

1077

BILL.

An Act to Incorporate Hamilton College.

WHEREAS certain inhabitants of the City of Hamilton and neighbourhood have by their Petition prayed for an Act to establish a College at the City of Hamilton, in connexion or affiliated with "The University of Toronto," under the style and title of The Hamilton College ; Be it therefore enacted, &c. Preamble.

That there shall be and there is hereby constituted and established at the City of Hamilton a body politic and corporate under the name of The Hamilton College, which Corporation shall consist of the following persons : the Mayor for the time being of the City of Hamilton, William P. McLaren, John Ferrie, John Macara, Samuel Black Freeman, William Leggo, George W. Burton, William Pring, Isaac Buchanan, Archibald Kerr, James P. Stevenson, Captain J. Sutherland, George Sylvester Tiffany, Thomas McQueen, Doctor Craigie, the Sheriff of the County for the time being, and Joseph Lister, of Wentworth, Sir Allan N. McNab and Hon. S. Mills, and their successors ; and in the event of the death, removal from the Province, resignation or dismissal from office of either of said persons, such vacancy shall be supplied by the Governor General in Council ; that the said persons so incorporated and their successors shall have full power by a vote of not less than two thirds of their whole number to expel any one or more of the members composing such body for any good cause, the same to be judged by the said body ; Certain persons incorporated as The Hamilton College.

Provided always, that any person so expelled may if he thinks fit appeal from such expulsion to the Judges of the Court of Queen's Bench in and for UpperCanada, in term time, and that the Judges of the said Court or a majority of them may after having heard the whole case or so much thereof as they or a majority of them may deem necessary, upon affidavit or affidavits presented in respect thereof, order such person to be reinstated in his former situation, and that such Judges or a majority of them may make such order as to the costs of parties in any such application as in their judgment shall seem just. Proviso.

II. And be it enacted, that the said Corporation shall have perpetual succession, and may have a common seal, with power to alter, break and renew the same, when and as often as they shall think proper, and the said corporation may, under the same, contract and be contracted with, sue and be sued, im- Corporate powers.

plead and be impleaded, prosecute and be prosecuted, in all Courts and places whatsoever in this Province, and shall have full power to make and establish such and so many rules, orders and regulations, (not being contrary to the laws of this country or this Act,) as they shall deem useful and necessary 5 as well concerning the system of education in as for the general government of the said College and of the corporation thereof, and for the superintendence, advantage and improvement of all the property, moveable and immoveable, belonging to or which shall hereafter belong to the said corporation ; and 10 shall have power to take under any legal title whatsoever, and to hold for the said College, without any further authority, license or letters of mortmain all land and property moveable and immoveable which may be hereafter sold, ceded or exchanged, given, bequeathed or granted to the said corporation, or to 15 sell, alienate, convey, let or lease the same if need be ; Provided that the total yearly revenue from the property so acquired shall not at any time exceed the sum of five thousand pounds ; and the said corporation shall further have the right of appointing an attorney or attorneys for the management of 02 its affairs, and all other rights necessarily incident to a body corporate.

Proviso.

Revenues to be applied to education only

III. And be it enacted that all property which shall at any time belong to the said corporation, as well as the revenues thereof, shall at all times be exclusively applied and appropriated to the advancement of education in the said College and to no other object, institution or establishment whatever. 25

Accounts in writing to be rendered to the Governor General.

IV. And be enacted, that it shall be the duty of the said Corporation, at all times when they may be called upon so to do by the Governor of this Province, to render an account 30 in writing of their property, in which shall be set forth in particular the income by them derived from property held under this Act, and the source from which the same has been derived, also the number of members of the said corporation, the number of teachers employed in the various branches 35 of instruction, the number of scholars under instruction and the course of instruction pursued.

Public Act.

V. And be it enacted, that this Act shall be considered a public Act by all Judges, Justices of the Peace, and Officers of Justice, and by all other persons whomsoever, and shall be 40 judicially taken notice of without being specially pleaded.

Saving of H. M. rights, &c.

VI. And be it enacted, that this Act shall not extend to weaken, diminish or extinguish the rights and privileges of Her Majesty, her heirs and successors, nor of any other person or persons, body politic or corporate, excepting only 45 such rights as are hereby expressly altered or extinguished.