

**An Act to incorporate Camden College. [31st CAMDEN COLLEGE
INCORPORATION.
March, 1876.]**

WHEREAS John Fairfax Josiah Mullens John Thompson and Preamble.
Joseph Thompson of Sydney are seized of certain land and buildings at Newtown for the purpose of training students for the Independent or Congregational Ministry and other students and for educating youth in the ordinary branches of learning and the said land together with the trusts upon which it is held are described and set forth in the declaration in Schedule A hereto And whereas the above trusts are now exercised by a body of twelve persons namely The Reverend Thomas Johnson the Reverend John Graham both of Sydney the Reverend Gustavus Gidley Howden of Burwood the Reverend Thomas Spencer Forsaith of Parramatta Ministers of the Gospel Edward Arnold of Sydney draper Alfred Fairfax of Sydney wholesale grocer the Honorable John Fairfax of Sydney Esquire the Honorable Thomas Holt of the Warren Cook's River Esquire George Alfred Lloyd of Sydney merchant Josiah Mullens of Sydney sharebroker Robert Saddington of Sydney merchant and Joseph Thompson of Sydney gentleman members of the Independent or Congregational Denomination

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Denomination known as the Council of Camden College of which Council the Reverend Thomas Johnson is President. 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:—

Camden College incorporated.

1. The Council of Camden College from henceforth shall be and they are hereby constituted a body politic and corporate by the name of the "President and Fellows of Camden 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 their successors by 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 other 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 and corporate and the said land and buildings at Newtown aforesaid shall immediately upon the passing of this Act vest in and become the property of the said incorporated body. Provided that such last-mentioned land and buildings shall not be aliened or otherwise disposed of except with the approval of a meeting of the College constituency duly convened for the purpose.

Invalidity of election
no plea to action.

2. No advantage shall be taken of the invalidity of any election of the President Fellows or Warden of the said College now or hereafter elected in any action or suit by or against the corporation but every such action or suit shall be tried as if no such objection existed.

Investment of
endowment funds
and legacies.

3. All donations for endowment funds and all legacies of one hundred pounds and upwards given and bequeathed to the said College unless the same be left by any testator for special purposes shall be invested in debentures or Government stock of any of the Australasian Colonies or in Bank deposits for a limited period.

Power to borrow.

4. The Council shall have power to borrow at any time or from time to time with the approval of a meeting of the College constituency specially called for the purpose any sum or sums for the purposes of the College either by mortgage or by debentures secured by mortgage upon the land and buildings belonging to the corporation. Provided that power to borrow shall not be exercised by the Council unless and until the resolution of approval passed at such meeting shall have been confirmed at a subsequent meeting of the College constituency called for the purpose and held not less than one calendar month after the meeting at which the resolution of approval is passed.

SCHEDULE A TO THE ACT.**CAMDEN COLLEGE.***Declaration of Trust.*

WHEREAS the undersigned John Fairfax Josiah Mullens John Thompson and Joseph Thompson all of Sydney are the registered proprietors of certain land and buildings at Newtown described in Schedule A hereto and comprised in certificate of title dated the twenty-seventh day of January one thousand eight hundred and sixty-four registered volume three folio eighty-seven. And whereas the said lands have been vested in us upon trust for the religious body in this Colony known as Independents or Congregationalists holding the doctrines set forth in Schedule B hereto being the doctrines set forth in the Schedule attached to a Trust Deed called the Model Deed which Deed was approved at a Session of the Congregational Union of New South Wales held in Sydney during the month of October one thousand eight hundred and sixty nine. And whereas the said lands comprised in the said certificate of title were purchased and intended for the purpose

