



ROYAL CHARTER
OF
QUEEN'S COLLEGE,

AT KINGSTON.

DATED 16TH OCTOBER, 1841,

AND SUBSEQUENT STATUTES RELATING
THERE TO.



KINGSTON, CANADA ;
THE JACKSON PRESS
1905

Henry Seabrook
Dec 1915

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VICTORIA, BY THE GRACE OF GOD OF THE
UNITED KINGDOM OF GREAT BRITAIN
AND IRELAND, QUEEN, DEFENDER OF
THE FAITH :

To all to whom these Presents shall come, Greeting :

Whereas, the establishment of a College within the Province of Upper Canada, in North America, in connection with the Church of Scotland, for the education of youth in the principles of the Christian Religion; and for their instruction in the various branches of Science and Literature, would greatly conduce to the welfare of our said Province. *And whereas* humble application hath been made to us by THE REVD. ROBERT MCGILL, Moderator of the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland, and THE REVD. ALEXANDER GALE, Clerk of the said Synod, and the several other persons hereinafter named, to make them a Body Corporate and Politic for the purposes aforesaid and hereinafter mentioned; by granting to them our Royal Charter of Incorporation, and to permit them to use our Royal Title in the name or style thereof.

I.

Preamble.

Now know Ye, that We having taken the premises into our Royal consideration, and duly weighing the great utility and importance of such an Institution, have of our special grace, certain knowledge, and mere motion, granted, constituted, declared and appointed, and by these Presents for Us, our Heirs and Successors, Do grant, constitute, declare and appoint the said ROBERT MCGILL and ALEXANDER GALE, The Revd. JOHN MCKENZIE, The Revd. WILLIAM RINTOUL, The Revd. WILLIAM T. LEACH, The Revd. JAMES GEORGE, The Revd. JOHN MACHAR, The Revd. PETER COLIN CAMPBELL, The Revd. JOHN CRUIKSHANK, The Revd. ALEXANDER MATHIESON, Doctor in Divinity, The Revd. JOHN COOK, Doctor in Divinity, and the PRINCIPAL of the said College for the time being, Ministers of the Presbyterian Church of Canada in connection with the Church of Scotland, The Honorable JOHN HAMILTON, The Honble. JAMES CROOKS, The Honble.

II.

Certain persons
incorporated.

WM. MORRIS, The Honble. ARCHIBALD McLEAN, The Honble. JOHN McDONALD, The Honble. PETER MCGILL, EDWARD W. THOMPSON, THOMAS MCKAY, JAMES MORRIS, JOHN EWART, JOHN STEELE, JOHN MOWAT, ALEXANDER PRINGLE, JOHN MUNN and JOHN STRANG, Esquires, Members of the said Church, and all and every such other person and persons as now is or are, or shall or may at any time or times hereafter be Ministers of the Presbyterian Church of Canada in connection with the Church of Scotland—or Members of the said Presbyterian Church in such connection, and in full communion with the said Presbyterian Church—shall be and be called, one body Corporate and Politic, in Deed and in Law, by the name and style of "QUEEN'S COLLEGE AT KINGSTON," and them by the name of "QUEEN'S COLLEGE AT KINGSTON," *We do for* the purposes aforesaid and hereinafter mentioned, really and fully for Us, our Heirs and Successors, make, erect, create, ordain, constitute, establish, confirm and declare by these presents, to be one Body Politic and Corporate in Deed and in name: And that they and their successors by that name shall and may have perpetual succession as a College—with the style and privileges of an University, for the education and instruction of Youth and Students in Arts and faculties; and shall also have, and may use a Common Seal, with power to break, change, alter or make new the same Seal, as often as they shall judge expedient. And that they and their Successors, by the name aforesaid, shall and may forever hereafter be able, in Law and in Equity, to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all Courts and places whatsoever: and also to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain in Law, to and for the use of the said College, any Messuages, Lands, Tenements and Hereditaments, of what kind, nature or quality soever, so as that the same do not exceed in yearly value, above all charges, the sum of £15,000 sterling: and also that they and their Successors shall have power to take, purchase, acquire, have, hold, enjoy, receive, possess and retain all or any Goods, Chattels, Monies, Stocks, Charitable or other Contributions, Gifts, Benefactions or Bequests whatsoever: and to give, grant, bargain, sell, demise, or otherwise dispose

Corporate name

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General Powers

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of, all or any part of the same, or of any other property, real, personal, or other they may at any time or times possess or be entitled to, as to them shall seem best for the interest of the said College.

And We do further Will, Ordain and Grant, that the said College shall be deemed and taken to be an University; and that the Students in the said College shall have liberty and faculty of taking the degrees of Bachelor, Master and Doctor in the several Arts and faculties at the appointed times; and shall have liberty within themselves of performing all Scholastic Exercises for conferring such Degrees, in such manner as shall be directed by the Statutes, Rules and Ordinances of the said College.

IV.

College to be an University.

