

**General report of the Commissioners under the Universities (Scotland) Act, 1858 : with an appendix containing ordinances, minutes, reports on special subjects, and other documents / Scottish Universities Commission.**

**Contributors**

Scottish Universities Commission.  
Royal College of Physicians of Edinburgh

**Publication/Creation**

Edinburgh : printed by Murray and Gibb for H.M.S.O, 1863.

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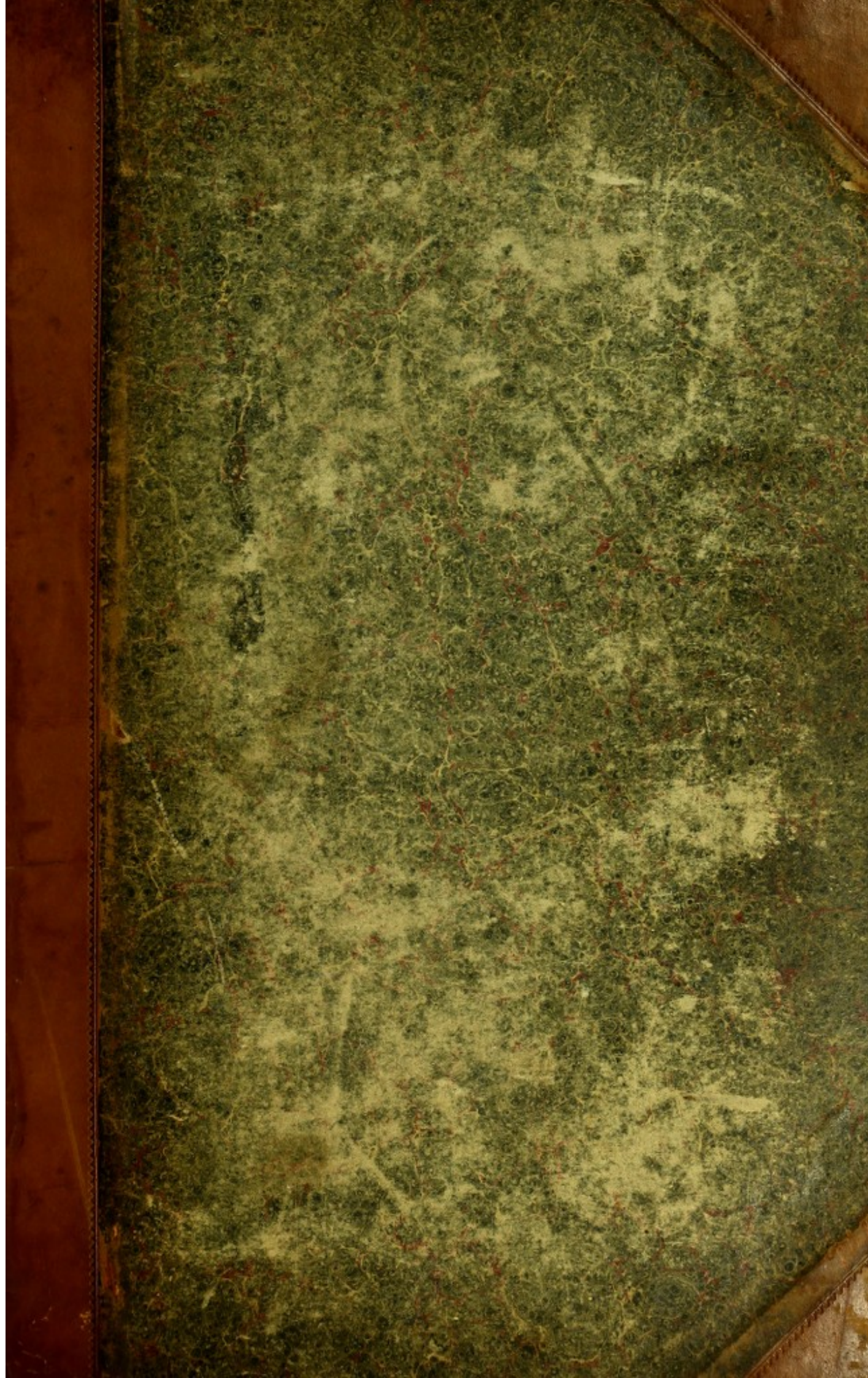
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SCOTTISH UNIVERSITIES COMMISSION.

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GENERAL REPORT

OF

THE COMMISSIONERS

UNDER

THE UNIVERSITIES (SCOTLAND) ACT, 1858.

WITH AN

A P P E N D I X,

CONTAINING

ORDINANCES, MINUTES, REPORTS ON SPECIAL SUBJECTS,  
AND OTHER DOCUMENTS.



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Presented to both Houses of Parliament by Command of Her Majesty.

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1863.

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# GENERAL REPORT.

## TO THE QUEEN'S MOST EXCELLENT MAJESTY.

WE, the undersigned Commissioners under the Act of the twenty-first and twenty-second years of Your Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the two Universities and Colleges of Aberdeen,' beg leave humbly to lay before Your Majesty the following Report.

Introduction.

The Act having received the Royal assent on the 2d of August 1858, we forthwith proceeded in the discharge of our duties as Commissioners, to carry out its provisions.

By certain sections of the Act, and in particular by the fifteenth and eighteenth sections, our powers, as Commissioners, were prescribed and defined. These included the arrangement of the financial affairs of the several Universities and Colleges, the foundation of new Professorships, the regulation of the course of study and of examinations for degrees, the revision of foundations, and the regulation of various other matters specified in the Act. In addition to these powers, applicable to all the Universities, special duties were imposed on us in the University of Aberdeen, the first section of the Act having united the two Universities of King's College and Marischal College into one University and College, and the eighteenth section having committed to us the arrangement of many important details, which the union of two separate and independent Universities and Colleges necessarily involved.

By the fourteenth section it was enacted, that our powers as Commissioners should be in force until the 1st of January 1862, and that it should be lawful for Your Majesty, by and with the advice of the Privy Council, to continue them until the 1st of January 1863. The powers with which we were thus invested being of a very extensive character, the Legislature provided that full publicity should be given to our Ordinances, and ample opportunity of objecting to them afforded to all concerned, before they should obtain the force of law. The various stages, through which in this manner it was required that every Ordinance should pass, caused considerable delay in the course of our proceedings; and partly from this cause, but mainly in consequence of the large range of subjects with which we had to deal, it was found necessary, under the provisions of the Act, to continue our powers until the 1st of January 1863.

Our minutes show that we have held 126 general meetings; in addition to which, however, there have been numerous meetings of Committees, specially appointed for collecting information, and for the arrangement and preparation of business.

In this Report we propose to explain generally the nature and effect of the Ordinances which we have issued in the exercise of our powers, and the position in which the Universities have been placed by the combined operation of the statute and of our Ordinances.

Changes of considerable importance in the constitution of the Universities of Scotland have been introduced by the provisions of the Universities Act. Previously, the whole administration of the affairs of each of the Universities of St Andrew's, Glasgow, and Aberdeen was practically vested in the Senatus Academicus, who managed the property, superintended the discipline, and regulated the system of graduation. In the University of Edinburgh the Senatus Academicus possessed little power; and the functions, which belonged to that body in the other Universities, were in Edinburgh performed for the most part by the Municipal Corporation of the city.

Changes in the government of the Universities effected by the Act.

Under the Universities Act, the ordinary administration of the affairs of each of the Universities is now vested in the Senatus Academicus. But the Act introduced into each University a new governing body, called the University Court, defining its constitution, and regulating its powers and functions; providing that it shall be a court of appeal from the Senatus Academicus, that it shall possess a certain jurisdiction over

University Courts.

University Courts. individual Professors, that it shall control the administration by the *Senatus Academicus*, or Principal and Professors of any College, of the property of the University or College, and that it shall exercise other powers, which invest it with an important influence in the conduct of University affairs.

General Councils. The Act has further established in each University a General Council, consisting, besides the Chancellor, the members of the University Court, and the Professors, of all Masters of Arts of the University, and of all Doctors of Medicine of the University, who have, as matriculated students, given regular attendance on classes in any of the Faculties therein during four complete sessions. In addition to these, the Act provides, that the General Council shall include 'all persons who, within three years from and after the passing of this Act, shall establish to the satisfaction of the Commissioners hereinafter appointed, that they have, as matriculated students, given regular attendance on the course of study in the University for four complete sessions, or such regular attendance for three complete sessions in the University, and regular attendance for one such complete session in any other Scottish University, the attendance for at least two of such sessions having been on the course of study in the Faculty of Arts.'

This provision for admitting, within three years after the date of the Act, to the right of membership in the General Council, persons who had given attendance as students during a certain period at the University, but who had not taken a degree, was, no doubt, introduced on the consideration, that, in the Universities of Edinburgh, Glasgow, and St Andrew's, the practice of graduating in Arts had for many years fallen very much into disuse; and that to have limited to graduates the right of becoming members would, in these Universities, have been to exclude from the General Council many persons who had received their education in the University, and who, had they been aware of the privilege which would be opened to them, would probably have proceeded to a degree in Arts. The provision, however, was very properly made of a temporary nature only, so that, in future, none but graduates should be admitted to the Council.

Duties of Commissioners as to constitution of General Councils.

