 16
 Provided always, nevertheless, firstly, that 16
 the Scholars elected to fill such Scholarships 18
 shall be entitled to attend all Classes and 18
 Lectures in the said University, and enjoy 20
 all the advantages afforded therein without 20
 payment of any fee for the same. And 22
 that two of the four Scholarships so to be 22
 founded for each County, shall be endowed 24
 from the University Funds with such an 24
 annual stipend as in the estimation of the 26
 said Commissioners the said Funds may 26
 permit: Provided also, secondly, that no 28
 County shall be entitled to claim the bene- 28
 fit of the Scholarships to be so founded, or 30
 any of them, unless the Municipal Council of 30
 such County shall have provided, perma- 32
 nently, sufficient funds for the endowment 32
 of one or both the Scholarships to be so 34
 founded, but not endowed from University 34
 Funds, according to the rate fixed by such 36
 Commissioners. And upon such provision 36
 being made by the Municipal Council of 38
 any County, the Senate of the said Univer- 38
 sity shall proceed to fill up either one or 40
 both the said Scholarships according to the 40
 sum provided by the said Municipal Coun- 42
 cil, and shall, at the same time, according to 42
 circumstances, fill up either one or both the 44
 Scholarships to be endowed from University 44
 Funds; it being the intention of this Act, 46
 that the Scholarships to be endowed from 46

Proviso :
 Scholars to
 receive Educa-
 tion gratis,
 and 2 for each
 County sti-
 pend from
 University
 Funds.

Proviso : No
 County to
 have benefit of
 such Scholar-
 ships, unless
 permanent
 provision made
 by County for
 one or two
 others.

II. UNIVERSITY OF TORONTO.

University Funds shall only be filled up so far and so long as the several Counties respectively shall provide funds for the support of those to be endowed from those sources.

Provided also, thirdly, that the said Scholarship shall be filled up by the Senate of the said University upon *public* examination to be held before that body by Examiners to be by them appointed, and the selection shall be made out of such a number of the Youth of each County as shall have been admitted to contend for such Scholarships by the Certificate of the Municipal

Council of such County: Provided also, fourthly, that no person shall be admitted as a Candidate for such Scholarships unless he shall have received a Certificate of

birth or residence from the Municipal Council of the County to which such Scholarships shall belong, as aforesaid. And

provided also, fifthly, that no person shall be deemed one of the Youth of any given County within the meaning of this section

unless he shall have been born in such County, or unless his parents or surviving parent, or one of them, shall have been a stated resident of such County for five years

continually prior to the granting of such Certificate, and shall, at the time of granting such Certificate, be still stated residents, or a stated resident thereof, or if they be both

dead, then, unless they or the survivor of them shall have been such stated resident for the five years next preceding and at the time of their death or the death of the survivor of

them. And provided also, sixthly, and lastly, that every such Certificate shall remain in force for one year from the granting thereof, and no longer.

Proviso: That Scholarships to be filled upon Public Examination.

Certificate of Birth or Residence from Municipal Council required.

Who to be deemed the Youth of a given County.

Certificate to be in force for a year, and no longer.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Upper Canada
College and
Royal Gram-
mar School to
remain an Ap-
pendage of
University,
under a se-
parate organi-
zation—and
incorporated.

LI. And whereas by the said Act passed
in the seventh year of the Reign of His 2
late Majesty King William the Fourth, it
was amongst other things enacted, That the 4
College then lately erected in the City of
Toronto, should be incorporated with, and 6
form an appendage of the said University ;
And whereas it is expedient, while maintain- 8
ing the said College as an appendage of
the said University, to confer upon it a 10
more independent organization for the regu-
lation of its own affairs, than it at present 12
possesses : Be it enacted, That the Principal,
Masters and Scholars of the said College, 14
for the time being, shall henceforth, by and
under the name of " The Principal, Masters 16
" and Scholars of Upper Canada College,
" and Royal Grammar School," be a Body 18
Corporate and Politic in fact and in name,
and shall have perpetual succession and a 20
Common Seal, with power to change, alter
or make anew the same ; and it shall and 22
may, by the name aforesaid, contract and be
contracted with, sue and be sued, implead 24
and be impleaded, answer and be answered
unto, in all Courts and places whatsoever ; 26
and that they, and their Successors, by and
under the name aforesaid, shall be able and 28
capable in law of purchasing, acquiring,
taking, having, holding and enjoying by gift, 30
grant, conveyance, devise, bequest or other-
wise, to them and their Successors, any 32
estate or property, real or personal, to and
for the use of the said College and Royal 34
Grammar School, or to, for, or in trust for
any other use or purpose whatsoever in any 36
way connected with the advancement of
Education, and of letting, conveying or 38
otherwise, disposing thereof, from time to
time, as they may deem necessary or expe- 40
dient.