And We do further Will, Ordain and Appoint that no religious test or qualification shall be required of, or No religious test except in the case of Divinity Students. appointed for any persons admitted or matriculated as Scholars within our said College; or of or for persons admitted to any Degree in any Art or Faculty therein, save only that all persons admitted within Our said College to any Degree of Divinity, shall make such and the same Declarations and Subscriptions as are required of persons admitted to any Degree of Divinity in Our University of Edinburgh.

V.

No religious test except in the case of Divinity Students.

And for the better execution of purposes aforesaid, and for the more regular Government of the said Corporation, We do declare and Grant that the said Corporation and their Successors shall forever have Twenty-seven Trustees, of whom Twelve shall be Ministers of the said Presbyterian Church of Canada, and Fifteen shall be Laymen in full communion with the said Church. And that the said several persons hereinbefore named and the Principal of the said College for the time being, shall be the first and present Trustees of the said Corporation, and shall respectively continue in such Office until others shall be appointed in their stead, in pursuance of these our Letters Patent.

VI.

Twenty-seven Trustees to be appointed

12 Ministers
15 Laymen

And We further Will that the said Trustees of the said Corporation hereinbefore particularly named, shall continue in and hold the office of Trustees until the several days and in the manner hereinafter mentioned, that is to say, three Ministers and four Laymen whose names stand lowest in these our Letters Patent, shall retire from

VII.

Trustees to retire in rotation.

Order of retirement,

the said Board of Trustees on the first day of the Annual Meeting of the said Synod in the year 1843, and their room be supplied by the addition of seven new Members in manner hereinafter mentioned. Three other Ministers and four other Laymen whose names stand next to those in these our Letters Patent, who shall have previously retired, shall retire from the said Board of Trustees on the first day of the Annual Meeting of the said Synod in the year 1844, and their room be supplied by the addition of seven new members in manner hereinafter mentioned. Three other Ministers and four other Laymen whose names stand next to those in these our Letters Patent who shall have previously retired, shall retire from the said Board of Trustees on the first day of the Annual Meeting of the said Synod in the year 1845, and their room be supplied by the addition of seven new Members in manner hereinafter mentioned; and the two remaining Ministers and the three remaining Laymen whose names stand next to those in these our Letters Patent, who shall have previously retired, shall retire from the said Board of Trustees on the first day of the Annual Meeting of the said Synod in the year 1846, and their room be supplied by the addition of five new Members in manner hereinafter mentioned. And on the first day of each succeeding Annual Meeting of the said Synod, three Ministers and four Laymen whose names stand lowest in the future roll of Ministers and Laymen composing the said Board of Trustees, shall retire from the same, excepting in every fourth year, when two Ministers only, instead of three, and three Laymen only, instead of four shall so retire.

VIII.

Replacing of clerical Trustees,

Replacing of Lay Trustees,

List of persons eligible.

And the new Members of the Board to be appointed from time to time in succession to those who retire, shall be appointed in manner following, that is to say: The three Ministers or two Ministers as the case may be, shall be chosen by the said Synod on the first day of every Annual Meeting of the same, in such manner as shall seem best to the said Synod; and the four Laymen or three Laymen, as the case may be, shall be chosen also on the first day of every Annual Meeting of the said Synod, by the Lay Trustees remaining after the others shall have retired; and shall be so chosen from a list of persons made up in the following manner, that is to say: each Congregation admitted on the Roll of the said Synod, and in regular connexion therewith, shall, at a meeting to be

specially called from the Pulpit for that purpose in every third year, nominate one fit and discreet person, being a Member in full communion with the said Church, as eligible to fill the office of Trustee of the said College; and the persons names so nominated being duly intimated by the several Congregations to the Secretary of the Board of Trustees in such form as the said Board may direct, shall be enrolled by the said Board, and constitute the list from which Lay Trustees shall be chosen to fill the vacancies occurring at the Board during each year. And the names of Members thus added to the Board of Trustees, shall be placed from time to time at the top of the roll of the Board, the names of the Ministers chosen as new Trustees being first placed there in such order as the said Synod shall direct. And the names of the Laymen chosen as new Trustees being placed in such order as their Electors shall direct, immediately after the names of the said Ministers.

Provided always that the retiring Trustees may be re-elected as heretofore provided, if the Synod and remaining Lay Delegates respectively see fit to do so.

IX.

Retiring Trustees may be re-elected.

And Provided always that in case no election of new Trustees shall be made on the said first day of the Annual Meeting of the said Synod, then and in such case the said retiring Members shall remain in Office until their successors are appointed at some subsequent period.

X.

Proviso.

And Provided always that every Trustee, whether Minister or Layman, before entering on his duties as a Member of the said Board, shall have solemnly declared his belief of the Doctrines of the Westminster Confession of Faith, and his adherence to the Standards of the said Church in Government, Discipline and Worship; and subscribed such a formula to this effect as may be prescribed by the said Synod; and that such Declaration and Subscription shall in every case be recorded in the Books of the said Board.

XI.

Proviso.

And We further Will that the said Trustees and their Successors shall forever have full power and authority to elect and appoint for the said College a Principal, who shall be a Minister of the Church of Scotland, or of the Presbyterian Church in Canada in connexion with the Church of Scotland; and such Professor or Professors,

XII.

