



SUPPLEMENT

TO

The London Gazette

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Council-Office, Whitehall, June 25, 1857.

**W**HEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 19th day of March, 1857, in relation to the COLLEGE of SAINT MARY OF WINCHESTER, otherwise called NEW COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

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ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict., c. 81, in relation to the COLLEGE of SAINT MARY OF WINCHESTER, otherwise called NEW COLLEGE, in the UNIVERSITY of OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as fol-

lows in relation to the College of Saint Mary of Winchester in the said University, otherwise and hereinafter called New College:—

1. The seventy places within the said College now held by perpetual Fellows or Scholars on two years of probation, shall, as vacancies occur therein respectively, not be filled up in the same manner and under the same conditions as heretofore, but so that there shall hereafter be maintained within the College the thirty Fellowships and thirty Scholarships hereinafter mentioned.

2. In elections to fifteen of the said thirty Fellowships (which fifteen are hereinafter called "Winchester Fellowships"), no person shall be eligible unless he shall either have been educated during two years at least in the school of the College of Saint Mary Winchester, near Winchester (otherwise and hereinafter called Winchester College), or shall for at least twelve Terms have been a member of New College. In elections to the other fifteen (hereinafter called "Open Fellowships"), no person shall be either entitled to preference or ineligible by reason of his having or not having been educated at any particular school, or of his being or not being a member of New College.

3. No candidate for any Fellowship within the College shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College, or of his being or not being a Scholar of the College, or of his pecuniary circumstances, and no candidate shall be ineligible by reason of his being or having been a member of any other College, or of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or of his having attained or exceeded his twentieth year: Provided, that no person shall be eligible to an Open Fellowship who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, and no person shall be eligible to a Winchester Fellowship who shall not either have passed all the examinations required by the

University for the degree of Bachelor of Arts, or have taken the degree of Bachelor of Arts in some other University in Great Britain or Ireland, and no person shall be eligible to any Fellowship who shall be possessed of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

4. No candidate for any Scholarship within the College shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the blood or kindred of William of Wykeham, the Founder of the College; and no candidate shall be ineligible by reason of his having any bodily imperfection which might operate as a disqualification for Holy Orders, or by reason of his being entitled to any property or income exceeding five marks a year.

5. The emoluments of each Scholarship, inclusive of rooms and all allowances, shall be not less than eighty pounds per annum. The Scholarships shall be respectively tenable for five years, and no longer: Provided that, in the case of any Scholarship the election to which may have been postponed as hereinafter provided, the said term of five years shall be computed from the day on which the election would have been held if there had been no postponement. Every Scholar who shall marry, or shall be elected to a Fellowship in New College, or to a Fellowship or Scholarship in any other College, shall thereupon vacate his Scholarship.

6. The vacant Scholarships shall be filled up annually, at a stated time to be appointed by the Warden and Fellows of New College, by the election of boys receiving education in the school of Winchester College, no distinction being made between members of the foundation of that College and boys not members thereof. The conditions of eligibility in respect of age and standing in the school shall be the same for all persons, whether of the blood or kindred of the Founder or not, but subject to this provision, shall be such as the Warden and Fellows of New College, with the consent of the Warden and Fellows of Winchester College, shall from time to time determine, or, in default thereof, shall be such as are now required in the case of persons elected and admitted to probation in New College, being not of the blood or kindred of the Founder. The election of Scholars shall be held at Winchester College, after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows of New College shall from time to time determine, and the candidate or candidates shall be elected who, after such examination, shall appear to the electors to be of the greatest merit, and most fit to be a Scholar or Scholars of the College. Any vacant Scholarship for which there shall be no candidate duly qualified and of sufficient merit in the judgment of the electors, shall be thrown open for that turn to general competition as an Open Scholarship, and the election shall be postponed to a day to be fixed by the Warden and Fellows of New College for the purpose, and shall be held at New College by the same persons, and after public notice for the same period, as the elections to Fellowships are to be held under this Ordinance, and after a competitive examination of the candidates in such subjects, and conducted in such manner as the Warden and Fellows shall from time to time determine.

7. The whole number of thirty Fellowships and thirty Scholarships shall be completed as speedily as the occurrence of vacancies in existing Fellowships, and the amount of the funds thereby made available, will permit. The number of the fifteen

Winchester Fellowships and the number of the fifteen Open Fellowships shall be progressively completed, as nearly as may be, *pari passu*. As between Fellowships and Scholarships, the whole number of the Fellowships and the whole number of the Scholarships shall be progressively completed at such a relative rate as the Warden and Fellows of New College, having regard on the one hand to the continuance of due encouragement to the school of Winchester College, and on the other to the interests of New College as a place of education, shall deem expedient.

8. So soon as the whole number of thirty Fellowships and thirty Scholarships shall have been completed, and the average emoluments of each Fellow (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances) shall amount to two hundred pounds per annum, the number of Open Fellowships and that of Winchester Fellowships respectively shall be progressively increased to twenty as speedily as the amount of the corporate revenues of the College shall allow (but not so as at any time to reduce the emoluments of the Fellowships below two hundred pounds per annum). And no Fellow shall be entitled to receive more than two hundred pounds per annum in respect of his Fellowship, so long as the whole number of Fellowships shall be less than forty.

9. The provisions of this Ordinance shall be subject to any Ordinance or Ordinances which may be hereafter duly made by the Commissioners exercising the powers of the said Act, for appropriating in such manner as may be thought fit any part of the revenues of the College to purposes for the benefit of the University at large, in connection with the Professoriate of the University.

10. The Fellows of the College hereafter to be elected shall be subject, as regards qualification for election and otherwise, to the existing Statutes of the College relating to Fellows, and the Scholars to the existing Statutes relating to persons admitted to two years of probation, so far as the same are consistent with the provisions of this Ordinance concerning Fellows and Scholars respectively, and the election at Winchester College of Scholars of New College shall be held by the same persons and in the same manner (subject to the provisions of this Ordinance) as the election of Scholars on two years of probation is by the existing Statutes directed to be held: Provided that this clause shall not be deemed to limit or affect the power of repealing and altering Statutes hereinafter given to the Warden and Fellows.

11. This Ordinance shall be without prejudice to the right of every person whose name shall be in the election indenture which shall be in force when this Ordinance shall be approved by Her Majesty in Council to be admitted as a Fellow, if of kin to the Founder or as a Scholar on two years of probation, in case of a vacancy; and to the right of every person who shall be so admitted, and of every present Scholar on two years of probation, to be admitted an actual Fellow of the College.

12. No person shall be incapable of being elected or appointed Warden of the College by reason of his not being or not having been a Fellow thereof. No person shall be capable of being elected or appointed who shall not be a Priest of the United Church of England and Ireland, and either a Graduate in Theology or Law, or a Master of Arts. The electors shall choose, and in case of lapse the Bishop of Winchester for the time being shall appoint the person (being otherwise duly qualified according to

the Statutes in force for the time being), who in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion, learning, and education.

13. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

14. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

15. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden, as the case may be, it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that

the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

16. The election of Fellows shall be vested in the Warden and the Fellows present at the time of election; and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

17. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the Warden and Fellows; and thirty days at least before every day of election, notice of such intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity.

18. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

19. Every person hereafter elected to a Fellowship shall, before being admitted an actual Fellow, undergo probation for one year from the day of his election inclusive, and no longer; and at the end of such year shall be admitted to an actual Fellowship, if found fit to be a Fellow of the College in the judgment of the Warden and Fellows. Every person admitted to such probation shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

20. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months; and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall in case of doubt, be considered to be the income derivable from such property. The word "property" shall, in this clause, include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been

acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

21. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts in any University, or passed the examinations required for that degree by the University of Oxford, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:

- a. Any Professor or Public Lecturer within the University of Oxford for whose election a majority of the votes of the Warden and all the Fellows shall have been given; the Warden's vote being counted as two votes.
- b. Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or decree of Convocation, or any honorary degree: Provided that two-thirds of the votes of the Warden and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Warden's vote being counted as two votes.

22. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election; and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

23. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows, or if he shall be Principal of any Hall (not being a private Hall) by two-thirds of the votes of the Warden and all the Fellows; the Warden's vote being in each case counted as two votes: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

24. Every Professor, Public Lecturer, or Principal of a Hall elected to or retained in a Fellowship by virtue of either of the foregoing clauses numbered 21 and 23, shall upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

25. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the

Warden and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to, and tenure of, Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

26. No Fellow or Scholar shall, by reason of anything contained in the existing Statutes, be liable on ceasing to be a Member of the College to refund any emoluments previously received by him; but every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, or in Winchester College, shall thereupon vacate his Fellowship.

27. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

28. It shall be lawful for the Warden and Officers of the College for the time being, or the major part of them, to grant an exemption from the obligation to take Holy Orders to any Fellow who would according to the existing Statutes be required to do so, whenever they shall judge it to be consistent with the interest of the College as a place of religion and education to do so.

29. No Fellow, being a Master of Arts, shall be required by reason of anything contained in the existing Statutes to proceed to any degree in law, medicine, or theology.

30. No Fellow shall, by reason of anything contained in the existing Statutes, be disabled from voting at any election, or from doing or taking part in any act or proceeding as a Fellow, or from being elected to any office, or appointed to discharge any duty, on account of his faculty.

31. No Fellow, shall be precluded by anything contained in the existing Statutes from applying for or taking advantage of graces granted by the University, or from proceeding to any degree at the earliest time allowed by the Statutes and regulations of the University.

32. Subject to the provisions of this Ordinance and of any Ordinance hereafter to be made in exercise of the powers of the said Act, the number of Fellowships within the College shall never be less than thirty, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient,

or of augmenting the number or emoluments of the Scholars, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

33. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances,) to direct either that the number of Fellowships shall be increased above forty, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine. This clause shall be without prejudice to the provisions of Clause 8 of this Ordinance.

34. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

35. The power of depriving the Warden for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the Warden and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

36. Whenever there shall be no candidate for a vacant Winchester Fellowship, duly qualified in respect of his place of education and otherwise according to the foregoing provisions, and whom the electors shall judge of sufficient merit for election, the election thereto shall be thrown open for that turn, and shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election to Open Fellowships, and shall be held and conducted in the same manner, and after the same previous notice, as an ordinary election to an Open Fellowship.

37. Whenever there shall be no duly qualified candidate for a vacant Open Fellowship or for a Winchester Fellowship which shall have been

thrown open under the foregoing provision, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election to Open Fellowships; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

38. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitor shall think fit: Provided also, that the Wardenship shall not be deemed to be an office within the meaning of this clause.

39. The Warden and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purpose. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

40. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship and any such Fellow of his Fellowship.

41. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Bye-laws of the College in force for the time being so far as they may concern him; and the electors to any place or office before electing to which an oath is now required shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

42. There shall be two stated general meetings at least of the Warden and Fellows in every year,

on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and in the deprivation of Scholars, and in elections to open Scholarships. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: Provided that the great seal of the College shall not be affixed to any act or document except in the presence of the Warden or his Vice-Gerent and a majority of all the Fellows. Whenever the votes shall be equal, the Warden shall have an occasional casting vote. All the Fellows, without distinction of faculty or standing in the College, shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

43. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

44. All provisions of the existing Statutes regulating or limiting the number of members of the College required or permitted to study or graduate in any particular faculty shall be void.

45. No member of the College who may be charged with any offence shall, by reason of any provision in the existing Statutes, be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges.

46. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the loans to be made and other assistance to be given to members of the College on taking degrees and otherwise; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation;

and respecting the treatment and support of Fellows and Scholars in case of sickness or infirmity; and respecting the distribution of the rooms, and the use of the Common Hall and other common rooms or buildings of the College; and respecting the use of the Library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, linen, and other goods of the College other than the muniments and seals, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

47. The electors to Scholarships in Winchester College shall not, in electing thereto, be bound to observe the regulations contained in the existing Statutes of New College relative to the subjects of examination of candidates for such Scholarships, and the limit of eligibility in respect of age.

48. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

49. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

50. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true



construction of such Statute or Statutes with reference to the case submitted to him.

51. It shall be lawful for the Warden, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar who may have been deprived of his Scholarship, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

52. It shall be lawful for the Visitor, either proprio motu or on the complaint of the Warden or of any of the Fellows, to disallow and annul any byelaw or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

53. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printer's copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

54. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows. Fellows not having taken the degree of Bachelor of Arts in some University, or passed all the examinations required by the University of Oxford for that degree shall not, by virtue of this Ordinance, be entitled to any voice or power in amending Statutes or making regulations under this Ordinance, nor to any voice or power in the affairs of the College, or in the affairs of Winchester College, to which undergraduate Fellows are not entitled under the existing Statutes.

55. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this nineteenth day of March, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, June 25, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provisions for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 19th day of March, 1857, in relation to WORCESTER COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month

after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. J. Bathurst.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict. c. 81, in relation to WORCESTER COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Worcester College in the said University:—

1. No person being or having been a Fellow of the said College shall be incapable of being appointed Provost thereof, by reason of his being or not being, or having been or not having been, a member of any particular foundation therein. The Chancellor of the University shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who, in his judgment, shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Provost shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Provost's sickness, or from any other urgent cause, it shall be lawful for the Visitors, or the major part of them, to dispense with the Provost's residence for such a period as may seem to them to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Provost.

3. The Provost and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Provostship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues: and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Provost's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Provost without his consent: Provided also, that the Visitors, or the major part of them, upon the petition of the Provost, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if they shall think fit.

4. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the Vice-Provost shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitors, setting forth the circumstances of the case, and praying the Visitors to inquire into the truth of them: and the Visitors shall institute such inquiry accordingly. And

if upon such inquiry, or upon a petition presented by the Provost, (as the case may be,) it shall appear to the satisfaction of the Visitors, or the major part of them, that the Provost has become permanently incapable of performing his duties, then the Visitors, or the major part of them, shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Provost, shall be presented to them, to be Pro-Provost of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Provost's emoluments, as they shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Pro-Provost shall, so long as the Provost shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Provost, except the power of consenting to any commutation, regulation, or diminution of the Provost's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Provost shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitors, or the major part of them, shall appoint a new Pro-Provost in the same manner. It shall be lawful for the Visitors, or the major part of them, if at any time they shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The first and third Fellowships of the foundation of Sir Thomas Cookes, the second Fellowship of the foundation of Mrs. Sarah Eaton, and the fourth Fellowship of the foundation of Dr. George Clarke, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and to which there shall be no Scholar entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, shall not be filled up. The emoluments of such four Fellowships shall sink into the divisible corporate revenues of the College, but the Provost and Fellows shall be bound, out of the divisible revenues, to maintain the four Exhibitions next herein-after mentioned, and also to increase the value of the Scholarships within the College as herein-after directed. From and after the vacancy of the aforesaid third Fellowship of the foundation of Sir Thomas Cookes, the corporate revenues of the College shall be charged with the maintenance of four Exhibitions, to be called the Exhibitions of Sir Thomas Cookes. Each Exhibition shall be tenable for four years from the day of election inclusive: Provided, that if any Exhibition shall be vacated before the expiration of the said term of four years, the person elected upon such vacancy shall hold the Exhibition for the residue only of the said term. Each Exhibitioner shall receive thirty pounds per annum, and shall be entitled to rooms within the College rent-free. Elections to the said Exhibitions shall, as regards the time, place, and manner of holding the same, and the qualifications to be required of the candidates with respect to their place of education, be conducted in all respects as elections to the Scholarships of the foundation of Sir Thomas Cookes. The time at which the first election to each Exhibition shall be held, shall be in the discretion of the Provost and Fellows.

6. The Fellowships of the foundation of Dr. James Finney shall, as vacancies occur therein,

to which there shall be no person entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, and the Scholarships of the same foundation shall, when vacant, not be filled up. All the emoluments of those Fellowships and Scholarships shall be consolidated and applied to the maintenance of one Scholarship within the College, to be called the Finney Scholarship, to be filled up, so often as it shall become vacant, by the election of a person born in the county of Stafford, if any such be found of sufficient merit and fit to be a Scholar of the College in the judgment of the electors. Except as above mentioned, no person shall, in elections to the Finney Scholarship, be ineligible or entitled to preference by reason of the place of his birth. The time at which the first election shall be held to the said Finney Scholarship shall be in the discretion of the Provost and Fellows.

7. The election of Fellows of the College shall be vested in the Provost and such of the Fellows present at the time of election as shall have been admitted to the degree of Master of Arts, or to any superior degree.

8. In elections to Fellowships within the College, no person shall be either entitled to preference, or ineligible by reason of his place of birth or place of education, or of the condition or place of residence of his parents, or of his age or pecuniary circumstances: or of his being or not being of the name or kindred of any person named in any Instrument of Foundation; or of his having or not having taken any degree, or of his being or not being, or having been or not having been a Scholar of the College, or of any particular foundation therein: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts; or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election would have disqualified him for continuing a Fellow: Provided also, that no person shall be eligible to any of the Fellowships of the foundation of Mrs. Sarah Eaton, who shall not have certified to the satisfaction of the electors that he is not possessed of any property or income exceeding one hundred and fifty pounds per annum, and that he is the son of a clergyman of the United Church of England and Ireland.

9. The election of Fellows shall take place on a stated day in each year to be appointed by the Provost and Fellows, subject to the provision for postponement herein-after contained. Thirty days at least before the day of election, notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Provost in such manner as he shall deem best adapted to secure publicity.

10. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Provost and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the electors shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

11. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of



any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical, benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with the cure of souls), clear of deductions as aforesaid, shall exceed four hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

12. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would, in ordinary cases, render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows shall have been given:
- (b.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art on whom the University in Convocation shall have conferred a degree either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid.

13. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow

shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

14. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would, in ordinary cases, disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the Fellows qualified to vote in the election of Fellows, or if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Provost and all the Fellows qualified as aforesaid; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

15. Not more than one Fellowship shall, at any one time, be held by Professors or Public Lecturers under the powers conferred by Clauses 12 and 14 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

16. Every professor, Public Lecturer, or Principal of a Hall, elected to or retained in a Fellowship by virtue of either of the foregoing clauses, numbered 12 and 14, shall, upon ceasing to hold such Professorship, Public Lecturership, or Principalship, vacate his Fellowship.

17. It shall be lawful for the Provost and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Provost and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Provost and Fellows, from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interest of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious noncompliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. One-third of the whole number of Fellowships may at all times be held by persons not having taken and not liable to be required to take

Holy Orders. Such Fellowships shall be termed Lay Fellowships. The option of holding a Lay Fellowship shall be given to the Fellows not in Holy Orders successively, according to seniority from the date of election. The power vested in the Provost and four of the six senior Fellows of granting an exemption from the obligation to take Holy Orders in the case of the Library Keeper shall not hereafter be exercised. No Fellow not being in Holy Orders shall be required, as a condition of retaining his Fellowship, to study or graduate in Theology.