Governor
General to be
Visitor, &c.

LII. And be it enacted, That the Gover- 42
nor, or person administering the Government
of this Province for the time being, shall 44

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

be the Visitor of the said College and Royal
 2 Grammar School, on behalf of Her Majesty,
 Her Heirs and Successors, which Visitation
 4 Power shall and may be exercised by Com-
 mission under the Great Seal of this Pro-
 6 vince, the proceedings whereof, having
 been first confirmed by the Governor, or
 8 Person administering the Government of
 this Province in Council, shall be binding
 10 upon the said College and Royal Grammar
 School, and all others whomsoever.

12 LIII. And be it enacted, That there
 shall be in the said College and Royal
 14 Grammar School a Principal who shall be
 appointed by the Crown upon the Report
 16 or Resolutions of the Senate of the said
 University, made upon the proceedings and
 18 in the manner hereinbefore provided for
 and in respect of the appointment to Chairs
 20 in the said University: Provided always,
 nevertheless, firstly, that the person so to
 22 be appointed Principal shall be a natural
 born or naturalized subject of Her Majesty,
 24 and shall not at the time of his appoint-
 ment, or while he shall continue Principal
 26 thereof, hold any office, place or appoint-
 ment in any other University, College, Se-
 28 minary, School or place of Learning or
 Education in this Province, or elsewhere:
 30 And provided also, secondly, that such
 Principal shall, during the time that he shall
 32 hold such office, reside within the said
 College and Royal Grammar School, or if
 34 permitted so to do by any Statute of the
 said College and Royal Grammar School
 36 to be passed for that purpose, then in such
 other place as may be prescribed by such
 38 Collegiate Statute; And provided also,
 thirdly, and lastly, that during the vacancy
 40 of the office of Principal of the said Col-
 lege or Royal Grammar School, such tem-
 42 porary provision shall and may be made by
 the Council of the said College and Royal
 44 Grammar School for the performance in

College to
 have a Princi-
 pal to be ap-
 pointed by
 Crown on
 recommenda-
 tion of Senate
 of University,
 as in case of
 Chairs in
 University.

Proviso: To
 be natural
 born subject,
 and not Officer
 of any other
 College, &c.

Proviso: Re-
 sidence in Col-
 lege, &c.

Proviso: Du-
 ring vacancy
 of office, Col-
 lege Council
 to make pro-
 vision for
 duties.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

the best manner in their power of the duties attached to such office, as shall or may be directed or appointed by any College Statute to be passed for that purpose. 2 4

Ordinary general discipline, &c. to be vested in Principal in subordination to College Council.

Proviso: Principal to confer with Senior Master in cases of weight.

Proviso: In matters affecting Masters or expulsion of Scholars, appeal to be to Council.

Proviso: Mode and manner of exercising their powers may be regulated by Collegiate Statute.

Principal to report annually to College Council and transmit duplicate to Governor General.

LIV. And be it enacted, That the Ordinary General Discipline and Government of the said College and Royal Grammar School in subordination to the Council thereof, shall be vested in and exercised by the Principal thereof: Provided always, nevertheless, firstly, and the said Principal is hereby directed in all matters and cases that in his judgment shall appear of weight and importance, to confer upon the same with the Senior Master of the said College and Royal Grammar School for the time being; And provided always also, secondly, that in all matters directly affecting any of the Masters of the said College and Royal Grammar School, or involving the expulsion of any Member from the same, an appeal shall lie from the decision of the said Principal to the Council of the said College; And provided always also, thirdly, that the mode and manner of exercising the powers hereby vested in the said Principal shall and may, from time to time, be regulated and directed by Statutes of the said College and Royal Grammar School to be passed for that purpose. 6 8 10 12 14 16 18 20 22 24 26 28 30

