

CHAPTER 88.

An Act respecting Saint Mary's College, Halifax.

(Passed the 30th day of April, A. D., 1873.)

SECTION.

- 1. Chapter 39, Acts 1841 revised.
- 2. Incorporation.
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SECTION.

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- 11. Appointment of President, Professors, &c.
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Be it enacted by the Governor, Council and Assembly as follows:

1. All academical degrees heretofore conferred and all transfer and conveyances of land and other business whatsoever made or transacted in pursuance of or under the supposed authority of Chapter 39, of the Acts of the fourth year of Her Majesty's reign (1841), entitled, "An Act for incorporating the Trustees of the Saint Mary's College at Halifax," which Act has been allowed to expire through inadvertence, are hereby made and declared legal and valid in the same manner and to the same extent as if such Act had not been allowed to expire; and all rights and remedies by or against Saint Mary's College, shall be and be held to be the same to all intents and purposes as if such Act had never expired.

2. Michael Hannan, Edward F. Murphy, John Carmody, Patrick Power, the younger, Patrick L. Madden, John B. Woods, Thomas J. Daly, Edward Kennedy, Philip Walsh, Denis P. Hubert, James Cochran, Daniel Cronan, Benjamin G. Page, Stephen Tobin, Thomas E. Kenny, M. Bowes Daly, Lawrence G. Power, Edward Farrell, Alexander P. Reid, John Sommers and all the persons who may hereafter become Chancellor, Vice-Chancellor or Fellows as hereinafter mentioned, and all the persons upon whom Saint Mary's College, at Halifax, has conferred any Degree, and all the persons upon whom the College, hereby incorporated, shall hereafter confer any Degree, are hereby constituted a body politic and corporate by the name of "Saint Mary's College, Halifax."

3. The corporation may purchase, take, hold and enjoy real estate, not exceeding in value fifty thousand dollars, and may sell, mortgage, lease, convey or otherwise dispose of the same, as may be deemed expedient for the progress and well-being of the College.

Chapter 39, Acts 1841 revised.

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Incorporation

20 day

Real estate

4. All real and personal property held by, in trust for, or on behalf of Saint Mary's College, Halifax, is vested in the corporation hereby created; and all debts and liabilities of such College shall be owing and payable by the corporation, who may also collect and recover all debts and arrears now due to such college.

Property vested in corporation.

5. Saint Mary's College, Halifax, as hereby incorporated, shall be deemed and taken to be an University, with all the necessary and usual powers and privileges exercised by Universities, including the power of conferring Degrees in Arts and the other faculties.

College to be University.

6. The corporation shall consist of a Chancellor, Vice-Chancellor, Fellows and Graduates; and there shall be eighteen Fellows exclusive of the Chancellor and Vice-Chancellor for the time being; the Fellows shall be such persons as are hereby appointed, and as shall be hereafter appointed as hereinafter provided; and the Graduates shall be the persons upon whom St. Mary's College, Halifax, has conferred or shall hereafter confer degrees. Michael Hannan, in the second section mentioned, shall be the first Chancellor, Edward F. Murphy shall be the first Vice-Chancellor, and the other corporators in such second section by name mentioned shall be the first Fellows.

Of whom corporation to consist.

7. The Chancellor, Vice-Chancellor and Fellows for the time being shall constitute the Senate of the College, any five members of the Senate shall constitute a quorum for the transaction of business.

Senate.

8. Every future Chancellor shall be appointed by the Roman Catholic Archbishop of Halifax for the time being, and shall, as well as the Chancellor in the second section named, hold office for life or until resignation or removal from office; the present and every future Vice-Chancellor shall hold office for a year or until his successor is elected and enters upon the duties of his office, and shall be chosen by the Senate out of their own body; the present and future Fellows shall hold office for life or until resignation or removal from office, and shall be chosen, nominated and appointed in manner following, that is to say, the first vacancy in the body of Fellows shall be filled by a person nominated and appointed by such Roman Catholic Archbishop, the second vacancy by a person nominated and elected by the Senate, and the third by a person nominated and elected by the Graduates of the College; and the same order shall be observed in appointments after those to the first three vacancies; provided that, if any of the three bodies or authorities hereby empowered to select a person to fill any such vacancy shall refuse, or, for three months after such vacancy shall have been caused, neglect to do so, such vacancy shall be filled by the body or authority empowered to

Appointment of officers.

fill the next succeeding vacancy in the same manner as if such vacancy was the vacancy which such last mentioned body or authority was originally entitled to supply.

Visitor of College.

9. The Roman Catholic Archbishop of Halifax for the time being (that is to say, the Roman Catholic Episcopal Corporation of the City and County of Halifax) shall be the visitor of the College, with authority to do all those things which pertain to visitors, as often as to him shall seem meet.

Senate to have the management of College.

10. The Senate for the time being, shall have the entire management of and superintendence over the affairs, concerns and property of Saint Mary's College, Halifax; and, in all cases unprovided for by this Act, it shall be lawful for the Senate to act in such manner as shall appear to them best calculated to promote the purposes intended to be promoted by the College. And such Senate shall have full power from time to time to make and alter any bye-laws and regulations, not inconsistent with this Act or the laws in force in this Province, touching the examination for degrees, and the granting of the same, and touching the mode and times of convening the meetings of the Senate and the meetings (if any) of convocation, and in general touching all other matters whatsoever regarding the College not otherwise expressly provided for by this Act. And any of such bye-laws and regulations when approved of by the Governor in Council shall have the force and effect of law.

Appointment of President, Professors, &c.

11. The Senate for the time being of the College shall have full power from time to time to appoint, to determine the duties and salaries of, and, as they shall see occasion, to remove the President and all Examiners, Professors, Lecturers, Tutors and other officers and all servants of the College.

Governor in Council may remove Senators in certain cases.

12. So long as any sum of money shall be paid out of the Provincial Treasury towards the support and maintenance of the College hereby incorporated, the Governor in Council may from time to time inquire into the proceedings of the Senate; and if, after just inquiry and due proof, he shall find that any of the members of such Senate have conducted the proceedings of such College in a manner inconsistent with this Act or the professed objects of such College, then the Governor in Council may remove any member of the Senate so found offending; provided always, that the temporary vacancy of any of the offices of Chancellor, Vice-Chancellor or Fellow shall not involve a forfeiture of any of the rights or privileges granted by this Act.

Proviso.