21. No Fellow shall be disqualified for retaining his Fellowship by reason only of his having held it for any period of time mentioned in the Statutes or in any instrument of foundation.

22. The number of Fellowships within the College (exclusive of suppressed Fellowships) shall never be less than fifteen, unless the Visitors, or the major part of them, shall think fit, on a petition in writing presented and subscribed by the Provost and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

23. The Provost and Fellows shall, once at least in every ten years, lay before the Visitors a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitors such additional information (if any) as they shall require for enabling them to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitors, or the major part of them, thereupon, if it shall appear to them that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Visitors, or the major part of them, shall determine.

24. In elections to Scholarships within the College (other than the Finney Scholarship), no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being or not being of the kindred of any person named in the Statutes or in any instrument of foundation. In elections to Scholarships of the foundation of Sir Thomas Cookes, no person shall be entitled to preference by reason of his being one of the eleemosynary or foundation Scholars in any school designated in the Statutes, or by reason of his having been educated at any school other than the schools individually named in the existing Statutes.

25. The Scholars of the foundation of Sir Thomas Cookes shall be elected by Examiners to

be chosen annually by the Provost and such of the Fellows then present as shall have been admitted to the degree of Master of Arts or to any superior degree; provided, that the Provost shall always be one of such Examiners, if he shall think fit. The expenses of the said Examiners shall be defrayed out of the corporate revenues of the College.

26. The Scholars of the foundations of Mrs. Sarah Eaton and Dr. George Clarke and the Finney Scholar shall be elected by the Provost and such of the Fellows present at the time of election as shall have been admitted to the degree of Master of Arts or to any superior degree, after an examination of the candidates in such subjects, and conducted in such manner, as the electors shall determine, and that candidate (being otherwise duly qualified according to the Statutes in force for the time being and the respective instruments of foundation) shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

27. The election of Scholars shall take place on a stated day or stated days in each year, to be appointed by the Provost and Fellows (subject to the provisions for postponement hereinafter contained); and notice of every intended election to Scholarships (other than Scholarships of the foundation of Sir Thomas Cookes), of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Provost, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

28. The Scholarships of the foundation of Sir Thomas Cookes shall be tenable for six years from the day of election inclusive, and no longer: Provided, that if any such Scholarship shall be vacated before the expiration of the said term of six years, the person elected upon such vacancy shall hold the Scholarship for the residue only of the said term.

29. Every Scholarship within the College (other than the Scholarships of the foundation of Sir Thomas Cookes) shall be tenable until the holder thereof shall have completed the twenty-fourth Term from that of his matriculation inclusive, and no longer: Provided, that it shall be lawful for the Provost and Fellows to terminate any Scholar's tenure of his Scholarship at the end of eighteen Terms from his matriculation inclusive, by resolution at the stated general meeting next preceding the expiration of the said eighteen Terms.

30. The emoluments of every Scholarship within the College, other than the Finney Scholarships, shall, as rapidly as the means accruing from the suppression of the said four Fellowships will admit, be augmented to a sum not less than fifty pounds per annum, and the Scholars shall also be entitled to rooms within the College rent-free.

31. Every Scholar who shall be elected to a Fellowship of the College, or to a Fellowship in any other College within the University, shall thereupon vacate his Scholarship.

32. The Provost and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation.

33. In elections to Exhibitions of the foundation of Dr. Thomas Kay, no person shall be entitled to preference by reason of his place of birth, otherwise than by reason of his being a native of the county of York. Exhibitioners of the foundations of Dame Elizabeth Holford and Dr. Thomas Kay shall be elected by the persons in whom the election of Scholars of the College (other than the

Scholars of the foundation of Sir Thomas Cookes) is hereby vested. The Exhibitions of the foundation of Dr. Thomas Kay shall be tenable for the same period as the Scholarships of the College (other than the Scholarships of the foundation of Sir Thomas Cookes), and no longer, and shall be determinable in the same manner, and notice of every intended election to the said Exhibitions shall be given in the manner hereinbefore directed respecting Scholarships of the College.

34. Candidates for the Exhibitions of the foundation of Dame Elizabeth Holford and Dr. Thomas Kay shall be examined in such subjects and in such manner as the electors shall appoint, and that candidate (being otherwise duly qualified according to the instruments of foundation of those Exhibitions respectively) shall be elected who shall appear to the electors to be of the greatest merit.

35. Every Exhibitioner shall be subject to such regulations respecting residence, attendance on Divine worship, instruction and discipline, as the Provost and Fellows shall from time to time determine, and may be deprived of his Exhibition for any misconduct which, in the judgment of the Provost and Fellows, may merit deprivation.

36. The Provost and Fellows may, if they shall think fit, commute the stipend and allowances now payable by Statute or custom to any Fellow of the College, or any part thereof, for an aliquot share of the corporate revenues of the College. It shall be lawful for the Visitors, or the major part of them, upon the petition of any person who shall be a Fellow at the time of such commutation being determined on, and shall conceive himself aggrieved thereby, to disallow such commutation, if they shall think fit.

37. The Provost and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

38. The power of depriving the Provost for such causes as according to the Statute of the College in force for the time being shall require deprivation, shall be vested in the Visitors, or the major part of them, and shall be exercised by them after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation shall be vested in the Provost and Fellows, and shall be exercised by the vote of the major part of the Provost and all the Fellows, subject only to such appeal to the Visitors as hereinafter provided: Provided that the clause shall not affect the Visitors' power (if any) of depriving by their own authority any member of the College.

39. Whenever there shall be no candidate for a Fellowship or Scholarship of the foundation of Mrs. Sarah Eaton, for a Scholarship or Exhibition of the foundation of Sir Thomas Cookes, for a Finney Scholarship, or for an Exhibition of the foundation of Dame Elizabeth Holford or Dr. Thomas Kay, possessing the qualifications required in each case, and whom the electors shall judge of sufficient merit for election, the election shall be thrown open for that turn, and shall be postponed to some other day, to be fixed by the Provost and Fellows for that purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows of the College, and in the case of a Scholarship or Exhibi-

tion of Scholars other than Scholars of the foundation of Sir Thomas Cookes.

40. Whenever there shall be no duly qualified candidate for a vacant Fellowship of the foundation of Sir Thomas Cookes, or of Dr. George Clarke, or for a vacant Scholarship of the foundation of Dr. George Clarke, or for any Fellowship, Scholarship, or Exhibition which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows of the College, and in the case of a Scholarship or Exhibition of Scholars other than Scholars of the foundation of Sir Thomas Cookes; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

41. The Provost and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its members; and may assign to such new offices such stipends or emoluments as the Provost and Fellows shall think proper; Provided, that it shall be lawful for the Visitors, or the major part of them upon the petition of the Provost or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if the Visitors shall think fit: Provided also, that the Provostship shall not be deemed to be an office within the meaning of this clause.

42. The Provost and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitors, or the major part of them, shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing statutes relating to Divine service shall be henceforth void.

43. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person admitted to any place, on admission to which an oath is now required, shall, at the time of his admission, take an oath or make a declaration, as the Provost and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place, and obey the Statutes and Byelaws of the College in force for the time being so far as they may concern him.

44. There shall be two stated general meetings at least of the Provost and Fellows in every year, on such days as the Provost and Fellows shall appoint. Any stated general meeting may

be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Provost shall be counted as one vote in all Elections and College meetings, and in the deprivation of Fellows, Scholars, and Exhibitioners. Whenever the votes shall be equal at any College meeting, or in any election, or deprivation the Provost shall have an additional casting vote. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Provost and Fellows, or the consent of the Provost, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Every Fellow of the College shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Provost and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

45. The power which is given by the existing Statutes to the Vice-Provost to act in place of the Provost, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Provost, shall be deemed to extend to all the acts which the Provost is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Provost's emoluments.

46. The particular provisions of the existing Statutes respecting the disputations and other exercises to be performed by the members of the College; and respecting their meals; and respecting the punishments for offences not being such as require deprivation; and respecting the times of opening and closing the gates of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody of the monies, plate, and other goods of the College, other than the muniments and seal, shall be henceforth void. The Provost and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitors on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

47. If in any case it shall appear to the Visitors, or the major part of them, that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitors, or the major part of them, from time to time, for the purpose of correcting or obviating such injustice, hardship,

or injury, to direct that such annual sum shall be increased or diminished as they shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

48. It shall be lawful for the Visitors, once in every ten years (or oftener, if and whenever they shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitors at any such visitation, or, if they shall think fit at other times, to require the Provost and Fellows to answer in writing touching any matter as to which the Visitors may deem it expedient to inquire, for the purposes of satisfying themselves whether the Statutes in force for the time being are duly observed.

49. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Visitors; and it shall be lawful for the Visitors, or the major part of them, to declare what is the true construction of such Statute or Statutes with reference to the case submitted to them.

50. It shall be lawful for the Provost, or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitors; and it shall be lawful for the Visitors, or the major part of them to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as they shall deem just.

51. It shall be lawful for the Visitors, or the major part of them, either proprio motu or on the complaint of the Provost or of any of the Fellows, to disallow and annul any byelaw or resolution of the Provost and Fellows which shall, in the judgment of the Visitors, or the major part of them, be repugnant to any of the Statutes of the College in force for the time being.

52. The Provost and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

53. The fellows of the foundation of Dr. James Finney shall not, in the construction of this Ordinance, be counted amongst the Fellows of the College, nor the Fellowships of that foundation among the Fellowships of the College.

54. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our common seal,  
this nineteenth day of March, one  
thousand eight hundred and fifty-  
seven.

L. S.

*Council-Office, Whitehall, June 25, 1857.*

**W**HEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," have framed the following ORDINANCE, dated the 23th of March, 1857, in relation to BALLIOL COLLEGE in the UNIVERSITY OF OXFORD: and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

*Wm. L. Bathurst.*

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict. c. 81, in relation to BALLIOL COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Balliol College in the said University:

1. In elections to the office of Master of the said College, no person shall be entitled to preference by reason of his being or having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The Master shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Master's sickness or for any other urgent cause it shall be lawful for the Visitor to dispense with the Master's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Master.

3. The Master and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Mastership, including therein the portion of the Rectory of Huntspill, in the county of Somerset, annexed to the office of Master, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Master's emoluments, whether commuted or uncommuted, as they shall think proper;

Provided, that no exercise of this power shall affect the person then being Master without his consent: Provided also, that the Visitor, upon the petition of the Master or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Master has become permanently incapable of performing the duties of his Office, the Senior Fellow in residence shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a Majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if, upon such inquiry, or upon a petition presented by the Master (as the case may be), it shall appear to the satisfaction of the Visitor that the Master has become permanently incapable of performing his duties, then the Visitor shall nominate one of the three Senior Fellows for the time being in Holy Orders to be Vice-Master of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Master's emoluments as the Visitor shall think fit; provided that the Master shall be at liberty to retain his lodgings. And such Vice-Master shall, so long as the Master shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Master, except the power of consenting to any commutation, regulation, or diminution of the Master's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Master shall die, resign his office, vacate, or be deprived of his Fellowship, or become incapable, the Visitor shall appoint forthwith one of the three Senior Fellows for the time being in Holy Orders (exclusive of the Vice-Master resigning or becoming incapable) to be Vice-Master in his room. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Master's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the incapacity of the Master.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of education, or pecuniary circumstances, or of his being or not being a Scholar of the College, or a Scholar of any particular foundation therein, or of his having or not having taken the degree of Bachelor or Master of Arts in the University of Oxford; and no person shall be ineligible by reason of his being of illegitimate birth: Provided that no person shall be eligible who shall not have taken the degree of Bachelor of Arts in some University in Great Britain or Ireland, or passed all the examinations required by the University of Oxford for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

6. Sixty days at least before the day of election to a Fellowship, notice of every interceded election,

of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Master in such manner as he shall deem best adapted to secure publicity.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Master and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Master and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being,) who after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning and education.

8. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

9. The rank, privileges, and advantages which every person hereafter to be elected to a Fellowship shall hold and enjoy in the College shall (except so far as is otherwise herein-after provided) be determined according to the date of his admission to such Fellowship.

10. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, (being a benefice with cure of souls,) clear of deductions, (except for property or income tax,) shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice. No Fellow shall be so disqualified by reason of his having become possessed of any benefice, property, pension, or office, so long as he shall continue to reside in the University, and to hold the office of Dean, Tutor, Lecturer, or senior Bursar, within the College.

11. Every Fellow who shall marry shall thereupon vacate his Fellowship.

12. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts in any University, or passed the examinations required by the University of Oxford for that degree, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University of Oxford for whose election a majority of the votes of the Master and all the Fellows shall have been given; the Master's vote being counted as two votes.
- (b.) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art on whom the University in Convocation shall have conferred a degree either by diploma, or by decree of Convocation, or any honorary degree, provided that two-thirds of the votes of the Master and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid; the Master's vote being counted as two votes.

13. The election in such excepted cases shall always be held more than sixty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

14. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may, nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Master and all the Fellows, or if he shall be Principal of any Hall not being a Private Hall, by two-thirds of the votes of the Master and all the Fellows, the Master's vote being in each case counted as two votes: Provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

15. If any Fellow elected under clause 12, or retained under clause 14, shall (except in the case hereinafter mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.)

16. Not more than one Fellowship shall at any one time be held under the powers conferred by clauses 12 and 14 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of suspended Fellowships, shall not exceed twelve.

17. Any person elected under clause 12, or retained under clause 14, and being a Professor or Public Lecturer within the University, who at the time of his election or retention shall hold a



benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College, the possession which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

18. It shall be lawful for the Master and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever; but shall be entitled to enjoy such other privileges and advantages as the Master and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Master and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

19. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

20. No Fellow hereafter to be elected (except any Scholar of the foundation of Mr. Peter Blundell who may be elected a Fellow by virtue of an interest acquired before the passing of the said Act) shall vacate his Fellowship by reason only of his having held the same for any period of time mentioned in any instrument of foundation.

21. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes shall be henceforth void. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the members of the College.

22. The number of Fellowships within the College shall never be less than eleven, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Master and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished either permanently or during any limited period,

by not filling up vacancies, for the purpose either of increasing the emoluments of the Master and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

23. The Master and Fellows shall once at least in every ten years lay before the Visitor of the College a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be), and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or exhibitions within the College, or shall be set apart for general College purposes; and any sum which shall be so set apart shall be applied to such College purposes as the Master and Fellows, with the approbation of the Visitor, shall determine. The power given by the existing Statutes to the Visitor, the Master, and three Senior Fellows, to determine that the number of Fellowships shall be increased or diminished shall not hereafter be exercised.

24. The two Scholarships of the foundation of Mr. Peter Blundell within the College, when vacant, and the first Fellowship of the said foundation becoming vacant after this Ordinance shall have been approved by Her Majesty in Council, or being vacant at the time of such approval, to which there shall be no Scholar of the same foundation entitled by virtue of an interest acquired before the passing of the said Act to succeed or be elected, shall not be filled up. In lieu of the said Fellowship, and of the said two Scholarships, the corporate revenues of the College shall be charged with the maintenance of five Scholarships within the College, to be called Blundell Scholarships, to each of which an annual stipend of not less than sixty pounds shall be attached, payable out of such corporate revenues *pari passu* with the stipends of the other Scholarships of the College.

25. The said five Scholarships shall be respectively tenable for five years, and no longer; and any Scholar who shall marry, or be elected to a Fellowship within the College, or shall cease to be a member of the College, shall thereupon vacate his Scholarship.

26. This Ordinance shall take effect without prejudice to the rights of the Scholars or Scholar of the said foundation who shall be such at the time of the approval thereof by Her Majesty in Council to receive, in respect of their or his Scholarships or Scholarship, the same emoluments, and during the same periods or period, as if this Ordinance had not been made.

27. The first election shall be held to each of the said five Scholarships as soon as the occurrence of vacancies in the said Fellowship and the said two existing Scholarships shall render it practicable to do so without imposing upon the

corporate revenues of the College a greater charge than the same would have been liable to for the time being, in respect of the said Fellowship and two Scholarships, if this Ordinance had not been made. The Master and Fellows shall not be bound to fill up more than one Blundell Scholarship in any one year.

28. The elections to the said five Scholarships shall be held at Mr. Peter Blundell's School at Tiverton, in the county of Devon, on such day in each year, between the fifteenth and twenty-ninth days of June, both inclusive, as the Master and Fellows shall appoint, after a competitive examination of the candidates in subjects connected with the studies of the said School. Such examination shall be conducted by three Examiners, one to be appointed by the Master and Fellows, another (not being a Master of Tiverton School) by the Peoffees of Mr. Blundell's estate, and the third by the Master and Fellows of Sidney Sussex College, in the University of Cambridge, or in default of appointment by them, by the Master and Fellows of Balliol College. The expenses of the Examiner or Examiners to be appointed by the Examiner or Examiners shall be defrayed out of the corporate revenues of the College. The Examiners shall elect that candidate (being a Scholar of the said School educated therein for the three years immediately preceding the election) who after such examination shall appear to them to be of the greatest merit, and most fit to be a Scholar of the College. The Examiners shall immediately after each election notify to the Head Master of the School the subjects of examination for the ensuing year. Notice of the day appointed for the election shall be given not less than thirty days previously by the Master of the College to the Head Master of the School.

29. No person shall be admitted to be a candidate who shall have attained the age of nineteen years, or whom the said Peoffees for the time being shall not deem proper to be a candidate, having regard to his moral character and pecuniary circumstances.

30. Whenever there shall be no duly qualified candidate whom the Examiners shall judge of sufficient merit for election, the vacant Scholarship shall be thrown open for that turn to general competition, and the election shall be postponed to the next ensuing day of election to the Scholarships of the College (other than Blundell Scholarships), and shall be conducted in all respects as if such Scholarship had been one of those Scholarships.

31. The holders of the said five Scholarships shall be liable to deprivation by the same authority, for the same causes and in the same manner as the other Scholars of the College, and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe.

32. The election of Exhibitioners of the foundation of John Newte, Clerk, shall be held after a competitive examination of the candidates in such subjects connected with the studies of the said Mr. Peter Blundell's School as the electors shall from time to time determine. The electors shall elect that candidate (being a Scholar of the said School educated therein for the two years immediately preceding the election) who after such examination shall appear to them to be of the greatest merit.

33. The four Exhibitions of the foundation of John Warner, bishop of Rochester, shall be consolidated into two Exhibitions, the holders of which shall receive by equal shares the whole emoluments now payable to the four Exhibitioners.