LV. And be it enacted, That it shall be the duty of the Principal of the said College and Royal Grammar School to make an Annual General Report to the Council thereof on the general state, condition, progress and prospects of the said College, and all things touching the same, and to make such suggestions as he may think proper for the improvement of the same; a duplicate of which said report the said Principal shall transmit to the Governor, or person administering the government of this Province for the time being, through the Provincial Secretary thereof. 32 34 36 38 40 42 44

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

LVI. And be it enacted, That there shall
 2 be in the said College and Royal Grammar
 School a Deliberative Body to be called the
 4 College Council thereof, which shall consist
 of the Principal of the said College and
 6 Royal Grammar School for the time being
 when such office shall not be vacant, and
 8 the two Senior Masters of the said College
 and Royal Grammar School not being the
 10 Principal thereof, together with two other
 Masters thereof to be appointed by the
 12 Crown during pleasure, of which Council
 any four Members shall be a *Quorum* for
 14 the despatch of business: Provided always,
 nevertheless, firstly, that no person shall
 16 be qualified to be appointed by the Crown
 to such seat in the said Council who shall
 18 be a Minister, Ecclesiastic or Teacher under
 or according to any form or profession
 20 of religious faith or worship whatsoever;
 And provided also, secondly, that no person
 22 shall be qualified to be so appointed who
 shall not have taken the Degree of Master
 24 of Arts in the said University of Toronto,
 at least five years prior to the time of his
 26 appointment to such seat: And provided
 also, thirdly, and lastly, that the res-
 28 triction contained in the said last fore-
 going Proviso to this Section shall not apply
 30 to any appointment to be made to such
 Council prior to the year of Our Lord
 32 one thousand eight hundred and sixty.

College Council, Principal, two Senior Masters, and two other Masters to be appointed by Crown during pleasure, with four to be Quorum.

Proviso: Crown Member not to be Ecclesiastic.

Proviso: To be M. A. in University of Toronto of five years' standing.

Proviso: Last proviso not to take effect till 1850.

LVII. And be it enacted, That the Prin-
 34 cipal of the said College shall preside at
 all meetings of the said Council at which
 36 he shall be present, and that in his absence
 the Senior Master present shall preside in
 38 his place.

Principal, and in his absence Senior Master present, to preside at Meetings of Council.

LVIII. And be it enacted, That the
 40 Council of the said College and Royal
 Grammar School shall have full power
 42 and authority to frame and make such Sta-
 tutes, Rules and Ordinances as they may

Council to have power to make College Statutes, &c.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

think necessary or expedient touching or concerning the good government of the said College and Royal Grammar School, or touching or concerning the different Masterships and Teacherships in or belonging to the same including that of the Principal; the studies, examinations and exercises to be pursued, had or held therein, and all matters touching the same; and for summoning and holding regular or special meetings of the said Council, and all matters relative to the same; the duties of the Principal, and the residence and duties of the Principal, Masters, and Teachers of the said College and Royal Grammar School; the number of exhibitions and other prizes of and in the said College and Royal Grammar School, and all matters relative to the creation of, examination for, and conferring of the same; the number, residence, appointment and duties of all the Officers and Servants of the said College and Royal Grammar School; the management of the property and revenue thereof; the salaries, stipends, provision, fees and emoluments of and for the Principal, Masters, Teachers, Officers and Servants of the said College and Royal Grammar School, and generally concerning any other matter or thing for the well being and advancement of the said College and Royal Grammar School; and also, from time to time, to revoke, renew, augment or alter all, every, or any of the said Statutes, Rules and Ordinances as to them shall seem meet or expedient. Provided always, nevertheless, firstly, that such Statutes, Rules or Ordinances, or any of them, shall not be repugnant to the laws or Statutes of this Province: Provided also, secondly, that no such Statute, Rule or Ordinance shall be passed and adopted at the same meeting at which it is first introduced and considered, but that a second meeting of the said Council shall be specially convened for the passing and adopting any such

Proviso:
Statutes not
to be repug-
nant to laws
of U. C., &c.

Proviso: Not
to be passed at
same Meeting
as proposed.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Statute, Rule or Ordinance: And provided
 2 also, thirdly, that no such Statute, Rule or
 Ordinance shall have any force or effect un-
 4 til it shall have been approved by the Caput
 of the said University: And provided al-
 6 ways, also, fourthly, and lastly, that it
 shall and may be lawful for the Crown, at
 8 any time within two years from the passing
 of any such Statute, Rule or Ordinance, by
 10 Letters Patent under the Great Seal of this
 Province, to disallow such Statute, Rule or
 12 Ordinance, and thereupon every such Sta-
 tute or Ordinance shall, from the date of
 14 such Letters Patent, stand repealed, and be
 of no force or effect whatsoever.