Power to elect a Principal.

Munroe

Supplement to Bill

Power to elect Professors and officers. Master or Masters, Tutor or Tutors, and such other Officer or Officers as to the said Trustees shall seem meet ; save and except only, that the first Principal of the said College, who is also to be Professor of Divinity, and likewise the first Professor of Morals in the said College, shall be nominated by the Committee of the General Assembly of the Church of Scotland.

Proviso.

XIII

Proviso.

Provided always that such person or persons as may be appointed to the Office of Principal or to any Professorship or other Office in the Theological department in the said College shall, before discharging any of the duties, or receiving any of the emoluments of such Office or Professorship, solemnly declare his belief of the doctrines of the Westminster Confession of Faith, and his adherence to the standards of the Church of Scotland, in government, discipline and worship, and subscribe such a formula to this effect as may be prescribed by the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, and that such declaration and subscription be recorded in the Books of the Board of Trustees :

*Uniform of Faith
Standards of
Ch of Scotland*

XIV.

Proviso.

And provided always. that such persons as shall be appointed to Professorships, not in the Theological Department in the said College, shall before discharging any of the duties, or receiving any of the emoluments of such Professorships, subscribe such a formula, declarative of their belief of the doctrines of the aforesaid Confession of Faith as the Synod may prescribe.

of the Professor

XV.

Discipline of Principal, Professors & Officers.

And We further Will, that if any complaint respecting the conduct of the Principal, or any Professor, Master, Tutor, or other Officer of the said College, be at any time made to the Board of Trustees, they may institute an enquiry, and in the event of any impropriety of conduct being duly proved, they shall admonish, reprove, suspend, or remove the person offending, as to them may seem good—

XVI.

Proviso.

Provided always, that the grounds of such admonition, reproof, suspension or removal be recorded at length in the Books of the said Board.

XVII.

Power to erect an edifice.

And We further Will that the said Trustees and their Successors shall have full power and authority to erect an Edifice or Edifices for the use of the said College.

Provided always, that such Edifice or Edifices shall not be more than three miles distant from St. Andrew's Church in the Town of Kingston in the Province of Upper Canada.

XVIII.
Location.

And We further Will that the said Trustees and their Successors shall have power and authority to frame and make Statutes, Rules and Ordinances touching and concerning the good government of the said College, the performance of Divine Service therein, the Studies, Lectures, Exercises, and all matters regarding the same ; the number, residence and duties of the Professors thereof, the management of the revenues and property of the said College, the Salaries, Stipends, provision and emoluments of, and for the Professors, Officers and Servants thereof, the number and duties of such Officers and Servants, and also touching and concerning any other matter or thing which to them shall seem necessary for the well being and advancement of the said College, and also from time to time by any new Statutes, rules or ordinances to revoke, renew, augment or alter, all, every, or any of the said Statutes, rules and ordinances as to them shall seem meet and expedient :

XIX.
Power to make Statutes. 3

Provided always that the said Statutes, rules and ordinances, or any of them, shall not be repugnant to these presents or to the Laws and Statutes of the said Province.

XX.
Proviso.

Provided also that the said Statutes, rules and ordinances, in so far as they regard the performance of Divine Service in the said College, the duties of the Professors in the Theological Department thereof, and the Studies and exercises of the Students of Divinity therein, shall be subject to the inspection of the said Synod of the Presbyterian Church, and shall be forthwith transmitted to the Clerk of the said Synod and be by him laid before the same at their next Meeting for their approval ; and until such approval duly authenticated by the signatures of the Moderator and Clerk of the said Synod is obtained, the same shall not be in force.

XXI.
Proviso.
Approval of Synod.

And We further Will, that so soon as there shall be a Principal and one Professor in the said College, the Board of Trustees shall have authority to constitute under their Seal the said Principal and Professor, together with three members of the Board of Trustees, a Court to be

XXII.
College Senate constituted.

Discipline of
Students.

called "The College Senate," for the exercise of Academical superintendence and discipline over the Students, and all other persons resident within the same, and with such powers for maintaining order and enforcing obedience to the Statutes, Rules and Ordinances of the said College, as to the said Board may seem meet and necessary :—

XXIII.
Proviso.

Provided always, that so soon as three additional Professors shall be employed in the said College, no Trustee shall be a Member of the said College Senate, but that such Principal and all the Professors of the said College shall for ever constitute the College Senate, with the powers just mentioned.

PXIV.
Power to confer
Degrees.

And We further Will, that whenever there shall be a Principal and four Professors employed in the said College, the College Senate shall have power and authority to confer the degrees of Bachelor, Master, and Doctor, in the several Arts and Faculties.

XXV.
Quorum of Trustees

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13

And We further Will, that five of the said Trustees, lawfully convened as is hereinafter directed, shall be a quorum for the despatch of all business, except for the disposal and purchase of Real Estate, or for the choice or removal of the Principal or Professor, for any of which purposes there shall be a Meeting of at least, thirteen Trustees.