The election of Exhibitioners of the said foundation shall be held after a competitive examination of the candidates in such subjects, and conducted in such manner as the electors shall from time to time appoint, and that candidate, being otherwise duly qualified according to the instrument of foundation, shall be elected, who after such examination shall appear to be of the greatest merit.

34. In elections to the Exhibitions of the foundation of Richard Greaves, Clerk, no person shall be entitled to preference on account of his having been educated at any School, other than the Free School of Ludlow, in the county of Salop, and no person shall be entitled to preference on account of his having been educated at the said Free School of Ludlow, unless he shall have been educated therein for the two years immediately preceding the election. Whenever there shall be no duly qualified candidate for a vacant Exhibition of this foundation, whom the electors shall judge of sufficient merit for election, the Exhibition shall for that turn be thrown open to general competition, and the election to it shall be held at some time within three months from the day originally fixed for that purpose, from which day the five years shall in that case be computed.

35. The Exhibitions of the foundations of John Newte, John Warner, and Richard Greaves, shall be tenable for five years, and no longer. The holders of the same shall be liable to deprivation by the same authority, for the same causes, and in the same manner as the Scholars of the College, and shall be subject to such regulations as to their instruction, discipline, and attendance on Divine Worship, as the Master and Fellows may from time to time prescribe.

36. The Master and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

37. The power of depriving the Master for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to such Statutes, shall require deprivation, shall be vested in the Master and Fellows, and shall be exercised by the vote of the major part of the Master and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any Member of the College.

38. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to the usual day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars, in the ensuing year; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

39. The Master and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election,

and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its Members, and may assign to such new offices such stipends or emoluments as the Master and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Master or any one or more of the Fellows, or of any officer of the College, whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit; provided also, that the Mastership and the Catechetical Lectureship shall not be deemed offices within the meaning of this clause.

40. The Master and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the appointment and payment of Chaplains, and for the daily performance of Divine service according to the Liturgy of the United Church of England and Ireland, within the College during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Master and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine service and Chaplain Fellows shall be henceforth void.

41. In case the Master or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Master of his Mastership and any such Fellow of his Fellowship.

42. The oaths prescribed by the existing Statutes to be taken before electing to the office of Master and on admission to the same shall not hereafter be taken. But every person elected to the office of Master shall take an oath at the time of his admission, to the effect that he will faithfully perform the duties of the office, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to the office of Master shall, before electing, take an oath to the effect that they will elect the person best qualified in their judgment for the same.

43. There shall be two stated general meetings at least of the Master and Fellows in every year, on such days as the Master and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Master shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars and Exhibitioners. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Master and Fellows, or the consent of the Master, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. Whenever the votes shall be equal, the vote of the Junior Fellow present shall not be counted. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he

may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Master and Fellows may make from time to time such rules for regulating the proceedings at College Meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

44. The power which is given by the existing Statutes to the Vicegerent to act in place of the Master, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Master, shall be deemed to extend to all the acts which the Master is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Master's emoluments.

45. The particular provisions of the existing Statutes respecting the subjects of study within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting the dress, conversation, and other personal habits of the members of the College; and respecting the conditions of their going beyond the precincts of the College; and respecting the mode of conducting the meals of the members of the College; and respecting the assistance to be given to members of the College on taking degrees and otherwise; and respecting the punishments for offences not being such as require deprivation; and respecting the distribution of the rooms of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of Students, not being Fellows or Scholars, into the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same, shall be henceforth void. The Master and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

46. If in case it shall appear to the Visitor, that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed, as aforesaid.

47. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed once in every ten years (or oftener if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College, or any of its members,

to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of general Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or if he shall think fit at other times, to require the Master and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

48. As often as any question shall arise on which the Master and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Master and Fellows, or for the Master or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him. The authority to interpret the Statutes given by the existing Statutes of the College to the Visitor, the Master, and two senior Fellows, shall not hereafter be exercised.

49. It shall be lawful for the Master, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Master and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision, or sentence to the Visitor, and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence, as he shall deem just.

50. It shall be lawful for the Visitor, either proprio motu, or on the complaint of the Master or any of the Fellows, to disallow and annul any bye-law or resolution of the Master and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

51. The Master and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Master being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being with the consent of the Visitor.

52. Whenever the words "the Fellows," or "the Master and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

53. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this twenty-eighth day of March, one thousand eight hundred and fifty-seven.

L. S.

Council-Office, Whitehall, June 25, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 28th day of March, 1857, in relation to ORIEL COLLEGE, in the UNIVERSITY of OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the COMMISSIONERS appointed for the purposes of the STATUTE 17th and 18th Vict., c. 81, in relation to ORIEL COLLEGE in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Oriel College, in the said University:—

1. No person shall be incapable of being elected Provost of the said College by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The election of a Provost may on every vacancy be held at any time not less than twenty days nor more than three months after the vacancy shall have become known. That person for whom the greatest number of the electors present shall have voted, shall be deemed elected. In case of an equality of votes, the Dean, or, in his absence, the senior Fellow present, shall have a casting vote.

2. The Provost and Fellows may, at any time hereafter, if they shall think fit, commute the emoluments of the Provostship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues, and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Provost's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Provost without his consent: Provided also, that the Lord Chancellor, upon the petition of the

Provost, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Provost has become permanently incapable of performing the duties of his office, the Dean shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Lord Chancellor, setting forth the circumstances of the case, and praying him to inquire into the truth of them. And, if upon such inquiry, or upon a petition presented by the Provost (as the case may be), it shall appear to the satisfaction of the Lord Chancellor that the Provost has become permanently incapable of performing his duties, then it shall be lawful for the Lord Chancellor to nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Dean, shall be presented to him, to be Vice-Provost of the College, and to assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third), of the Provost's emoluments as the Lord Chancellor shall think fit; provided that the Provost shall be at liberty to retain his lodgings. And such Vice-Provost shall, so long as the Provost shall retain his office, and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of Provost, except the power of consenting to any commutation, regulation, or diminution of the Provost's emoluments, and shall be liable to deprivation for the same causes and in the same manner. If any Vice-Provost shall die, resign his office, vacate, or be deprived of his Fellowship, or become incapable, it shall be lawful for the Lord Chancellor to appoint a new Vice-Provost in the same manner. It shall be lawful for the Lord Chancellor, if at any time he shall be satisfied that the Provost's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth, or by reason of any Statute or rule limiting the number of Fellowships tenable at any one time by natives of the same town, city, county, diocese, or other place, or by reason of his pecuniary circumstances; and no person shall be ineligible by reason of his being in Holy Orders, or of his not having determined: Provided that no person shall be eligible who shall not have taken the degree of Bachelor of Arts in some University in Great Britain or Ireland, or who shall have attained the age of twenty-six years, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

5. Thirty days, at least, before the day of election to a Fellowship, notice of every intended election, of the number of the vacancies to be filled up, and of the conditions of election, shall be given by the Provost in such manner as he shall deem best adapted to secure publicity.

6. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University of Oxford as the Provost

and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Provost and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being), who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College, as a place of religion, learning, and education.

7. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice, without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice, with cure of souls), clear of deductions as aforesaid, shall exceed the twice the annual value of a Fellowship on an average of the seven years then last past, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities, at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property, real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

8. Every Fellow who shall marry, shall vacate his Fellowship at the expiration of twelve calendar months from the day of his marriage.

9. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although they may have attained or exceeded the age of twenty-six years, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have taken the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(a.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Provost and all the Fellows shall have been given.

(b.) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree either by diploma, or by decree of Convocation, or any honorary degree, provided that two-thirds of the votes of the Provost and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid.

10. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election; provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

11. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Provost and all the Fellows, or, if he shall be Principal of any Hall (not being a Private Hall), by two-thirds of the votes of the Provost and all the Fellows: provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

12. Any Fellow elected under Clause 9, or retained under Clause 11, shall (except in the case herein-after mentioned) be deemed entitled to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

13. Any person elected under Clause 9, or retained under Clause 11, and being a Professor or Public Lecturer within the University, who at the time of his election or retention shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

14. It shall be lawful for the Provost and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Provost and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the

Provost and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

15. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University, shall thereupon vacate his Fellowship.

16. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education; and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes which shall be binding on the members of the College.

17. Every Fellow shall be required to take either the Degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: provided that the Provost and Fellows may, whenever they shall deem it just or expedient to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsoundness of mind, one additional year. Subject to this provision, no Fellow not being in Holy Orders shall by reason of anything in the existing Statutes be required as a condition of retaining his Fellowship to study or graduate in any particular faculty, and no Fellow being in Holy Orders shall be required to study or graduate in any faculty other than Theology.

18. No present or future Fellow shall be bound, as a condition of retaining his Fellowship, to enter into Holy Orders. But, if at the time of holding an election to a Fellowship there shall not be five Fellows in Holy Orders, no person shall be eligible to such vacant Fellowship who shall not then be a priest or deacon of the United Church of England and Ireland. A person, being such priest or deacon, may in that case be elected, notwithstanding his having attained or exceeded the age of twenty-six years.

19. No Fellow shall be disqualified for retaining his Fellowship by reason of permanent or incurable sickness or infirmity.

20. The election to the first Fellowship which shall become vacant after this Ordinance shall have been approved by Her Majesty in Council shall be suspended for a period not exceeding ten years from the time at which it would, but for such suspension, have taken place; and the emoluments of such Fellowship, during the suspension, shall be applied, in such manner as the Provost and Fellows shall determine, in maintaining, augmenting, or establishing Scholarships within the College.



21. The third Fellowship which shall become vacant after the approval aforesaid shall not be filled up, and the emoluments thereof shall be paid to the Regius Professor of Modern History for the time being, provided he shall reside within the University for six months between the first day of October in every year and the first day of the next ensuing July. Any Professor failing to reside during that period shall forfeit one year's payment of the said emoluments, unless leave of absence shall have been granted to him on account of sickness or for any other very urgent cause by or by authority of the University. It shall be lawful for the Provost and Fellows, at any time within five years after the time at which the said Fellowship would, but for this Clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of two hundred and fifty pounds, payable out of the corporate revenues of the College. The Provost and Fellows may at any time, if they shall think fit, restore the said Fellowship without prejudice to the annual payment of the sum of two hundred and fifty pounds to the purposes above-mentioned. The Provost and Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College without notice, examination, or probation; and although married, and although he may have attained or exceeded the age of twenty-six years, and although he may be in possession of any benefice, property, pension, or office which would, in ordinary cases, render the possessor ineligible, and although he may not have taken the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those herein-before made payable to him, nor if married to rooms within the College or any allowance in respect of rooms, and if he shall cease to hold the Professorship shall vacate his Fellowship.

22. The election to the fifth Fellowship which shall become vacant after the approval of this Ordinance shall be suspended for so long a period as may seem necessary to the Provost and Fellows, and the emoluments of such Fellowship during the suspension shall be applied in such manner as the Provost and Fellows shall determine in establishing and maintaining Exhibitions within the College. From and after the vacancy of the said fifth Fellowship four Exhibitions shall be maintained within the College, to be called the Exhibitions of Adam de Brome, and to be filled up by the election of deserving persons whom the electors shall have ascertained to be in need of support at the University. Each Exhibitioner shall receive not less than sixty pounds per annum out of the corporate revenues of the College (the emoluments of the said fifth Fellowship being, in the first place, applicable to that purpose), and shall be entitled to rooms within the College rent-free. The Exhibitioners shall be elected by the Provost, Dean, and Tutors of the College, or the major part of them, with or without examination, and with or without public notice, as the electors shall think fit. The Exhibitions shall be tenable till the end of the twentieth term from that of matriculation inclusive, and no longer. It shall be lawful for the Provost and Fellows to regulate from time to time the elections to the said Exhibitions, with a view to securing a regular succession, and to suspend elections so often and for such periods as may be necessary for that purpose.

23. The emoluments of the Fellowships hereby directed to be suspended or not filled up shall be the sums which would in each year have been

payable to the holders of the same if the same had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes and regulations of the College in force for the time being. If any Fellowship or Fellowships shall be vacant at the time when this Ordinance shall be approved as aforesaid, such Fellowship or Fellowships shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

24. The Provost and Fellows shall not be bound, by virtue of anything contained in the existing Statutes, to increase the number of Fellows above seventeen. The number of Fellowships within the College shall never be less than seventeen (inclusive of suspended Fellowships but exclusive of any Fellowship held by the Regius Professor of Modern History under the power conferred by Clause 21), unless the Lord Chancellor shall think fit, on a petition in writing presented and subscribed by the Provost and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Provost and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

25. The Provost and Fellows shall, once at least in every ten years, lay before the Lord Chancellor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Lord Chancellor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and conditions of the College. And it shall be lawful for the Lord Chancellor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Provost and Fellows, with the approbation of the Lord Chancellor, shall determine.

26. Ten Scholarships shall always be maintained within the College, or more, if the Provost and Fellows shall think fit to increase the number; and each Scholar shall receive not less than sixty pounds a year out of the corporate revenues of the College, and shall be entitled to rooms within the College, rent free.

27. No person shall be eligible to a Scholarship who shall have attained the age of twenty years, or who, being a Member of the University, shall have exceeded two years from his matriculation. And every candidate shall be required to produce testimonials of his moral character satisfactory to the Provost.

28. The Scholars shall be elected by the Provost and Fellows after an examination of the can-

didates in such subjects, and conducted in such manner as the Provost and Fellows shall determine, and that candidate shall be elected who after such examination shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

29. The election of Scholars shall take place on a stated day in each year to be appointed by the Provost and Fellows (subject to the provision for postponement herein-after contained); and notice of such intended election shall be given by the Provost in such manner as he shall deem best adapted to ensure publicity thirty days at least before the day of election.

30. The Scholarships shall be tenable for five years, and no longer; and the Provost and Fellows shall not be required to elect to more than two Scholarships in any one year.

31. No person shall be incapable of being elected Bishop Robinson's Exhibitioner by reason of his not having determined or not having taken the degree of Bachelor of Arts, and no person shall be ineligible by reason of his not having been entered and kept his ordinary residence in the College from his first entrance in the University, provided he be a Scholar or Exhibitioner of the College.

32. Every Bishop Robinson's Exhibitioner who shall reside in the University six weeks at least in each Term (Easter and Trinity Terms being for this purpose considered as one Term), shall be entitled to receive the whole of his allowance, although he may have been absent from the University more than sixteen weeks in the year. And any Bishop Robinson's Exhibitioner who shall fail to reside during those periods shall thereby forfeit his Exhibition. Provided that it shall be lawful for the Provost, the Dean, and the three senior Fellows in residence for the time being, or the major part of those five, to grant leave of absence from the University to any Exhibitioner, so often and for so long as they may think fit.

33. Every Scholar or Exhibitioner who shall marry, or shall be elected to a Fellowship in any College within the University, or shall cease to be a member of the College, shall thereby vacate his Scholarship or Exhibition.

34. Every Scholar or Exhibitioner shall be subject to such regulations as to residence, instruction, discipline and attendance on Divine worship, as the Provost and Fellows shall from time to time determine, and may be deprived of his Scholarship or Exhibition by the Provost and Fellows for any misconduct which shall in their judgment deserve deprivation, subject to such right of appeal as is herein-after provided.

35. The Provost and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

36. The power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Provost and Fellows, and shall be exercised by the vote of the major part of the Provost and all the Fellows, subject only to such appeal to the Lord Chancellor as is herein-after provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

37. Whenever there shall be no duly qualified

candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Provost and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows, and, in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

38. The Provost and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Provost and Fellows shall think proper: Provided that it shall be lawful for the Lord Chancellor, upon the petition of the Provost or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Provostship shall not be deemed an office within the meaning of this clause.

39. The Provost and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulation from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Provost and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

40. In case the Provost or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Provost of his Provostship, and any such Fellow of his Fellowship.

41. The oaths prescribed by the existing Statutes shall not hereafter be taken, but every person elected or admitted to any place or office on election or admission to which an oath is now required, shall at the time of his election or admission, make a declaration to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and Byelaws of the College in force for the time being so far as they may concern him.

42. There shall be two stated general meetings at least of the Provost and Fellows in every year, on such days as the Provost and Fellows shall from time to time appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. Except in cases in which the concurrence of any specified proportion of the Provost and Fellows,

or the consent of the Provost, is hereby made requisite, every question arising at any College meeting shall be decided by a majority of the votes of those present. In all College meetings, elections, and admissions, and in the deprivation of Fellows, Scholars, and Exhibitioners, the Provost shall, if the votes are equal, have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be void: Provided that the Provost and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall think proper.

43. The power which is given by the existing Statutes to the Dean to act in place of the Provost, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Provost, shall be deemed to extend to all the acts which the Provost is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Provost's emoluments.

44. The particular provisions of the existing Statutes respecting the subjects of study within the College; and respecting the dress, conversation, and other personal habits of its members; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the punishments for offences not being such as require deprivation; and respecting the service of the College; and respecting the inspection of the estates and other matters relating to the supervision of the property of the College, shall be void. The Provost and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Lord Chancellor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

45. The power given by the existing Statutes to the Provost and ten or eight Senior Fellows of making Statutes, Rules, or Byelaws shall not hereafter be exercised.

46. If in any case it shall appear to the Lord Chancellor that, by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for him from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

47. It shall be lawful for the Visitor once in every ten years (or oftener, if and whenever it

shall be expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. The Provost and Fellows shall, so often as they may be required to do so, answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of ascertaining whether the Statutes in force for the time being are duly observed.

48. As often as any question shall arise on which the Provost and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Provost and Fellows, or for the Provost or any three of the Fellows, to submit the same to the Lord Chancellor; and it shall be lawful for him to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

49. It shall be lawful for the Provost or for any Fellow if he shall conceive himself aggrieved by any act or decision of the Provost and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Lord Chancellor; and it shall be lawful for the Lord Chancellor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

50. It shall be lawful for the Lord Chancellor on the complaint of the Provost or of any of the Fellows to disallow and annul any byelaw or resolution of the Provost and Fellows which shall, in his judgment, be repugnant to any of the Statutes of the College in force for the time being.

51. The Provost and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

52. In the construction of this Ordinance the words "Lord Chancellor" shall mean the Lord High Chancellor of Great Britain, and shall include the Lord Keeper and Lords Commissioners for the custody of the Great Seal of Great Britain for the time being.