To guide us in the discharge of the duty of deciding on the claims of persons for admission to the General Council on the ground of attendance and study in the University, we considered very carefully the import and bearing of the provisions of the Act; and also obtained full information in regard to the course of study in each University, and the means of proving their matriculation and attendance, which claimants could obtain from the University records. We then announced, by advertisement in the newspapers, the conditions with which we should require claimants to comply, and the nature of the evidence we should expect them to adduce. During the period of three years allowed by the Act, numerous claims were submitted to us; and we used the utmost care to arrive at a proper decision in regard to each. In all, we investigated in the University of Edinburgh the claims of 1964 persons, of which 1862 were allowed; in the University of Glasgow, those of 1143 persons, of which 1032 were allowed; and in the University of St Andrew's, those of 320 persons, of which 309 were allowed. In the University of Aberdeen the number of claimants was comparatively small, in consequence of the practice of graduation in Arts having been generally observed both in King's and in Marischal College. The number of claims, which we investigated in that University, was 179, of which 150 were allowed.

The entire number of registered members in the General Council of each of the Universities varies considerably year by year, and is by no means represented by the number of persons who established their claims before us under the special provision of the Act which we have just explained.

Registration of members of General Councils.

It is provided by the Act, that no person shall be a member of the General Council, until he has attained the age of twenty-one years, and has his name registered in a book to be kept for the purpose by each University, for which registration an annual fee is payable. The amount of this fee, which was left to be determined by us, we have fixed by Ordinance in each University at five shillings for the first registration of each member, and two shillings and sixpence for each subsequent year. We have also authorized members to compound, by a single payment of one pound, for all future payments of the fee of two shillings and sixpence.

App. pp. 36, 41, 48, 56.

University Meetings.

App. p. 19.

The Act contained certain provisions for regulating meetings of the several University bodies; but, subject to these provisions, it empowered us to regulate all University meetings. In the exercise of this power we have issued one general Ordinance (No. 11), applicable to all the Universities, which contains regulations as to the meetings both of the General Council and the University Court.

In regard to the latter body, the Act had not provided for the possible absence of the Rector; and it became, therefore, necessary for us to direct who should be the president of the Court in his absence, and what rule should prevail in case of an equality of votes among the members present.

The same Ordinance contains a clause regulating the elections of Chancellor and of Assessor in the University Court by the General Council. The Act had directed that these officers should be elected by the members of the General Council at large, but had not made provision for admitting the votes of members absent from the meeting at which an election was to take place. Where, therefore, more candidates than one were nominated for the same office, it was necessary for persons to repair to the University seat from distant parts of the country in order to record their votes. To obviate the inconvenience thus occasioned, we resolved, after much consideration, to establish a system by which members of the General Council should be enabled, in elections of these officers, to give their votes by letter. The system, which we introduced for this purpose, is regulated minutely by the provisions of the 9th section of the Ordinance No. 11. By that section it is directed, that, in case of a poll being demanded at a meeting for the election of a Chancellor or Assessor by the proposer or seconder of any candidate, the University Registrar shall, on the day next but one after the day of meeting, send through the post to each member, resident in the United Kingdom, a voting letter in the form given in the first schedule to the Ordinance, with all the blanks filled up, except the name of the person for whom the member votes, and the signature of the member; and that such letter shall be accompanied by a letter of intimation from the Registrar, stating the names of the persons nominated, and the names of their respective proposers and seconders, and requesting the member, if he desires to vote in the election, to insert in the voting letter the name of the candidate for whom he votes, and after signing it to transmit the letter to the Registrar at the University, so as to reach him not later than twenty-one days after the day of meeting. The Ordinance provides that the candidate, for whom the largest number of votes shall be returned within that time, shall be declared to be duly elected as from the day of meeting. In conducting elections in this manner we thought it essential, that the distribution of the voting letters should be entrusted exclusively to the University Registrar. While, therefore, we empowered the Registrar, on receiving an application to that effect from any member, to deliver his voting letter to such member personally, instead of transmitting it through the post, we directed that he should not in any case deliver it to another member, or to any other person, but should either send it through the post or deliver it personally to each member. The Ordinance expressly provides, that no vote shall be reckoned in the election, which is not returned under the signature of a member to the Registrar, in a voting letter issued as the Ordinance directs. As far as opportunity has yet been afforded for testing the operation of this system, it has been found successful. A system of a similar nature had previously been adopted in King's College, Aberdeen, in conducting elections by the graduates of that University, and had also been found satisfactory in its operation.

Elections of Chancellor and Assessor by General Council.

App. p. 19.

One of the most important duties imposed on us by the Act was the regulation of the financial affairs of the different Universities and Colleges, and the providing for the support of existing Professorships, for the remuneration of Assistants, and for the endowment of such new Professorships as should appear to us to be necessary, and which the Act empowered us to found by Ordinance.

Financial arrangements.

The powers conferred on us for these purposes are set out and defined in sections XV. 6, XV. 7, and XV. 8 of the Act.

In a measure having for its object to strengthen and improve the Universities of Scotland, it necessarily formed an essential feature to provide means for relieving them in some degree of the pecuniary difficulties, with which they have long had to contend. In these Universities the benefits of a liberal education are afforded to a large number of persons at a comparatively small expense. The average number of students may be taken as represented by the number in last session, 1862-3, which was 3459; viz., in St Andrew's 174, in Glasgow 1266, in Aberdeen 591, and in Edinburgh 1428. The average of the University payments made by each student amounts annually to about L.9. While thus bearing a large share in the general education of the country, the Universities have been much embarrassed by the inadequacy of their endowments; and it was therefore thought expedient by the Legislature that, in addition to the sums formerly voted by Parliament, in continuance mainly of ancient grants from the Crown, such additional provision should be made from the public funds, as we should consider it our duty to recommend. Accordingly, the Commissioners of the Treasury were, by section XXI., empowered to pay, out of moneys to be provided by Parliament for the purpose, such sums as we should recommend to be paid for any one or more of the following purposes, viz. : (1) for providing retiring allowances to aged and infirm Principals and Professors; (2) for providing additional teaching by means of Assistants to the Professors in any Professorships already established or to be established; (3) for providing remuneration to the Examiners appointed in pursuance of the Act; (4) for increasing the salaries

Financial arrange-  
ments.

presently attached to existing Professorships, and to any other offices in the University; (5) for the endowment of new Professorships; and (6) for providing full compensation to the existing holders of Professorships or other offices, for the loss of emoluments, consequent on the abolition or conjunction of such Professorships or other offices, in the then existing Universities and Colleges of Aberdeen.

The Act further provided, 'that the whole of such payments shall be subject to whatever rules, statutes, and ordinances the Commissioners herein appointed shall from time to time see fit to prescribe in reference thereto.'

We shall now explain the present financial position of each of the Universities, and the manner in which it has been affected by the Ordinances we have issued in pursuance of these sections of the Act.

## ST ANDREW'S.

University and Col-  
leges of St Andrew's.

In the University of St Andrew's there are three distinct corporations, the finance of each of which requires to be separately considered. These are the United College of St Salvator and St Leonard, St Mary's College, and the University. The United College was incorporated in the year 1747, by an Act, 20 Geo. II., c. 32, uniting the two ancient Colleges of St Salvator and St Leonard, founded respectively in the years 1455 and 1512. This College now consists of the Principal and the nine Professors of Greek, Logic, Moral Philosophy, Natural Philosophy, Humanity, Civil and Natural History, Mathematics, Medicine, and Chemistry. All of these Professors, with the exception of the Professor of Chemistry, are members of the College, in virtue of the Act of incorporation. The Professorship of Chemistry was instituted in 1840, from a private endowment by Dr John Gray, of Paddington. Doubts had been entertained as to the position and rights of the Professor, and we thought it, therefore, expedient to provide by the Ordinance No. 21, section xi., that he shall be a Professor in the United College and also in the University, subject, however, to the condition, that he shall not be thereby entitled to any payment from the common stock or revenues of the College. St Mary's College was founded in 1537, and for a long period, it has been devoted exclusively to the study of Theology, under the provisions of an Act of the Scottish Parliament. It consists of four members, viz., the Principal, who is also *primarius* Professor of Divinity, a second Master, who, under the Ordinance No. 21, section xii. 3, will hereafter be styled Professor of Divinity and Biblical Criticism, a Professor of Divinity and Ecclesiastical History, and a Professor of Hebrew and Oriental Languages. The *Senatus Academicus* of the University of St Andrew's consists of the Principals and Professors of the two Colleges.

App., p. 35.

App., p. 35.

United College.

In the United College we found, when we began our inquiries, the same system of administration prevailing, as existed at the period of the returns to the General Royal Commission of 1826-30, and to the St Andrew's University Commission of 1840.

In particular, the distribution of the surplus revenue of the College among the Principal and Professors, under the name of Diet Money, remained unaltered. It was pointed out by both of those Commissions, that such an appropriation of the surplus income was not justified by the terms of the Act 20 Geo. II., c. 32, incorporating the College, and that it appeared to have been made without authority. Unquestionably, however, a restriction of the Professors' salaries to those, which the Act of Parliament had fixed, would have involved considerable hardship; and we were not surprised, therefore, to find that the practice, which had prevailed since the year 1784, had not been disturbed.

At the same time, a system of dividing the free revenue among the Professors is attended with a certain risk; and we think that, in this College, its effect is apparent in the progress of the debt, with which the College property is burdened.