XXVI.
Power to choose
Secretary, Treas-
urer and Chairman.

And We further Will, that the said Trustees shall have full power and authority, from time to time, to choose a Secretary and Treasurer ; and also once in each year or oftener, a Chairman who shall preside at all Meetings of the Board.

XXVII.
Power to fill vacan-
cies in the Board.

And We further Will, that the said Trustees shall also have power by a majority of voices of the Members present, to select and appoint in the event of a vacancy in the Board by death, resignation, or removal from the Province, a person whose name is on the list from which appointments are to be made to fill such vacancy, choosing a Minister in the room of a Minister and a Layman in the room of a Layman, and inserting the name of the person so chosen in that place on the Roll of the Board in which the name of the Trustee in whose stead he may have been chosen stood ; so that the persons so chosen may be as to continuance in Office and in all other respects as the per-

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sons would have been by whose death, resignation or removal the vacancy was occasioned.

And We further Will, that the first General Meeting of the said Trustees shall be held at Kingston upon such a day within six Calendar months after the date of these our Letters Patent, as shall be fixed for that purpose by the Trustee first named in these presents, who shall be then living; of which Meeting thirty days notice at least shall be given by notification in writing to each of the Trustees for the time being, who shall be resident at the time within the Provinces of Upper or Lower Canada; and the same shall also be notified at the same time by Advertisements in one or more of the Public Newspapers of the said Provinces.

XPVIII.

First General Meeting.

And the said Trustees shall also afterwards have power to meet at Kingston aforesaid, or at such other place as they shall fix for that purpose upon their own adjournment, and likewise so often as they shall be summoned by the Chairman or in his absence by the Senior Trustee, whose Seniority shall be determined in the first instance by the order in which the said Trustees are named in these presents, and afterwards by the order in which they shall be subsequently arranged pursuant to the powers hereinbefore contained.

XXIX.

Future Meetings

Provided always that the said Chairman or Senior Trustee shall not summon a Meeting of the Trustees unless required so to do by a notice in writing from three Members of the Board :

XXX.

Notice in writing.

And provided also, that he cause notice of the time and place of the said Meeting to be given in one or more of the Public Newspapers of the Provinces of Upper and Lower Canada, at least thirty days before such Meeting; and that every Member of the Board of Trustees resident within the said Provinces shall be notified in writing by the Secretary to the Corporation of the time and place of such Meeting.

PXXI.

Publication of Notice.

And We Will and by these presents for Us our Heirs and Successors do Grant and declare that these our Letters Patent, or the enrolment or exemplification thereof shall and may be good, firm and valid, sufficient and effectual in the Law, according to the true intent and meaning of

XXXII.

Intention and meaning of Letters Patent

the same and shall be taken, construed and adjudged in the most favorable and beneficial sense for the best advantage of our said College, as well in our Courts of Record as elsewhere ; and by all and singular Judges, Justices, Officers, Ministers and others, subject whatsoever of Us our Heirs and Successors, any unrecital, non-recital, omission, imperfection, defect, matter, cause, or anything whatsoever, to the contrary thereof in any wise notwithstanding.

IN WITNESS Whereof, We have caused these our Letters to be made patent. Witness Ourselves, at Our Palace at Westminster, this Sixteenth day of October, in the Fifth year of our Reign.

By Writ of Privy Seal.—EDMUNDS.

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STATUTES RELATING TO QUEEN'S COLLEGE.

38 Victoria.

CAP. LXXVI.

[Ontario.]

An Act respecting Queen's College at Kingston

[Assented to 21st December, 1874]

WHEREAS "Queen's College, at Kingston," in the Province of Ontario, was founded under and by virtue of ^{Preamble.} Royal Letters Patent, bearing date at Windsor, the sixteenth day of October in the fifth year of Her Majesty's reign ; And whereas, the said letters patent constitute the Ministers of the Presbyterian Church of Canada in connexion with the Church of Scotland, together with the members of the said Church in full communion therewith, the Corporation of "Queen's College at Kingston" aforesaid, and appoint for the said Corporation a Board of Trustees, consisting of so many of the aforesaid ministers and laymen, and provide for the retiring annually of a certain number of ministers on the first day of the annual meeting of the Synod of the said Church, and for the election by the said Synod of an equal number of ministers of the said Church to be their successors ; and whereas, the Trustees of the said Corporation have, by their Chairman, represented that the said Presbyterian Church of Canada in connexion with the Church of Scotland proposes to unite with certain other Presbyterian Churches, to wit. "The Canada Presbyterian Church," "The Church of the Maritime Provinces, in connection with the Church of Scotland," and "The Presbyterian Church of the Lower Provinces," for the purpose of forming one Church, to be called "The Presbyterian Church in Canada," and have prayed for an Act to enable the said College to stand towards the said Presbyterian Church in Canada in relations similar to those which it now holds to the Presbyterian Church of Canada in connexion with the Church of Scotland, and to enable the Board of Trustees of the said College and their successors to continue the administration of its affairs, and the said College to continue its functions, on terms and conditions like to those which now exist ; and have further prayed for additional powers and privileges with the view of increasing the efficiency and of extending the usefulness of the said College ; and it is desirable to grant the prayer of the said Trustees.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.