Proviso: To
 be approved
 by Caput of
 University.

Proviso:
 Crown may
 disallow with-
 in two years.

16 LIX. And be it enacted, That it shall be
 the duty of the Endowment Board of the
 18 said University and College to take upon
 themselves the general charge, superintend-
 20 ence and management of the whole prop-
 erty and effects, real and personal, of the
 22 said College and Royal Grammar School,
 under the direction of such College Sta-
 24 tutes as shall or may be passed for that
 purpose: Provided always, nevertheless,
 26 firstly, that such Endowment Board shall,
 from time to time, and at all times, as the
 28 same may be required, afford to the Govern-
 or, or person administering the govern-
 30 ment of this Province for the time being,
 and also to the Principal and Council of
 32 the said College, or to such Committee or
 Committees of such Council as they may
 34 appoint for that purpose, all such informa-
 tion respecting such property and effects,
 36 and the whole fiscal or financial affairs of
 the said College and Royal Grammar
 38 School, as the said Governor, or person ad-
 ministering the government of the Province,
 40 or the said Principal or Council, or any
 such Committee or Committees of such
 42 Council shall or may from time to time re-
 quire: And provided also, secondly, that
 44 they shall in like manner afford the like

Endowment
 Board to have
 charge of prop-
 erty of Col-
 lege.

Proviso: To
 give all infor-
 mation re-
 quired by Go-
 vernor, Princi-
 pal of College,
 Council of
 College.

Proviso: To
 Auditors.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

information to the Auditors to be appointed annually for auditing the Accounts of the said College and Royal Grammar School : 2
 And provided also, thirdly, and lastly, that it shall moreover be the duty of such Board annually to make a full report of the state of the property and effects under their charge, superintendence and management, and of the whole fiscal or financial affairs of the said College, to the Council of the said College and Royal Grammar School, and at the same time to transmit a duplicate of such report to the Governor or person administering the government of this Province, through the Provincial Secretary thereof. 16

To make annual report to Council and transmit duplicate to Governor.

LX. And be it enacted, That there shall be two Auditors of Accounts of the said College and Royal Grammar School, to be appointed annually, one by the Principals of the said College, and the other by the College Council thereof, whose duty it shall be to examine and audit the Accounts of the said Endowment Board, as far as they regard the property and effects of the said College and Royal Grammar School, and all other Accounts of the said College and Royal Grammar School generally, and to make a Report upon the same to the Council of the said College, a duplicate of which Report such Auditors shall transmit to the Governor, or person administering the Government of the Province for the time being, through the Provincial Secretary thereof. 34

Principal and Masters of College to be appointed by Crown.

LXI. And be it enacted, That the Masters of the said College and Royal Grammar School shall be appointed by the Crown. 38

Senate of University to have power to suspend Principal or Masters.

LXII. And be it enacted, That it shall and may be lawful for the Senate of the said University of Toronto, upon the report of the Caput thereof, or upon that of a Com-

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

mittee of its own Members, to suspend the
 2 Principal of the said College and Royal
 Grammar School, or any of the Masters
 4 thereof from his office, for any just and rea-
 sonable cause to them appearing; Provided
 6 always nevertheless, firstly, that the grounds
 of every such suspension shall be entered
 8 and recorded at length on the Books of
 the said Senate, and such Principal or
 10 Master so suspended shall thereupon cease
 from the performance of his duties, and
 12 from the exercise of his rights, functions
 and privileges, until and unless such
 14 suspension shall be removed by the Visitor
 of the said College and Royal Grammar
 16 School under his Privy Seal: And provided
 also, secondly, that a copy, duly authen-
 18 ticated, of the entry and record of such
 suspension and the grounds thereof, be
 20 forthwith transmitted to the said Visitor
 through the Provincial Secretary; And pro-
 22 vided also, thirdly, that the continuation of any
 such suspension for a period of three calen-
 24 dar months continually, without any appeal
 by such Principal or Master to the said
 26 Visitor, against such decision of the said
 Senate, shall *ipso facto* vacate such Princi-
 28 palship or Mastership as if the party so sus-
 pended were naturally dead; And provided
 30 also, fourthly, that during every such
 suspension, such temporary provision shall
 32 and may be made by the Council of the said
 College and Royal Grammar School for the
 34 performance, in the best manner within
 their power, of the duties of such Princi-
 36 palship or Mastership, as is hereinbefore
 provided with respect to those of a vacant
 38 Chair in the said University.