From the Report of the St Andrew's University Commission of 1840 it appears, that the debt of the United College, which on 1st June 1829 amounted to L.4624, 9s. 1½d., had on 1st July 1840 increased to L.5043, 9s. 2½d. At Candlemas 1860, the amount had further increased to L.9228, 14s. 2d.

Rep. of Comm. of  
1826, p. 393.  
Rep. of Comm. of  
1840, p. v.

Rep. of Comm. of  
1840, p. v.

App. p. 36.

In the schedule appended to our Ordinance No. 21, the gross income of the College, before making any deduction for interest of debt, public burdens, expenses of management, or other charges, is estimated at L.3753, 7s. 8d., of which L.2981, 12s. 7d. represents income arising from rent of land. The estimate of the rent exceeds the average of the actual receipts for some years, in consequence of our having included an allowance for a prospective rise of rent on several of the College farms. This expected increase is the result, in a great measure, of improvements on the farms, on which considerable sums have of late years been expended by the College, thus adding largely to the amount of the debt.

We have every reason to believe that the expenditure on these improvements has been a wise outlay on the part of the College. But it must always be a matter of doubt, whether such improvements are productive of permanent or temporary benefit; and, in borrowing money for the purpose, provision ought, on each occasion, to have been made for repayment of the amount within a certain limited period. The College, however, had proceeded on the principle of charging this expenditure entirely against capital, and the necessary result is seen in the progressive increase in the amount of the debt.

But, in addition to the operation of this cause, it appears that, in distributing the annual revenue, the Principal and Professors had not in each year had sufficient regard to what really was the free income of such year. From 1848 to 1856 considerable over-payments were annually made to the members of the College, amounting in all to L.1688, 13s. 6d., and during that period the debt was increased by L.3025, 4s. 5d. On the other hand, the effect of such over-payments had been in a great measure counteracted, through the existence of a surplus prior to 1848, and by a saving in the four years subsequent to 1856.

The increase of the permanent debt of the College was well calculated to raise doubts as to the soundness of the system of administration which was being pursued, and to excite apprehension for the future. The subject accordingly engaged the attention of the present Principal of the College, shortly after his appointment to the office in 1859; and in 1860 it was thought prudent by the College to seek the advice of professional accountants. The gentlemen, who were then consulted, made a careful examination of the accounts for a period of twenty-one years; and thereafter submitted a Report, in which the errors of administration to which we have adverted were pointed out, and valuable suggestions were also made for the future guidance of the Principal and Professors. In particular, the necessity of immediate steps being taken to provide for the extinction of the existing debt was strongly insisted on.

This Report was communicated to us by the Principal and Professors, who, at the same time, submitted for our consideration, in a memorial, such arrangements as they thought most expedient for giving effect to the recommendations of the accountants. These included a proposal for repaying L.4000 of the debt, by means of a terminable annuity chargeable on the College revenues; and also a scheme for extinguishing a farther sum of L.4000 of the debt, by a grant to the College of that amount from the funds of the University.

In explanation of this part of the proposed arrangements, it is necessary to state, that at an early period in the course of our proceedings, viz., in June 1859, the *Senatus Academicus* of the University of St Andrew's, which consists, as we have stated, of the Principals and Professors of the two Colleges, brought under our notice an increase which had taken place in the amount of the capital fund belonging to the University, through profits arising from medical graduation fees; and suggested to us the expediency of appropriating part of the fund to increase the salaries of the Professors of the Colleges. This suggestion subsequently assumed a more definite shape, in a minute of the *Senatus* of 17th March 1860, submitting for our sanction the proposal, that from the capital of the University, which then amounted in all to between L.8000 and L.9000, the sum of L.5000 should be set apart for division between the two Colleges, in the proportions of two parts to the United College, and one part to St Mary's College. The remainder of the year 1860 having brought farther additions to the University capital from medical graduation fees, the *Senatus Academicus* subsequently proposed that the sum to be divided between the two Colleges should be increased to L.6000, of which the share of the United College should be L.4000. This sum the Principal and Professors were desirous to apply, as already mentioned, in part liquidation of the debt on the College revenues.

Even if the state of the University finance had not been such as to render it impossible for us, on mere grounds of expediency, to sanction the alienation of any portion of its capital, we should probably have found that there were insuperable legal objections to the course which the *Senatus Academicus* proposed for our adoption. The University is a separate corporation, distinct altogether from the Colleges; and there was no provision in the Universities Act, under which authority could be shown for the transfer to them of any portion of its capital.

But we found also, that the *Senatus Academicus* had proceeded on a very serious under-estimate of the expenditure and requirements of the University. In a return, furnished in June 1859 at our request in connection with this subject, they stated the average annual expenditure of the University, exclusive of the cost of books, at L.246, 4s. 6d. On obtaining, subsequently, a return of the University accounts for each of a series of years, we ascertained that the actual expenditure, excluding cost of books, on an average of the six years ending with 1860, had exceeded L.650.

To meet this expenditure, the University then possessed no other means, besides the in-

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terest on its capital of between L.8000 and L.9000, than a revenue from medical graduation fees; and this revenue was liable to be seriously affected by regulations, which we anticipated we should find it necessary to introduce, in order to bring the conditions of medical graduation in St Andrew's more into conformity with those of the other Universities of Scotland. It seemed probable, therefore, that the income of the University would be found insufficient even for its ordinary proper expenditure; and it was abundantly clear that its financial position was not such, as to justify any diminution of its available means.

Among the arrangements for extinguishing the debt on the revenues of the United College, recommended by the accountants, and suggested to us by the Principal and Professors, was the sale of a portion of the College lands, or of feu-duties, to the value of L.2000. Such an alienation of the corporate property would have been injurious to the permanent interests of the College, and we saw the strongest grounds for declining to sanction it.

Under these circumstances, the course, which we resolved to adopt for extinguishing the debt, was to burden the revenues of the College for a certain period with an annuity for the purpose. This we were empowered to do by section XV. 8 of the Universities Act, authorizing us to provide, 'by means of any of the funds, property, rents, revenues, and endowments of any University or College, for the payment and extinction of any debts forming a present burden on such rents, revenues, or endowments respectively.'

App., p. 34.

Accordingly, in the Ordinance No. 21, which we issued on 25th November 1861, relative to the financial arrangements of the two Colleges and the University of St Andrew's, we provided by section i., that the first purpose to which the revenues of the common stock of the United College, after deducting necessary charges, should be applied, should be the 'payment of an annuity of such amount as shall be sufficient, within a period not exceeding thirty years from the term of Martinmas in the year 1862, to extinguish the debt now forming a burden on the said common stock, exclusive of any sum now charged thereon for payment of bursaries; such annuity to continue for the said period of thirty years, or until the said debt, towards the extinction of which the same is hereby directed to be paid, shall be extinguished, and then to cease and determine.'

App., p. 37.

At the time when the Ordinance was issued, fresh obligations were being incurred by the College for outlay on improvements; and we had reason to expect, that the total debt, for which it would be necessary to make provision, would fall little, if at all, short of L.10,000, the sum given as a probable estimate in the schedule attached to the Ordinance. That sum, we have since been informed, is the actual amount of the debt, for which provision has been made under the directions of the Ordinance.

By the same Ordinance we further provided, that, before the allocation of any share of the revenues to the salaries of the Principal and Professors, there should be paid in each year, towards a reserve College fund, a sum equal to 5 per cent. on the balance of the free income remaining after deduction of the above-mentioned annuity, and of the annual charge for bursaries to which the College is liable. This provision, we believe, will have a favourable influence on the future administration of the College funds; and, in order to secure its strict observance, the Ordinance provides by the subsequent section xiii., applicable both to the United College and to St Mary's College, in which a similar fund is established, that no payment shall in any case be made from the reserve fund of either College, unless the authority of the University Court for such payment shall previously have been obtained.

The Ordinance then authorizes the payment, in addition to the salaries fixed by the Act 20 Geo. II., c. 32, of the residue of the annual revenues to the Principal and Professors, in certain proportions specified in the Ordinance.

The emoluments of the several Chairs from College revenues as thus appropriated, from sums previously voted by Parliament, and from class fees, would have been clearly inadequate without some addition from the public funds. In order, therefore, to supplement these emoluments, we recommended that additional sums, amounting in the aggregate to L.844, 1s., should be provided from moneys to be voted by Parliament, for the Principal and the nine Professors in the College, including the Professor of Chemistry on the foundation of Dr Gray. The distribution of that sum among the different Chairs is regulated by the Ordinance.

The incomes of the Professors in the United College from class fees can never be expected to be so large, as those of the Professors of the same branches in the other Universities, whose classes are more numerous. We think, however, that there are grounds to hope, that they will not again fall so low, as we found them to be at the time when we began our investigations. For some years prior to 1859 the number of students in the College had been undergoing a serious and constant diminution. From 148 in session 1853-4 it had fallen gradually to 98 in 1858-9, a number much below the average of the returns to former Commissions. This falling off, we believe, arose in a

great measure from four of the nine Professors in the College being at one time incapacitated by age or permanent infirmity for the performance of their duties. As there was then no provision for the retirement of aged or infirm Professors, the classes of these gentlemen, including the important classes of Latin, Greek, and Mathematics, were necessarily conducted by assistants or substitutes. The deaths of the Professors of Latin, Greek, and Mathematics, terminated this unfortunate condition of the College, in so far as their classes were concerned; and a very decided increase in the number of students immediately followed the appointment of new Professors, in 1858 and 1859. In session 1859-60 the number rose from 98 in the previous session to 110, in 1860-1 to 113, in 1861-2 to 137, and in 1862-3 to 146, showing an increase in four years of very nearly 50 per cent.