Provisions of the letters patent to apply to the Presbyterian Church in Canada.

1. So soon as this Act shall come into force, all the provisions in the said Letters Patent which now apply to the Church of Scotland, or to the Presbyterian Church of Canada in connexion with the Church of Scotland, shall apply to the Presbyterian Church in Canada, and shall be applicable thereto in the same sense, for the same purposes, and to the same extent as they are now applicable to the said Church of Scotland, or the said Presbyterian Church of Canada in connexion with the Church of Scotland; and all the powers, rights and privileges hitherto exercised and enjoyed by the ministers and members of the Presbyterian Church in Canada in connexion with the Church of Scotland, as corporators of the said College, and by the Synod of the said Presbyterian Church of Canada in connexion with the Church of Scotland, in virtue of their relations respectively to Queen's College at Kingston, shall be exercised and enjoyed by the ministers and members of the Presbyterian Church in Canada, and by the General Assembly or other Supreme Court of the said Presbyterian Church in Canada, respectively, except as hereinafter provided.

Retiring trustees.

2. The number of Trustees, both of ministers and laymen, who by the said Letters Patent are required to retire annually on the first day of the annual meeting of the Synod of the Presbyterian Church in Canada in connexion with the Church of Scotland, shall retire annually on a day which the Trustees shall have power from time to time to appoint for the purpose, and on the same day the Board of Trustees, duly convened and met shall elect successors to the members so retiring, whether said members be ministers or laymen.

Meeting of trustees to be held on the request of three members of the Board.

3. When at any time after this Act shall come into force the Chairman of the Board of Trustees or, in his absence, the Senior Trustee shall receive a notice in writing from three members of the Board, requesting him to summon a meeting of the Trustees, such meeting shall be legally convened by the Chairman or said Senior Trustee causing the Secretary of the board to notify every member of the Board of the time, place and purpose of such

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meeting, and by the Secretary mailing notices of the meeting at least fifteen days before it shall take place.

4. The Board of Trustees may appoint a Vice-Principal ^{Vice-Principal.} of the said College, and such Vice-Principal shall, in the absence of the Principal, take the place and discharge the duties of the Principal.

5. The Chairman of the Board of Trustees shall have the right to vote the same as other members of the Board ^{Vote of Chairman.} on all motions submitted to any meeting of the Trustees, and, in case of an equality of votes upon any motion, he shall also have the right of a casting vote.

6. The power hitherto vested in the corporation of ^{Power to hold lands & receive bequests.} Queen's College, to take, purchase, acquire, have, hold, enjoy, receive, possess, and maintain in law, to and for the use of the said College, any messuages, lands, tenements and hereditaments, goods, chattels, moneys, stocks, charitable or other contributions, gifts, benefactions or bequests whatsoever, shall not be limited, from and after the date hereof, by any statute or statutes of mortmain.

7. The College Senate shall have power to pass by-laws touching any matter or thing pertaining to the conditions ^{Degrees.} on which degrees in the several Arts and Faculties may be conferred, whether the said degrees be such as are gained in course, or such as are honorary, or whether they be conferred on matriculants of Queen's College or on other persons, but any such by-law shall be reported to the first meeting of the Board of Trustees after being passed, and shall cease to be in force if disapproved of by the Board.

8. The Trustees, Lecturers, Tutors, Fellows, Grduates, ^{Convocation.} and Alumni or students being undergraduates of the said College, shall have power and authority to meet in Convocation for the public conferring of degrees and other honours and distinctions awarded or granted by the College Senate, for the installation of the Chancellor, hereinafter mentioned, Principal, or any Professor duly elected or appointed according to the provisions of the aforesaid Letters Patent, and for such other purposes as the University Council, constituted as hereinafter provided, shall from time to time determine.

9. There shall be in connection with the said Queen's ^{University Council of Queen's College.} College a Council, which shall be called the University

Council of Queen's College ; and the said Council shall, as to membership, consist of all the Trustees of the said College, for the time being, and their successors, and of all the members of the College Senate, for the time being, and their successors, and of as many graduates or alumni as shall be equal in number to the aforesaid members taken together ; and the members of the Council, other than the Trustees and members of the College Senate, shall be appointed, in the first instance, by the Trustees and members of the College Senate, at a meeting thereof to be convened by the Chairman of the Board of Trustees causing a written or printed notice to be mailed to each of them at least fifteen days before the meeting, and within one year after this Act shall come into force; but the successors of the graduates and alumni so appointed shall be elective members of the Council and shall be elected in the manner following, that is to say: within one year after the holding of the aforesaid meeting and appointing of the aforesaid members, the Chairman of the Board of Trustees shall convene a meeting of the Council constituted in the manner aforesaid, by causing a written or printed notice to be mailed to each member at least fifteen days before the meeting, and at the said meeting, or any meeting adjourned therefrom or held subsequent thereto, the members present, provided their number be not less than fifteen, shall have power and authority to frame and pass By-laws for the following purposes, that is to say :

