



## 63 VICTORIA

### CHAP. 101

#### An Act respecting Bishops' College

[Assented to 23rd March, 1900]

**W**HEREAS the corporation of Bishops' College have by Preamble. their petition prayed for legislative provisions, whereby the graduates of the university may be represented in the said corporation ; for authority to invest its funds in certain securities and treat certain funds as a single fund for certain purposes ; to amend the acts respecting the said Bishops' College ; and further as hereinafter set forth ;

Whereas, by the acts incorporating the said Bishops' College and the royal charter thereof, it is expressly provided that no rule, order, or regulation, made or established by the said corporation, shall have any force or effect until sanctioned and confirmed by the Bishops constituting the first branch of said corporation ;

Whereas, by inadvertence, many of the rules, orders, and regulations of the said corporation have not been formally sanctioned by the said Bishops ;

And whereas the Bishops of the dioceses of Quebec and Montreal, forming the first branch of said corporation, as well as the said corporation, have prayed that all the rules, orders and regulations of the said corporation be formally sanctioned and confirmed, and it is expedient to grant said prayers ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain rules,  
&c., ratified.

**1.** The rules, orders and regulations made and established by the said corporation of Bishops' College, are hereby declared to have come into full force and effect on the dates they each and all respectively bear, as fully and effectually, as though the said Bishops had then and there formally sanctioned and confirmed the same.

34 V., c. 48,  
secs. 1 to 3,  
replaced.

**2.** Sections 1, 2 and 3 of the act 34 Victoria, chapter 48, are replaced by the following :

Appointment  
of trustees,  
&c., by  
bishops, and  
how effected.

**1.** The Bishops, constituting the first branch of the corporation of Bishops' College, shall, in accordance with the acts establishing the said corporation, name and appoint the trustees and members of council of the said college, who shall all be members of the Church of England in Canada, in the following proportion and manner :

“(a) Five trustees and five members of council from among a greater number of persons chosen for that purpose by the Synod of the Diocese of Quebec ;

“(b) Five trustees and five members of council from among a greater number of persons chosen for that purpose by the Synod of the Diocese of Montreal ;

“(c) Five trustees and five members of council for every other diocese of the Church of England in Canada, which may hereafter be constituted in this Province, from among a greater number of persons chosen for that purpose by the Synod of such other diocese ;

“(d) Two members of council from among a greater number of persons chosen for that purpose by the graduates, (who are members of convocation), in the faculties of arts, divinity, and law,—the mode of choosing to be determined by the corporation ;

“(e) One member of council from among a greater number of persons chosen for that purpose by the graduates in the faculty of medicine,—the mode of choosing to be determined by the corporation ;

“(f) Six trustees and six members of council from among such other persons as the said bishops may deem fit. In the event of other dioceses of the Church of England in Canada being hereafter constituted in this Province, the said Bishops shall further appoint three trustees and three members of council from among such other members of the said Church as they may deem fit, for each diocese so to be constituted as aforesaid.

"Provided, however, that should the said Synods, or any, <sup>Proviso.</sup> or either of them, or the graduates of said faculties, fail, or refuse to choose names of persons to be submitted to said Bishops, as aforesaid, at least one month before the expiry of the term of office of the then existing trustees and members of council, in such case, the said Bishops shall of their own motion appoint trustees and members of council to represent the Synod, or Synods, or graduates, so as aforesaid failing, or refusing, to exercise their choice within such time, from among such other members of the Church of England in Canada, as they may deem fit. Should any vacancy occur during the term of office of any of the said trustees or the said members of college council, the said Bishops shall appoint, of their own motion, trustees or members of college council to fill such vacancy for the unexpired term:

"2. The said trustees and members of council shall be so <sup>Term of</sup> named and appointed for a period of three years only, but <sup>office.</sup> after that time may be again chosen, or appointed, as aforesaid. They shall, however, remain in office until their successors are duly appointed as aforesaid.

"3. The said college shall, annually, lay before each of the <sup>Annual re-</sup> said Synods a report, exhibiting the financial and educa- <sup>turn to the</sup> tional position of the institution. <sup>Synods.</sup>

3. The trustees of the corporation of Bishops' College <sup>Application</sup> are hereby authorized to treat any, or all, the funds now in <sup>of funds.</sup> their hands, or which may hereafter come into their hands, as one fund for the purposes:

(a) Of distributing proportionately over the whole, any diminution in capital that may occur through depreciation, or loss, of any investments;

(b) Of paying out all the interest or revenue received thereon proportionately at a uniform rate upon the capital of each separate fund;

Provided there be nothing in the instrument creating any fund or trust, to the contrary.

4. Notwithstanding the provisions of article 9810 of the <sup>Investment of</sup> Civil Code, the said trustees are hereby authorized to invest <sup>funds.</sup> the moneys held by them, as trustees or administrators, in municipal stock or debentures, in real estate in the Dominion of Canada, on first privilege or mortgage upon real estate in the Dominion of Canada, to an amount not exceed-

ing three-fifths of the municipal valuation of such real estate, or in bonds or debentures of commercial corporations, — provided always that such bonds or debentures, confer a first mortgage, or privilege, upon the assets of such commercial corporations.

Coming into  
force.

**5.** This act shall come into force on the day of its sanction.

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Most Excellent Majesty.