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These numbers illustrate very forcibly the evil effects of the practice, which formerly prevailed, of conducting a class by deputy, in cases where the Professor had become unfit for his duties. All occasion, however, for such an expedient has now been removed by the provision made, under the authority of the Universities Act, for retiring allowances to aged and infirm Professors.

The administration of the funds of St Mary's College, since the period of the returns to the Royal Commission of 1840, seems to have been conducted with due care and prudence, and the College has been kept almost entirely free of debt.

St Mary's College.

A change in the investment of about L.5200 of the capital belonging to the College has been made during the years from 1844 to 1851, through the purchase of land with sums which had previously been lent out at interest. This change of investment may not as yet have brought an addition to the revenue, but we believe that it has proceeded from a wise regard to the future interests of the College.

The average incomes of the Principal and Professors from endowment have in recent years approximated very closely to those given in the returns to the Commission of 1840. A small diminution has taken place, in consequence of a certain additional loss of revenue from teinds, through augmentations of ministers' stipends; but this diminution has been more than compensated by receipts from class fees, which were imposed for the first time in this College in the year 1855. The average income of each of the four members of the College, from endowment and fees, for the five years preceding 1858 was as follows:—Principal, L.365, 5s. 3d.; Second Master and Professor of Divinity, L.339, 16s. 11d.; Professor of Ecclesiastical History, L.377, 5s. 6d.; Professor of Hebrew, L.302, 5s. 9d. The Principal continues to have, as formerly, an official residence.

The inadequacy of the emoluments of the Professors of St Mary's College, and the means of supplementing them, engaged our attention at an early stage of our proceedings; and we received representations on the subject, on more than one occasion, from the Professors themselves. It formed part of the proposal, already mentioned, of the Senatus Academicus for the distribution of part of the University funds between the two Colleges, that L.2000 should be appropriated to St Mary's College; and a farther recommendation, subordinate however to the former, was submitted to us by the Senatus, that a special allowance of a temporary nature should be provided from the revenues of the University, for securing an immediate addition to the income of the Principal of this College. With these recommendations the state of the University finances, to which the Senatus had not had sufficient regard, rendered it impossible for us to comply.

The only arrangement which, after much consideration, appeared to us to be practicable, for improving the position of the Professors of St Mary's College, we explained in a Report, addressed in June 1859 to Your Majesty's Government, on the Faculties of Divinity in the several Universities. In that Report we recommended, as regards this College, that, when an opportunity occurred, one-sixth of the revenues of the Deanery of the Chapel Royal in Scotland should be assigned as an endowment to the Chair of Ecclesiastical History; and that, upon such endowment taking effect, certain portions of the emoluments heretofore attached to that Chair should be applied in supplementing those of the Principal and the Second Professor of Divinity. Having subsequently been given to understand, that Your Majesty would be pleased to give effect to our recommendation as to the disposal of the revenues of the Deanery, we provided by the Ordinance No. 21, that the necessary changes in the appropriation of the endowment of the Professor of Ecclesiastical History should come into operation, from the commencement of the first financial year of the College, after it should have pleased Your Majesty to make provision for that Professorship in the manner we had ventured to suggest. The opportunity for carrying out these arrangements having recently presented itself, Your Majesty has been pleased to endow the Chair of Ecclesiastical History with one-sixth of the Deanery revenues; and the arrangements contemplated by the Ordinance have come, or will immediately come, into operation.

Rep. on Faculties of  
Divinity. App., p.  
174.

App. p. 35.

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Among other changes, the Ordinance, by uniting into one fund the whole revenues of the College, 'from whatever source arising,' abolishes an inconvenient arrangement, which has heretofore prevailed, of treating several small portions of the College lands as attached to particular Professorships, and placing them under a separate administration from the rest of the property.

The Ordinance also directs, as in the case of the United College, that a sum equal to 5 per cent. of the revenue in each year, after deducting charges for burdens and management, shall be paid towards a reserve fund, before any appropriation of the income is made among the Professors.

To augment the income of the Professor of Hebrew and Oriental Languages in this College, we have recommended an additional provision of L.100 a year from the public funds.

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The recent history of the finance of the University of St Andrew's is worthy of particular notice.

App. No. 1 to Rep.  
of Comm. of 1840,  
pp. 7, 11.

From the returns to the St Andrew's University Commission of 1840, we learn that the whole capital of the University, which in 1834 had amounted only to L.2278, 7s., had increased in January 1840 to L.3495. In January 1854, the first year for which we obtained returns, the capital had further increased to L.6986, 13s. 3½d.; and, in the period between that date and the commencement of the present year, the accessions which it received were so large, that, on the 29th of January 1863, it amounted to L.15,455, 5s. 8d., consisting of the following items:—

Value of Land,	L.2600	0	0
„ Feu-duties,	770	0	0
Debt due by St Mary's College,	100	0	0
Invested in Railway Shares,	570	0	0
Loans on Property,	5438	4	0
Cash in Bank, and in hand,	5977	1	8
	<u>L.15,455</u>	<u>5</u>	<u>8</u>

It has been explained to us, that this sum is subject to a slight deduction for certain expenses incurred in conducting examinations for medical degrees in the course of last year; but, making allowance for this deduction, the amount of the capital may safely be estimated at L.15,300.

This striking increase in the University capital, from L.3495 in 1840 to L.6986 in 1854, and again to L.15,300 in 1863, has been caused by a large annual surplus income from medical graduation fees. Had it not been for the income from that source, there would, in each of the nine years from 1854 to 1863, have been a considerable, and in many of them a very large, deficiency of revenue as compared with expenditure; but, by means of that income, not only has the revenue fully met the expenditure, but, after large payments to individual Professors, there has remained a clear annual surplus, of such an amount as, within that short period, to augment the capital by above L.8000. Of this sum, as much as L.6000 has been added to the capital in the two years 1861 and 1862.

The number of medical degrees conferred by the University of St Andrew's during the period in question has been very large, and is as follows:—

Years.	Number of Degrees.	Years.	Number of Degrees.
1854,	65	1860,	84
1855,	53	1861,	107
1856,	84	1862,	604
1857,	68		
1858,	73	Total for nine years,	1231
1859,	93		

The very large number (604) of degrees conferred in 1862 is accounted for by the circumstance, that from the 1st of January 1863 new and more stringent regulations for graduation in Medicine, than had previously been in force in this University, were to come into operation under our Ordinance No. 19. The views, on which we proceeded in framing that Ordinance, we had an opportunity of fully explaining in our Report to Your Majesty in Council of 20th December 1861, on the petitions which the Governors of certain of the London Hospitals had presented against its approval. The principal object, which we proposed to ourselves in the Ordinance, was to insure that no degrees should be conferred, except on persons possessed of sufficiently high qualifications; and we foresaw that, by

the introduction of regulations securing that end, the result would almost necessarily follow, that the number of degrees conferred would be very greatly diminished. Such a result, however, we could not regret in the case of a University possessing no Medical School. But for the narrow state of its finances, we are satisfied that the University of St Andrew's would have seen its true interest to be, to abstain from looking to fees for medical degrees as a source from which to supplement its general income. Any necessity for doing so has now been removed by the change in its financial position, which the accumulations of recent years have effected.

The funds of the University, indeed, which formerly, until recourse was had to a system of medical graduation on a large scale, were quite inadequate for its requirements, may now be regarded as sufficient, although not more than sufficient, to meet its ordinary proper expenditure. The actual expenditure of recent years has a little exceeded L.650 a year; but for some University purposes a more liberal allowance ought to be made than has been hitherto afforded, as for salaries of Librarians, and the expenses of illustration in certain classes. The Senatus Academicus is now fully alive to the necessity of making due provision for the University expenditure; and, in a memorial submitted to us on the subject in the course of last year, they estimated—very fairly, as we consider—the future expenditure at L.713.

To meet this expenditure the available income of the University may be estimated, as nearly as possible, at L.800, consisting of about L.600 from the interest of its capital of L.15,300, and L.200 from matriculation and examination fees and miscellaneous receipts.

In this estimate the rate of interest on the capital is taken at about 4 per cent. It is possible that the immediate return might be smaller, if the capital were, as only a very small portion now is, invested in land. But such an investment has the important advantage of securing the corporate property against the gradual depreciation in value, to which investments returning a fixed amount in money are exposed. We are strongly of opinion, therefore, that it would be for the interest of the University, to convert such portions of its capital, as are now otherwise invested, into land, as favourable opportunities may present themselves.

The Ordinance No. 21 prohibits any payment from the revenues of the University to a member of the Senatus Academicus in virtue of his office, with the proviso, however, that it is not intended thereby to prevent the Senatus, with the approval of the University Court, from paying out of such revenues a reasonable remuneration for any extraordinary or special service rendered by a Principal or Professor. App. p. 36.