Power to pass by-laws for,

Registration of graduates and alumni,

Retiring members,

1. For the obtaining of a registration of such graduates and alumni of Queen's College as may desire to vote for elective members of the Council and for a Chancellor of the University of Queen's College, as hereinafter provided, and to be considered eligible for election to membership in the Council ; and such registration shall be a condition of any graduate or alumnus voting or being elected ; Provided always, that the Council shall not admit to such registration any alumnus actually attending classes in Queen's College, or any alumnus who may have left Queen's College without being a matriculant of two years' standing, or any graduate who has not matriculated at least once as an alumnus or student of Queen's College, or any alumnus who shall matriculate after the year 1879, until such alumnus shall become a graduate of said College ;

2. For the retiring annually of a certain number, not

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being less than five nor more than eight of the elective members, and for the election of their successors by graduates and alumni duly registered as hereinbefore provided, and also for the election of persons to fill vacancies that may occur from time to time by death, resignation, or otherwise ;

3. For the appointment and removal of a Secretary and such other officers as the Council may deem necessary or expedient ;

Appointment of officers,

4. For the election of a Chancellor, who shall be chosen without reference to his ecclesiastical connection except that he must be a Protestant, who shall be designated the Chancellor of Queen's University and College, who as such highest officer shall preside at all meetings of Convocation of the University Council, and of all statutory meetings of the College Senate at which he may be present, who shall have both a deliberative and a casting vote on all motions submitted to any such meetings, and who shall hold office for three years from the date of his election, and longer if need be, until his successor be chosen ; Provided always, that if two or more candidates for the office of Chancellor be at any time nominated at the meeting of the Council called for the nomination of a Chancellor, the election of one of the candidates shall be referred to the graduates and alumni registered as aforesaid, and shall be decided by a majority of their votes taken according to such By-laws as may be framed and passed by the Council.

Election of Chancellor.

*Protestant
Chancellor*

10. The University Council, constituted in the manner hereinbefore provided, shall have and may exercise the powers following, that is to say : (1) The power of discussing any matter whatsoever relating to the said College, and of declaring the opinion of the Council on any such matter : (2) The power of taking into consideration all questions affecting the well-being and prosperity of the said College, and of making representations from time to time on such questions to the Board of Trustees and the College Senate, or either of the said bodies, who shall consider the same and return to the Council there conclusions thereon ; (3) The power of deciding upon such terms as the Board of Trustees shall propose in writing as to the affiliation of any College or School with the University of Queen's College aforesaid ; (4) The power of determining all matters pertaining to the calling of meetings of the

Powers of the University Council

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Council and of Convocation, whether the same be annual, adjourned, or special meetings, of fixing the number of members that shall be a quorum for the despatch of business at all such meetings, or any or either of them, and of deciding upon and regulating the mode of conducting its own proceedings and the proceedings of Convocation : (5) The power of framing a declaration of fidelity to his office on the part of the Chancellor, and of determining what shall be the form of his assent thereto, and also of appointing the ceremonies to be observed at his installation and the manner of their observance : (6) The power of requiring fees to be paid by members of the Council as a condition of membership, and by graduates and alumni as a condition of registration or voting as hereinbefore provided : and (7) The power of framing and passing By-laws touching and concerning all matters whatsoever appertaining to the powers and functions of the Council and the lawful exercise thereof, and also from time to time by new By-laws to revoke, renew, augment or alter any of the said By-laws, as to the Council may seem meet and expedient ; Provided always that any such By-laws shall not be repugnant to the provisions of the Letters Patent aforesaid, or of this Act, or the Laws of the Province of Ontario, or of the Dominion of Canada; Provided always, that except as in this Act expressly provided the Council shall not be entitled to interfere in or have any control over the affairs of the University or College.

Letters Patent to remain in force.

11. All provisions whatsoever contained in the aforesaid Letters Patent, except so far as any of them are modified or changed by the provisions of this Act, shall continue in force the same as if this Act had not been passed.

Principal to be the Vice-Chancellor.

12. The Principal shall be Vice-Chancellor of the University and in the absence of the Chancellor shall take his place and discharge his duties.

When this Act to come into force.

13. This Act shall come into force so soon as the Union of the four Churches named in the preamble of this Act shall have been consummated, and the Articles of said Union shall have been signed by the Moderators of the said respective Churches.

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45 Victoria. CHAP. 123. [Dominion.]

An Act respecting Queen's College at Kingston.

[Assented to 17th May, 1882.]