53. Wherever the words "the Fellows" or "the Provost and Fellows" are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

54. This Ordinance shall be without prejudice to the right of Her Majesty, Her heirs and successors, to visit the College, and to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

*Council-Office, Whitehall, June 25, 1857.*

**W**HERÉAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provisions for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 28th of March, 1857, in relation to BRASENOSE COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

*Wm. L. Bathurst.*

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th VICT. c. 81, in relation to BRASENOSE COLLEGE, in the UNIVERSITY OF OXFORD.

**W**E, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the King's Hall and College of Brasenose in Oxford, commonly called "Brasenose College:"—

1. No person shall be incapable of being elected Principal of the said College by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to Statutes of the College in force for the time being), who, in their judgment, shall be most fit for the government of the College as a place of religion, learning, and education. All actual Fellows being Graduates shall be entitled to vote in elections to the office of Principal.

2. The Principal shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Principal's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Principal's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Principal.

3. From and after the time when this Ordinance shall have been approved by Her Majesty in Council the Principal shall be entitled to receive out of the revenues of the College, in addition to the allowances which are now payable to him by Statute or custom, an annual sum of six hundred

pounds, to commence immediately (subject to abatement in the case specified in Clause 21 of this Ordinance); and except as aforesaid, or by virtue of any commutation effected under Clause 4, he shall cease to be entitled to any share or interest in the corporate revenues of the College, or any part thereof.

4. The Principal and Fellows may at any time hereafter, if they shall think fit, commute the stipend and allowances, or other the emoluments for the time being, of the Principalship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Principal's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Principal without his consent: Provided also, that the Visitor, upon the petition of the Principal or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

5. If at any time it shall appear that the Principal has become permanently incapable of performing the duties of his office, the Vice-Principal shall, upon the request of any three or more Fellows, convene a meeting of the Graduate Fellows of the College, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Principal, (as the case may be,) it shall appear to the satisfaction of the Visitor that the Principal has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Principal, shall be presented to him, to be Pro-Principal of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Principal's emoluments as the Visitor shall think fit; provided that the Principal shall be at liberty to retain his lodgings. And such Pro-Principal shall, so long as the Principal shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Principal, except the power of consenting to any commutation, regulation, or diminution of the Principal's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Principal shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Principal in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Principal's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

6. Every actual Fellow of the College, being a Graduate, shall be entitled to vote in elections and admissions to Fellowships.

7. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his having or not having taken any degree; or by reason of his pecuniary circumstances, and no person shall be ineligible by reason of his not being in Holy Orders: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office which, if acquired after election, would have disqualified him for continuing a Fellow.

8. The election of Fellows shall take place on a stated day in each year, to be appointed by the Principal and Fellows (subject to the provision for postponement herein-after contained), and notice of every intended election, and of the number of vacancies to be filled up, shall be given by the Principal, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

9. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Principal and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Principal and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

10. Every person elected to a Fellowship shall be entitled to receive, during the period of probation, the same emoluments as if he had been admitted an actual Fellow.

11. The rank which Fellows elected after the passing of the said Act shall hold in the College shall (except so far as is otherwise herein-after provided) be determined according to the date of their election.

12. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed five hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months (or, in case such benefice shall be a benefice in the gift of the College, at the expiration of eighteen calendar months from the day of the avoidance thereof); and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the

acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property," shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

13. In certain excepted cases persons may hold Fellowships within the College although married, and although possessed of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and without having passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows,—

- (a.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Principal and all the Fellows qualified to vote in the election of Fellows shall have been given, the Principal's vote being counted as two votes:
- (b.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Principal and all the Fellows qualified to vote in the election of Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Principal's vote being counted as two votes:

Provided that any person elected under this Clause and being a Professor or Public Lecturer within the University, who at the time of his election shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and that no person elected under this Clause shall by virtue thereof be enabled to hold, with his Fellowship, any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.

14. The election in such excepted cases shall always be held more than thirty days before the usual stated day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

15. Not more than one Fellowship shall at any one time be held under Clause 13 of this Ordinance.

16. Every Professor, Public Lecturer, or Principal of a Hall, elected to a Fellowship by virtue of Clause 13, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected as

aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

17. It shall be lawful for the Principal and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Principal and Fellows shall, by resolution, from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Principal and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Principal and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Principal and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. No Fellow elected after the passing of the said Act shall be bound, as a condition of retaining his Fellowship to enter into Holy Orders until ten years after the time at which he might, according to the Statutes of the University, have been admitted to the degree of Master of Arts.

21. It shall be lawful for every Fellow of the College elected before the passing of the said Act, at any time within six calendar months from the day on which this Ordinance shall have been approved by Her Majesty in Council, to declare in writing that he accepts the commutation hereby offered. Every Fellow who shall so declare shall continue thereafter entitled to receive the stated allowances which by Statute or custom are now paid or allowed to the Fellows of the College (not including any share of fines), and he shall also be entitled to receive out of the clear corporate revenues of the College an annual sum of three hundred pounds, to commence and become payable, in the case of any person who at the time of signing the declaration shall be one of the six Senior Fellows of the College, from the day of his signing the same; and in the case of any other person, from the day of his becoming one of the six Senior Fellows; but (except as aforesaid) he shall, from and after the signing of such declaration, be entitled, in respect to his Fellowship, to no share or interest whatever, in such corporate

revenues, or any part thereof. The words "Senior Fellows" shall in the remainder of this clause mean Senior Fellows for the time being having signed the aforesaid declaration. Every Fellow elected after the passing of the said Act shall be entitled to receive out of the clear corporate revenues emoluments amounting (inclusive of stated allowances) to one hundred and thirty-five pounds per annum, until after the vacancy of the first Fellowship which shall become vacant subsequently to the approval of this Ordinance, not being one of the four Fellowships converted into Scholarships by an Ordinance bearing date the twenty-second day of May, one thousand eight hundred and fifty-six, and after that vacancy to one hundred and fifty pounds per annum. The foregoing directions shall be without prejudice to the right of Fellows elected before the passing of the Act who shall not have signed the declaration to receive the aforesaid stated allowances, and without prejudice also to the right of the Principal and Fellows to apply any part of the corporate revenues to any corporate purposes. If in any year the corporate revenues shall be insufficient for payment in full to the Fellows elected before the passing of the Act of their stated allowances, and to the Principal, the Senior Fellows, and the Fellows elected after the passing of the Act, of the emoluments (including allowances) herein-before allotted to them respectively, then the whole emoluments of the Principal, the Senior Fellows, and the Fellows elected after the passing of the Act shall abate rateably. If in any year the corporate revenues shall be more than sufficient for payment of the said allowances and emoluments, the Principal and Fellows shall apply the excess, in the first place, in making good any deficiency which may have arisen in any preceding year or years, and subject thereto shall set apart and reserve such excess, or so much thereof as shall appear reasonable, to meet any deficiency which may arise in any succeeding year or years. Subject to this direction, and to the other provisions of this Ordinance, the excess shall be at the disposition of the Principal and Fellows; provided that Fellows elected before the passing of the Act shall not be entitled to any share therein. The corporate revenues of the College shall include fines, rents, and all other profits which may arise or be receivable from or in respect of the property of the College.

22. From and after the approval of this Ordinance by Her Majesty in Council there shall be no election to a Fellowship within the College, unless at the time of such election it shall appear that the revenues of the College are sufficient for payment in full to the Principal and Fellows, including the Fellow about to be elected, of the allowances and emoluments payable to them respectively under Clause 21 of this Ordinance, and for providing a competent reserve fund, pursuant to the same Clause: Provided, however, that the Principal and Fellows may at any time fill up one or more vacant Fellowship or Fellowships, if in their judgment it shall be urgently required for the educational efficiency of the College, although it may not then appear that the revenues of the College are sufficient as aforesaid.

23. The Principal and Fellows may, if they shall think fit, commute the stated allowances now payable to Fellows, or any part thereof for annual stipends or aliquot shares of the clear corporate revenues of the College. It shall be lawful for the Visitor, upon the petition of any Fellow who shall conceive himself aggrieved thereby, to disallow such commutation, if the Visitor shall think fit.



24. No Fellow elected after the passing of the said Act shall be entitled to receive larger emoluments in respect of his Fellowship than any other Fellow so elected, saving rights of preference in regard to the distribution of rooms within the College.

25. The fourth Fellowship which shall become vacant, and which would, according to the foregoing provisions, be filled up, shall not be filled up; but all the emoluments shall be applied to such purposes connected with the Professoriate of the University as the Commissioners exercising the powers of the said Act shall by Ordinance direct, and in default thereof, and subject thereto, as the University shall by Statute, with the consent of the Principal and Fellows determine. The emoluments of the said Fellowship shall be the sum which would in each year have been payable to the holder of the same, if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and regulations of the College in force for the time being: Provided that it shall be lawful for the Principal and Fellows, at any time within ten years after the time at which the said Fellowship would, but for this clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of two hundred pounds, payable out of the clear corporate revenues of the College.

26. The number of Fellowships within the College shall never be less than fifteen, exclusive of the Fellowship hereinbefore directed to be not filled up, and of the four Fellowships converted into Scholarships by an Ordinance bearing date the twenty-second day of May, one thousand eight hundred and fifty-six, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Principal and not less than three-fourths of the Graduate Fellows, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Principal and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

27. The Scholarships of the several foundations of Joyce Frankland, John Claymond, Hamphrey Ogle, James Binks (otherwise called James Stoddard), Hugh Henley, Thomas Church, and Thomas Yate, shall, when vacant, not be filled up; and the emoluments thereof respectively shall be consolidated with and treated as part of the corporate revenues of the College: Provided, that if at any time the Scholarships which by the said Ordinance of the twenty-second day of May one thousand eight hundred and fifty-six, are directed to be established within the College, shall cease to be maintained therein, the consolidation directed by this clause shall thereupon cease and determine, and the said emoluments shall be thenceforth applied to the purposes, and in the manner, to and in which they are now applicable, unless it shall be otherwise provided by Statute.

28. The Principal and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed

since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowances in respect thereof, but inclusive of all other allowances,) to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Principal and Fellows, with the approbation of the Visitor, shall determine.

29. The power of depriving the Principal for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Graduate Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Principal and Fellows, and shall be exercised by the vote of the major part of the Principal and all the Graduate Fellows, subject only to such appeal to the Visitor as is herein-after provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

30. Whenever there shall be no duly qualified candidate for a vacant Fellowship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

31. The Principal and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment and election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Principal and Fellows shall think proper: Provided, that it shall be lawful for the Visitor, upon the petition of the Principal or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Principalship shall not be deemed an office within the meaning of this clause.

32. The Principal and Fellows shall, at the first stated general meeting, or as soon afterwards

as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Principal and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

33. In case the Principal or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the Principal of his Principalship, and any such Fellow of his Fellowship.

34. The oaths prescribed by the existing Statutes shall not hereafter be taken; but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall at the time of his election or admission take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and byelaws of the College in force for the time being so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

35. There shall be two stated general meetings at least of the Principal and Fellows in every year, on such days as the Principal and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Principal shall be counted as two votes at all College meetings. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Principal and Fellows, or the consent of the Principal, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present: Provided, that the seal of the College shall not be affixed to any act or document, except by authority of a meeting at which the Principal or his Vicegerent and a majority of all the Fellows shall have been present. Whenever the votes shall be equal the Principal shall have an additional casting vote. Every actual Fellow of the College being a Graduate shall be entitled to be present and vote at every College meeting. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Principal and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think

fit) the notice to be given before bringing forward any question as they shall deem expedient.

36. The power which is given by the existing Statutes to the Vice-Principal to act in place of the Principal, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Principal, shall be deemed to extend to all the acts which the Principal is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Principal's emoluments.

37. The provisions of the Chapters in the existing Statutes, intituled "De admissione Scholarium non Sociorum in Collegium nostrum," and "De concordia Sociorum et non Sociorum in electionibus officiariorum Universitatis," shall be void.

38. The particular provisions of the existing Statutes respecting the subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the punishments for offences, not being such as require deprivation; and respecting the treatment of Fellows in case of sickness; and respecting the distribution of the rooms, and the use of the common hall and other common rooms or buildings of the College; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College, other than the muniments and seals, shall be henceforth void. The Principal and Fellows shall from time to time make such regulations as they may deem necessary or expedient for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is herein-after provided.

39. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor, from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished, as he shall think fit, and the increased or diminished sum shall henceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

40. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly ap-

pointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit at other times, to require the Principal and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

41. As often as any question shall arise on which the Principal and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Principal and Fellows, or for the Principal or any three of the Graduate Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

42. It shall be lawful for the Principal or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Principal and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

43. It shall be lawful for the Visitor, either proprio motu or on the complaint of the Principal or of any of the Fellows, to disallow and annul any byelaw or resolution of the Principal and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

44. The Principal and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Principal being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

45. Whenever the words "the Principal and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows being Graduates; and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

46. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Council-Office, Whitehall, June 25, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 28th day of March, 1857, in relation to WADHAM COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the COMMISSIONERS appointed for the purposes of the STATUTE 17th and 18th Vict., c. 81, in relation to WADHAM COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary, Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Wadham College in the said University:—

1. No person shall be incapable of being elected Warden of the said College by reason of his not having been born in Great Britain, or otherwise on account of his place of birth, or by reason of his not being or not having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education. The election of a Warden may, on every vacancy, be held at any time not less than fifteen, nor more than thirty, days after the vacancy shall have become known.

2. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also, from time to time, regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

3. If at any time it shall appear that the Warden has become permanently incapable of performing

the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying him to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of Warden, except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes and in the same manner. If any Pro-Warden shall die, resign his office, vacate, or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

4. In elections to Fellowships within the College no person shall be either entitled to preference or ineligible on account of his being or not being of the kindred of Nicholas Wadham, or of his being or not being a Scholar of the College, or of his having or not completed his twentieth year, or of his being or not being a Master or Bachelor of Arts, or on account of his pecuniary circumstances; provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension or office which, if acquired after election, would have disqualified him for continuing a Fellow.

5. The election of Fellows shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement hereinafter contained); and notice of every intended election, and of the number of vacancies to be filled up, shall be given by the Warden, in such manner as he shall deem best adapted to secure publicity, thirty days at least before the day of election.

6. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Warden and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being

recognized in the Schools of the University; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

7. Every Fellow who shall be instituted to an ecclesiastical benefice, or who shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice (being a benefice with cure of souls), clear of deductions (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources (including or not including a benefice with cure of souls), clear of deductions as aforesaid, shall exceed four hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

8. In certain excepted cases persons may hold Fellowships within the College, although married, and although possessed of any benefice, property, pension, or office which would, in ordinary cases, render the possessor ineligible, and may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and without having passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Warden and all the Fellows shall have been given, the Warden's vote being counted as two votes.
- (b.) Any person of eminence in literature, science, or art, on whom the University shall have conferred a degree, either by diploma or by decree of Convocation, provided that two-thirds of the votes of the Warden and all the Fellows shall have been given for the election of such person as last aforesaid, the Warden's vote being counted as two votes:

Provided that any person elected under this clause, and being a Professor or Public Lecturer within the University, who at the time of his election shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and that no person elected under this clause shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship.

9. The election in such expected cases shall always be held more than thirty days before the usual stated day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

10. Not more than one Fellowship shall at any one time be held by persons elected under Clause 8 of this Ordinance.

11. Every Professor or Public Lecturer, elected to a Fellowship under Clause 8, who shall cease to hold such Professorship or Public Lecturership, or shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

12. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows or to receive any emoluments whatever; but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

13. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

14. No present or future Fellow shall vacate his Fellowship by reason of his having held the same during any period of time mentioned in the existing Statutes.

15. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University, contained in the existing Statutes shall be henceforth void. The Warden and Fellows shall, at the first stated general meeting, or as soon after as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may, at

any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Members of the College.

16. The first Fellowship which shall become vacant, in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up, and the emoluments thereof shall in every year be paid to the Reader in Experimental Philosophy for the time being, provided he shall, during that year, reside within the University for eight weeks in each term (Easter and Trinity Terms being for this purpose considered as one Term). Any Reader to whom leave of absence shall have been granted on account of sickness, or for any other very urgent cause, by or by authority of the University, shall be entitled to payment as if he had kept the full period of residence herein-before required. It shall be lawful for the Warden and Fellows, at any time within five years after the time at which the said Fellowship would, but for this clause, have been filled up, to commute the emoluments of the same for a fixed annual sum of two hundred pounds, payable out of the corporate revenues of the College. The Warden and Fellows may, if they shall think proper, elect the said Reader to be a Fellow of the College without notice, examination, or probation, and although married, and although he may be possessed of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College in the University; but any Reader so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those herein-before made payable to him, nor, if married, to rooms within the College, or any allowance in respect of rooms, and if he shall cease to hold the Readership shall vacate his Fellowship. The emoluments of the Fellowship hereby directed to be not filled up shall be the sum which would in each year have been payable to the holder of the same if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and regulations of the College in force for the time being. This clause shall continue in force so long only as the appointment or election of the said Reader shall be vested either in the Vice-Chancellor of the University for the time being, or in a Board of Electors, not exceeding five in number, and including the Warden.

17. The number of Fellowships within the College shall never be less than fourteen, exclusive of any Fellowship held by the Reader in Experimental Philosophy under the power conferred by Clause 16, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning and education.

18. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements, and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

19. In election to Scholarships within the College, no person shall be either entitled to preference or ineligible on account of his place of birth, or of his being or not being of the kindred of Nicholas Wadham; and no person shall be ineligible on account of his being of illegitimate birth, or of his possessing property or income exceeding eight pounds a year, or of his age, provided that no person shall be eligible who shall have attained the age of twenty years.

20. The Scholars shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the Warden and Fellows shall determine, and that candidate, being otherwise duly qualified according to the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

21. The election of Scholars shall take place on a stated day in each year, to be appointed by the Warden and Fellows (subject to the provision for postponement herein-after contained); and notice of every intended election shall be given by the Warden in such manner as he shall deem best adapted to ensure publicity thirty days at least before the day of election.

22. Each Scholar shall receive not less than forty-six pounds per annum (inclusive of all allowances) out of the corporate revenues of the College, and shall be entitled to rooms within the College rent-free.

23. The Scholarships shall be tenable for five years from the day of election inclusive, and no longer; and no scholar shall be disqualified for retaining his Scholarship by reason of his having become possessed of property or income exceeding eight pounds a year.

24. The Warden and Fellows shall not be required to elect to more than three Scholarships in any one year.

25. It shall be lawful for the Warden and Fellows to add to, diminish, or otherwise alter from time to time, as they shall deem expedient, the Board appointed for the election of Scholars, provided that the Warden shall always remain a member of the Board.

