



BY AUTHORITY.

ANNO VICESIMO SECUNDO VICTORIÆ REGINÆ.

CAP. LXIII.

An Act to establish the University of New Brunswick.

Section.	Section.
1. Charter of King's College in part, and Acts 8 V. c. 111, and 9 V. c. 74, repealed.	13. Meetings.
2. The University of New Brunswick incorporated.	14. Minutes.
3. Estate of King's College vested in the University: Graduates.	15. Religious Instructors of Students.
4. Of whom the new Corporation shall consist; quorum.	16. Religious exercises.
5. Members of Corporation to constitute the Senate.	17. Admission of Candidates for Degrees from other Institutions.
6. Lieutenant Governor to be Visitor, with power to act by Commission.	18. Admission to Lectures.
7. No Professorship of Theology, and no Religious teste.	19. Certain rights to gratuitous instruction granted.
8. Plenary and special powers of the Senate.	20. Right to found Scholarships, &c.
9. Duty of the President.	21. Programme of courses of instruction.
10. Discipline, enforcement in absence of President.	22. With whom Students shall board.
11. University Board constituted.	23. Right of Scholars in Collegiate School to attend Lectures.
12. President of the Board.	24, 25. Scholarships established.
	26. Annual Accounts and Report for the House of Assembly.
	27. Suspending clause.
	Schedules.

Passed 13th April 1859.

WHEREAS the Charter and Acts relative to King's College at Fredericton, have not been found adequate for the purposes intended; and whereas it is expedient to make provision for a comprehensive system of University Education, such as will embrace not only the usual subjects of a Collegiate course, but also those branches of practical science and art which are adapted to the agricultural, commercial, and mechanical pursuits of the great body of the inhabitants of New Brunswick;

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That so much of the Charter for the Incorporation of the Chancellor, President, and Scholars of King's College, at Fredericton, in the Province of New Brunswick, under Letters Patent bearing date the fifteenth day of December, in the eighth year of the Reign of His late Majesty King George the Fourth, as is inconsistent with the provisions of this Act; and also an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to amend the Charter of King's College*; and also an Act made and passed in the ninth year of the Reign of Her present Majesty, intituled *An Act to amend an Act intituled 'An Act to amend the Charter of King's College'*, be and the same are hereby repealed.

2. There shall be a University, which shall be a body corporate, by the name and style of "The University of New Brunswick," and shall have a common Seal, with power from time to time to alter, renew, and change the same as may be found convenient; and that by the same name the said University and their successors, from time to time and at all times hereafter, shall be able and capable to have, take, and receive, purchase, acquire, hold, possess, enjoy, and maintain, to and for the use of the said University, any messuages, lands, tenements, and hereditaments, of what nature, kind, or quality soever; and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess, and retain, all or any goods, chattels, charitable or other contributions, gifts, or benefactions whatsoever; and the said University, and their successors by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any Courts of Record, in all and singular actions, causes, pleas, suits, matters, and demands whatsoever, in as large, ample, and beneficial a manner and form as any other body politic and corporate, or any other person able and capable in law, may or can sue, implead, or answer, or be sued, impleaded, or answered, in any manner whatsoever.

3. All the real and personal estate, rights, easements, privileges, and immunities of every nature or kind whatsoever, now vested in or belonging to "The Chancellor, President,

and Scholars of King's College, at Fredericton, in the Province of New Brunswick," shall be and they are hereby vested in the University of New Brunswick; and all leases and contracts whatsoever made by or with the Chancellor, President, and Scholars of King's College, shall be dealt with in all respects as if the same had been made by and with the University of New Brunswick; and all debts, rents, interest, or moneys due or to grow due thereon, shall be henceforth payable to and recoverable by the University of New Brunswick; and all covenants, contracts, or agreements, made with or entered into by the said Chancellor, President, and Scholars of King's College, shall be deemed and taken in all Courts of Law and Equity to have been made with and entered into by the University of New Brunswick; and all tenants of the said Chancellor, President, and Scholars of King's College, shall be deemed and taken to be the tenants of the new Corporation; and all debts due by the said Chancellor, President, and Scholars of King's College, shall be paid and payable by the said new Corporation; and the Graduates and Students of the late King's College shall be deemed and taken to be Graduates and Students of the said University of New Brunswick, and entitled to the rights and privileges as such.

4. The Corporation shall consist of such and so many laymen, not exceeding nine, as the Governor in Council shall appoint, of whom the President of the University when appointed shall be one; and three, including the President, shall be a quorum for the transaction of business; one third of whom, not including the President, shall go out of office annually, in the order of their appointment, but shall be eligible for re-appointment; and the Corporation shall be deemed organized when any number not less than five shall be appointed as aforesaid.

5. The Members of the Corporation shall constitute the Senate of the University, and if any member of the Corporation shall refuse to act or shall neglect to attend the meetings thereof for the space of twelve months, his place shall be vacated and another person appointed in his stead.

6. The Lieutenant Governor of the Province shall be the Visitor of the University on behalf of Her Majesty, and such visitatorial powers may be exercised by Commission under the Great Seal of the Province; and when such powers are so exercised by Commission, the person appointed in the exercise thereof shall be a layman, and appointed by and with the consent of the Executive Council.

7. There shall be no Professorship of Theology in the University, nor shall any religious teste whatever be required of or imposed upon any member of the Corporation, Professor, Teacher, Student, or other person in any way connected with the University, or with the Collegiate School.

8. The Senate shall possess and exercise all the powers necessary for the management and government of the University, and for carrying into effect all laws relating thereto; particularly it shall be the duty of the Senate, and they shall have full power and authority—

1st. By notice in writing, signed by any two of their number, to call a meeting of the Corporation:

2nd. To elect a Chairman in the absence of the President, and to appoint the times of meeting and modes of proceeding:

3rd. To possess and direct the endowment of King's College, to order the sale and leasing of all lands belonging to the said College and the investment and expenditure of all moneys arising therefrom, and of all money which have heretofore been granted to King's College and the Collegiate School at Fredericton, or which may hereafter be granted to the University of New Brunswick or the Collegiate School at Fredericton, and to erect such Lecture Halls, School Houses, and other buildings as they may deem necessary, subject to the approval of the Governor in Council:

4th. To make and alter from time to time, subject to the approval of the Governor in Council, any Statutes, Rules and Ordinances which may be necessary for the government and discipline of the University and the Collegiate School, and for the establishment and regulation of Scholarships, Prizes, and