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purpose of training students for the Independent or Congregational Ministry and other students and for educating youth in the ordinary branches of learning under the direction of a governing body to be known as the Council of Camden College. And whereas the Reverend John West the Reverend John Graham the Reverend Thomas Johnson the Reverend Gustavus Gidley Howden all of Sydney Ministers of the Gospel Alfred Fairfax of Sydney wholesale grocer John Fairfax of Sydney gentleman Edward Arnold of Sydney draper the Honorable Thomas Holt of the Warren Cook's River Esquire the Honorable George Alfred Lloyd of Sydney Esquire Robert Saddington of Sydney merchant Josiah Mullens of Sydney sharebroker and Joseph Thompson of Sydney gentleman members of the Independent or Congregational denomination were elected as the Council of Camden College of which Council the Reverend John West was the President. And whereas the said Reverend John West has since departed this life and the Reverend Daniel Mossop of Newtown Minister of the Gospel has been elected a member of the said Council in his place. And whereas it is expedient that the said trusts shall be set forth in writing under the hands of the said trustees and of the said Council of Camden College. And whereas the trusts and regulations hereinafter set forth have been laid before the subscribers to the funds of the said College and have been approved of and adopted at a public meeting of the said subscribers duly called together for that purpose on the fourteenth day of July one thousand eight hundred and seventy-four. And whereas the trusts and regulations approved and adopted as aforesaid are as follows:—

1. The Council of Camden College shall consist of twelve Fellows of whom four shall always be Independent or Congregational ministers and eight shall be laymen each of whom shall be a recognized member of some Independent or Congregational Church in the Colony of New South Wales and not under twenty-one years of age which said twelve Fellows shall elect from their own body a President and shall with the addition of the Warden appointed as hereinafter provided or without such Warden if not so appointed together form a Council to be called "The Council of Camden College" in which shall be vested at all times the government in every respect of the College and all matters relating thereto. Provided that the ceasing of any person to hold the qualification under which he is elected a Fellow shall *ipso facto* vacate his seat.

2. The President of the Council shall *ex officio* be entitled to preside at all meetings and in his absence some Fellow appointed by the meeting in his stead. And the votes at all Meetings of the Council shall be taken exclusively of the person presiding unless there shall be an equality of votes and in every case where all the Fellows resident within fifty miles of Sydney shall have had notice by post addressed to his then or last known place of abode of the time and place of the intended meeting any five Fellows shall constitute a meeting of the Council and the votes and proceedings of the majority at any such meeting shall be taken and accepted as the votes and proceedings of the Council.

3. No temporary vacancy or vacancies in the number of Fellows of the College shall be deemed in any way to affect the constitution of the College.

4. Three Fellows of the College shall retire every year at the annual meeting of the College constituency to be held at such time as may be appointed in the by-laws of the College to be made as hereinafter provided one of whom shall be a minister and two shall be laymen but such retiring Fellows shall be eligible for re-election. Members of the College constituency qualified as hereinafter provided may be nominated before the annual meeting as candidates for such vacancies in manner hereinafter provided. And if the persons nominated are less than or equal in number to the vacancies the chairman of the annual meeting shall declare such persons duly elected. But if the persons nominated exceed the vacancies a ballot shall be taken as hereinafter provided. And the chairman of the meeting shall declare elected the members having the majority of votes. In the event of no persons being nominated or the number of persons nominated being less than the number of vacancies the Council shall at its next meeting appoint some member or members of the College constituency duly qualified as above to fill such vacancy or vacancies so left unprovided for. Vacancies by death or disqualification shall be filled up either at the annual meeting or at a special meeting to be called for the purpose by the Council after nomination in manner provided below. Nominations in writing signed by two persons possessing the right to vote must be left at the office of the secretary not less than ten days previous to the annual meeting. Should the nominations be equal in number to the vacancies the parties nominated if eligible for election shall be declared to be elected at the annual meeting. Should the nominations be more in number than the vacancies a ballot shall be taken in the usual way.

5. The Council shall arrange the order of retirement of the present Fellows and thereafter persons elected as hereinbefore provided shall be elected in the place of the Fellows whose seats are vacant by reason of retirement death or disqualification.

6. The Council shall when they shall think fit appoint a Warden of the College who shall be an Independent or Congregationalist and who shall have the control of the students under the regulations of the Council. The Warden shall have a seat and vote at the meetings of the Council but shall not be a Fellow and shall not be one of the five necessary to form a quorum at the meetings of the Council as hereinbefore provided. The Council shall have power to remove or suspend the Warden as well as all other officers of the College and to divide and delegate his duties until such appointment or during any vacancy caused by his death resignation suspension or removal.

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7. 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 objects of the said College 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 place. Provided always that every such by-law and rule shall be approved by a meeting of the College constituency specially convened for the purpose.

8. The members of the College called herein "the College constituency" shall consist of all donors to the foundation fund. Donors to any endowment fund or building fund subscribers of ten pounds and upwards in one sum for general purposes called life members and annual subscribers of ten shillings and upwards and shall have the right to be present and take part in the annual meeting and all special meetings of the College constituency.

