

30° VICTORIÆ 1866.

A BILL

To incorporate the Presbyterian College as a College within the
University of Sydney.

(As amended and agreed to in Select Committee.)

WHEREAS considerable funds have been subscribed for the estab- Preamble.
lishment and endowment of a College to be called "The Presby-
terian College" within the University of Sydney wherein systematic
religious instruction in accordance with the Westminster Confession
5 of Faith and the Larger and Shorter Catechisms of the Presbyterian Church
shall be afforded and provision made for the residence and domestic super-
vision of Presbyterian and other students and for affording them
efficient tutorial assistance in their preparation for the University Lectures
and Examinations And whereas it is expedient that the said College should be
10 incorporated by Act eighteenth Victoria number thirty-seven provision
has been made for encouraging and assisting the establishment of
Colleges within the University of Sydney and whereas it is proposed to
institute and endow such a College within said University to be called
"The Presbyterian College" for systematic religious instruction in
15 accordance with the principles of the Presbyterian Church of New South
Wales and domestic supervision of Presbyterian and other students
and for affording them efficient tutorial assistance in their preparations
for the University Lectures and Examinations and whereas it is
expedient that the said College be incorporated Be it therefore enacted
20 by the Queen's Most Excellent Majesty by and with the advice and
consent of the Legislative Council and Legislative Assembly of New
South Wales in Parliament assembled and by the authority of the
same as follows:—

1. So soon as it shall be made to appear to the satisfaction of
25 the Governor that a sum of not less than ten thousand pounds has
been subscribed for the endowment aforesaid and that the amount
73— has

NOTE.—The words and clauses to be omitted are ruled through; those to be inserted in the Bill and
also in the Title are printed in black letter.

has either been paid or secured to be paid for that purpose in accordance with section two of eighteenth Victoria number thirty-seven and that a principal and ~~eighteen fellows~~ twelve councillors for the government of the said College in accordance with the constitution thereof as in this Act set forth have been duly appointed and elected 5 respectively the same shall be notified by proclamation in the New South Wales *Government Gazette* under the hand of the Governor and immediately upon such notification and from thenceforth the principal and fellows councillors of the said College shall be and they are hereby constituted a body politic and corporate by the name of "The Principal 10 and Fellows Councillors of the Presbyterian College" by which name the said incorporated body shall have perpetual succession and a common seal and shall sue and be sued or otherwise appear and answer and be answered and may take and hold to them and to their successors by grant will or otherwise in perpetuity or for any term of life or years 15 as well chattels and other personal property as lands buildings and hereditaments and the same or any part thereof may alien or otherwise dispose of or demise and also shall or may do all other things incident or appertaining to a body politic or corporate.

Restraining disposal
of lands derived
from the Crown.

2. Provided always that it shall not be lawful for the said corporation or any person or persons seised of or entitled to lands in trust for the corporation or for College purposes to alienate mortgage charge or demise any lands or hereditaments granted to or in trust for the corporation or for College purposes by Her Majesty or Her Successors without the consent in writing of the Governor with the 25 advice of the Executive Council for the time being.

Principal and
fellows to constitute
a Board of
Management.

~~3. The said body politic or corporate shall consist of a principal and eighteen fellows of whom six shall be ordained Presbyterian ministers and twelve laymen all of whom shall previous to their entrance upon office sign the said Westminster Confession of Faith and the Catechisms Larger and 30 Shorter and shall together form a Board to be called "The Board of Management of the Presbyterian College" in which shall be vested the general government of the College and all matters relating thereto the said Board of Management to elect their own chairman who shall only have a casting vote at all meetings of the Board and five members of the Board to 35 form a quorum.~~

Constitution of
Council.

3. The principal who shall also be a councillor and Chairman of the Council and four but not more of the remaining twelve councillors shall be ordained ministers of the Presbyterian Church of New South Wales provided always that no person shall be deemed eligible 40 as a councillor who is not a member of the said church.

Faculty of whom
to consist.

~~4. So soon as there shall be one or more professors or tutors appointed within the said College for the training up of candidates for the Ministry in the Presbyterian Church or for the education of the students generally in branches of education not comprised in the University curriculum the said principal and professors or tutors shall together on their 45 signing the Westminster Confession of Faith and Catechisms Larger and Shorter but not otherwise form a Faculty to be called "The Faculty of the Presbyterian College" for the maintenance of discipline among the students and for the regulation of all matters connected with the business of education in the College the principal for the time being to be the Chairman of the Faculty and in his absence the senior professor or tutor Provided always that the six Presbyterian Ministers forming part of the Board of Management shall be ex officio Members of the said Faculty and provided that an appeal shall lie from the decision of the said Faculty in any case 55 of alleged grievance to the Board of Management.~~

Powers of Council.

4. The principal and said twelve councillors for the time being of whom five shall be a quorum shall together form a Council to be called the Council of the Presbyterian College in which shall be vested at

at all times the government in every respect of the College and all matters relating thereto No temporary vacancy or vacancies in the office of principal or in the number of councillors of the College shall be deemed in any way to affect the constitution of the College or its
5 privileges or status as an incorporated body.