Hitherto a certain share of graduation fees has been payable to particular Professors, but it is clearly necessary that those who examine for degrees should not have a pecuniary interest in increasing the number of candidates. The Ordinance, therefore, provides that all such fees shall in future be paid to the general funds of the University. This provision is subject to a temporary interest conceded to the present Professor of Medicine during his incumbency. A similar interest allowed to the late Professor of Chemistry ceased on his retirement, in the course of last year.

In speaking of the expenditure of the University, we have not included the cost of the purchase of books. That expense is met from the annual allowance under the Copyright Act, in lieu of the privilege of Stationers' Hall, which allowance, in the University of St Andrew's, has been fixed at L.630 a year.

No allowance has been made for the expense of maintaining the buildings. That charge is now borne by the Government, neither the Colleges nor the University possessing sufficient funds for the purpose. The repairs were formerly left to the University or College authorities; but the result of this course was found to be, that the buildings were allowed to fall into a ruinous state, and that the Government was then called on to restore them, and to undertake their charge under most unfavourable circumstances. In this way it became necessary, not many years ago, to erect new buildings for the United College at the public expense. Since that period the entire charge of the buildings has been undertaken by the Department of Works.

A College Hall, for the residence of a limited number of students, has been established in St Andrew's, since we began our labours. Besides the advantages of a common residence under the superintendence of tutors attached to the Hall, the students are provided with assistance in the prosecution of their studies. The institution of this Hall has been attended with marked success, and we think it not unreasonable to suppose, that it may have conduced in some degree to the increase, which has recently taken place, in the number of students at the United College.

## GLASGOW.

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Glasgow.

In Glasgow the Universities Act had, by section XXVI., the immediate effect of putting an end to the distinction between the University and the College, as two distinct corporations. This distinction, which appears first to have assumed importance after the appointment of a Professor of Astronomy in the year 1760, was expressly recognised by legal decision, on the institution of a Professorship of Natural History in 1807, the holder of which Chair, although a Professor of the University, was declared not to be entitled 'to infringe upon or participate in the patronage and patrimonial and other rights of the present Professors of the College of Glasgow.' Between the date of the institution of this Professorship and the passing of the Universities Act, eight new Chairs—those of Surgery, Midwifery, Chemistry, Botany, Materia Medica, Institutes of Medicine, Forensic Medicine, and Civil Engineering—had been erected by the Crown, and were regarded, like that of Natural History, as Professorships in the University, but not in the College. In 1854, the Officers of the Crown, dissatisfied with the decision which had been pronounced in the case of the Professorship of Natural History, which, they contended, was not binding on the Crown, raised an action of declarator for the purpose of having it declared, that the supposed distinction between the University and the College was not rested on solid grounds, and that the holders of all Professorships instituted by the Crown became members of the one corporation of the University or College of Glasgow. While this action was still pending, the Universities Act was passed; and farther litigation was rendered unnecessary, by the provision, in the 26th section, that all Professors of the University admitted to Chairs previously established, or which might thereafter be established therein, should be deemed to be, and should be, Professors of the University and College of Glasgow, and should all equally exercise the whole rights and functions, which had previously been exercised by any portion of such Professors. To this enactment, however, the proviso was attached, that no claim was thereby given to any participation in the income or emoluments already appropriated to existing Chairs in the University and College.

Thus all the property and revenues formerly regarded as belonging to the College alone, as distinct from the University, are now vested in the University, and are subject to the administration of the *Senatus Academicus*.

The returns which have been furnished to us bear evidence, that, during the period to which they relate, the administration of the University property has been conducted in a judicious manner, and also with a liberal regard to the interests of education.

The gross revenue of the University, free of income tax, as ascertained on an average of the last nine years, amounts to L.8361. From this a sum of L.1712 falls to be deducted for ministers' stipends, bursaries, and other burdens, leaving an average revenue of L.6649 for charges of management, Professors' salaries, and the general expenses of the University.

The revenue so stated does not include the annual proceeds of a sum of L.10,000, paid to the University in 1850 by the Glasgow, Airdrie, and Monklands Junction Railway Company, as compensation for their non-fulfilment of a contract for the purchase of the site of the present University and grounds, and for the erection of new University buildings in a more fitting locality. That sum has been invested in land suitable for building purposes in the neighbourhood of Glasgow; and the returns are in the meantime being accumulated with the capital, in order that the whole may be applied towards carrying out the important object of the removal of the University to a better site. The revenue now stated is also exclusive of sums voted by Parliament, and of income arising from fees paid by students.

At the period of the returns to the Glasgow University Commission of 1836-7, the gross income appears to have been a little in excess of that now stated; but the ordinary revenue then included an annual sum of L.800, allowed by the Government as compensation for the discontinuance of a beneficial lease of the revenues of the Archbishoprick of Glasgow, which had been enjoyed by the College from the year 1698. The allowance of L.800 was withdrawn in 1839, and has since ceased to form part of the University revenues; but certain sums to nearly an equal amount, now included in the annual Parliamentary vote to the University of Glasgow, were about the same period, as we understand, attached to Professorships, which have been instituted by the Crown during the present century.

Making allowance for the deduction of this sum of L.800 from the University revenues, their present amount affords a comparison sufficiently favourable with that obtained from the returns to the Commissioners of 1836-7, if the effect of augmentations of ministers' stipends in diminishing the income from teinds, and the stationary character of the investments of a considerable part of the University property, such as feu-duties, ground-rents, and loans, are taken into account. It appears that, since the period of the returns to those Commissioners, additional portions of ground belonging to the University in Glasgow and

the neighbourhood have been disposed of by contracts of feu or of ground-annual; but we have no reason to suppose that such alienations have been otherwise than judicious. Considering the progressive depreciation in the value of money, which in past times has been so marked, and which may reasonably be expected to continue, we are satisfied that the purchase of feu-duties would be a most undesirable investment for any large portion of the funds of a University or College. On the other hand, there cannot be a doubt that circumstances may render the feuing of ground for building by the University authorities a prudent act of administration, where the University is possessed of property adapted for that purpose; and, although great caution ought certainly to be exercised in alienating any portion of the University property, we have seen no ground to conclude, that in Glasgow there has been any act of alienation, which has not proceeded from a judicious regard to the permanent interests of the University.

Of the income of L.6649 above stated, an average of L.3716 is applicable to salaries of the Principal and the thirteen Professors of Logic, Moral Philosophy, Natural Philosophy, Greek, Humanity, Mathematics, Practical Astronomy, Divinity, Oriental Languages, Ecclesiastical History, Law, Medicine, and Anatomy, who were formerly recognised as members of the Faculty of Glasgow College during the existence of the distinction between the University and the College, to which we have adverted. The salaries of nearly all of these Chairs consist of fixed payments in money. In the case of the Principal and the Professor of Divinity, however, the salaries vary slightly from year to year, according to the price of grain. No change has been made in any of them since the period of the returns to the Royal Commissioners of 1826-30 and of 1836-7; and they have been continued unaltered by the Ordinance No. 22, the schedule attached to which shows their respective amounts.

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App. pp. 39-46.

After deducting the amount so applicable to salaries of Professors, there remains a sum of L.2933, which, with the exception of a sum of between L.40 and L.50, specially devoted to the Library in terms of particular foundations, was, before the passing of the Ordinance No. 22, applied to meet the current expenses of the University, including charges of management. According to the annual printed abstracts of the University accounts for the last nine years, which have been submitted to us, there is shown an apparent average surplus, after payment of such expenses, of L.617. In stating, however, a surplus of this amount, no allowance is made for the expenses of the Hunterian Museum, which, for a long period, have formed a considerable charge on the University income, but which have been hitherto treated as forming an accumulating debt due to the University by the Principal and Professors, as Trustees of the Museum under Dr Hunter's will. The Museum affords important assistance in the work of University instruction, and the charges for its maintenance and custody must continue to be met by the University. By including these charges in the University expenditure, the average surplus for the years in question is reduced to L.413. Even this surplus, however, is one on which it would be impossible to reckon as permanent. Of late years, it has occasionally happened, in consequence mainly of an enlarged expenditure for necessary repairs and improvements on the present insufficient buildings, that, in place of a surplus, there has been an actual deficiency of revenue. This was the case for the year ending last Michaelmas; and in the preceding year the accounts showed a surplus of L.12 only, from the operation of the same cause.

In addition to the sums charged on the University revenues for salaries of Professorships, an annual sum of L.433, 6s. 8d. is payable in different proportions to certain Professors from the land revenues of the Crown, in terms of former Royal grants. Each of the Professors of Moral Philosophy, Natural Philosophy, Mathematics, and Botany, derives an income of about L.20 from the rents of the island of Shuna, under a foundation in the year 1829 by Mr Yates, a native of Glasgow; and, since the Ordinance No. 22 was issued, the interest of a capital sum of about L.480, under the will of Dr M'Turk, formerly Professor of Ecclesiastical History in the University, has become available to supplement the emoluments of the Chair of Ecclesiastical History.

At the time when we began our labours, there were, in the University, besides the Principal and thirteen Professors, formerly recognised as members of the College of Glasgow, Professors of the nine following branches, viz., Civil Engineering, Natural History, Surgery, Midwifery, Chemistry, Botany, Materia Medica, Institutes of Medicine, and Forensic Medicine. These nine Professorships were all erected by the Crown during the present century.

