

# BILL.

[1878, as amended 1882]

## An Act to incorporate The Western University and College of London, Ontario.

WHEREAS The Right Reverend Isaac Hellmuth, Doctor of Divinity, and Bishop of the Diocese of Huron, the Association of the President and Alumni of Huron College and others, have, by their petition represented that they are desirous of establishing at the City of London, a College with University Powers in connection with the Church of England, in order to promote the higher scholastic training and instruction of students who may propose to enter the ministry of the said church, and also to provide further facilities for higher instruction generally in the arts, science, literature, law, medicine and engineering; and whereas it is expedient to grant the prayer of the said petition:

**Preamble.**

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

1. A college with university powers is hereby established at the City of London, in the Province of Ontario, and the following persons namely: The Right Reverend Isaac Hellmuth, Doctor of Divinity and Bishop of the Diocese of Huron, the Very Reverend Michael Boomer, Principal of Huron College, the Honourable Samuel Hume Blake, Vice-Chancellor, the Very Reverend H.J. Grasset, D.D., Dean of Toronto, the Venerable Archdeacon E.E. Elwood, M.A., the Venerable Archdeacon Arthur Sweatman, M.A., the Reverend Professor Halpin, M.A., Frederick Davis, Esquire, A. Cleghorn, Esquire, the Reverend Canon Innes, M.A., the Reverend William Logan, the Reverend J.W.P. Smith, the Reverend D. Deacon, M.A., the Reverend William Davis, the Reverend Canon Hincks, William P.R. Street, Esquire, D. McCraney, M.P.P., Lieut.-Col. J.B. Taylor, the Reverend Canon Nelles, the Reverend A.S. Falls, B.A., the Reverend A.C. Hill, M.A., the Reverend F. Harding, the Reverend W. Daunt, M.A., the Reverend R.H. Starr, M.A., John J. Kingsmill, Esquire, Edmund Baynes Reed, Barrister, Lieut.-Col. James Shanly, I.F. Hellmuth, LL.B., John Beattie, Esquire, and the Reverend J. Barr, and all the persons who may hereafter be appointed to be chancellor or members of the senate as hereinafter mentioned, and all the persons on whom the University hereby created may hereafter confer any degree **and being duly qualified according to the provisions in that behalf contained in the third section of this Act, and each and every of them being, and always continuing to be, members of the Church of England;** are hereby created one body politic and corporate by the name of "The Western University and College of London, Ontario," with perpetual succession and a common seal, and by that name to sue and be sued, **and its teaching functions in the faculty of arts or in science or literature shall be exercised by such College as distinct from the University, but subject to the by-laws and regulations of the senate of the said University.**

**Incorporation and corporate name.**

2. By the same name they and their successors shall be able and capable in law to take, purchase and hold to them and their successors any goods, chattels or personal property whatsoever, and shall also be able and capable in law, notwithstanding the Statutes of Mortmain, to take, purchase and hold to them and their successors not only all such lands, buildings, hereditaments and possessions as may be from time to time exclusively used and occupied for the immediate purposes of the said University, but also any other lands, buildings, hereditaments and premises situate within the Province of Ontario, not exceeding the annual value of ten thousand dollars, such annual value to be calculated and ascertained at the period of taking, purchasing or acquiring the same, and that they and their successors shall be able and capable in law to grant, demise, alien or otherwise dispose of all or any of the property real or personal belonging to the said University, and also to do all other matters incidental or appertaining to a body corporate.

**Power to hold lands &c.**

**Annual value \$10,000.**

3. The said corporation shall consist of a chancellor, vice-chancellor, members of the senate and graduates, **each and every of them being, and always continuing to be, members of the Church of England**, and the members of the senate shall be the Bishop of the Diocese of Huron in connection with the Church of England, or the bishops of the dioceses into which the same may at any time be divided, the Principal of Huron College for the time being, the several persons named in the first section of this Act, and ten persons who, for the time being, are the ten senior graduates of the University, **each and every of them being, and always continuing to be, members of the Church of England**; and the graduates shall be the persons on whom respectively, the University created by this Act shall hereafter confer any degree; and the quorum of the senate shall consist of at least seven in number of its members personally present at any meetings thereof; and the senate shall elect the Chancellor and appoint one of their number to be the Vice-Chancellor of the University; and in case at any time the total number of the members constituting the senate shall be reduced to less than thirty exclusive of the Chancellor, then the remaining members of the senate shall thereupon and as often as the same may happen, appoint other persons to be members of the senate, but not so as to exceed the said number of thirty in all.

