

CAP. XXXIX.

A BILL to Incorporate the Governors of the Dalhousie College, at Halifax.

WHEREAS, Our Most Excellent Sovereign George the Fourth, hath been graciously pleased to signify His Royal Will and Pleasure, to the Right Honorable George, Earl of Dalhousie, late His Majesty's Lieutenant-Governor of this Province of Nova-Scotia, and now His Majesty's Governor-General of His Majesty's North American Dominions, that a College for the Education of Youth in the higher branches of Science and Literature, as they are taught in the College or University of Edinburgh, in Great-Britain, should be Established at Halifax in Nova-Scotia; and that the sum of Nine Thousand Seven Hundred and Fifty Pounds, of Current Money of Nova-Scotia, belonging to His Majesty, in the hands of the said Earl of Dalhousie, should be appropriated and applied to the use and service of the said College; And Whereas, the sum of Two Thousand Pounds of like Money has been granted by the General Assembly of Nova-Scotia, for the purpose of finishing and completing a Building to be erected. And Whereas, the sum of Four Thousand Seven Hundred and Fifty Pounds have been expended on a Building erected for the purpose, on the Lot of Ground, the property of His Majesty, known by the name of the Grand Parade, facing St. Paul's Church in Halifax, and the residue of the said sum of Nine Thousand Seven Hundred and Fifty Pounds hath been expended in the purchase of Eight Thousand Two Hundred and Eighty-Nine Pounds Nine Shillings and Six Pence, in the three per cent. Consolidated Annuities, standing in the name of the Right Honorable George, Earl of Dalhousie, the Honorable Sampson Salter Blowers, and the Honorable Michael Wallace, as an endowment for the use and service of the said College or Seminary of Learning at Halifax.

And Whereas, it is expedient for the more perfect establishment of the said College, and for incorporating the Trustees and Members thereof, for the purposes aforesaid, and for such further endowment thereof, as to His Majesty shall seem meet:

I. BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, and by authority of the same, That, upon the same Land, and in the Building or Buildings so erected or to be erected thereon, in the Town of Halifax aforesaid, there shall be established, from this time, one College, for the education of Youth and Students in the higher branches of Science and Literature, as they are commonly taught in the College or University of Edinburgh aforesaid, and to be called **DALHOUSIE COLLEGE**; and that the said George, Earl of Dalhousie, Governor-General of His Majesty's North-American Dominions, or the Governor-General thereof for the time being; Sir James Kempt, Knight Grand Cross of the Most Honorable Military Order of the Bath, Lieutenant-Governor of the said Province of Nova-Scotia, or the Lieutenant-Governor of the said Province for the time being; the Right Reverend Father in God, Robert Stanser, Bishop of the Diocese of Nova-Scotia, or the Bishop of the said Diocese for the time being; the Honourable Sampson Salter Blowers, Chief-Justice of the said Province, and President of the Council, or the Chief-Justice and President of the Council of the said Province for the time being; the Honourable Michael Wallace, Treasurer of the said Province, or the Treasurer of the said Province for the time being; Simon Bradstreet Robie, Esquire, Speaker of the House of Assembly of the said Province, or the Speaker of the House of Assembly for the time being; together with such Person as shall be elected President of the said College, in manner hereinafter mentioned, shall be Governors of the said College;

Preamble

Establishment of
DALHOUSIE
COLLEGE

Governor

Professorships

College; and that the said College shall consist of three or more Chairs or Professorships—The first of the Greek and Latin Classics—The second of the Mathematics, Natural and Experimental Philosophy—and the third, of Theology and Moral Philosophy, at such Salaries, and subject to such provisions, regulations, and limitations, as shall be appointed by the rules and ordinances of the College; and that the said Governors, or the major part of them, shall have the power of electing the President of the said College for the time being, to be a Governor of the said College.

Governors incor-
porated

II. *And be it further enacted by the authority aforesaid,* That the said Governors and their Successors, shall be one distinct and separate body, politic and corporate, in deed and in name, by the name and style of the Governors of Dalhousie College at Halifax, in the Province of Nova-Scotia, and by the same name they shall have succession and a common Seal, and they and their Successors, or the major part of them, as a body corporate in deed and in law, shall be capable to have, receive, purchase, hold, possess and retain, to and for the use of the said College, any messuages, lands, tennements, and hereditaments, of what kind, nature or quality, soever, so as the same do not exceed, in yearly value, the sum of Five Thousand Pounds, above all charges; and also any goods and chattles, gifts and benefactions whatsoever; and that the said Governors, and their Successors, by the same name, shall and may be capable in law, to sue and be sued, implead, and be impleaded, in all or any Court or Courts of Record, or places of Judicature, in any or all of His Majesty's Dominions; and in all actions, causes, matters and demands, whatsoever, and of what nature or kind soever, in as large and ample manner and form, as any other body politic or corporate, or any other liege subjects, may or can do.