26. The Exhibitions of the foundation of Sir Benjamin Maddox, the Exhibitions of the foundation of Mr. Goodrich for three Scholars of the

College, and the Exhibition of the foundation of Mr. Gerard, shall, as the same become vacant, not be filled up, but all the emoluments thereof respectively shall, from and after the next vacancy, be divided equally in every year among the Scholars of the College.

27. The Exhibitions of Dr. Hody's foundation shall be tenable for four years from the day of election inclusive, and no longer, and the intellectual qualifications of the candidates shall, before every election, be tested by a competitive examination in such subjects connected with the purposes of that foundation as the electors shall determine.

28. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves, or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

29. The power of depriving the Warden for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is herein-after provided; and the power of depriving Scholars for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the persons in whom the election of Scholars is or shall be vested, and shall be exercised by the vote of the major part of such persons, subject only to such appeal to the Visitor as is herein-after provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

30. The Warden and Fellows may deprive any Exhibitioner of his Exhibition for any misconduct which, in their judgment, shall merit deprivation.

31. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

32. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emolument of the officers of the College, and the modes of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Warden, or any one or more of the Fellows, or of



any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Wardenship shall not be deemed an office within the meaning of this clause.

33. It shall be lawful for any Fellow of the College to be elected to and hold a Chaplaincy in the College without vacating his Fellowship.

34. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall be henceforth void.

35. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by Law established, such contumacious ceasing to conform shall be a cause for depriving the Warden of his Wardenship, and any such Fellow of his Fellowship.

36. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall at the time of his election or admission take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and Byelaws of the College in force for the time being so far as they may concern him; and the electors to any place or office, before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

37. There shall be two stated general meetings at least of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars and deprivation of Exhibitioners. Subject to the foregoing provision, and except in cases in which the concurrence of any specified proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided,

that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

38. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any regulation, commutation, or diminution of the Warden's emoluments.

39. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members; and respecting the dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the punishment of offences, not being such as require deprivation; and respecting the distribution of the rooms, and the use of the Common Hall and other common rooms or buildings, of the College; and respecting the use of the library; and respecting the times of opening and closing the gates and doors of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seal, shall be henceforth void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects which the aforesaid particular provisions or any of them are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as in herein-after provided.

40. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

41. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so, without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of the

College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any visitation, or, if he shall think fit at other times, to require the Warden and Fellows to answer in writing, touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

42. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College in force for the time being it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statute with reference to the case submitted to him.

43. It shall be lawful for the Warden or of any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

44. It shall be lawful for the Visitor, either proprio motu, or on the complaint of the Warden or any of the Fellows, to disallow and annul any byelaw or resolution of the Warden and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

45. Any provision of the existing Statutes whereby any member of the College may be prohibited or restrained from calling for a copy of charges made against him before the Visitor or his Commissary, or for the names or names of the person or persons making such charges shall be henceforth void.

46. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

47. Wherever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

48. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this twenty-eighth day of March, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, June 25, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provisions for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 28th day of March, 1857, in relation to TRINITY COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and the Visitor thereof, and has not been objected to by the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 25th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict., c. 81, in relation to TRINITY COLLEGE in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to Trinity College in the said University.

1. In elections to the office of President of the said College, no person shall be entitled to preference by reason of his place of birth, or of his being or having been a Fellow of the College. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College as a place of religion, learning, and education.

2. The President shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the President's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the President's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the President.

3. The President and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Presidentship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the President's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect

the person then being President without his consent: Provided also, that the Visitor, upon the petition of the President or of any one or more of the Fellows, may disallow any such commutation, regulation, increase or diminution, if he shall think fit.

4. If at any time it shall appear that the President has become permanently incapable of performing the duties of his office, the Vice-President shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the President, (as the case may be,) it shall appear to the satisfaction of the Visitor that the President has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-President, shall be presented to him, to be Pro-President of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the President's emoluments as the Visitor shall think fit; provided that the President shall be at liberty to retain his lodgings. And such Pro-President shall, so long as the President shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties, and have all the powers and authorities of President, except the power of consenting to any commutation, regulation, or diminution of the President's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-President shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-President in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the President's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments. These provisions shall take effect in lieu of the provisions of the existing Statutes relating to the President's incapacity.

5. In elections to Fellowships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or place of education, or of the place of residence of his parents, or of his pecuniary circumstances, or of his having or not having taken any degree, or of his being or not being a Scholar of the College, and no person shall be ineligible by reason of his not being instructed in plain song, or of his having any canonical impediment disqualifying him for Holy Orders, or by reason of any Statute limiting the number of Fellowships tenable at any one time by natives of the same county: Provided that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension or office which, if acquired after election, would have disqualified him for continuing a Fellow.

6. Thirty days at least before the day of election to a Fellowship notice of every intended

election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the President in such manner as he shall deem best adapted to secure publicity.

7. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the President and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible, from time to time, to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the President and Fellows shall elect a candidate, being otherwise duly qualified according to the Statutes in force for the time being, who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

8. Every Fellow of the College shall be entitled to be present, and to vote at any meeting held for the admission of any person, after the year of probation, to a Fellowship.

9. Every person elected to a Fellowship shall be entitled to receive, during the year of probation, the same emoluments as if he had been admitted an actual Fellow.

10. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled either by descent or devolution, or by virtue of any testamentary or other gift or settlement, to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office, for twelve calendar months from the day of institution, accession, or admission thereto, shall if the annual value of such ecclesiastical benefice (being a benefice with cure of souls) clear of deductions (except for property or income-tax) shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any ecclesiastical benefice without cure of souls, or from any two or more of the above-mentioned sources, (including or not including a benefice with cure of souls,) clear of deductions, as aforesaid, shall exceed four hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income, may have been acquired at several times, the latest time at which any part of such property, or any of such sources of income, shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

11. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office, which would in ordinary cases render the possessor ineligible, and al-

though they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the President and all the Fellows shall have been given, the President's vote being counted as two votes.
- (b.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the President and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the President's vote being counted as two votes.

12. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may, at the time of election, determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

13. Any Fellow who shall marry, or become possessed of any benefice, property, pension, or office, which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the President and all the Fellows, or if he shall be Principal of any Hall, (not being a private Hall), by two-thirds of the votes of the President and all the Fellows, the President's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

14. Any Fellow elected under Clause 11, or retained under Clause 13, shall (except in the case hereinafter mentioned) be deemed entitled thereafter to hold his Fellowship, although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship.)

15. Any person elected under Clause 11, or retained under Clause 13, and being a Professor or Public Lecturer within the University, who, at the time of his election or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said Clauses shall, by virtue thereof, be enabled to hold with his Fellowship any benefice in the gift of the College, the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said Clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

16. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers

under the powers conferred by Clauses 11 and 13 of this Ordinance, if and so long as the whole number of Fellowships within the College shall not exceed twelve.

17. It shall be lawful for the President and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the President and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the President and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

18. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

19. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes shall be henceforth void. The President and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which, and the conditions under which, leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the President and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College.

20. No present or future Fellow shall by reason of anything contained in the existing Statutes, be bound, as a condition of retaining his Fellowship, to enter into Holy Orders, or not being in Holy Orders, to study or graduate in Theology. But if, at the time of holding an election to a Fellowship, there shall not be seven Fellows in Holy Orders, no person shall be eligible to such vacant Fellowship who shall not then be a Priest or Deacon of the United Church of England and Ireland, or have declared that he intends to take Holy Orders in the said Church. Every person who shall be elected after making such declaration shall be required to take Deacon's Orders at the least within two years from the day of his election, or if he shall not then be of sufficient age, within one year after the time at which he shall be of sufficient age, and in default thereof shall vacate his Fellowship: Provided that it shall be lawful for the President and Fellows in the case of sickness, or for any other very urgent cause, to grant a delay for a period not exceeding six months.

21. The number of Fellowships within the College shall never be less than twelve, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the President, and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished

either permanently or during any limited period, by filling up vacancies, for the purpose either of increasing the emoluments of the President and Fellows, if the same shall appear to be insufficient, or of augmenting the number of emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

22. The President and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which may have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require, for enabling him to form a judgment of the means and requirements, and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year, (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the President and Fellows, with the approbation of the Visitor, shall determine.

23. In elections to Scholarships within the College, no person shall be either entitled to preference or ineligible by reason of his place of birth or education, or of the place of residence or condition of his parents, and no person shall be ineligible by reason of his not being instructed in plain song; and any provision in the existing Statutes binding the electors to have more regard to the pecuniary circumstances of candidates, than to their moral or intellectual qualifications shall be void.

24. The Scholars shall be elected after an examination of the candidates in such subjects, and conducted in such manner, as the President and Fellows shall determine, and that candidate, being otherwise duly qualified according to the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

25. The election of Scholars shall take place on a stated day or stated days in each year to be appointed by the President and Fellows (subject to the provision for postponement herein-after contained); and notice of such intended election, and of the number of vacancies to be filled up, shall be given by the President, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

26. Each Scholar shall receive not less than sixty pounds per annum (inclusive of all allowances) out of the corporate revenues of the College, and shall be entitled to rooms within the College rent-free.

27. The Scholarships shall be tenable for twenty terms from the date of election (inclusive of the term in which the election shall have taken place) and no longer; and no Scholar shall vacate his Scholarship by reason of his having attained the age of twenty-four years.

28. The President and Fellows shall not be required to elect to more than three Scholarships in any one year.

29. It shall be lawful for the President and Fellows to add to, diminish, or otherwise alter from time to time, as they shall deem expedient, the Board appointed for the election of Scholars; provided that the President shall always remain a member of the Board.

30. In elections to the Exhibitions of the foundation of Thomas Unton, Clerk, and Frederick Tylney, Esquire, no person shall be either entitled to preference or ineligible by reason of his place of birth, or of his being of the kindred of Thomas Unton.

31. The exhibition of the foundation of Frederick Tylney, Esquire, shall be tenable for five years and no longer.

32. The President and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College as they might have done if the Statutes had contained no such clause or provision.

33. The power of depriving the President for such causes as, according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the President and Fellows, and shall be exercised by the vote of the major part of the President and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided; and the power of depriving Scholars for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the persons in whom the election of Scholars is or shall be vested, and shall be exercised by the vote of the major part of such persons, subject only to such appeal to the Visitor as is hereinafter provided: Provided, that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

34. The President and Fellows may deprive any Exhibitioner of his Exhibition for any misconduct which in their judgment shall merit deprivation.

35. Whenever there shall be no duly qualified candidate for a vacant Fellowship or Scholarship whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the President and Fellows for the purpose, not later than the next ensuing stated day of election in the case of a Fellowship of Fellows, and in the case of a Scholarship of Scholars: and every such postponed election shall be held and conducted in the same manner, and after the same previous notice, as if there had been no postponement.

36. The President and Fellows may from time to time regulate as they shall think fit the duties and emolument of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the President and Fellows shall think proper: Provided

that it shall be lawful for the Visitor, upon the petition of the President, or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Presidentship shall not be deemed an office within the meaning of this clause.

37. The President and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine service, according to the Liturgy of the United Church of England and Ireland, within the College, during full term and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the President and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine service shall be henceforth void.

38. In case the President or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contumacious ceasing to conform shall be a cause for depriving the President of his Presidentship, and any such Fellow of his Fellowship.

39. The oaths prescribed by the existing Statutes shall not hereafter be taken, but every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before electing to which an oath is now required (not being an annual office) shall, before electing, take an oath or make a declaration, as the President and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

40. There shall be two stated general meetings at least of the President and Fellows in every year, on such days as the President and Fellows shall appoint. Any stated general meeting may be adjourned, by resolution of the meeting, to a day to be specified in the resolution. The consent or concurrence of the President shall not (except in any case in which it is hereby made requisite) be required to make valid any act or resolution of the College, or any election or admission of Fellows, Scholars, or College officers. The vote of the President shall be counted as two votes at all College meetings, in the election, admission, and deprivation of Fellows, and in the election and deprivation of Scholars, and deprivation of Exhibitioners, and whenever the votes shall be equal he shall have an additional casting vote. Subject to the foregoing provision, and except the cases in which the concurrence of any specified proportion of the President and Fellows, or the consent of the President, is hereby made requisite, every question arising at any meeting shall be determined by a majority of the votes of those present. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at

any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the President and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

41. The power which is given by the existing Statutes to the Vice President to act in place of the President, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the President, shall be deemed to extend to all the acts which the President is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the President's emoluments.

42. The particular provisions of the existing Statutes respecting the hours and subjects of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the Schools and at the exercises of the University; and respecting sermons to be preached by members of the College; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts thereof; and respecting the meals of the members of the College, and the mode of serving and conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and respecting the distribution of rooms; and respecting the use of the Library; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the admission of Commoners and Batellers, and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same; and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College, other than the muniments and seals, shall be void. The President and Fellows shall from time to time make such regulations as they may deem necessary or desirable for effecting the main objects, which the aforesaid particular provisions or any of them are respectively intended to effect, and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is hereinafter provided.

43. Any provision of the existing Statutes whereby any member of the College charged with an offence may be prohibited or restrained from calling for a copy of the charges made against him, or for the name or names of the person or persons making such charges, shall be void.

44. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that



such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

45. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or if he shall think fit at other times, to require the President and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

46. As often as any question shall arise on which the President and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the President and Fellows, or for the President or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

47. It shall be lawful for the President or for any Fellow if he shall conceive himself aggrieved by any act or decision of the President and Fellows, and for any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

48. It shall be lawful for the Visitor, either proprio motu, or on the complaint of the President or any of the Fellows, to disallow and annul any byelaw or resolution of the President and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

49. The President and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College, with the consent of the Visitor.

50. Wherever the words "the Fellows," or "the President and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

51. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act), of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal this twenty-eighth day of March, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, June 25, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled, "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 3rd day of April, 1857, in relation to ALL SOULS COLLEGE, in the UNIVERSITY of OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict., c. 81, in relation to ALL SOULS COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth Years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to All Souls College in the said University.

1. The election of the Warden of the said College shall be vested in the Fellows of the College present at the time of election. As soon as it shall have become known that a vacancy has occurred in the office of Warden, the Sub-Warden, or in his absence the Senior Fellow in residence, shall convene a meeting of the Fellows. Such meeting shall appoint a day and hour for the election of a Warden, and the Sub-Warden, or in his absence the Senior Fellow in residence, as the case may be, shall convene a meeting of the electors for that day and hour. The day of election shall not be less than fifteen nor more than thirty days from the day on which the occurrence of the vacancy shall have become known. No person shall be elected or appointed Warden who shall not be a Master of Arts or a Doctor of Theology, Civil Law, or Medicine; but no person shall be incapable of being elected or appointed by reason of his not being or not having been a Fellow of the College. The electors shall choose, and in case of lapse, the Archbishop of Canterbury for the time being shall appoint the person (being otherwise duly qualified according to the Statutes in force for the time being) who, in their or his judgment, as the case may be, shall be most fit for the government of the College as a place of religion and learning. That person in whose favour the greatest number of the electors shall have voted shall be declared to be elected. If the votes shall be equal, the Sub-Warden, or in his absence the Senior Fellow present, shall give an additional casting vote. Such election being made, the Sub-Warden or Senior Fellow present at the election, as the

case may be, shall forthwith communicate to the Visitor the name of the person elected; and the Visitor shall confirm the election, unless it shall appear to him that such person is not duly qualified according to the Statutes in force for the time being. If the Visitor shall refuse to confirm the election, he shall notify such refusal to the Sub-Warden or the Senior Fellow present at the election, as the case may be, and the Fellows shall, within ten days of such notification by the Visitor, proceed in manner and form aforesaid to elect two persons whom they shall consider duly qualified for the office; and the Sub-Warden, or in his absence the Senior Fellow present at the last-mentioned election, shall thereupon communicate to the Visitor the names of the persons so elected, of whom the Visitor shall nominate one, being qualified as aforesaid, to be Warden of the College.

2. The Warden shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term. Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Warden's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Warden's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the existing Statutes relating to the residence of the Warden.

3. The Warden and Fellows may at any time hereafter, if they shall think fit, commute the emoluments of the Wardenship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Warden's emoluments, whether commuted or uncommuted, as they shall think proper: Provided, that no exercise of this power shall affect the person then being Warden without his consent: Provided also, that the Visitor, upon the petition of the Warden or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Warden has become permanently incapable of performing the duties of his office, the Sub-Warden shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented by the Warden (as the case may be), it shall appear to the satisfaction of the Visitor that the Warden has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Sub-Warden, shall be presented to him, to be Pro-Warden of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one-third) of the Warden's emoluments as the Visitor shall think fit; provided that the Warden shall be at liberty to retain his lodgings. And such Pro-Warden shall, so long as the Warden shall retain his office and be incapable of performing its duties, receive the proportion so assigned to him, and shall exercise and perform all the func-

tions and duties, and have all the powers and authorities of Warden except the power of consenting to any commutation, regulation, or diminution of the Warden's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner. If any Pro-Warden shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Warden in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Warden's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The election of Fellows shall be vested in the Warden and the Fellows present at the time of election; and that candidate shall be deemed elected for whom the greatest number of votes shall have been given.

6. In elections to Fellowships no person shall be either entitled to preference or ineligible by reason of his place of birth, or of the condition of his parents, or of his pecuniary circumstances; or of his being or not being of the kindred of Archbishop Chicheley, the founder of the College; and no person shall be ineligible by reason of his not being of legitimate birth, or of his age, or of his Faculty, or of his not being qualified or disposed to take Holy Orders, or of his not being instructed in plain song: Provided, that no person shall be eligible who shall be in possession of any benefice which, if acquired after election, would have disqualified him for continuing a Fellow, nor any person who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, and shall not either have been placed in the First Class in one at least of the Public Examinations of the University, or have obtained some prize or Scholarship within the University unattached to any College or Hall and open to general competition among the members of the University. In case any Prize or Scholarship shall hereafter be founded by the Warden and Fellows for the encouragement of studies recognized in the School of Jurisprudence and Modern History, persons who shall have obtained such Prize or Scholarship shall be qualified for election to a Fellowship in the same manner as persons who have obtained any such Prize or Scholarship as above mentioned.

7. Thirty days at least before the day of election to a Fellowship, notice of every intended election, and of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Warden in such manner as he shall deem best adapted to secure publicity.

8. The intellectual qualifications of the candidates for the Fellowships shall be tested by an examination in such subjects recognized in the School of Jurisprudence and Modern History within the University as the Warden and Fellows shall determine; and the Warden and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion and learning with special reference to the subjects recognized in the said School.

9. Every person elected to a Fellowship shall undergo probation for one year from the day of his election inclusive, and at the end of such year shall be admitted an actual Fellow, if found fit in the judgment of the Warden and Fellows. Every person admitted to probation shall receive, during

the year of probation, the same emoluments as if he had been admitted an actual Fellow.