**Corporation how composed.**

**Graduates.**

**Senate.**

4. The senate shall have the management of, and the superintendence over the affairs, concerns and property of the University, and shall have full power to invest the moneys from time to time belonging to the University for the general purposes thereof, or upon any special trust connected therewith, in the public securities of this Province or the Dominion of Canada, or upon first mortgages of freehold lands, or in approved debentures of municipal corporations in this Province; and may make such regulations, and appoint such officers as the senate may deem expedient for all or any of said purposes.

**Powers of Senate.**

5. The Lieutenant Governor shall be the Visitor of the University, and it shall be the duty of the senate whenever called upon by him to do so, to furnish full and accurate accounts in writing, of the property of the University and the income derived therefrom in order that the same may be laid before the Provincial Legislature at any Session thereof.

**Lieut. Governor to be Visitor.**

6. The senate shall have full power from time to time to make and alter any by-laws and regulations (not being repugnant to any law in force in this Province or to this Act) respecting the number and appointment of professors and lecturers in the different faculties or departments of learning, also the examinations for degrees, honours and scholarships and the granting of the same, and charging of reasonable fees in that behalf, also as to the quorum of the Senate, also the time and mode of summoning meetings of the senate, also the appointment and duties of examiners of the University, also as to the admission of students, and the course of study in the several faculties and departments – and generally respecting all other matters promoting the purposes of the University or for carrying into effect the intent and spirit of this Act, and all such by-laws and regulations, when reduced into writing and under the Common Seal of the University shall be held to be binding on all persons members thereof and upon all candidates for degrees, honours or scholarships and upon all students therein, and upon all others whom they may concern: Provided always, that it shall not be lawful for the senate to require from or impose upon any person or student any compulsory religious qualification or examination or test of a denominational character other than in the faculty of divinity: and, Provided also that any by-law or regulation respecting the course of study and the subjects of examination for any degree, honour or scholarship in any faculty or department other than divinity shall, in as far as circumstances will in the opinion of the senate permit, be similar to those now in force for the like purposes in the University of Toronto, to the end that the standard of qualification in the University hereby created may not be inferior to that which now prevails for a like degree or honour in the said University; and any by-law or regulation passed for any of the purposes mentioned in this proviso shall be deposited with the Provincial Secretary within ten days after the passing thereof, to be laid before the visitor; and such by-law or regulation shall have force and effect in the meantime and until disallowance by the visitor, such disallowance being signified through the Provincial Secretary within three months after such deposit with him as aforesaid.

**Powers of Senate.**

**No religious tests.**

**Proviso.**

7. The senate shall not confer any degree in the faculty of arts or in science or literature until such time as four professorships at least have been established in the faculty of arts, and four professors appointed to discharge the respective duties thereof, and until this has been made to appear to the satisfaction of the Lieutenant-Governor in Council; and no persons shall be admitted as candidates for any degree in medicine or surgery to be conferred by the said University unless the said persons shall have completed the course of instruction which the senate by by-law or regulation in that behalf may determine in such one or more medical schools to be also mentioned in every such by-law or regulation: Provided that every such by-law or regulation or any alteration or amendment thereof to be operative shall be required to be first approved of by the Lieutenant-Governor in Council.

**Degrees.**

**Proviso.**

8. The said University shall have no power to confer any degree other than in divinity except after examination duly had under and in pursuance of the by-laws and regulations of the senate respecting such degree, but degrees as *ad eundem* degrees may be conferred by the senate upon the graduates of any University in Great Britain or Ireland or in the Dominion of Canada, or in any of Her Majesty's possessions.

**Degrees.**

9. Huron College may at any time become affiliated to the said University so as to constitute the faculty of divinity in said University, upon such terms as the said college, under and subject to the constitution governing the same, and the said University may agree upon and the said University may also acquire the control and management of Hellmuth College situate in the said City of London, upon such terms as may be entered into with the proprietors thereof.

**Huron College may affiliate.**

10. Any University powers or privileges granted by this Act for conferring degrees shall not be exercised until it has been made to appear to the satisfaction of the Lieutenant-Governor in Council that the sum of one hundred thousand dollars, at the least, has been raised in property, securities or money, including Huron College, when affiliated thereto and is held for the purposes of the said University, and may be withdrawn at any time when the Legislature deems it expedient to require this University to become affiliated, in the whole or in respect of any particular faculty or department, with the said University of Toronto, and the college with university powers hereby created may also on its own motion become affiliated in respect of any of its faculties or departments, other than divinity, with the said University of Toronto upon compliance with its statutes in that behalf.

**Affiliation.**