Proviso: Grounds to be entered on Books of Senate.

Proviso: Copy of Entry, &c. to be transmitted Visitor.

Proviso: Continuance of suspension for three months without appeal to vacate.

Proviso: Temporary provision to be made by Council for performance of duties.

LXIII. And be it enacted, That if upon
 40 the report of the Caput, or upon that of a
 Committee of their own Members, the
 42 Senate of the said University, after affording
 the party all reasonable opportunity of being
 44 heard in his defence, shall report to the

Governor General may remove Principal and Masters, on report of Senate of University.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Governor, or person administering the Government of this Province for the time being, through the Provincial Secretary thereof, their opinion that the Principal of the said College and Royal Grammar School, or any of the Masters thereof, ought to be removed from his office, and shall in such report set forth at length, the grounds and reasons for such opinion, it shall and may be lawful for the Governor, or person administering the Government thereof for the time being, if he shall deem it just and proper so to do, by an instrument under his Privy Seal, to remove such Principal or Master from his said office, and thereafter such office shall be dealt with as if it had become vacant by the death of such Principal or Master.

No Religious
Test, &c.

LXIV. And be it enacted, That no religious test or qualification whatsoever shall be required of or appointed for any person admitted as a Member of such College and Royal Grammar School, whether as a Scholar, Student, Fellow, or otherwise, or of or for any person appointed to any office, Mastership, Teachership, or other place or employment whatever in the same; nor shall religious observances, according to the forms of any particular religious denomination, be imposed upon the Members or Officers of the said College and Royal Grammar School, or any of them.

College not to
borrow with-
out providing
Sinking Fund
to pay debt off
in twenty
years.

LXV. And be it enacted, That it shall not be lawful for the Principal, Masters and Scholars of the said College and Royal Grammar School, or for the Endowment Board of the said University and College on their behalf, to borrow any money on the security of the said College and Royal Grammar School, or of the Funds or other property thereof, or otherwise howsoever, except under the authority of a Statute of the said College and Royal Grammar School, by which Statute there shall at the same

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

time be appropriated such an amount of the
 2 annual income of the said College and Royal
 4 Grammar School, arising from the interest
 6 and dividends of money actually invested
 8 under the authority of the seventy-second
 10 Section of this Act, as shall be sufficient to
 12 meet the annual interest upon such loan,
 14 and in addition thereto, a sufficient sum
 16 *per centum per annum* upon the original
 18 principal of such loan, to constitute a Sink-
 20 ing Fund for the final redemption, satisfac-
 22 tion and discharge of the said original
 24 principal of such loan, within at least twenty
 26 years from the time of the contracting of the
 28 same, and the annual interest of such loan;
 30 and the annual appropriation for such Sink-
 32 ing Fund for the redemption and satisfaction
 34 thereof, shall constitute an extra charge
 upon the Income Fund of the said College
 and Royal Grammar School, as hereinafter
 established, which, so long as any part of
 the said original principal of such loan shall
 remain unpaid, shall take precedence of
 the fourth, fifth and sixth ordinary annual
 charges upon such Income Fund as the same
 are respectively charged and imposed upon
 the same by the seventy-fourth section of
 this Act, and until such payment and satis-
 faction of the whole principal and interest
 of such loan, any collegiate Statute, either
 Visitatorial or Collegiate, whereby such pro-
 vision shall or may be attempted to be
 repealed or altered, shall be null and void
 to all intents and purposes whatsoever.

LXVI. And be it enacted, That all the
 36 property and effects, real and personal, of
 38 what nature or kind soever, now belonging
 40 to or vested in the said College and Royal
 42 Grammar School, or in the Principal, Mas-
 44 ters 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 and Royal Grammar
 School, shall be and continue vested in the

Property of
 College vested
 in Corporation.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Principal, Masters, and Scholars of Upper Canada College and Royal Grammar School, 2
to hold to them and their Successors for
ever; any thing in the said Act of the Par- 4
liament of the late Province of Upper Canada
or of this Province, or in any Letters Patent, 6
Royal Charters, Deeds, or other Instruments
to the contrary thereof in anywise notwith- 8
standing.