For the support of the Professorships in the University there was payable, in addition to sums from the proper revenues of the University, and from the other sources which we have mentioned, an aggregate annual amount of L.1360 from the votes of Parliament, some of the items of this sum being in continuance of ancient grants from the hereditary revenues of the Crown, and the remainder, constituting the larger portion, having been granted in lieu of the lease of the Archbishoprick of Glasgow, formerly held by the University.

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Glasgow.

Besides receipts from class-fees, we found that the incomes of some of the Professors were dependent to a certain extent on fees payable for degrees. It was obviously inexpedient that these should continue to form a source of income to any of the Professors; and we therefore provided, by the Ordinance No. 22, for the application of all such fees to the general purposes of the University. An aggregate amount of above L.400 a year has in this manner been withdrawn from the support of Professors.

Partly to compensate for the sums so withdrawn, and partly in order to furnish more adequate salaries for some of the Chairs which were otherwise but slenderly provided for, we were under the necessity of recommending additional assistance from the public funds for salaries of existing Professorships in Glasgow,—the narrow state of the balance between the income and expenditure of the University precluding the possibility of throwing any farther fixed charge for this purpose on the University revenues. The annual aggregate of the increased allowances payable from the public funds under this recommendation amounts to L.475.

We have thought it necessary to institute three new Professorships in the University of Glasgow, in addition to those previously existing. These are a Professorship of the English Language and Literature, in the Faculty of Arts, founded by the Ordinance No. 22; a Professorship of Divinity and Biblical Criticism, in the Faculty of Divinity, by the same Ordinance; and a Professorship of Conveyancing, in the Faculty of Law, by the Ordinance No. 20. Of these new Professorships, however, one only—that of the English Language and Literature—will impose any burden on the public funds.

For establishing a Professorship of the English Language and Literature in Glasgow there were the strongest grounds. Such a Professorship has, under the title of the Professorship of Rhetoric, existed for about a century in the University of Edinburgh. At the period of the returns to the Commissioners of 1826–30, and even so lately as in 1845, when the present Professor was appointed, the Chair in Edinburgh attracted a class of little more than 30 students. Of late years, however, greater importance has been attached to this branch of education, and a very large increase in the number of students has taken place. For the last five sessions the average has exceeded 130, and the number in the session which has just closed was 140. The aggregate number of students in Arts in Glasgow is, in general, not inferior to that in Edinburgh; and at present it considerably exceeds it, being, for session 1862–3, 784, as compared with 610 in Edinburgh. In particular, the class of the Professor of Logic is very large, numbering in session 1862–3 as many as 195. This Professor has been in use, at the close of his course on Logic, to deliver a few lectures on English Literature, which has been the only provision hitherto made in the University for instruction in that branch of learning. It was clearly inexpedient that so large a body of students should continue to be dependent on the efforts of one Professor, for instruction both in Logic and in English Literature, and we resolved therefore to assign the latter branch to a separate Professor. The position of the class in Edinburgh leads us to expect, that the lectures of the Professor of English Literature in Glasgow will be attended by a large number of students; and the actual number (59) of the class in session 1862–3, the first since the institution of the Chair, confirms this expectation. The yearly salary attached to the Chair from the public funds is L.200. The patronage is vested by the Ordinance in the Crown.

The institution of a Professorship of Biblical Criticism was recommended both by the Commissioners of 1826–30, and by those of 1836–7; and it further appeared to us necessary, in order that the Faculty of Divinity in Glasgow might be placed on the same footing with the Faculties of Divinity in the other Universities, in each of which there is now a Professorship of Biblical Criticism. Since the beginning of the present year, the first appointment to the Chair in Glasgow has been made; and Your Majesty has been pleased to grant, for its endowment, one-sixth of the revenues of the Deanery of the Chapel Royal in Scotland, as we had ventured to recommend should be done. The patronage of this Chair is vested in the Crown.

Considering the large number of students of Law in Glasgow, we thought it of importance, that, by the establishment of a Professorship of Conveyancing in addition to the existing Professorship of Law, means of special instruction in that branch should be afforded in the University; and, after some correspondence on the subject with the Faculty of Procurators in Glasgow, we received a communication from that body, expressing their readiness to provide an annual sum of L.105 towards the endowment of such a Professorship. The liberality thus shown by the Faculty, in furnishing a salary for the Professor, seemed fully to justify us in acceding to the condition attached by them to the grant, that the patronage of the Chair should be vested in the Dean and Council of the Faculty. Accordingly, in the Ordinance No. 20, which we subsequently issued for the foundation of a Professorship of Conveyancing, we directed that, in consideration of the endowment so provided for the Chair, the Dean and Council of the Faculty should possess the right of presenting the Pro-

Rep. on Faculties of  
Divinity. App. p.  
174.

App. p. 33.

fessor. The first Professor was appointed in 1861, but did not begin to lecture until session 1862-3, when the number of students in his class was 59.

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By the Ordinance No. 22, provision is made for the appointment of Assistants to the Professors of Natural Philosophy, Greek, Humanity, Mathematics, Anatomy, Chemistry, Materia Medica, and Forensic Medicine. In the case of some of these Professors, the nature of their duties rendered it expedient, in our opinion, that they should be provided with Assistants. In the case of others, the numbers of the students attending their classes are so great, that the aid of Assistants is required to enable the work of instruction to be conducted with efficiency. The Professor of Humanity, for example, has above 300 students in his classes, and in a single class, the junior, the number for last session was 209. The number of students in the classes of the Professor of Greek also exceeds 300. In consequence of the position of the University revenues, already explained, it became necessary to make the salaries of the Assistants for the most part a charge on the public funds. From this source, accordingly, an aggregate annual sum of L.650 will be provided for the purpose. We have, however, thrown on the General University Fund the charge for an Assistant and for class expenses of the Professor of Anatomy, amounting annually to L.200.

This General Fund is instituted by section 32 of the Ordinance No. 22, and will consist of all fees payable to the University, such as matriculation, examination, graduation, and registration fees, and also of all the University revenues not otherwise specially appropriated by Ordinance, or by gift, or endowment. The fund so constituted is made applicable to meet the current expenses of the University, in so far as these may not be otherwise provided for. The union into one fund of various branches of revenue, of several of which separate accounts have hitherto been kept, will have the advantage of simplicity and convenience, as well as economy of management.

App. p. 41.

From the income of this fund, in addition to a fixed annual charge of L.455 for the special expenses of certain classes imposed by the Ordinance No 22, there are payable the expenses of management of the University property, including factor's salary, the salaries of Librarians and other officers and servants, the cost of apparatus and materials for illustration, and other general expenses of the University. The expenses of the Library, other than the salaries of Librarians, and the charges for the Hunterian Museum, will also be defrayed from the General Fund, in so far as provision may not be made for such expenses and charges from other sources, as, in the case of the Library, from the compensation allowance of L.707 in lieu of the privilege of Stationers' Hall, and from the proceeds, amounting annually to about L.50, of certain foundations for the support of the Library, and, in the case of the Hunterian Museum, from an income of about L.20 belonging to the Museum Trust. The fund must further meet the charge for the repairs and other expenses of the new Observatory at Horslet Hill, near Glasgow, purchased by the University from the Astronomical Institution of Glasgow in 1846.

We were strongly urged to recommend a provision from the public funds to aid the University in maintaining the Observatory on an efficient footing. With this request, however, we found it impossible, consistently with a due regard to other claims, to comply, as the object of the provision in question was mainly to enable the Professor of Astronomy to carry on his duties as Observer more effectually than at present; and these duties, however important to the public interests and to science, are connected only in a secondary degree with the work of instruction in the University. The expenses of the Observatory, therefore, in the meantime, fall entirely on the University funds; although we think that it may be well worthy of the consideration of Government, whether, on national grounds, it would not be desirable to extend assistance to the University in supporting an institution, which confers great benefit on the public.

The necessary expenditure for these several purposes is very large, and its amount is likely to fall little short of that at which we estimate the probable income of the General Fund. Were no increase in the expenditure to be anticipated, the balance on the annual accounts, which could not be affected by any mere alteration in the mode of keeping them, might probably continue to show an annual surplus approaching to L.413, although for the last two years this surplus has been extinguished by a larger outlay than usual on the buildings. The new fixed charge of L.455, which the Ordinance No. 22 imposes on the revenues, for the special expenses of certain classes, may to a considerable extent be met by the payment to the University of the share of graduation fees heretofore payable to certain Professors, although the sums assigned as compensation to several of such Professors, during existing incumbencies, will for a time prevent the University from receiving the full benefit of this change. But, in addition to the fixed charge thus imposed, an enlargement of the general expenditure cannot but be regarded as probable. The condition of the present buildings, and their inadequacy for the requirements of the University, are already operating in this direction; and a farther increase in the expenditure must be anticipated from the effect of the changes, which have recently been introduced into the constitution of the

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University. Until the actual effect of these changes has been seen, it will be well for the University authorities to avoid imposing on the revenues any new charges, except such as may be imperatively required.

Rep. on Buildings of  
Glasgow University.  
App. p. 210.

The inadequacy and ruinous condition of the buildings of the University of Glasgow formed the subject of a Report, dated 11th June 1860, set out in the Appendix, which we prepared in obedience to Your Majesty's commands, referring to us certain petitions from the University, praying for an inquiry into the state of the buildings. We then expressed our decided opinion, that the interests of the University, and of education in the west of Scotland, require that new buildings should be erected with as little delay as possible, and also that it is highly expedient, if not absolutely necessary, to remove the University to a more suitable locality. We suggested the means which should be taken to accomplish this important object. The lapse of time has added new force to our opinion, and we therefore now venture most respectfully to invite the attention of Your Majesty's Government to this subject.