~~5. The principal and professors or tutors shall be liable respectively to removal or suspension for a sufficient cause by the Board of Management.~~ Removal and suspension.

~~7. 5. The principal and the first twelve lay fellows councillors shall be elected by the subscribers to the funds of the College every subscriber of one pound paid to have one vote every subscriber of five ten pounds to have two votes every subscriber of ten twenty-five pounds three votes and every subscriber of fifty pounds or upwards to have four votes all such votes to be given by ballot and subscribers not present at any meeting for such purpose who may authorize in writing any other subscriber shall be allowed to vote by proxy And whenever the said twelve fellows shall have been reduced in number whether by death resignation or otherwise other fellows shall be elected on the first convenient opportunity to supply the vacancies so created by the surviving subscribers together with such additional subscribers being Presbyterians as shall then have contributed to the funds of the College Provided that the six Presbyterian ministers or clerical fellows forming part of the Board of Management shall be elected and all future vacancies in their number filled up from time to time by the General Assembly of the Presbyterian Church of New South Wales And provided also that so soon as the graduates of the College shall amount to thirty all subsequent vacancies in the twelve lay fellows of the said Board shall be filled up from time to time by the votes of the said graduates.~~ Mode of election of principal and fellows councillors.

~~6. The Board of Management shall meet at least once every year at such time and place as to them shall seem expedient but a special meeting may be held at any time on any emergency or on the requisition either of the principal or of ten subscribers ten days' notice of such meeting to be given previously for three consecutive days in one or other of the daily papers in Sydney The faculty shall meet at least once a month.~~ Meetings of the Board and Faculty.

~~6. All future vacancies either in the office of principal or in the number of councillors shall be filled up by election by the remaining councillors and such graduates of the University as still continue on the books of the College.~~ Vacancies how filled up.

~~7. The Moderator for the time being of the General Assembly of the Presbyterian Church of New South Wales shall be the Visitor of the College and shall have the right to visit the College at any time to examine into the manner in which it is conducted and to see that its laws and regulations are duly observed and executed.~~ Visitor.

~~8. All subsequent appointments after the first whether of principal professors or tutors shall be made by the Board of Management.~~ All subsequent appointments how to be made.

~~8. The principal and professors or tutors shall be liable respectively to removal or suspension for a sufficient cause by the Council Provided that if the ground of complaint shall concern the theological or religious doctrines or teaching of the principal and tutors or professors or any of them the councillors shall not adjudicate thereon but shall remit the same for trial to the Presbytery of Sydney subject to an appeal to the General Assembly of the Presbyterian Church of New South Wales.~~ Removal and suspension.

~~9. The Board of Management Council of the College shall have power from time to time to make and establish all such by-laws and rules for carrying into effect the several provisions and objects of this Act as to the said Board Council shall seem expedient and such laws and rules from time to time to alter and revoke or to substitute others in their places Provided that every such by-law and rule shall be transmitted to the Governor within thirty days after being made to be~~ Power of making by-laws.

be by him laid before the Houses of Parliament of the Colony as soon as conveniently may be thereafter.

Residence after graduation.

10. Students after taking their degrees at the University may continue in the College for a period not exceeding four years for the purpose of prosecuting such branches of learning as may not be taught 5 in the University.

Deed of grant how to be construed as to include all Presbyterians holding the Westminster Standards.

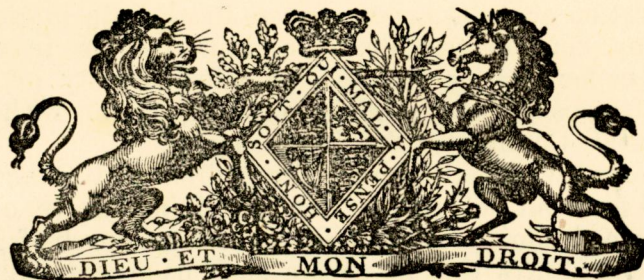
10. 11. And whereas in the deed of grant to the University of Sydney of land in trust for certain Colleges when the founders of the same shall have complied with the conditions of public endowment as therein mentioned a portion of the said land is vested in the Senate 10 of the University in trust for a College in connection with the "Church of Scotland" and whereas it is expedient and necessary to secure as far as possible the co-operation of all Presbyterians in establishing the said College the said phrase "Church of Scotland" employed in the deed of grant as aforesaid shall be declared and the same is hereby declared to signify and 15 include for all the purposes of this Act all Presbyterians professing to hold the Westminster Confession of Faith and the Catechisms Larger and Shorter including such as object to those parts of the twenty third chapter of the said Confession which relate to the powers of the Civil Magistrate and to some seem to inculcate intolerant principles in religion. the phrase 20 "Church of Scotland" shall be understood to signify the Presbyterian Church of New South Wales.

This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 26 November, 1866.* }

CHA. TOMPSON,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO

VICTORIÆ REGINÆ.

An Act to incorporate the Presbyterian College as a College within
the University of Sydney.