9. All questions at the meetings of the College constituency shall be decided except as herein provided by show of hands but any three of the College constituency may demand a ballot thereon before the declaration of the chairman of any such meeting has been made and at every ballot whether for elections as hereinbefore provided or otherwise the votes shall be according to the following scale:—

Donors to the foundation fund donors to any endowment fund or building fund and life members

Having subscribed sums of	£10 and under	£25	one vote
"	"	£25	£50 two votes
"	"	£50	£100 three "
"	"	£100	£300 four "
"	"	£300	£1000 five "
"	"	£1000 and upwards	ten "

And annual subscribers of six months standing—

Sums of £1 and under £5 5s.	one vote
" £5 5s. and upwards	two votes

Provided that no member of the College constituency shall have more than ten votes in all and that Independent or Congregational ministers shall each have votes as above by payment of one half of the above donations or annual subscriptions. And provided further that no annual subscriber shall have any vote at any ballot unless his subscription shall have been paid before the end of the financial year previous to the meeting at which such ballot shall be taken. In case of equal votes on any question the chairman of any annual meeting or special meeting shall have a casting vote in addition to his own vote. And the declaration of the chairman of such meeting as to the result of any show of hands voting or ballot shall be final.

10. No member shall be allowed to vote by proxy unless he reside more than ten miles from Sydney and no person shall vote as proxy or attorney for a member unless he himself be a member.

11. The above regulations shall not be altered or repealed except at a meeting of the College constituency specially called for such purpose and then only by consent of two-thirds of the members voting in the manner prescribed above.

12. In the construction of the regulations of the College except where there is anything in the subject or context repugnant to such construction the term "the Council" shall be held to mean the Council of Camden College words importing the singular number only shall include the plural number and words importing the masculine gender only shall include females.

SCHEDULE "A" (TO THE DECLARATION OF TRUST).

ALL that piece of land situated at Newtown parish of Petersham county of Cumberland and colony aforesaid containing eight acres two roods and thirteen perches or thereabouts commencing at the intersection of the Newtown road with Campbell-street and bounded on the south-east by last-named street bearing south-westerly six hundred and ninety feet on the south-west by a line bearing north-westerly six hundred and eighty-two feet on the north-west by a line bearing north-easterly four hundred and twenty-eight feet to Station-street on the north-east by that street bearing south-easterly about three hundred and fifty-six feet to the termination of last-mentioned street again on the north-west by that termination and a continued line bearing north-easterly about two hundred and seventy-two feet to the Newtown road and again on the north-east by that road bearing south-easterly three hundred and thirty-three feet six inches to the point of commencement.

SCHEDULE "B" (TO THE DECLARATION OF TRUST).

DECLARATION of Faith appended to the Model Trust Deed approved of by the Congregational Union of New South Wales at the session held on the twenty-second day of October one thousand eight hundred and sixty-nine—

1. The existence of one only God Father Son and Holy Spirit
2. The fall of man from a sinless state into one of sin and death
3. The incarnation of the Divine Word as our Lord and Saviour Jesus Christ Son of God and Son of man His sufferings and death as a propitiation for the sins of the world and the salvation by grace through faith of all who believe in Him

Throsby's Leasing.

4. The necessity of the influence of the Holy Spirit for the restoration of man to holiness and life
5. The moral responsibility of man and the unlimited nature of the provisions and invitations of the Gospel
6. The Divine Inspiration of Holy Scripture in the Old and New Testaments and its supreme authority as the rule of faith and practice
7. The immortality of the soul the resurrection of the dead and the final judgment with its eternal consequences
8. The exclusive right of every church to manage its own affairs
9. The baptism of infants and of adult believers who were not baptised in infancy
10. The open confession of the name of the Lord Jesus Christ in the celebration of the Lord's Supper according to His command
11. The apostolic institution in the churches of two offices for their spiritual oversight and the administration of their temporal affairs namely that of presbyters or bishops and that of deacons.

Now we the undersigned trustees and we the undersigned members of the Council of Camden College do hereby respectively declare that the land and hereditaments in the Schedule A referred to are held upon the trusts and purposes subject to the regulations herein declared or referred to.

(Here follow the signatures of the Trustees &c.)