Debts due to
College vested
in Corporation
of College.

LXVII. And be it enacted, That all 10
debts due to the said College and Royal
Grammar School or to the Principal, Mas- 12
ters and Scholars thereof in their Corporate
capacity, and all judgments, recognizances, 14
bonds, covenants and other instruments or
contracts suffered, acknowledged or given 16
to or made with them as aforesaid, or with
the said College, Collegiate Institution or 18
University hereinbefore mentioned on behalf
of the said College and Royal Grammar 20
School or with the Chancellor, President
and Scholars of the said University on 22
behalf of the said College and Royal Gram-
mar School, by whatever name the same 24
may have been suffered, acknowledged,
given or made, shall be available, stand and 26
continue of good purport and full force and
strength to the Principal, Masters and Scho- 28
lars of Upper Canada College and Royal
Grammar School, as if the said College and 30
Royal Grammar School had been therein
named by the Corporate name hereby given 32
to the same; and it shall and may be lawful
for the said College and Royal Grammar 34
School, by the Corporate name last afore-
said, to proceed upon the same by execution 36
or otherwise, and recover thereon as if the
same had been suffered, acknowledged or 38
given to or made with them by the name
last aforesaid. 40

Corporation of
College liable
to all debts due
by College.

LXVIII. And be it enacted, That except
as hereinafter excepted, the Principal, Mas- 42
ters and Scholars of Upper Canada College

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

and Royal Grammar School shall both in
 2 Law and Equity be liable to all the present
 existing debts, contracts and agreements of
 4 the said College and Royal Grammar School,
 and may be sued upon and recovered against
 6 for the same, as if the same had been con-
 tracted or entered into by them by the name
 8 aforesaid. Provided always, nevertheless,
 that nothing herein contained shall extend
 10 or be construed to extend to the debt now
 claimed to be due by the said College and
 12 Royal Grammar School to the said Univer-
 sity, which debt shall be and the same is
 14 hereby absolutely cancelled and discharged.

Proviso: That
 Debt to Uni-
 versity be can-
 celled.

LXIX. And be it enacted, That the
 16 fiscal year of the said College and Royal
 Grammar School shall commence on the
 18 first day of January and end on the thirty-
 first day of December in each year.

Fiscal year
 same as Cal-
 endar year,

LXX. And be it enacted, That the Sala-
 20 raries of the Principal, Masters, Teachers,
 22 Officers and Servants of the said College
 and Royal Grammar School shall, by the
 24 Statutes establishing the same, be made pay-
 able Quarterly on the four Quarter days
 26 of each fiscal year, that is to say, the first
 days of January, April, July and October
 28 in the same.

Salaries to be
 payable Quar-
 terly.

LXXI. And be it enacted, That none of
 30 the real property of the said College and
 Royal Grammar School, and none of the
 32 property thereof invested according to the
 directions of either the seventy-second or
 34 seventy-sixth Sections of this Act, shall be
 disposed of or applied otherwise than by
 36 authority of a Statute of the said College
 and Royal Grammar School.

None of Real
 Property to be
 disposed of but
 by Statute of
 College.

LXXII. And be it enacted, That the
 38 proceeds arising from the sales of any of the
 40 lands referred to in the seventy-first section
 of this Act which it shall from time to time

Proceeds of
 Sales of Lands
 to form Invest-
 ment Fund.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

be deemed expedient by the said College and Royal Grammar School to sell and dispose of, and all monies received upon investments called in or paid off, together with any surplus of the income over the expenditure of the said College and Royal Grammar School, as provided by the seventy-sixth Section of this Act, shall form a Fund to be called in the Books of the said College and Royal Grammar School "The College Investment Fund," the monies at the credit of which Fund shall from time to time be invested in such Government or Landed Securities as shall be approved of by the Council of the said College and Royal Grammar School.

Annual Income to form Income Fund.