## ABERDEEN.

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The arrangements for carrying out the provisions of the Universities Act regarding the union of the two late Universities and Colleges of Aberdeen engaged a large share of our anxious and attentive consideration.

The lively interest taken by the public, both in Aberdeen itself and in the North of Scotland generally, not only in the question as to the union of the Colleges, which had been settled by the Act of Parliament, but in the details which the Act left it to us, subject to the approval of Your Majesty in Council, to arrange, and the very divergent views entertained and expressed in different quarters on these details, rendered it impossible to expect a unanimous concurrence in the conclusions at which we might arrive. It was found accordingly, that the Ordinances, which we ultimately felt it our duty to issue on the subject, met with opposition from certain parties. Delay was thus necessarily occasioned in bringing the provisions of the Act into operation, but there is no reason to regret its occurrence. It was desirable that the settlement, which our Ordinances were to effect, should, before being sanctioned by Your Majesty, receive the fullest and most patient consideration; and in the lengthened course of proceedings, which ensued on the petitions presented against the approval of the Ordinances, ample opportunity for such consideration was afforded. During the course of these proceedings, we were twice called upon to report specially on petitions against the Ordinances; and the Reports which we made were subsequently further submitted for the consideration and review of a Committee of the Privy Council, who heard the case of the petitioners fully stated by Counsel, before recommending Your Majesty finally to sanction the Ordinances. No step, therefore, was omitted, which could tend to secure that the arrangements made should be those best calculated to promote the interests of the united University.

Rep. of 22d July  
1859. App. p. 178.  
Rep. of 9th May  
1860. App. p. 189.

The Special Reports of 22d July 1859 and 9th May 1860, explain in detail the grounds on which we proceeded in framing the Ordinances of 12th March 1859, and 9th and 10th January 1860 (Ordinances Nos. 2, 6, and 7).

By the provisions of the Act, the two Universities of King's College and Marischal College were, from a date to be fixed by us, united into one University and College under the name of the 'University of Aberdeen;' and it was directed that, in the Faculties of Arts, Divinity, Law, and Medicine in the united University, there should be Professors of certain specified branches,—a discretion being left to us, however, of establishing in the Faculty of Arts two Professors in any one or more of the branches named in the Act, if such a course should appear to us to be necessary or expedient. The Act further directed us to determine, where the classes of each of the Professors should assemble, to make arrangements as to the uses and purposes to which the buildings of the two Colleges respectively should be appropriated, and to regulate the application of the funds, and other matters requiring regulation, on the union of the Colleges taking effect.

Under these provisions we had no power, as some of those who opposed the Ordinances appeared to imagine, to maintain two Colleges, or two Faculties of Arts; and the questions left to our decision, apart from the general arrangements to which we have referred, were simply, whether there should be two Professors in all or any of the branches of instruction in the one Faculty of Arts in the united University, and where the several classes should be taught. The most careful consideration of the former of these questions satisfied us, that it was neither necessary nor expedient to maintain two separate Professorships in any branch of instruction in the Faculty of Arts. We ascertained that

in general the aggregate numbers of the students, attending the several classes in the two Colleges, were less than those in the corresponding classes either in Edinburgh or in Glasgow, and we saw no occasion, on the ground of the mere number of students, to establish double Professorships in the University of Aberdeen. It appeared probable, indeed, that some of the junior classes would be large; but we were of opinion, that such classes would be more satisfactorily conducted by one Professor, with an Assistant acting under his directions, than by two independent Professors. We further concluded, that the most advantageous, as well as by far the most economical arrangement, with reference to the buildings, was to locate the classes in the Faculty of Arts, with the exception of the class of Natural History, together with the classes in the Faculty of Divinity, in the buildings of King's College, and the classes in the Faculties of Law and Medicine, and also the class of Natural History, in the buildings of Marischal College. To have provided suitable accommodation at Marischal College for the united classes in Arts, in addition to those in Law and Medicine, as was urged by some persons, would have involved a much larger expenditure. It also appeared to us expedient to retain at the buildings of King's College the general University Library, which has always been kept there.

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Effect was given to these views by the provisions of the above-mentioned Ordinances. By the Ordinance No. 2, it was provided, that there should not be more than one Professorship in any one branch of instruction in the Faculty of Arts in the University. The same Ordinance, in conjunction with the Ordinance No. 6, embodied the necessary arrangements for distributing the business of the University between the buildings of King's College and those of Marischal College. The latter Ordinance further provided for the conjunction of Professorships, for the remuneration of Professors, and of Assistants, where the Ordinance directed that these should be appointed, for the future patronage of the several Chairs, and for other matters requiring regulation. Two subsequent Ordinances, Nos. 12 and 13, to which no opposition was offered, completed the arrangements for the union of the Universities, embodying, among other provisions, rules as to the course of study in Arts, which should be adopted provisionally in the united University, until general regulations on the subject applicable to all the Universities should have been matured and issued. Such general regulations were afterwards embodied in the Ordinances Nos. 14 and 18.

App. p. 1.

App. p. 6.

App. pp. 20, 22.

App. pp. 22, 30.

The Ordinance No. 2 contained originally a clause, fixing, as the period at which the provisions of the Act should come into operation in Aberdeen, the same date, the 15th of October 1859, as was fixed in the case of the other Universities. In consequence, however, of the delay in obtaining a final decision on the Ordinances, to which we have referred, it became necessary to fix a later date for the purpose. The clause in question was, therefore, struck out of the Ordinance; and by the subsequent Ordinance No. 7, which received Your Majesty's sanction, the 15th of September 1860 was fixed as the date from which the union of the Universities should take effect.

App. p. 15.

The period of three sessions, during which the Act has thus been in operation, is too short for the effects of the union of the Universities to be as yet fully appreciated. There is, however, no reason to doubt that the beneficial results will follow, which were anticipated from the important change effected by the Act of Parliament.

In the number of students there has been, as there is from time to time in every University, a certain degree of fluctuation.

In the Faculty of Arts, in session 1860-1, the first after the union of the Colleges, the number of students enrolled in the junior classes of Latin and Greek, which may be held to represent those entering the University for the first time, was 135,—a number, we believe, rather larger than the aggregate in the two Colleges for one or two previous years. In session 1861-2 the number fell to 110; but in session 1862-3 it again rose to 122. In this Faculty, a new class of English Literature, conducted by the Professor of Logic, has been established under the provisions, in the first instance, of the Ordinance No. 12, and subsequently of the general Ordinance No. 14. This class has been very largely attended, the number of students in the three sessions being respectively 152, 110, and 131. In consequence of alterations in the regulations for graduation in Arts, introduced by our Ordinances, there has been in the meantime a diminution in the number of students in Arts attending the lectures of the Professor of Natural History; but this diminution is temporary only, and may be expected to cease, as soon as the effect becomes apparent of a regulation issued by the University Court, under section 4 of the Ordinance No. 18, by which all candidates for degrees in Arts are required in future to give attendance on the lectures of that Professor. In the other classes in the Faculty of Arts the number of students bears a fair comparison with the aggregate of the two Colleges in former years.

App. p. 20.

App. p. 22.

App. p. 30.

In the Faculties of Divinity and Law there appears to have been a slight diminution in the number of students. But we are satisfied that this is owing to causes of an accidental and temporary nature.

In the Faculty of Medicine the number shows an increase over the aggregate of former

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years. This Faculty has received a wider constitution, and is furnished with ampler means for affording instruction in the various branches of medical science, than it possessed before the union of the Colleges. There is, indeed, every reason to expect that the Aberdeen School of Medicine will continue steadily to increase in importance, and to extend the high reputation which it has already deservedly acquired.

App. pp. 11-15.

The estimate of the emoluments of the Professors in the united University appended to the Ordinance No. 6 was to a certain extent necessarily conjectural. From a comparison, however, with the actual emoluments for the years 1860-1 and 1861-2, it appears that the estimate generally was a fair one. In a few instances the income from class-fees has been larger than we estimated it, mainly owing to our having, since the estimate was made, abolished a rule which formerly prevailed, that the holders of all bursaries below a certain value should be admitted to the various classes on payment of a lower fee than was paid by other students. In consequence also of the increase which has taken place in the number of students in the Faculty of Medicine, the emoluments of the Professors in that Faculty have in general to a certain extent exceeded our estimate.

The emoluments of the Professors from proper University revenues have amounted nearly, although in some instances not quite, to the estimate appended to the Ordinance. These emoluments consist, in general, of a certain share of the disposable income of part of the University estate and property. The system of dividing the free income in each year, after payment of burdens, among the Professors, or among certain of them, prevailed in both of the late Colleges, and we found that the revenues were insufficient to enable us to adopt a different system in the united University. We should certainly, however, have thought it a preferable course, had it been practicable, to fix a definite sum, clearly within the amount of the free yearly revenue, for the remuneration of Professors, and to leave the surplus after payment of such sum to be applied to the general purposes of the University. Such a mode of administration has prevailed in the University of Glasgow, and its beneficial effect is apparent in the prosperous financial condition of that University. On the other hand, the difficulties in which the United College, St Andrew's, is now placed, and the large debt with which its revenues are burdened, afford an illustration of the risk incident to a system of treating the free income as a fund to be divided among the Professors. In Aberdeen, certain portions of the University property are not altogether free of debt, and full provision for payment of the debt has not yet been made. We think, however, that steps should be taken to provide for its extinction as soon as possible. A temporary diminution of income would no doubt be caused to the holders of those Professorships, to the support of which the burdened revenues should be applicable; but all, or nearly all, of the Professors who would be so affected are now, we believe, in receipt of larger incomes than were anticipated at the time of the union of the Colleges, and no serious case of hardship would be found to arise.

