

Register January 7/88

THE CHANCELLOR OF THE UNIVERSITY.—
At a special meeting of the Council of the University held on Friday His Honor the Chief Justice was re-elected Chancellor of the Senate. It will be remembered that, as pointed out in Thursday's *Register*, His Honor's term of office expired on November 9 last, but through some unknown cause the fact was overlooked, and he had since continued to act in the position, which he did not legally hold. We understand that the business done during the period in question will probably be confirmed at a future meeting, but it should be mentioned that the absolute necessity of doing so is questioned by some. We are informed that the degrees recently conferred will not be in any way affected by the oversight, as they are bestowed by the University, and that, therefore, it will be unnecessary for the Chancellor to again go through the form of conferring the degrees on the successful students. With regard to the appointment of Mr. Pennefather as Law Lecturer, we are told that it is for one year only, and that it is very probable the Council will determine to get some one from England to fill the position afterwards. In brief, it is considered that no practical inconvenience will arise out of the mistake.

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THE UNIVERSITY.

The authorities of the University have made haste to remedy the omission to which we called attention on Thursday. The statutes regulating the meetings of the Council give them the power to do so without delay. The Council is required to meet at least once a month, and the last Friday in the month is the day that has been fixed. But "the Chancellor or Vice-Chancellor shall have power to call a special meeting for the consideration and dispatch of business which either may wish to submit to the Council." Besides this, either of them, or the Registrar in their absence, is required, upon the written application of four members of the Council, to summon a meeting. The requisition is to state the objects for which the meeting is required to be convened, and it must be held within fourteen days after the receipt of the requisition. We assume that the meeting of the Council held yesterday, when the Chief Justice was again elected Chancellor, was convened by the Vice-Chancellor. Recent events will not tend to give the public a favourable impression of the skill of those who were responsible for preparing the University Statutes. They are needlessly stringent in some directions and dangerously lax in others. The University Act provides that the first Chancellor and Vice-Chancellor should hold office for five years, and their successors "for such other term as shall be fixed by the statutes and regulations of the University made previously to the election." The statutes framed by the Council provided that the Chancellor should hold office until the ninth of November in the fifth year from the date of his election. It is always unwise to fix a particular day for the expiration of a term of office which extends over nearly five years, especially when no alternative course is indicated, if by any chance the date should be overlooked. The recent difficulty would not have arisen if the Council had provided, as it might have done, that the Chancellor should in any case hold office until his successor had been appointed. The appointment yesterday will, of course, be governed by the statutes now in force, but the Council should consider whether it would not be wise to modify the law for the future.

But while the statutes which govern the election of Chancellor are needlessly stringent, those which regulate the meetings of the Council are dangerously lax. There is nothing in them to prevent a special meeting being summoned at an hour's notice. It is not likely, indeed, that this would be done. The statutes repealed in December, 1886, required that seven days' notice should be given of any ordinary or special meeting. The statutes now in force contain no provision of the kind. They give the Council the power "to make, amend, and repeal Standing Orders for the regulation of its proceedings," but none are to be found in last year's calendar. The business of a special meeting is bound to be of a specially important character, for if it were not it could stand over until the ordinary monthly meeting. There ought, therefore, to be a provision for ensuring that adequate notice is given to the members. In this respect also the statutes may, with advantage, be modified. The business at yesterday's meeting was most important. It is not likely that under any circumstances the decision of the Council on that occasion would have been modified. The Chief Justice has shown so much zeal in the discharge of his duties as Chancellor that it is difficult to conceive of any other choice being made for the current term of office. But altogether different circumstances might arise in the future, and means should be taken to guard against a hurried election of Chancellor, which would practically exclude any other candidate being nominated. We heartily congratulate the Chief Justice on his re-election, and we trust that during his present tenure of office the usefulness of the University may be widely extended. That he will do his best to secure this result is certain, and the confidence reposed in him affords a guarantee that the members of the Council will work cordially with him.

In electing a Chancellor the Council has remedied the first of the blunders into which it had fallen. We learn from the statement appearing in our news columns that some members of the Council do not attach much importance to the illegality of the acts done by the Chief Justice when acting as Chancellor without having been elected to the office. Thus, with regard to the degrees, the formula of admission is—"By virtue of the authority committed to me I admit you to the rank and privilege," &c. At the last commemoration candidates were admitted by a gentleman to whom authority had not been committed. With regard to the meetings of the Council, the Chancellor, when present, presides, and he has both a deliberative and a casting vote. It is conceivable, therefore, that more than one of the decisions of the Council since November 9 may have been secured by the vote of the Chief Justice presiding as Chancellor, when, in fact, he was no longer Chancellor. We do not presume to place our opinion against that of gentlemen learned in the law who are members of the Council, but it appears to us that something more than a mere confirmation of what has been done illegally is required. As to documents which have been sealed with the University seal, and which purport to have the signature of the Chancellor when there was no Chancellor, mere confirmation, we imagine, will be of no avail. There is one decision of