LXXIII. And be it enacted, That the annual income of the said College and Royal Grammar School arising from the fees and dues payable to the same for entrance, tuition, or otherwise, or from such portion thereof as by any Statute or Statutes of the said College and Royal Grammar School shall be payable into the General Funds of the said College and Royal Grammar School, and not to the Principal, Masters or Officers thereof, and from the annual or other periodical rents, interests and dividend arising from the property and effects of the said College and Royal Grammar 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 to the said College and Royal Grammar School, for the general benefit thereof without being specially appointed by the Donor to any particular object or purpose, shall form another Fund to be called "The College 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

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Fund in the order in which such charges are therein charged and imposed upon the same.

4 LXXIV. And be it enacted, That the first annual charge upon the said College Income Fund shall be the necessary expenses incurred in the receipt, collection and management of the monies of the said College and Royal Grammar School, as well those constituting the Investment Fund as those constituting the said Income Fund. The second charge upon such Income Fund shall be the necessary outlay for taxes, insurance and repairs of the buildings and other property of the said College and Royal Grammar School. The third charge upon such Income Fund shall be the salaries, wages and allowances of all Subordinate Officers and Servants of the said College and Royal Grammar School. The fourth charge upon the said Fund shall be such sum of money as by any Statute or Statutes of the said College and Royal Grammar School, to be passed for that purpose, shall be annually appropriated for the incidental expenses of the said College and Royal Grammar 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 shall be the salaries of the Principal and Masters of the said College and Royal Grammar School, and so much of those of the Members of the Endowment Board of the said University and College as shall be payable out of the Funds of the said College. 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 any Statute of the said College and Royal Grammar School passed for that purpose.

Charges on
Income Fund,
1, 2, 3, 4, 5,
and 6.

LXXV. And be it enacted, That whenever the Income Fund of the said College and Royal Grammar School, for any year,

If Income
Fund not suf-
ficient to satis-
fy Annual

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Charges upon the same, deficiency to be equally deducted from all Salaries constituting Fifth Annual Charge upon such Fund.

Proviso: Deficiency to be made up by surplus accruing during Five following years.

Proviso: Beyond which no claim for any part of such deficiency.

Surplus if any of Income Fund to be transferred to Investment Fund.

shall not be sufficient to satisfy and discharge the different charges upon the same 2
 for such year as herein provided, the amount 4
 of the deficiency for such year shall be 4
 deducted in equal proportions from all the 6
 salaries constituting the fifth annual charge 6
 upon such fund for the following year, by 8
 proportionate quarterly deductions from 8
 such salaries, as the same become respect- 10
 ively payable at each financial quarter of 10
 such following year: Provided always, ne- 12
 vertheless, firstly, that the parties whose 12
 receipts of salary may have been diminished 14
 by such proportionate deductions as afore- 14
 said, shall be entitled to have such defi- 16
 ciency made good in part, or in the whole, 16
 as the case may be, out of any surplus, or 18
 surpluses of income over expenditure that 18
 may accrue during the five years next en- 20
 suing that in which such proportionate de- 20
 deductions shall have been so made as 22
 aforesaid: Provided also, secondly, that for 22
 the deficiency thus occasioned in such sa- 24
 laries, and which at the end of every fifth 24
 year may yet remain unsatisfied, as afore- 26
 said, the incumbents to whose Offices or 26
 Masterships such salaries shall be attached 28
 respectively shall have no claim upon the 28
 said College and Royal Grammar School or 30
 upon the Funds thereof, but the amount of 30
 such salaries received by each of such in- 32
 incumbents, according to the provisions of this 32
 Act, shall be deemed and taken to have 34
 been received by him in full satisfaction 34
 and discharge of the whole of his salary for 36
 such five years, for which such proportion 36
 of the same shall have been paid to him as 38
 aforesaid. 38

LXXVI. And be it enacted, That the surplus, if any, of the said College Income 40
 Fund, after satisfying and discharging the 42
 several charges, whether ordinary or extra, 42
 by this Act charged upon the same, shall 44
 be annually transferred to the Investment 44

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL.

Fund of the said College and Royal Grammar School, and with the other monies belonging to that Fund be from time to time invested as in and by the seventy-second 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 year to the next.

LXXVII. And be it enacted, That all Statutes, Rules and Ordinances of the said College and Royal Grammar School in force at the time of the passing of this Act, and which are not inconsistent with the provisions thereof, shall be and continue in force, until repealed, altered or amended by some other Statute of the said College and Royal Grammar School, either Visitation or Collegiate to be hereafter enacted or passed for that purpose.

Present Statutes of College to remain till altered.