10. Every Fellow who shall be instituted to an ecclesiastical benefice in the gift of the College (being a benefice with cure of souls), and shall retain such benefice for twelve calendar months from the day of his institution thereto, shall, if the annual value of such benefice, clear of deductions (except for property or income tax), shall exceed three hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

11. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without any period of probation, and although the persons elected be married, and although they be in possession of any benefice which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, and may not have been placed in the first class at any of the Public Examinations of the University, or have obtained any such Scholarship or Prize as aforesaid, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

(a.) Any Professor or Public Lecturer within the University, for whose election a majority of the votes of the Warden and all the Fellows shall have been given, the Warden's vote being counted as two votes.

(b.) Any Principal of a Hall within the University, not being a Private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Warden and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Warden's vote being counted as two votes.

12. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges; provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

13. Any Fellow who shall marry, or become possessed of any benefice which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer within the University, be retained in his Fellowship by a majority of the votes of the Warden and all the Fellows, or, if he shall be Principal of any Hall (not being a Private Hall), by two-thirds of the votes of the Warden and all the Fellows, the Warden's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

14. Any Fellow elected under Clause 11, or retained under Clause 13, shall be deemed entitled to hold his Fellowship although he may afterwards marry.

15. Any person elected under Clause 11, or retained under Clause 13, who at the time of his election or retention shall hold any such benefice as aforesaid (or, being a Professor or Public Lecturer, any benefice with cure of souls), and who shall retain such benefice for six calendar months afterwards, shall thereby vacate his Fellowship: and any Professor or Public Lecturer so elected or retained, who shall afterwards be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, so elected or retained, who shall cease to hold such Professorship, Public Lectureship, or Principalship, shall thereby vacate his Fellowship.

16. It shall be lawful for the Warden and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Warden and Fellows shall by resolution from time to time determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Warden and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted amongst the Fellows of the College, nor Honorary Fellowships among the Fellowships of the College.

17. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

18. The provisions respecting the residence of Fellows, and the mode of granting leave of absence from the University, contained in the existing Statutes, shall be henceforth void. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow, as they may deem expedient for the interests of the College as a place of learning, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and, in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes, which shall be binding on the members of the College. No non-resident Fellow shall be entitled to retain rooms within the College.

19. No present or future Fellow shall be required, as a condition of retaining his Fellowship, to take Holy Orders, or not being in Holy Orders, to study Theology.

20. Every Fellow shall be required to take either the degree of Master of Arts, or the degrees of Bachelor and Doctor of Civil Law, or those of Bachelor and Doctor of Medicine, within one year after the time at which he shall be of sufficient standing to take those degrees respectively by the Statutes of the University, and in case of non-compliance shall vacate his Fellowship: provided that the Warden and Fellows may, whenever they shall deem it just or expedient to do so, allow the taking of any such degree to be postponed for a period not exceeding, except in case of unsound-

ness of mind, one additional year. All provisions of the existing Statutes regulating or limiting the number of Members of the College required or permitted to study or graduate in any particular Faculty shall be void.

21. The number of Fellowships within the College shall never be less than thirty, exclusive of the ten Fellowships herein-after directed to be not filled up, and of any Fellowship to which either of the Chicheley's Professors may, under Clauses 43 and 44, be elected, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Warden and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Warden and Fellows, if the same shall appear to be insufficient, or of founding Scholarships or Exhibitions, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion and learning.

22. The Warden and Fellows shall, once at least in every ten years, lay before the Visitor a statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in the foundation of Scholarships or Exhibitions, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Warden and Fellows, with the approbation of the Visitor, shall determine.

23. No Fellow hereafter to be elected shall be entitled to receive larger emoluments in respect of his Fellowship than any other Fellow by reason of his being of superior standing or by reason of his Faculty or academical degree.

24. The Warden and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

25. No member of the College shall be precluded by reason of anything contained in the existing Statutes from applying for or taking advantage of graces granted by the University, or from proceeding to any degree at the earliest time allowed by the Statutes and regulations of the University.

26. No Fellow shall be disabled by reason of anything contained in the existing Statutes from voting at any election or admission, or from doing or taking part in any act or proceeding as a Fellow, on account of his Faculty; and all provisions of the existing Statutes, whereby the concurrence of any specified proportion of the Fellows of any

particular Faculty is made requisite for any act or proceeding of the College, shall be henceforth void.

27. The power of depriving the Warden for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him after due inquiry upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as, according to the Statutes of the College in force for the time being, shall require deprivation shall be vested in the Warden and Fellows, and shall be exercised by the vote of the major part of the Warden and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided; provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

28. Whenever there shall be no duly qualified candidate for a vacant Fellowship, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship shall fall vacant, and there shall not be time to give the notice herein-before directed before the day of election, the election shall be postponed to some other day, to be fixed by the Warden and Fellows for the purpose, not later than the usual day of election of Fellows in the next year; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

29. The Warden and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Warden and Fellows shall think proper: provided, that it shall be lawful for the Visitor, upon the petition of the Warden or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: provided also, that the Wardenship shall not be deemed an office within the meaning of this clause.

30. The Warden and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the appointment of Chaplains, from among the Fellows or otherwise, and for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College, during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and the Visitor shall have power to disallow and annul any such regulations, or any variation thereof. In the meantime, and until such regulations can be made, the Warden and Fellows may at any ordinary meeting or meetings make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service and the appointment of Chaplains shall be henceforth void.

31. In case the Warden or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland as by law established, such contuma-

scious ceasing to conform shall be a cause for depriving the Warden of his Wardenship, and any such Fellow of his Fellowship.

32. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before electing to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Warden and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

33. There shall be two stated general meetings, at least, of the Warden and Fellows in every year, on such days as the Warden and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Warden shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows. Subject to the foregoing provision, and except in cases in which the concurrence of any specific proportion of the Warden and Fellows, or the consent of the Warden, is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Warden shall have an additional casting vote. Any Statute, rule, or usage of the College, which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void: Provided, that the Warden and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

34. The power which is given by the existing Statutes to the Sub-Warden to act in place of the Warden, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Warden, shall be deemed to extend to all the acts which the Warden is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Warden's emoluments.

35. The particular provisions of the existing Statutes respecting the disputations and other exercises to be performed by the members of the College, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the hours and conditions of their going beyond the precincts of the College; and respecting the loans to be made to members of the College; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the inquiries to be made into the life and conduct of the members of the College, and the mode of making the same; and

respecting the punishment for offences not being such as require deprivation; and respecting the use of the common Hall and other common rooms or buildings of the College; and respecting the use of the library; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the number, duties, and payment of the servant of the College, and respecting progresses and other matters relative to the supervision of the property of the College; and respecting the custody and inspection of the monies, plate, and other goods of the College other than the muniments and seals, shall be void. The Warden and Fellows shall from time to time make such regulations as they may deem necessary or expedient for effecting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby as is hereinafter provided.

36. If in any case it shall appear to the Visitor that by reason of any change in the value of money, any specific sum fixed by this Ordinance, or which may be hereafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.

37. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Warden and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

38. As often as any question shall arise on which the Warden and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Warden and Fellows, or for the Warden or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

39. It shall be lawful for the Warden, or for any Fellow, if he shall conceive himself aggrieved by any act or decision of the Warden and Fellows, and for any Exhibitioner who may have been deprived of his Exhibition, to appeal against such act or decision or sentence of the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow or annul such act or decision, and to reverse or vary such sentence as he shall deem just.

40. It shall be lawful for the Visitor, either proprio motu, or on the complaint of the Warden or of any of the Fellows, to disallow and annul any byelaw or resolution of the Warden and Fellows, which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

41. The Archbishop of Canterbury for the time being shall not hereafter have the power of making new Statutes.

42. The Warden and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Warden being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printers' copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

43. The first, third, fifth, seventh, and ninth Fellowships which shall become vacant after the approval of this Ordinance by Her Majesty in Council shall not be filled up, and the emoluments thereof shall be applied to the maintenance within the University of a Professor of International Law and Diplomacy, to be called "Chichley's Professor of International Law and Diplomacy." The election of the said Professor shall always be vested in the Visitor and the Warden of the College, the Lord High Chancellor of Great Britain, the Judge of the High Court of Admiralty, and Her Majesty's Secretary of State for Foreign Affairs for the time being, or the major part of them. The first election of a Professor shall take place as soon as three of the said five Fellowships shall have become vacant, or sooner, if the persons holding the aforesaid offices, or the major part of them, shall so determine; and the emoluments which previously to that election shall have accrued from such of the said Fellowships as shall become vacant, shall be invested and accumulated by the College, and paid with the accumulations to the first Professor on his election. The University may define by Statute, and from time to time regulate the functions and duties of the Professor, and may provide for the performance of them by Deputy in case of his unavoidable absence or incapacity, and for the suitable payment of any such Deputy out of the Professor's emoluments, and may determine whether the Professor shall be permitted to receive any and what fees for attendance on his instructions, provided that no such fees shall be payable by any member of the College. The Professor shall reside in the University for six months at least between the tenth day of October in every year, and the first day of the next ensuing July, and in default thereof shall vacate his Professorship, unless leave of absence shall have been granted to him on account of sickness, or for any other very urgent cause, by or by authority of the University. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who, in their judgment, shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor, to enable him to answer the same if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and limit the time allowed for giving notice. The Warden and Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College without

notice, examination, or probation, and although married, and although possessed of any benefice which would, in ordinary cases, render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, and may not have been placed in the First Class at any of the Public Examinations of the University, or have obtained any such Scholarship or Prize as aforesaid, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow, shall not be entitled in right of his Fellowship to any emoluments besides so attached to his Professorship, nor, if married, to rooms within the College, or any allowance in respect of rooms, and if he shall cease to hold the Professorship, shall vacate his Fellowship.

44. The eleventh, thirteenth, fifteenth, seventeenth, and nineteenth Fellowships which shall become vacant after the approval of this Ordinance shall not be filled up, and the emoluments thereof shall be applied to the maintenance within the University of a Professor of Modern History, to be called "Chickley's Professor of Modern History." All the Provisions of Clause 43, relating to the election, deprivation, residence, functions, duties, and emoluments of the Professor of International Law and Diplomacy, and the period at which the first election of a Professor is to be held, and the power thereby given to the College of electing the Professor to a Fellowship, and the conditions under which such Fellowship shall be held, shall extend and be applicable mutatis mutandis to the said Professor of Modern History, as if repeated in this Clause.

45. The Professors, although not elected Fellows, shall be entitled to participate with the Fellows in the use of the Chapel, Hall, and Library of the College, and shall take rank in College next after the Sub-Warden, and as between themselves in the order of their election.

46. The emoluments of any Fellowship hereinbefore directed to be applied to the maintenance of any Professorship shall be the sum which would in each year have been payable to the holder of the same if the same had been filled up, and if the person elected had resided in the University during the period required of him by the Statutes and Regulations of the College in force for the time being: Provided that it shall be lawful for the Warden and Fellows, at any time within five years after the time at which the last of the Fellowships hereby appropriated to each Professorship would, but for the provisions of this Ordinance, have been filled up, to commute the emoluments of all or any of the Fellowships appropriated to that Professorship, for a fixed annual sum of one hundred and fifty pounds each, payable out of the corporate revenues of the College, to the purposes to which the said emoluments are hereinbefore directed to be applied.

47. Any Fellowship or Fellowships which may be vacant when this Ordinance shall be approved as aforesaid shall, for the purposes of this Ordinance, be deemed to have become vacant immediately after such approval.

48. Whenever the words "the Fellows," or "the Warden and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

49. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any



member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our common seal this third day of April, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, June 25, 1857.

**W**HEREAS the Commissioners appointed for the purpose of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary, Winchester," have framed the following ORDINANCE, dated the 3rd day of April, 1857, in relation to JESUS COLLEGE in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

*Wm. L. Bathurst.*

ORDINANCE framed by the COMMISSIONERS appointed for the purposes of the STATUTE 17th and 18th Vict. c. 81, in relation to JESUS COLLEGE in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further Provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester," do, in execution of the powers given to us by the said Act, ordain as follows in relation to Jesus College in the said University:—

1. In elections to the office of Principal of the said College, no person shall be entitled to preference or ineligible by reason of his being or not being, or having been or not having been, a Fellow of the College, or be ineligible by reason of his being married. The electors shall choose the person (being otherwise duly qualified according to the Statutes of the College in force for the time being), who in their judgment shall be most fit for the government of the College, as a place of religion, learning, and education.

2. The Principal shall be required to reside in the College seven calendar months at least in each year, whereof six weeks at least shall be in each Term, Easter and Trinity Terms being for this purpose considered as one Term: Provided that in case of the Principal's sickness, or for any other urgent cause, it shall be lawful for the Visitor to dispense with the Principal's residence for such a period as may seem to the Visitor to be required by the necessities of the case. This regulation shall take effect in lieu of the provisions of the

existing Statutes relating to the residence of the Principal.

3. The Principal and Fellows may at any time hereafter, if they shall think fit commute the emoluments of the Principalship, wholly or partially, for a stipend or annual sum of money payable in any other manner out of the revenues of the College, or for a certain proportion of the said revenues; and may fix the time at which such commutation shall take effect, and may also from time to time regulate, increase, or diminish the Principal's emoluments, whether commuted or uncommuted, as they shall think proper: Provided that no exercise of this power shall affect the person then being Principal without his consent: Provided also, that the Visitor, upon the petition of the Principal, or of any one or more of the Fellows, may disallow any such commutation, regulation, increase, or diminution, if he shall think fit.

4. If at any time it shall appear that the Principal has become permanently incapable of performing the duties of his office, the Vice-Principal shall, upon the request of any three or more Fellows, convene a meeting of the Fellows, after notice sent to such of them as may be within the United Kingdom, for the consideration of the matter; and it shall be lawful for a majority of the Fellows present at such meeting to present a petition to the Visitor, setting forth the circumstances of the case, and praying the Visitor to inquire into the truth of them; and the Visitor shall institute such inquiry accordingly. And if upon such inquiry, or upon a petition presented to the Principal, (as the case may be,) it shall appear to the satisfaction of the Visitor that the Principal has become permanently incapable of performing his duties, then the Visitor shall nominate one of such three Fellows as, by the vote of the greatest number of the Fellows present at a meeting convened by the Vice-Principal, shall be presented to him, to be Pro-Principal of the College, and shall assign to him for his maintenance, in addition to his Fellowship, so much (not exceeding one third) of the Principal's emoluments as the Visitor shall think fit; provided that the Principal shall be at liberty to retain his lodgings. And such Pro-Principal shall, so long as the Principal shall retain his office, and be incapable of performing his duties, receive the proportion so assigned to him, and shall exercise and perform all the functions and duties and have all the powers and authorities of the Principal, except the power of consenting to any commutation, regulation, or diminution of the Principal's emoluments, and shall be bound to residence in the same manner, and shall be liable to deprivation for the same causes, and in the same manner, if any Pro-Principal shall die, resign his office, vacate or be deprived of his Fellowship, or become incapable, the Visitor shall appoint a new Pro-Principal in the same manner. It shall be lawful for the Visitor, if at any time he shall be satisfied that the Principal's incapacity has ceased, and that he is capable of performing the duties of his office, to reinstate him in his powers and functions, and in the receipt of his whole emoluments.

5. The Fellowship of the foundation of King Charles the First, within the said College, shall be converted into Scholarships in manner hereinafter mentioned.

6. From and after the first vacancy which shall occur in the said Fellowship (or if the same shall be vacant when this Ordinance shall be approved by her Majesty in Council, then from and after such approval), that proportion of the whole sum payable to the College on account of the said

foundation, which by the Letters Patent of King Charles the First, dated the Seventeenth day of June, in the eleventh year of His said Majesty's reign, is appropriated to the maintenance of a Fellowship, shall be applied to the maintenance of incorporated Scholars within the said College, to be called King Charles the First's Scholars, between whom the amount of the said emoluments shall be divided in equal shares.

7. The number of the said Scholars shall be such as the Principal and Fellows shall from time to time determine; provided that it be not less than two, nor so great as to reduce each Scholar's share of the said emoluments below sixty pounds per annum. The senior for the time being in residence of King Charles the First's Scholars shall always be entitled to rooms within the College rent-free.

8. The King Charles the First's Scholars shall be elected by the Principal and Fellows from persons born in Jersey or Guernsey, or in one of the islands adjacent to them, or educated for the two years last preceding the election, (or, if the person elected shall be then a Member of the University, for the two years last preceding his matriculation), either at Victoria College in Jersey or at Elizabeth College in Guernsey.

9. The first, third, seventh, and ninth Fellowships, (other than the Fellowship of the foundation of King Charles the First, and the two Fellowships of the foundation of Sir Leoline Jenkins,) which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and in relation to which there shall be no Scholar having a right to preference acquired before the passing of the said Act and qualified for election, shall not be filled up, but all the emoluments thereof shall be applied in carrying into effect the following objects as soon as conveniently may be, namely:—

1. In increasing the number of the Scholarships of the College, other than the King Charles the First's Scholarships, to twenty-two.
2. In equalizing and augmenting the value of all the Scholarships of the College, other than the King Charles the First's Scholarships: Provided that the value of each Scholarship, inclusive of rooms and all allowances, shall not, until the number of Scholarships (other than the King Charles the First's Scholarships) shall have been increased to twenty-two, be raised above eighty pounds per annum.

Any Fellowship or Fellowships which may be vacant at the time of the approval of this Ordinance shall, for the purposes of this Ordinance, be considered as having become vacant immediately after such approval.

10. The emoluments of the Fellowships herein-before directed to be not filled up shall be the sums which would in each year have been payable to the holders of the same if the same Fellowships had been filled up, and if the persons elected had resided in the University during the period required of them by the Statutes and regulations of the College in force for the time being: Provided, that it shall be lawful for the Principal and Fellows, at any time within five years after the time at which each of the said Fellowships would, but for the provisions of this Ordinance, have been filled up, to commute the emoluments thereof for a fixed annual sum of two hundred and fifty pounds payable out of the corporate revenues of the College to the purpose to which the emoluments of such Fellowship are herein-before made applicable.

11. The fifth Fellowship, not being the Fellow-

ship of the foundation of King Charles the First, or one of the two Fellowships of the foundation of Sir Leoline Jenkins, which shall become vacant after the approval of this Ordinance by Her Majesty in Council, and in relation to which there shall be no Scholar having a right of preference acquired before the passing of the said Act and qualified for election, shall not be filled up. From and after the time at which the same would, but for this provision, have been filled up, the corporate revenues of the College shall be discharged with the payment to the University of an annual sum of two hundred and fifty pounds, to be applied to such purposes connected with the Professoriate of the University as the University shall by Statute, with the consent of the Principal and Fellows, from time to time determine.