WHEREAS by Act eighteenth Victoria number thirty-seven Preamble.
provision has been made for encouraging and assisting the
establishment of Colleges within the University of Sydney and
whereas it is proposed to institute and endow such a College within
5 said University to be called "The Presbyterian College" for systematic
religious instruction in accordance with the principles of the Presby-
terian Church of New South Wales and domestic supervision of
Presbyterian and other students and for affording them efficient
tutorial assistance in their preparations for the University Lectures
10 and Examinations and whereas it is expedient that the said College be
incorporated Be it therefore enacted by the Queen's Most Excellent
Majesty by and with the advice and consent of the Legislative Council
and Legislative Assembly of New South Wales in Parliament
assembled and by the authority of the same as follows:—

15 1. So soon as it shall be made to appear to the satisfaction of The Presbyterian
College incorporated.
the Governor that a sum of not less than ten thousand pounds has
been subscribed for the endowment aforesaid and that the amount
has either been paid or secured to be paid for that purpose in
accordance with section two of eighteenth Victoria number thirty-
20 seven and that a principal and twelve councillors for the govern-
ment of the said College in accordance with the constitution
thereof as in this Act set forth have been duly appointed and elected
respectively

Presbyterian College.

respectively the same shall be notified by proclamation in the New South Wales *Government Gazette* under the hand of the Governor and immediately upon such notification and from thenceforth the principal and councillors of the said College shall be and they are hereby
 5 constituted a body politic and corporate by the name of "The Principal and Councillors of the Presbyterian College" by which name the said incorporated body shall have perpetual succession and a common seal and shall sue and be sued or otherwise appear and answer and be answered and may take and hold to them and to their successors by
 10 grant will or otherwise in perpetuity or for any term of life or years as well chattels and other personal property as lands buildings and hereditaments and the same or any part thereof may alien or otherwise dispose of or demise and also shall or may do all other things incident or appertaining to a body politic or corporate.

15 2. Provided always that it shall not be lawful for the said corporation or any person or persons seised of or entitled to lands in trust for the corporation or for College purposes to alienate mortgage charge or demise any lands or hereditaments granted to or in trust for the corporation or for College purposes by Her Majesty or Her
 20 Successors without the consent in writing of the Governor with the advice of the Executive Council for the time being.

Restraining disposal of lands derived from the Crown.

3. The principal who shall also be a councillor and Chairman
 of the Council and four but not more of the remaining twelve coun-
 25 cillors shall be ordained ministers of the Presbyterian Church of New South Wales provided always that no person shall be deemed eligible as a Councillor who is not a member of the said church.

Constitution of Council.

4. The principal and said twelve councillors for the time being
 of whom five shall be a quorum shall together form a Council to be
 30 called the Council of the Presbyterian College in which shall be vested at all times the government in every respect of the College and all matters relating thereto No temporary vacancy or vacancies in the office of principal or in the number of councillors of the College shall be deemed in any way to affect the constitution of the College or its privileges or status as an incorporated body.

Powers of Council.

35 5. The principal and the first twelve councillors shall be elected by the subscribers to the funds of the College every subscriber of one pound paid to have one vote every subscriber of ten pounds to have two votes every subscriber of twenty-five pounds three
 40 votes and every subscriber of fifty pounds or upwards to have four votes all such votes to be given by ballot and subscribers not present at any meeting for such purpose who may authorize in writing any other subscriber shall be allowed to vote by proxy.

Mode of election of principal and councillors.

6. All future vacancies either in the office of principal or in the
 45 number of councillors shall be filled up by election by the remaining councillors and such graduates of the University as still continue on the books of the College.

Vacancies how filled up.

7. The Moderator for the time being of the General Assembly
 of the Presbyterian Church of New South Wales shall be the Visitor
 50 of the College and shall have the right to visit the College at any time to examine into the manner in which it is conducted and to see that its laws and regulations are duly observed and executed.

Visitor.

8. The principal and professors or tutors shall be liable
 55 respectively to removal or suspension for a sufficient cause by the Council Provided that if the ground of complaint shall concern the theological or religious doctrines or teaching of the principal and tutors or professors or any of them the councillors shall not adjudicate thereon but shall remit the same for trial to the Presbytery of Sydney subject to an appeal to the General Assembly of the Presbyterian Church of New South Wales.

Removal and suspension.

Presbyterian College.

9. The Council of the College shall have power from time to time to make and establish all such by-laws and rules for carrying into effect the several provisions and objects of this Act as to the said Council shall seem expedient and such laws and rules from time to time to alter and revoke or to substitute others in their places. ^{Power of making by-laws.} Provided that every such by-law and rule shall be transmitted to the Governor within thirty days after being made to be by him laid before the Houses of Parliament of the Colony as soon as conveniently may be thereafter.
10. Students after taking their degrees at the University may continue in the College for a period not exceeding four years for the purpose of prosecuting such branches of learning as may not be taught in the University. ^{Residence after graduation.}
11. And whereas in the deed of grant to the University of Sydney of land in trust for certain Colleges when the founders of the same shall have complied with the conditions of public endowment as therein mentioned a portion of the said land is vested in the Senate of the University in trust for a College in connection with the "Church of Scotland" the phrase "Church of Scotland" shall be understood to signify the Presbyterian Church of New South Wales. ^{Deed of grant how to be construed.}

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