LXXVIII. And be it enacted, That the Principal and other Masters and Officers of the said College and Royal Grammar School now actually holding a Mastership, or office in the same, shall continue to hold such Mastership or office under a new Warrant to be issued to him for the same until he shall be removed therefrom in the manner prescribed by this Act; Provided always, nevertheless, that nothing herein contained shall prevent or be construed to prevent the Commission of Visitation to be issued as hereinafter directed, or any other such Commission of Visitation; or any Collegiate Statute to be passed for that purpose, from re-arranging such Masterships or Offices, or the duties attached to the same respectively, or from adding to, varying or deducting from the duties of the Mastership, or office held by any such Master or Officer in the said College or Royal Grammar School, or from so altering or varying the amount of salary or emolument receivable by any such Master or Officer as shall be

Present Principal and Masters to continue.

Proviso: Commission of Visitation may re-arrange duties.

III. U. C. COLLEGE AND ROYAL GRAMMAR SCHOOL, &c.

necessary to give effect to the provisions of this Act for the prevention of the dissipation of the endowment or capital stock of such College and Royal Grammar School, and restricting its expenses and disbursements to the amount of its annual income from the same.

Commission of Visitation to issue.

LXXIX. And be it enacted, That so soon after the passing of this Act as to the Governor, or person administering the Government of the Province for the time being, shall seem expedient, a like Commission of Visitation shall be issued to and in respect of the said College and Royal Grammar School as that hereinbefore directed to be issued to and in respect of the said University, with similar powers and directions as far as the Governor, or person administering the Government of the Province for the time being, shall deem the same applicable or expedient to be contained in such Commission; Provided always, nevertheless, that nothing herein contained shall prevent or be construed to prevent the issue of one Commission embracing both objects if such shall be the pleasure of the Governor, or person administering the Government of the Province for the time being, as aforesaid.

IV.—MISCELLANEOUS AND TEMPORARY PROVISIONS.

Actions at Law and Suits in Equity by or against University, College, &c., not to abate.

LXXX. And be it enacted, That no action at law or suit in equity now pending between either the said first mentioned University and any person or persons, bodies corporate or politic, or between the said College and Royal Grammar School, and any such person or persons, bodies corporate or politic, by whatsoever name such University or College may be proceeding or be proceeded against in such action or suit, shall abate, cease or be discontinued by reason of any thing in this Act contained, but every such action or suit shall and may, upon suggestion of the passing hereof, be pro-

IV.—MISCELLANEOUS AND TEMPORARY PROVISIONS.

ceeded with for or against such University
2 or College by the Corporate name hereby
conferred upon the same respectively ; any
4 thing herein contained to the contrary not-
withstanding.

6 LXXXI. And whereas a gift of Books,
principally consisting of Theological Works,
8 was some years since made to the said
University hereinbefore first mentioned by
10 the Society for Promoting Christian
Knowledge, which in consequence of the
12 abolition of the Chair of Divinity, that So-
ciety may desire to have transferred to some
14 other Institution or otherwise disposed of:
Be it therefore enacted, That upon applica-
16 tion from the said Society under their Com-
mon Seal, to be made to the said Chancellor,
18 Masters and Scholars of the said University
of Toronto, at any time before the year of
20 our Lord, one thousand, eight hundred and
fifty-five, requesting that such gift may be
22 returned to them or otherwise disposed of
as they may appoint, it shall and may be
24 lawful for the said Chancellor, Masters and
Scholars, and they are hereby required to
26 deliver over the same according to such re-
quest, and the same shall thereupon become
28 vested in the said Society, or in such other
person or persons, bodies politic or corpo-
30 rate as the said Society shall or may in and
by such request so to be made as aforesaid
32 nominate and appoint in that behalf ; any
thing herein contained to the contrary not-
34 withstanding.

Theological
Library to be
transferred at
request of
Society for
promotion of
Christian
Knowledge.

LXXXII. And be it enacted, That this
36 Act shall be deemed and taken to be a Public
Act, and shall be judicially taken notice of
38 as such by all Judges, Justices and others
whomsoever without being specially pleaded.

Act to be pub-
lic Act, &c.

40 LXXXIII. And be it enacted, That this
Act may be amended, altered or repealed
42 by any Act to be passed in this present Ses-
sion of Parliament.

Act may be
amended, &c.
this Session.