rules and Ordina-
ces

III. *And be it further enacted, by the authority aforesaid,* That the Governors of the said College, or the major part of them, resident in the said Province, shall have power and authority to make rules and ordinances, touching and concerning the good government of the said College, the studies, lectures, and exercises thereof; the election, qualification and residence, of the President, Professors, and Students; the management of the revenues and property of the said College; the salaries and provisions of the President, Professors, Students and Officers, of the said College; and also touching and concerning any other matter and thing respecting the said College, which to them shall seem fit and useful thereto; and also from time to time to revoke or alter the said rules and ordinances as to them, or the major part of them, shall seem meet and expedient. *Provided,* That the said rules and ordinances shall not be repugnant to the Laws and Statutes of the Realm, or of the said Province of Nova-Scotia. *Provided also,* That no test or engagement shall be required of the Students, except the Sponsio Academica, according to the form used in the said College of Edinburgh; and that the internal management and regulation of the said College and Institution, shall be committed to the Senatus Academicus formed by the respective Chairs or Professorships thereof.

test or Engage-
ment required of
students

professorships
may be increased

IV. *And be it further enacted, by the authority aforesaid,* That the said Governors, or the major part of them, shall have full power and authority, as the circumstances and funds of the College may render expedient and proper, to increase the number of Chairs or Professors, and to authorise the establishment and courses of Lectures on subjects of Science and Literature, and to fix and determine the Salaries of Lecturers, and the prices to be paid by the Students for the tickets of admission, and instruction afforded to them.

Visitor of College

V. *And be it further enacted,* That such Person or Persons as His Majesty, His Heirs and Successors, may see fit from time to time to appoint, shall be visitor or visitors of said College.

VI. *And be it further enacted*, That this Act shall not be in force, until His Majesty's Royal Approbation be thereunto had and declared.

Act suspended
Assented to by
His Majesty

CAP. XL.

An ACT to regulate and establish Fees in the Court of Chancery.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the several Officers of the said Court of Chancery shall, for services to be performed by them, take and receive the following Fees :

CHANCELLOR'S FEES.

Every hearing of a Cause, each day, twenty shillings.
Pronouncing decree, and signing and sealing the same, two pounds six shillings and eight pence.

Fees to be taken
by Chancellor.

COUNSEL'S AND SOLICITOR'S FEES.

Retaining Fee for Counsel, one pound three shillings and four pence.
Making draught of a Bill or Answer, for every ninety words one shilling.
Engrossing the same, every ninety words, six pence.
Entering an appearance in each cause, three shillings and four pence.
Every Subpœna, Injunction or other writ, five shillings.
Copies for service, each one shilling and six pence.
Drawing Affidavit of service of Subpœna, Injunction or Master's Report, two shillings.
Every Petition necessary in the conducting of a Cause, three shillings and four pence.
Counsel's Fee for making or defending every special motion to be taxed, not to exceed one pound three shillings and four pence.
Drawing Brief in every cause, every ninety words, one shilling.
Replications and all other pleadings in a cause, every ninety words, one shilling.
Engrossing the same, every ninety words, six pence.
Counsel's Fee for examining and signing each pleading, eleven shillings and eight pence.
Draughts of Interrogatories, every ninety words, one shilling.
Engrossing Interrogatories, every ninety words, six pence.
Counsel Fee on trial of a Cause, to be taxed by the Court, but not to exceed three pounds ten shillings.
Making up Bill of Costs, three shillings and four pence.
For serving every Subpœna or other Writ, or Master's Report, three shillings and six pence.
Travel actually performed, per mile, from the residence of the person making the service to the place of service, three pence, and no more.
Draught of Decree, every ninety words, six pence.
Attending Registrar to compare Decree before signing and sealing, six shillings and eight pence.

Counsel or
Solicitor.

MASTER OF THE ROLLS, OR MASTER'S FEES.

Each day hearing a Cause, six shillings and eight pence.
Taking examination of Witnesses, each day, eleven shillings and eight pence.
References for taxing Costs, seven shillings and six pence—and all other references on which a special report shall be made, eleven shillings and eight pence, and no more.

Master of Rolls
and Masters
Sec. 7 Geo. 4
Cap. 11.

Poundage