WHEREAS Queen's College at Kingston, in the ^{Preamble,} Province of Ontario, was incorporated and founded under and by virtue of Royal Letters Patent, bearing date the sixteenth day of October, in the fifth year of Her ^{Recital of letters} Majesty's reign; and whereas, by the said letters patent, the ministers and members in full communion of the Presbyterian Church of Canada in connection with the Church of Scotland, constitute and compose the said corporation, and provision is made for the appointment from time to time by the said corporation, of trustees for the government of its affairs in the manner directed by the said letters patent; and whereas the said corporation have represented that the said the Presbyterian Church of Canada in connection with the Church of Scotland has become ^{Union of Presbyterian} united with certain other Presbyterian Churches, to wit: "The Canada Presbyterian Church," "the Church of the Maritime Provinces in connection with the Church of Scotland," and "the Presbyterian Church of the Lower Provinces." and the said Churches now form one united Church under the name of "The Presbyterian Church in Canada;" and whereas it is desirable, and the said corporation has, by petition, prayed that an Act be passed to enable the said College to stand towards the said "the Presbyterian Church in Canada" in relations similar to those which it lately held to the Presbyterian Church of Canada in connection with the Church of Scotland, and to provide for the mode of appointment of trustees of the said corporation, and to enable the said trustees and their successors to continue the administration of its affairs, and to enable the said College to continue its functions on terms and conditions like to those which have heretofore existed; and whereas the said corporation have further prayed for additional powers and privileges in regard to the taking and holding of property for the purposes of the said corporation and with the view of increasing

the efficiency and extending the usefulness of the said College, and it is desirable to grant the prayer of the said petition; and whereas an Act was passed by the Legislature 38 Vic. (Ont), c. 76. of the Province of Ontario in the thirty-eighth year of Her Majesty's reign, and chaptered seventy-six, intituled "*An Act respecting Queen's College at Kingston*," for the purposes above recited; and whereas doubts have arisen regarding the validity of the said Act, and it is desirable to confirm all things which have been properly done, relying upon the validity thereof; and whereas under and by virtue of the said Act there was constituted in the said College a Council called the "University Council," consisting of all the Trustees of the said College and all the members of the College Senate for the time being and their successors, and of as many graduates or alumni as should be equal in number to the number of the aforesaid members, to be chosen as provided by the said Act; and whereas certain powers were, by the said Act, conferred upon the said Council, and it is desirable to confirm all acts and proceedings of and connected with the said Council, done and taken under the said Act, and to confirm the constitution and the powers of the said Council as set forth and provided by the said Act: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Effect of the union of the said churches declared.

Provisions of letters patent apply to Presbyterian Church in Canada as corporators of the said Queen's College at Kingston

1. At and by virtue of the union of the said churches on the fifteenth day of June, one thousand eight hundred and seventy-five, the ministers and members in full communion of the said united church called the Presbyterian Church in Canada, became and henceforth continued to be and now are the only corporators of the said Corporation called "*Queen's College at Kingston*," and from and after the said fifteenth day of June, one thousand eight hundred and seventy-five, all the provisions in the said letters patent which theretofore applied to the Church of Scotland, or to the Presbyterian Church of Canada in connection with the Church of Scotland, became and are and shall be applicable to the Presbyterian Church in Canada, in the same sense, for the same purposes, and to the same extent as they were applicable to the said Church of Scotland or the said Presbyterian Church of Canada in connection with the Church of Scotland; and all the powers, rights and privileges formerly exercised and enjoyed by the ministers and members of the Presbyterian Church of Canada in

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connection with the Church of Scotland, as corporators of the said College, and by the Synod of the said Presbyterian Church of Canada in connection with the Church of Scotland, in virtue of their relations respectively to Queen's College at Kingston, shall be exercised and enjoyed by the ministers and members of the Presbyterian Church in Canada, and by the General Assembly or other Supreme Court of the said Presbyterian Church in Canada, respectively, except as hereinafter provided.

2. The number of trustees, both of ministers and laymen, who by the said letters patent are required to retire annually on the first day of the annual meeting of the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland, shall retire annually on a day which the trustees shall have power from time to time to appoint for the purpose, and on the same day the Board of Trustees, duly convened and met, shall elect successors to the members so retiring whether such members be ministers or laymen.

Annual retirement of Trustees.

Election of successors.

3. When at any time after this Act shall come into force, the Chairman of the Board of Trustees, or in his absence, the senior trustee shall receive a notice in writing from three members of the Board, requesting him to summon a meeting of the trustees, such meeting shall be legally convened by the chairman or such senior trustee causing the Secretary to the Board to notify every member of the Board of the time, place and purpose of such meeting, and by the Secretary mailing notices of such meeting at least fifteen days before it shall take place.

Meeting of trustees, how called.

Notice.

4. The Board of Trustees may appoint a Vice-Principal of the said College, and such Vice-Principal shall, in the absence of the Principal, take the place and discharge the duties of the Principal.

Appointment of Vice-Principal.

5. The Chairman of the Board of Trustees shall have the right to vote in like manner as other members of the Board on all motions submitted to any meeting of the trustees; and in case of an equality of votes upon any motion, he shall also be entitled to a second or casting vote.

Chairman may vote as member.

Casting vote.

6. The power hitherto vested in the corporation of Queen's College at Kingston to take, purchase, acquire, have, hold, enjoy, receive, possess and maintain in law, to

Powers as to real estate.

and for the use of the said College, any messuages, lands, tenements and hereditaments, goods, chattels, moneys, stocks, charitable or other contributions, gifts, benefactions or bequests whatsoever, shall be continued in and enjoyed by the said corporation.

By-laws as to degrees.