12. It shall be lawful for the Principal and Fellows, if and so long as they shall deem it expedient for the interests of education in connexion with the Principality of Wales, from time to time to divide the Fellowships (exclusive of those which are herein-before directed to be not filled up,) as nearly as may be, into two moieties, whereof one moiety shall be termed Welsh Fellowships, and shall be filled up by the election of natives of Wales or Monmouthshire, if any such be found of sufficient merit and fit to be Fellows of the College in the judgment of the electors. In elections to two Welsh Fellowships the Principal and Fellows shall require that the candidates shall be able to speak the Welsh language. In making such division one of the Fellowships of the foundation of Sir Leoline Jenkins shall be placed in each moiety. Subject to these provisions, no person shall be either entitled to preference or ineligible, in elections to Fellowships within the College, by reason of his place of birth or place of education, or of his age or pecuniary circumstances, or of his being or not being of the name or kindred of any person named in any instrument of foundation, or of his being or not being able to speak the Welsh language, or of his having or not having taken any degree, or being or not being a Scholar or Member of the College: Provided, that no person shall be eligible who shall not have passed all the examinations required by the University for the degree of Bachelor of Arts, or who shall be in possession of any benefice, property, pension, or office, which, if acquired after election, would have disqualified him for continuing a Fellow.

13. The election of Fellows shall take place on a stated day or stated days in each year, to be appointed by the Principal and Fellows (subject to the provisions for postponement herein-after contained), and thirty days at least before the day of election to a Fellowship notice of every intended election, of the number of vacancies to be filled up, and of the conditions of election, shall be given by the Principal in such manner as he shall deem best adapted to secure publicity.

14. The intellectual qualifications of the candidates for Fellowships shall be tested by an examination in such subjects connected with the studies of the University as the Principal and Fellows shall determine; provided that the system of examinations shall be such as shall render Fellowships accessible from time to time to excellence in every branch of knowledge for the time being recognized in the Schools of the University; and the Principal and Fellows shall elect that candidate (being otherwise duly qualified according to the Statutes in force for the time being) who, after such examination, shall appear to them to be of the greatest merit, and most fit to be a Fellow of the College as a place of religion, learning, and education.

15. Every person elected to a Fellowship shall be entitled to receive, during the period of probation, the same emoluments as if he had been admitted an actual Fellow.

16. Every Fellow who shall be instituted to an ecclesiastical benefice, or shall become entitled, either by descent or devolution, or by virtue of any testamentary or other gift or settlement to property, or to any Government pension, or be admitted to any office tenable for life or during good behaviour (not being an academical office within the University of Oxford), and who shall retain such benefice, property, pension, or office for twelve calendar months from the day of his institution, accession, or admission thereto, shall, if the annual value of such ecclesiastical benefice, clear of deductions (except for property or income tax), shall exceed three hundred pounds, or if the annual income derivable by him from such property, pension, or office, or from any two or more of the above-mentioned sources (including or not including an ecclesiastical benefice), clear of deductions as aforesaid, shall exceed three hundred pounds, vacate his Fellowship at the expiration of such twelve calendar months, (or, in case such benefice shall be a benefice in the gift of the College, at the expiration of eighteen calendar months from the avoidance thereof); and for this purpose the income which the estimated value of any property would produce, if invested in Three pounds per centum Consolidated Annuities at the price current at the time of the acquisition thereof, shall, in case of doubt, be considered to be the income derivable from such property. The word "property" shall in this clause include any estate or interest in possession in any property real or personal. In any case in which the property or sources of income may have been acquired at several times, the latest time at which any part of such property or any of such sources of income shall have been acquired, shall, in construing this clause, be considered as the time of the acquisition of the whole thereof. Except as aforesaid, no Fellow shall be disqualified for retaining his Fellowship by reason of his having become possessed of any property or income, or been instituted to any benefice.

17. In certain excepted cases Fellows may be elected and admitted without public notice of the vacancy, and without examination, and without the period of probation required by the Statutes, and although the persons elected be married, and although they be in possession of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although they may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided such persons are otherwise qualified for election. The excepted cases shall be as follows:—

- (a.) Any Professor or Public Lecturer within the University for whose election a majority of the votes of the Principal and all the Fellows shall have been given, the Principal's vote being counted as two votes.
- (b.) Any Principal of a Hall within the University, not being a private Hall, and any person of eminence in literature, science, or art, on whom the University in Convocation shall have conferred a degree, either by diploma or by decree of Convocation, or any honorary degree; provided that two-thirds of the votes of the Principal and all the Fellows shall have been given for the election of such Principal or other person as last aforesaid, the Principal's vote being counted as two votes.

18. The election in such excepted cases shall always be held more than thirty days before the usual day of election, and the electors may at the time of election determine the rank which the person elected shall hold in the College, without reference to the date of his election, provided that such rank shall confer no other than honorary privileges: Provided also, that no married Fellow shall be entitled to rooms in the College, nor to any allowance in respect of rooms.

19. Any Fellow who shall marry or who shall become possessed of any benefice, property, pension, or office which would in ordinary cases disqualify him for continuing a Fellow, may nevertheless, if he shall then be a Professor or Public Lecturer in the University, be retained in his Fellowship by a majority of the votes of the Principal and all the Fellows, or, if he shall be Principal of any Hall (not being a private Hall), by two-thirds of the votes of the Principal and all the Fellows; the Principal's vote being in each case counted as two votes; provided that this power shall be exercised, if at all, at some stated general meeting previous to the day on which the Fellowship would otherwise be vacated.

20. Any Fellow elected under Clause 17, or retained under Clause 19, shall (except in the case herein-after mentioned), be deemed entitled thereafter to hold his Fellowship although he may afterwards marry or become possessed of any property, pension, or office, or of any benefice (not being a benefice in the gift of the College, the possession of which would in ordinary cases be incompatible with the retention of a Fellowship).

21. Any person elected under Clause 17, or retained under Clause 19, and being a Professor or Public Lecturer within the University, who at the time of his election, or retention, shall hold a benefice with cure of souls, and who shall continue to hold such benefice for six calendar months afterwards, shall thereby vacate his Fellowship; and no person elected or retained under either of the said clauses shall by virtue thereof be enabled to hold with his Fellowship any benefice in the gift of the College the possession of which would, in ordinary cases, be incompatible with the retention of a Fellowship. Every Professor, Public Lecturer, or Principal of a Hall, elected or retained under either of the said clauses, who shall cease to hold such Professorship, Public Lecturership, or Principalship, and every Professor or Public Lecturer, elected or retained as aforesaid, who shall be instituted to any benefice with cure of souls, shall thereby vacate his Fellowship.

22. Not more than one Fellowship shall at any one time be held by Professors or Public Lecturers under the powers conferred by Clauses 17 and 19 of this Ordinance, if and so long as the whole number of Fellowships within the College, exclusive of Fellowships hereinbefore directed to be not filled up, shall not exceed twelve.

23. It shall be lawful for the Principal and Fellows, at stated general meetings, to elect distinguished persons to Honorary Fellowships within the College. Persons so elected shall be termed Honorary Fellows, and shall not be entitled to vote on any occasion as Fellows, or to receive any emolument whatever, but shall be entitled to enjoy such other privileges and advantages as the Principal and Fellows shall, by resolution from time to time, determine. The conditions of eligibility to and tenure of Honorary Fellowships, and the mode of election thereto, may also be determined by the Principal and Fellows from time to time. Honorary Fellows shall not, in the construction of this Ordinance, be counted among the Fellows of the College,

nor Honorary Fellowships among the Fellowships of the College.

24. Every Fellow who shall be elected to and accept a Headship or Fellowship in any other College within the University shall thereupon vacate his Fellowship.

25. The provisions respecting the residence of Fellows and Scholars, and the mode of granting leave of absence from the University contained in the existing Statutes, shall be henceforth void. The Principal and Fellows shall, at the first stated general meeting, or as soon afterwards as conveniently may be, make such regulations respecting the residence of Fellows and Scholars within the University, and respecting the mode in which and the conditions under which leave of absence may be granted to any Fellow or Scholar, as they may deem expedient for the interests of the College as a place of learning and education, and may vary such regulations from time to time, and may enforce such regulations, if they shall think fit, by pecuniary penalties, and in case of contumacious non-compliance, by deprivation. Such regulations shall be made and varied at stated general meetings only. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes, which shall be binding on the Members of the College.

26. It shall always hereafter be lawful for four Fellows of the College, not being Fellows of the foundation of Sir Leoline Jenkins, to retain their Fellowships without taking Holy Orders. As often as the number of Lay Fellows, being Masters of Arts or of sufficient standing to take that degree, shall be reduced below four, the option of holding a Lay Fellowship shall devolve on the Fellows who shall not have attained that standing successively, according to seniority from the date of election, so that the number of Fellows retaining or entitled to retain their Fellowships as Laymen may be made up to four from time to time. Subject to these provisions, every Fellow shall be required to take Deacon's Orders before the expiration of one year after he shall be of sufficient standing to take the degree of Master of Arts, (or, in case he shall have attained such standing at the time of his election, within one year after his election), and to take Priest's Orders within two years after having taken Deacon's Orders, and in default thereof shall vacate his Fellowship: Provided, that nothing herein contained shall affect the obligation of the Fellows of the foundation of Sir Leoline Jenkins to take Priest's Orders before being admitted actual Fellows.

27. The number of Fellowships within the College, exclusive of those hereinbefore directed not to be filled up, shall never be less than thirteen, unless the Visitor shall think fit, on a petition in writing presented and subscribed by the Principal and not less than three-fourths of the Fellows of the College, to direct that the number shall be diminished, either permanently or during any limited period, by not filling up vacancies, for the purpose either of increasing the emoluments of the Principal and Fellows, if the same shall appear to be insufficient, or of augmenting the number or emoluments of the Scholars or Exhibitioners, or of improving the property of the College, or in order to apply the surplus income to be obtained by such diminution to any purpose specified in the petition, and directly expedient for the interests of the College as a place of religion, learning, and education.

28. The Principal and Fellows shall, once at least in every ten years, lay before the Visitor a

statement in writing of the annual revenue and expenditure of the College for the preceding ten years, or for the period which shall have elapsed since the date of the last statement (as the case may be); and shall also furnish to the Visitor such additional information (if any) as he shall require for enabling him to form a judgment of the means and requirements and general state and condition of the College. And it shall be lawful for the Visitor thereupon, if it shall appear to him that the revenues of the College are sufficient to afford to each Fellow an average income of more than three hundred pounds a year (exclusive of rooms or any allowance in respect thereof, but inclusive of all other allowances), to direct, either that the number of Fellowships shall be increased, or that any part of such revenues shall be applied in increasing the number or emoluments of the Scholarships or Exhibitions within the College, or shall be set apart for general College purposes; and any sums which shall be so set apart shall be applied to such College purposes as the Principal and Fellows, with the approbation of the Visitor, shall determine.

29. All the Scholarships now existing in the College, other than the Scholarships of the foundation of Sir John Walter and Bishop Westphaling, and of the foundation of Mr. Richard Budd, and all the Scholarships to be established within the College under the provisions of this Ordinance, other than the King Charles the First's Scholarships, shall be termed Welsh Scholarships, and shall be filled up by the election of persons being natives of Wales or Monmouthshire, or who shall have been educated for the four years last preceding the election (or last preceding their matriculation, if already members of the University) at one of the Free Grammar Schools of Abergavenny, Bangor, Beaumaris, and Bottwinnog, or the Free School of Cowbridge, or such other schools or school in Wales or Monmouthshire, as the Principal and Fellows may from time to time, by resolution at any stated general meeting, admit to this privilege, if any such persons be found of sufficient merit and fit to be Scholars of the College in the judgment of the electors. Subject to this provision, no person shall be either entitled to preference or ineligible in elections to Scholarships within the College, other than the King Charles the First's Scholarships, by reason of his place of birth or place of education, and no person shall be entitled to preference or ineligible in elections to any Scholarship within the College by reason of his being or not being of the kindred of any person named in any instrument of foundation, or shall be ineligible by reason of his having more than ten pounds a year.

30. The Scholars shall be elected by the Principal and Fellows after an examination of the candidates in such subjects, and conducted in such manner, as the Principal and Fellows shall determine, and that candidate, being otherwise duly qualified, according to the Statutes in force for the time being, shall be elected who, after such examination, shall appear to the electors to be of the greatest merit and most fit to be a Scholar of the College.

31. The election of Scholars shall take place on a stated day or stated days in each year, to be appointed by the Principal and Fellows (subject to the provisions for postponement hereinafter contained); and notice of every intended election shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

32. The elections to the King Charles the First's Scholarships shall, as to the years in which

the same shall be held, be so regulated with reference to the elections to the King Charles the First's Scholarships at Exeter and Pembroke Colleges, and to the elections to Bishop Morley's Scholarship at Pembroke College, that an election to one Scholarship at least on one or other of those four foundations may, as far as possible, be held every year. The Principal and Fellows may for this purpose make such arrangements as they shall think proper with the governing bodies of Exeter College and Pembroke College, and may suspend the elections to the said King Charles the First's Scholarships within Jesus College so often and for so long as may be necessary or convenient for the same purpose, and may retain the emoluments of any suspended Scholarship during the period of suspension, and employ the same in augmenting the value or number of the said Scholarships, in such manner as they shall think fit.

33. The King Charles the First's Scholarships shall be tenable for such periods, being not less than five nor more than seven years, as the Principal and Fellows, having regard as far as may be to the arrangements made by Exeter College and Pembroke College, shall from time to time determine. Every Scholarship within the College, other than the King Charles the First's Scholarships, shall be tenable until the holder thereof shall have completed the twentieth Term inclusive from the date of his matriculation, and no longer.

34. The Scholarships to be established within the College under the provisions of this Ordinance (other than the King Charles the First's Scholarships) shall, as regards the conditions of eligibility thereto, and in all other respects, stand upon the same footing and be subject to the same Statutes and regulations as the Scholarships now existing within the College shall be upon and subject to; the King Charles the First's Scholarships, shall be subject to the same Statutes and regulations, so far as the same shall not be inconsistent with the specific provisions of this Ordinance relating to those Scholarships.

35. The Principal and Fellows may deprive any Scholar of his Scholarship for any misconduct which in their judgment shall merit deprivation, subject to such right of appeal to the Visitor as is hereinafter provided.

36. The emoluments of the twenty-four Exhibitions of the foundation of Edward Meyrick, Clerk, of the three Exhibitions of the foundation of Mr. Bloom, and of the two Exhibitions of the foundation of Mr. Rice Powell, shall be consolidated, as the same respectively become vacant, and applied in maintaining as many Exhibitions of the value of Forty pounds per annum respectively as the amount of the said consolidated emoluments for the time being will allow. The said Exhibitions shall respectively be filled up by the election of deserving persons, being natives of Wales or Monmouthshire, whom the Principal and Fellows shall have ascertained to be in need of support at the University; provided that no person shall be elected whose merit and fitness to be an Exhibitioner shall not have been previously tested by an examination. No person, shall be entitled to preference or ineligible in elections to any of the said Exhibitions by reason of his place of birth, otherwise than by reason of his being a native of Wales or Monmouthshire, as aforesaid. No person shall be eligible to any of the said Exhibitions who shall be a Scholar of the College, and every Exhibitioner who shall be elected to a Scholarship within the College shall thereupon vacate his Exhibition. Each of the said Exhibitions shall be tenable until the holder thereof shall

have completed the twentieth Term inclusive from the date of his matriculation, and no longer.

37. Notice of every intended election to any of the said Exhibitions shall be given by the Principal, in such manner as he shall deem best adapted to ensure publicity, thirty days at least before the day of election.

38. The Exhibitioners to be maintained out of the said consolidated emoluments shall be subject to such regulations respecting their residence, attendance on Divine Worship, instruction, and discipline as the Principal and Fellows shall from time to time determine; and shall be subject to deprivation by the Principal and Fellows for such misconduct as in the judgment of the Principal and Fellows shall merit deprivation.

39. The Principal and Fellows shall not, by reason of any clause or provision in the existing Statutes of the College, be prohibited or restrained from dividing amongst themselves or otherwise disposing of the clear surplus of the corporate revenues of the College, as they might have done if the Statutes had contained no such clause or provision.

40. The power of depriving the Principal for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Visitor alone, and shall be exercised by him, after due inquiry, upon the petition of the major part of all the Fellows; and the power of depriving Fellows for such causes as according to the Statutes of the College in force for the time being shall require deprivation, shall be vested in the Principal and Fellows, and shall be exercised by the vote of the major part of the Principal and all the Fellows, subject only to such appeal to the Visitor as is hereinafter provided: Provided that this clause shall not affect the Visitor's power (if any) of depriving by his own authority any member of the College.

41. Whenever a Welsh Fellowship shall be vacant, and no candidate shall offer himself for such Fellowship duly qualified in respect of his place of birth and otherwise, whom the electors shall judge of sufficient merit for election, such Fellowship shall be thrown open for that turn, and the election shall be postponed to some other day, to be fixed by the Principal Fellows for the purpose, not later than the next ensuing stated day of election to Fellowships.

42. Whenever a King Charles the First's Scholarship or a Welsh Scholarship shall be vacant, and no candidate shall offer himself for such Scholarship duly qualified in respect of his place of birth or education, whom the electors shall judge of sufficient merit for election, such Scholarship shall be thrown open for that turn, and the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election to Scholarships.

43. Whenever there shall be no duly qualified candidate for a vacant Fellowship other than a Welsh Fellowship, or for any Scholarship other than a King Charles the First's Scholarship or a Welsh Scholarship, or for any Fellowship or Scholarship which shall have been thrown open as aforesaid, whom the electors shall judge of sufficient merit for election, and whenever a Fellowship or Scholarship shall fall vacant, and there shall not be time to give the notice hereinbefore directed before the day of election, the election shall be postponed to some other day, to be fixed by the Principal and Fellows for the purpose, not later than the next ensuing stated day of election, in the case of a Fellowship of Fellows,

and in the case of a Scholarship of Scholars; and every such postponed election shall be held and conducted in the same manner and after the same previous notice as if there had been no postponement.

44. The Principal and Fellows may from time to time regulate as they shall think fit the duties and emoluments of the officers of the College, and the mode of their appointment or election, and may institute such new offices as they shall deem expedient for the better management of the affairs of the College, and the instruction and discipline of its members, and may assign to such new offices such stipends or emoluments as the Principal and Fellows shall think proper: Provided that it shall be lawful for the Visitor, upon the petition of the Principal or any one or more of the Fellows, or of any officer of the College whose stipend or emoluments have been diminished in exercise of the foregoing power, to disallow such regulation or assignment, if he shall think fit: Provided also, that the Principalship shall not be deemed to be an office within the meaning of this clause.

45. The Principal and Fellows shall at the first stated general meeting, or as soon afterwards as conveniently may be, make regulations for the daily performance of Divine Service, according to the Liturgy of the United Church of England and Ireland, within the College during full Term, and at such other times as they shall think proper, and for attendance on the same, and may vary such regulations from time to time; but such regulations shall be made and varied at stated general meetings only, and shall be subject to the approval of the Archbishop of Canterbury for the time being, and if disallowed by him shall be void. In the meantime, and until such regulations can be made, the Principal and Fellows may, at any ordinary meeting or meetings, make provisional regulations for the same purposes. The provisions of the existing Statutes relating to Divine Service shall henceforth be void.

46. In case the Principal or any Fellow of the College shall contumaciously cease to conform to the Liturgy of the United Church of England and Ireland, as by law established, such contumacious ceasing to conform shall be a cause for depriving the Principal of his Principalship, and any such Fellow of his Fellowship.

47. The oaths prescribed by the existing Statutes shall not hereafter be taken. But every person elected or admitted to any place or office, on election or admission to which an oath is now required, shall, at the time of his election or admission, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that he will faithfully perform the duties of such place or office, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the electors to any place or office before election to which an oath is now required, (not being an annual office,) shall, before electing, take an oath or make a declaration, as the Principal and Fellows shall by resolution determine, to the effect that they will elect the person best qualified in their judgment for such place or office.

48. There shall be two stated general meetings at least of the Principal and Fellows in every year, on such days as the Principal and Fellows shall appoint. Any stated general meeting may be adjourned by resolution of the meeting to a day to be specified in the resolution. The vote of the Principal shall be counted as two votes at all College meetings, and in the election, admission, and deprivation of Fellows, and the election and deprivation of Scholars. Subject to the foregoing provision, and except in cases in which

this concurrence of any specified proportion of the Principal and Fellows, or the consent of the Principal is hereby made requisite, every question arising at any College meeting shall be determined by a majority of the votes of those present. Whenever the votes shall be equal, the Principal shall have an additional casting vote. Any Statute, rule, or usage of the College which prohibits or restrains, expressly or by implication, any person present at any College meeting from bringing forward thereat any question which he may think proper, or from having such question put to the vote, shall, so far as regards such prohibition or restraint, be henceforth void; Provided, that the Principal and Fellows may make from time to time such rules for regulating the proceedings at College meetings, and for determining what business shall be transacted thereat, and for fixing (if they shall think fit) the notice to be given before bringing forward any question, as they shall deem expedient.

49. The power which is given by the existing Statutes to the Vice-Principal to act in place of the Principal, and the power of any officer of the College who may hereafter be authorized by any Statute or Byelaw to act in place of the Principal, shall be deemed to extend to all the acts which the Principal is hereby authorized or directed to do, except the giving consent to any commutation, regulation, or diminution of the Principal's emoluments.

50. The particular provisions of the existing Statutes respecting the subjects and hours of study and instruction within the College, the disputations and other exercises to be performed by its members, and their attendance in the schools and at the exercises of the University; and respecting the devotions, dress, conversation, recreations, and other personal habits of the members of the College, and the conditions of their going beyond the precincts of the College; and respecting the meals of the members of the College, and the mode of conducting the same; and respecting the punishments for offences not being such as require deprivation; and respecting the use of the Common Hall; and respecting the times of opening and closing the gates and doors of the College; and respecting the admission of strangers into the precincts of the College; and respecting the reading of the Statutes; and respecting the service of the College, and the number, duties, and payment of the servants of the same, shall be henceforth void. The Principal and Fellows shall from time to time make such regulations as they may deem necessary or desirable for promoting the main objects which the aforesaid particular provisions, or any of them, are respectively intended to effect; and may enforce such regulations by such penalties as they shall think fit, subject to such right of appeal to the Visitor on the part of any person who may deem himself aggrieved thereby, as is hereinafter provided.

51. If in any case it shall appear to the Visitor that by reason of any change in the value of money any specific sum fixed by this Ordinance, or which may be hereinafter fixed in exercise of any power given by this Ordinance, has become insufficient or excessive, and that such insufficiency or excess is productive of injustice or hardship, or is injurious to the general interests of the College, it shall be lawful for the Visitor from time to time, for the purpose of correcting or obviating such injustice, hardship, or injury, to direct that such annual sum shall be increased or diminished, as he shall think fit, and the increased or diminished sum shall thenceforth be substituted for and stand in the place of the sum originally fixed as aforesaid.



52. It shall be lawful for the Visitor in person, or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener, if and whenever he shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the College or any of its members, to visit the College, and to exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding. It shall be lawful for the Visitor at any such visitation, or, if he shall think fit, at other times, to require the Principal and Fellows to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire, for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

53. As often as any question shall arise on which the Principal and Fellows shall be unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, it shall be lawful for the Principal and Fellows, or for the Principal or any three of the Fellows, to submit the same to the Visitor; and it shall be lawful for the Visitor to declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

54. It shall be lawful for the Principal, or for any Fellow if he shall conceive himself aggrieved by an act or decision of the Principal and Fellows, and for any Scholar or Exhibitor who may have been deprived of his Scholarship or Exhibitor, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate on such appeal, and to disallow and annul such act or decision, and to reverse or vary such sentence as he shall deem just.

55. It shall be lawful for the Visitor, either proprio motu or on the complaint of the Principal or of any of the Fellows, to disallow and annul any byelaw or resolution of the Principal and Fellows which shall, in the Visitor's judgment, be repugnant to any of the Statutes of the College in force for the time being.

56. The injunctions of the existing Statutes respecting preferences to be given by members of the College in elections to University offices shall be henceforth void.

57. The Principal and Fellows, by a majority consisting of not less than two-thirds of the votes of those present, the vote of the Principal being counted as two votes, may from time to time, at any stated general meeting, subject to the provisions of the section numbered XL. in the Queen's Printer's copy of the said Act, amend the Statutes of the College in force for the time being, with the consent of the Visitor.

58. Whenever the words "the Fellows," or "the Principal and Fellows," are used in this Ordinance, the word "Fellows" shall mean actual Fellows, and nothing herein contained shall be construed to give to Probationers any power which they would not have had if this Ordinance had not been made.

59. This Ordinance shall be without prejudice to any existing interest (being such an interest as is intended to be saved by the said Act) of any member of the College, and shall be construed to speak and take effect as if framed immediately before the approval thereof by Her Majesty in Council.

Given under our Common Seal, this third day of April, one thousand eight hundred and fifty-seven.

L. S.

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Council-Office, Whitehall, June 25, 1857.

WHEREAS the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provisions for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 3rd day of April, 1857, in relation to MAGDALEN COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and to the Visitor thereof, and has not been objected to by two-thirds of the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

Wm. L. Bathurst.

ORDINANCE framed by the COMMISSIONERS appointed for the purposes of the STATUTE 17th and 18th Vict., chap. 81, in relation to MAGDALEN COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," do, in execution of the powers given to us by the said Act, ordain as follows, in relation to the College of Saint Mary Magdalen, in the said University:

Whereas four Fellowships are now vacant in the said College, not being Fellowships to which any Demy is entitled to succeed, or be elected by virtue of an interest acquired before the passing of the said Act:—

1. In elections to two of the said Fellowships (which we direct to be filled up on a day to be appointed by the President and Fellows, not less than twenty nor more than thirty days after the approval of this Ordinance by Her Majesty in Council), no person shall be entitled to any preference or be ineligible by reason of the county or place of his birth, or by reason of any existing Statute limiting the number of Fellowships tenable at one time by natives of any county or diocese, or by reason of his being or not being a Demy of the College. The intellectual qualifications of all the candidates for such two Fellowships shall be tested by an Examination in such subjects connected with the studies of the University as the President and Fellows shall determine; and the President and Fellows shall elect those candidates (being otherwise duly qualified according to the Statutes of the College) who, after such examination, shall appear to them to be of the greatest merit and most fit to be Fellows of the College, as a place of religion, learning, and education.

2. The two Fellows so elected shall not be required to take the oaths prescribed by the existing Statutes to be taken by Fellows admitted to probation, or to be actual Fellows; but at the time of their election and admission each of them shall take an oath, or make a declaration, as the

President and Fellows shall determine, to the effect that he will faithfully perform the duties of a Fellow, and obey the Statutes and Byelaws of the College in force for the time being, so far as they may concern him; and the President and Fellows present at and taking part in the election shall not take the oath prescribed by the Statutes of the College to be taken before electing to a Fellowship, but shall in place thereof take an oath, or make a declaration, as they shall by resolution determine, to the effect that they will elect the person best qualified according to the conditions above specified.

3. In respect of the other two of the said Fellowships, we ordain that the same shall not be filled up; but the emoluments thereof shall be set apart and carried to a separate account in the College books; and shall be annually divided into two equal parts, and applied by the President and Fellows to the establishment and maintenance of additional Demyships and of Exhibitions within the College and the School thereof, and to the endowment of a Chair of Moral Philosophy within the College; provided that in such division one moiety of the said emoluments shall be applied to the maintenance of the said Chair. But no such application shall be made before the first day of August, in the year of our Lord one thousand eight hundred and fifty-eight.

4. The emoluments of each of the two Fellowships last mentioned shall be the sum of two hundred and eighty-four pounds, which sum shall not be subject to increase or diminution for any cause whatever.

Given under our Common Seal this third day of April, one thousand eight hundred and fifty-seven.

L. S.

*Council-Office, Whitehall, June 25, 1857.*

**WHEREAS** the Commissioners appointed for the purposes of the Act of the 17th and 18th Vict., cap. 81, intituled "An Act to make further provisions for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester," have framed the following ORDINANCE, dated the 3rd day of April, 1857, in relation to MERTON COLLEGE, in the UNIVERSITY OF OXFORD; and whereas the said Ordinance has been submitted to the said College, and the Visitor thereof, and has not been objected to by the Governing Body of the said College, and the said Ordinance has been this day laid before Her Majesty in Council, the same is published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 35th section of that Act, within one month after this publication, to petition Her Majesty in Council against the approbation of the said Ordinance, or of any part thereof.

*Wm. L. Bathurst.*

ORDINANCE framed by the COMMISSIONERS appointed for the Purposes of the STATUTE 17th and 18th Vict. c. 81, in relation to MERTON COLLEGE, in the UNIVERSITY OF OXFORD.

WE, the Commissioners appointed for the purposes of an Act passed in the seventeenth and eighteenth years of the reign of Her Majesty

Queen Victoria, intituled "An Act to make further provision for the good government and extension of the University of Oxford, of the Colleges therein, and of the College of St. Mary Winchester," do, in execution of the Powers given to us by the said Act, ordain as follows in relation to Merton College, otherwise called the House or College of Scholars of Merton, in the said University:—

Whereas, by an Ordinance framed by us, and dated the nineteenth day of February, one thousand eight hundred and fifty-seven, it is (amongst other things) provided that the emoluments of certain Fellowships within Merton College, being the third, fifth, seventh, and ninth, which should fall vacant after the approval of the said Ordinance by Her Majesty in Council, shall, to an amount not exceeding eight hundred pounds per annum, be applied to the maintenance within the said University of a Professorship of Physiology to be established as therein mentioned: Now we ordain that there shall be established within the University a Professorship of Physiology, to be called the Linacre Professorship of Physiology, to the maintenance of which the said emoluments shall always be applied.

The election of the said Professor shall always be vested in the Visitor and Warden of Merton College the president of the College or Commonalty of the Faculty of Physic in London, commonly called the Royal College of Physicians, the President of the Royal College of Surgeons of England, and the President of the Royal Society for the time being, or the major part of them. The first election of a Professor shall take place as soon as three of the said four Fellowships shall have become vacant, or sooner if the persons holding the aforesaid offices, or the major part of them, shall so determine; and the emoluments which previously to that election shall have accrued from such of the said Fellowships as shall become vacant shall be invested and accumulated by Merton College, and paid with the accumulations to the first Professor on his election. The University may by Statute define, and from time to time regulate the functions and duties of the Professor, and may provide for the performance of them by deputy in case of his unavoidable absence or incapacity, and for the suitable payment of any such deputy out of the Professor's emoluments, and may determine whether the Professor shall be permitted to receive any and what fees for attendance on his instructions, provided that no such fees shall be payable by any member of Merton College. The Professor shall reside in the University for six months at least, between the tenth day of October in every year and the first day of the next ensuing July, and in default thereof shall vacate his Professorship, unless leave of absence shall have been granted to him on account of sickness, or for any other very urgent cause, by or by authority of the University. The Professor shall not during his tenure of the Professorship practise either Medicine or Surgery. It shall be lawful for the Vice-Chancellor and the Delegates of Appeals in Congregation, or the greater part of them, to deprive of his Professorship any Professor who, in their judgment, shall have been proved to be guilty of culpable negligence or misconduct in his office, grave immorality, or non-observance of the Statutes relating to him, reasonable notice in writing of the charge having been first given to the Professor by the Vice-Chancellor, to enable him to answer the same if he shall desire to do so. The University may by Statute regulate the mode of proceeding on any such charge as aforesaid, and

limit the time allowed for giving notice. The Warden and Fellows of Merton College qualified to vote in the election of Fellows may, if they shall think proper, elect the Professor to be a Fellow of the College, without notice, examination, or probation, and although married, and although possessed of any benefice, property, pension, or office which would in ordinary cases render the possessor ineligible, and although he may not have passed the examinations required by the University for the degree of Bachelor of Arts, provided he be otherwise qualified for election, and be not a Fellow of any other College within the University; but any Professor so elected a Fellow shall not be entitled in right of his Fellowship to any emoluments besides those attached to his Professorship, nor, if married, to rooms within the College, or to any allowance in respect of rooms, and if he shall cease to hold the Professorship, shall vacate his Fellowship. The Fellowship to which the Professor may, as herein-before provided, be elected, shall not be counted in the division of the Fellowships of the College into two moieties directed by the sixth Clause of the aforesaid Ordinance to be made, nor in the number of eighteen and twenty-four Fellowships mentioned in the twenty-fifth Clause of that Ordinance.

Given under our Common Seal, this third day of April, one thousand eight hundred and fifty-seven.



Council-Office, Whitehall, June 25, 1857.

**W**HEREAS the following STATUTES relating to the Fellowships at ST. JOHN'S COLLEGE, in the UNIVERSITY OF CAMBRIDGE, and to the Scholarships and Exhibitions at the same College, made by the major part of the Governing Body of the said College under the authority of the Act of the 19th and 20th Vict., cap. 88, intituled "An Act to make further Provision for the good government and extension of the University of Cambridge, of the Colleges therein, and of the College of King Henry the Sixth at Eton," and approved by the Commissioners appointed for the purposes of that Act, have been this day laid before Her Majesty in Council, the same are published in pursuance of the provisions of the said Act; AND NOTICE is hereby given, that it is lawful for the bodies or persons mentioned in the 39th section of that Act, within one month after this publication, to petition Her Majesty in Council, praying Her Majesty to withhold her approbation of the whole of either of such Statutes or of any part thereof.

*Wm. L. Bathurst.*

STATUTES above referred to.

**W**E, the Commissioners appointed for the purposes of an Act passed in the Session of Parliament holden in the nineteenth and twentieth years of the reign of Her Majesty Queen Victoria, intituled "An Act to make further provision for the good government and extension of the University of Cambridge, of the Colleges therein, and of the College of King Henry the Sixth at Eton," having had under our consideration a Statute for abolishing all rights of preference, whether in respect of place of birth or otherwise, in the

election to any Fellowship within the College of St. John the Evangelist, in the University of Cambridge, and for rendering all persons being British subjects eligible to such Fellowship (but without prejudice to any existing interest saved by the said Act) which Statute has been duly submitted to us in pursuance of the provisions of the said Act, by a majority of the Governing Body of the said College within the meaning of the said Act, and which Statute is in the words following, that is to say—

That no preference shall hereafter be given to any person in elections to any Fellowship now existing within the College of St. John the Evangelist, in the University of Cambridge, in respect of such person's place of birth, or of his being, or having been, a Scholar on any Foundation in the said College, or of his being of the name, lineage, kindred, or consanguinity of any person named in any charter, will, deed of composition, or other instrument of foundation or endowment of the said College, or of his having been a chorister in any Collegiate or Capitular Church, or of his having been a scholar in any school named in any charter, will, deed of composition, or other instrument of foundation or endowment of the said College, or of his being in Holy Orders at the time of such election. And that no person being a British subject, shall be ineligible by reason of the place of his birth to any Fellowship now existing in the said College; nor shall any person hereafter elected to any Fellowship now existing in the said College be required to enter into Holy Orders sooner than the other Fellows of the said College by reason of any direction to that effect contained in any charter, will, deed of composition, or other instrument of foundation or endowment of the said College.

And having further had under our consideration a Statute for abolishing all rights of preference, whether in respect of place of birth or education, or otherwise in the election to any Scholarship, Exhibition or other emolument in the said College, and for rendering all persons being British subjects eligible to any such Scholarship, Exhibition or other emolument, (but without prejudice to any existing interest saved by the said Act and saving the rights of Schools in certain cases as provided by the said Act) which Statute has been duly submitted to us in pursuance of the provisions of the said Act by a majority of the Governing Body of the said College within the meaning of the said Act, and which Statute is in the words following: that is to say—

That no preference shall hereafter be given to any person in election to any Scholarship, Exhibition, or other emolument now existing within the said College, in respect of such person's place of birth, or of his being of the name, lineage, kindred, or consanguinity of any person named in any charter, will, deed of composition, or other instrument of foundation or endowment of the said College, or of his having been a chorister in any Collegiate or Capitular Church, or of his having been a scholar or pupil in any school or other place of education which has not enjoyed or exercised any such right of preference on the occurrence of any one of the three occasions next before the passing of the aforesaid Act of Parliament, on which occasion such right might have been exercised or enjoyed, or in

respect of his father's being or having been in Holy Orders, or of his father's not possessing or not having possessed more than any fixed yearly income mentioned in any charter, will, deed of composition, or other instrument of foundation or endowment of the said College. And that no person being a British subject shall be ineligible, by reason of the place of his birth to any Scholarship, Exhibition, or other emolument in the said College.

Now, We, the said Commissioners, by virtue of the powers vested in us by the said Acts, do hereby approve of the said Statutes in the words and form above recited.

Given under our Common Seal, this twenty-second day of May, in the year of our Lord one thousand eight hundred and fifty-seven.



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