7. The College Senate shall have power to pass by-laws touching any matter or thing pertaining to the conditions on which degrees in the several Arts and Faculties may be conferred, whether the said degree be such as are gained in course, or such as are honorary, or whether they be conferred on matriculants of Queen's College or other persons; but any such by-law shall be reported to the first meeting of the Board of Trustees after being passed, and shall cease to be in force if disapproved of by the Board.

To be reported to board of trustees and may be disapproved

Meetings in convocation and for what purposes.

8. The trustees, lecturers, tutors, fellows, graduates and alumni or students, being undergraduates of the said College, shall have power and authority to meet in convocation for the public conferring of degrees and other honours and distinctions awarded or granted by the College Senate, for the installation of the Chancellor, hereinafter mentioned, the Principal, or any Professor duly elected or appointed according to the provisions of the aforesaid letters patent, and for such other purposes as the University Council, constituted as hereinafter provided, shall, from time to time determine.

Constitution of council and certain proceedings under 38 V., c. 76 (ont), declared valid.

9. The University Council of Queen's College, constituted under and by virtue of the said Act of the Legislature of the Province of Ontario, intituled "*An Act respecting Queen's College at Kingston*", is hereby declared to be duly constituted according to the terms and provisions of and with the powers conferred by the said Act; and all acts and proceedings of the said Council, taken under and by virtue of the said Act, are hereby confirmed and declared to be valid; and the said Council may be continued in the manner, and may exercise all the powers and functions mentioned and set forth in the said Act of the Province of Ontario.

Provisions of letters patent continued.

10. All provisions whatsoever contained in the aforesaid letters patent, except so far as any of them are modified or changed by the provisions of this Act, shall continue in force in like manner as if this Act had not been passed.

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11. The Principal shall be Vice-Chancellor of the University, and in the absence of the Chancellor shall take his place and discharge his duties. ^{Principal to be Vice-Chancellor.}

12. All acts and proceedings done and taken by "Queen's College at Kingston," their Board of Trustees, Senate, Professors, and other officers, agents and servants under and by virtue of the said Act of the Legislature of the Province of Ontario, intituled "*An Act respecting Queen's College at Kingston*," are hereby confirmed and declared to be valid. ^{Acts and proceedings declared valid. 38 V., c. 76. (Ont.)}

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52 Victoria. CHAP. 103. [Dominion.]

An Act to amend the Act respecting Queen's College at Kingston.

[Assented to 16th April, 1889.]

Preamble.

45 V., c. 123.

WHEREAS Queen's College at Kingston has petitioned for an Act to amend the Act passed in the forty-fifth year of Her Majesty's reign, chapter one hundred and twenty-three, so as to empower the University Council of the said University to elect a limited number of trustees of the University and to provide for the prescribing of the religious test which shall be administered to trustees and professors, and to empower the said corporation to take, hold and sell real estate and other property in any part of Canada; and has further prayed for additional powers and privileges, with the view of increasing the efficiency and of extending the usefulness of the said University, and it is expedient to grant the prayer of its petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Additional trustees may be elected.

1. Besides the trustees for whose election provision is made by the Royal Charter and by the Act cited in the preamble of this Act, other and additional trustees may be elected as hereinafter provided, who shall have the same powers, functions, rights and privileges as the trustees elected in terms of the Charter and of the said Act.

University Council may elect a member as trustee annually.

2. The University Council of the said College may elect and appoint annually a member of the said Council to be a trustee of the said College, and every trustee so appointed shall hold office for five years and no longer, unless re-elected.

Qualification.

No religious declaration by trustee.

3. It shall not be necessary that any trustee elected by the University Council be a member of the Presbyterian Church in Canada, or that any trustee of the said College hereafter elected make or subscribe any religious declaration or formula whatever before entering on his duty as such trustee.

4. In case any trustee elected by the University Council shall die or resign his office of trustee, or cease to be a member of the Council, the Council may at once elect some other member of the Council to be trustee in the place and for the unexpired term of the trustee so dying, resigning or ceasing to be a member of the Council. ^{Vacancy, how filled}

5. Any such trustee, if otherwise qualified, may be re-elected whenever and as often as his term of office expires. ^{Re-election of trustee.}

6. All professors, other than those in the theological faculty of the said College, shall subscribe only such formula, declaratory of their religious belief, as the Board of Trustees, from time to time, prescribe. ^{Religious test of professors.}

7. The said Corporation may acquire, take, receive and hold real or personal estate in any part of Canada, by purchase, gift, devise or otherwise; subject, however, to the laws of any Province in which any real estate so acquired is situated, as to such acquisition and tenure by corporations. ^{Power to hold property.}

8. The said Corporation may, from time to time, on any terms it thinks fit, sell, alienate, exchange, demise, let or lease all or any such messuages, lands, tenements, hereditaments and immovable or leasehold property of or to which it is now or may hereafter be or become seized and possessed or entitled. ^{Power to dispose of real estate.}

9. The said Corporation may, for the purpose of investment, lend money upon the security of real estate, purchase bonds or debentures of municipal or school or railway corporations, or Dominion or Provincial stock or securities, and may sell or dispose of any such securities, as to it seems advisable. ^{Investment of moneys.}