The united University was established by the Act of Parliament on a more extended scale than either of the late Colleges. In particular, six new Professorships,—those, namely, of Logic, Biblical Criticism, Institutes of Medicine, Materia Medica, Midwifery, and Botany—were erected, in addition to those previously existing in either College; and for each of these six Professorships, it was necessary that a salary should be provided. By a careful application of the revenues formerly belonging to the two Colleges, we were enabled to furnish from these an endowment for the new Professorship of Logic in the Faculty of Arts; and, Your Majesty having been pleased to give effect to a recommendation submitted by us, that one-sixth of the revenues of the Deanery of the Chapel Royal in Scotland should be assigned for the support of the new Professorship of Biblical Criticism in the Faculty of Divinity, it required only a small additional provision from the University funds to secure a sufficient endowment for the support of that Chair.

We found, however, that, without farther assistance from Parliament, it was impossible to provide adequate salaries for all the Professorships in the united University. We were therefore under the necessity of recommending for that purpose an additional annual provision from the public funds to that already voted for the support of the two Colleges. The aggregate annual amount of such additional provision for salaries of Professors is L.1025, which, with the exception of a sum of L.50 for the office of Principal, is applicable altogether to Professorships in the Faculty of Medicine. A considerable portion of the provision so required for these Professorships was in lieu of payments from medical graduation fees, which, as in the other Universities, we thought it inexpedient to continue as a source of income to the Professors. The remainder was required mainly to furnish endowments for the four new Professorships of the Institutes of Medicine, Materia Medica, Midwifery, and Botany, established by the Act in the Faculty of Medicine.

The Ordinance No. 6 provides for the appointment of Assistants to the Professors of Greek, Humanity, Mathematics, and Natural Philosophy in the Faculty of Arts, and to the Professors of Chemistry, Anatomy, Materia Medica, and Medical Jurisprudence in the Faculty of Medicine. The salaries of the Assistants to the Professors in the Faculty of Arts,

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Divinity. App. p.  
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and to the Professor of Chemistry, amounting in the aggregate to L.550 a year, and also an allowance of L.100 a year to the Professor of Chemistry for materials and class expenses, will be furnished from revenues formerly belonging to the two Colleges, including sums voted annually by Parliament for their support. For the assistance provided to the Professors of Anatomy, Materia Medica, and Medical Jurisprudence, a new charge of L.235 is imposed on the public funds.

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There is at present payable an annual sum of L.2446, 12s. 4d. from the public revenues, for compensation allowances to seven Professors, who have been deprived of their offices by the union of the Colleges. This provision, however, is merely temporary.

By the Ordinance No. 12, a General University Fund, for meeting ordinary current expenses, is established in the University of Aberdeen. With the exception of a small sum, about L.45 annually, of interest on a capital sum invested, this fund was, until the Ordinance No. 33, regarding Dr Alexander Adam's foundation, received Your Majesty's sanction, dependent altogether on the matriculation fees of students, the fees paid by candidates for degrees, and the registration fees of members of the General Council, from which sources, in a University of not more, on the average, than about 620 students, no large revenue can be derived. Under the Ordinance No. 33, an ultimate addition of about L.254 annually, from the surplus revenue of Dr Adam's foundation, will accrue to the fund, although in the meantime only half of that sum is available, the other half being applicable temporarily, under the same Ordinance, towards a sinking fund for the extinction of a debt on the University buildings. The income of the General Fund, however, even with this addition, will be very limited; and it will require the most careful administration on the part of the University authorities, to secure such provision as is absolutely necessary for the numerous purposes to which the fund is applicable.

App. p. 21.

App. p. 61.

Small, however, as the fund is, we are strongly of opinion that the University ought, for some time at all events, to abstain from expending its full amount in every year, and that it should annually devote a certain portion towards the formation of a Reserve University Fund, as a provision against contingencies. Such a fund appears to us peculiarly necessary in a University, which depends so largely for its general income on the fees of students and of candidates for degrees. The deduction towards a reserve fund ought not, we consider, to be less than 5 per cent. of the income of the General Fund, although by this deduction we are aware, that the University will be compelled to limit its expenditure, for several important purposes, more narrowly than otherwise would be proper.

Among the objects towards which the General Fund is applicable is the support of the Library; and we should have been glad had the income been such as to afford a larger payment for this purpose. The resources of the Library in Aberdeen are exceedingly slender, owing mainly to the compensation allowance in lieu of the privilege of Stationers' Hall having been fixed at so low a rate as L.320 a year, as compared with L.575 in Edinburgh, L.630 in St Andrew's, and L.707 in Glasgow. With the exception of this allowance of L.320, and a sum of L.50 a year from the Fraser foundation, under the provisions of the Ordinance No. 40, the Library is dependent altogether for purchase of books, salaries of Librarians, and other charges, on such contributions as it can obtain from the income of the General Fund.

App. p. 68.

Considering the state of the funds which we have described, it was clearly expedient, or rather necessary, that the University should be relieved of the maintenance and repair of the buildings. The impolicy of leaving that charge to be borne by the two Colleges had, at the time of the passing of the Universities Act, been made abundantly clear; for, within a period of little more than twenty years before that date, the buildings of both had been permitted to fall into such a state of dilapidation, that it was found necessary to expend large sums for their re-erection; and, the Colleges themselves being unable to provide funds for the purpose, the Government was called upon to bear much the larger portion of the expense. The maintenance of the buildings in future has therefore been wisely transferred to the department of Your Majesty's Works.

The restoration and extension of the buildings formerly belonging to King's College are now in course of execution by the Department of Works, with special regard to the requirements of the united University, as constituted under the provisions of the Act. The larger portion of the work, so in progress, was undertaken by the Government in the year 1858, before the Colleges were united; and the plans, which it was then in contemplation to carry into execution, included the provision of new class-room accommodation, and the erection of a Library. The union of the Colleges having rendered necessary a certain modification of the plans of the new class-rooms, the entire plans were submitted to us by the Board of Works, and were adjusted to our satisfaction, with a view to the altered circumstances of the University. We regretted to learn, from a memorial addressed to us by the Senatus Academicus in November 1862, that a delay was then apprehended

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in the execution of part of these plans; but, as their complete execution is imperatively necessary for the accommodation of the University, the occurrence of any delay in the erection of the buildings is strongly to be deprecated. It is especially necessary, that a new Library should be provided as soon as possible. The books are at present distributed most inconveniently throughout different portions of the University buildings,—the greater part in the ante-chapel, and the remainder, for which the chapel does not now afford space, in rooms which are urgently required for other purposes. This portion of the work was included in the original plans contemplated by the Government in 1858; and, when the expenditure for these plans was authorised, it was stipulated by the Treasury, that a sum of £3250 should be raised from other sources, and applied in part liquidation of a debt on the University buildings. That sum was accordingly raised by private subscription, and so applied, on the faith of the plans being carried out; and it is well known, that many of the subscribers were induced to give their subscriptions, mainly through the prospect of having proper accommodation provided for the Library, and an end put to the inconvenient and unseemly use, which is at present made of part of the chapel. We trust, under these circumstances, that every exertion may be made to complete the buildings with as little delay as possible.

App. p. 9.

App. p. 78.

In the immediate neighbourhood of the buildings of the University in Old Aberdeen are certain official houses or manses, formerly attached to Professorships in King's College. By the Ordinance No. 6, the persons in occupation of these manses, at the time of the union of the Colleges, were allowed to continue to occupy them personally, so long as they should not be required for other University purposes. By the subsequent Ordinance, No. 53, permanent arrangements as to the occupation of the manses have been made.

### EDINBURGH.

University of Edin-  
burgh.

Rep. of Comm. of  
1826, p. 97.

Before the Act came into operation in the University of Edinburgh, the government of the University was vested in the Magistrates and Council of the city, whose powers extended not only over the administration of its property, but even over the regulation of its discipline and its system of graduation. The Magistrates and Council were also patrons of a large number of the Professorships. A full explanation of the condition of the University, as it existed before the recent Act, is given in the Report of the Royal Commissioners of 1826–30.

By the provisions of the Universities Act, the government of the University was brought generally into conformity with that of the other Universities. The ordinary administration of its affairs was transferred to the *Senatus Academicus*, subject to the control given by the Act to the University Court. The Act also transferred the patronage of the Professorships, previously exercised by the Town Council, to a body of seven Curators, four nominated by the Town Council and three by the University Court.

Notwithstanding the changes effected by the Act, a doubt arose whether the buildings of the University, and their site, had been in form effectually transferred from the municipal corporation to the University, and it appeared that a portion of its revenues had not been placed beyond the power of interference on the part of that body.

In explanation of this, it is necessary to state, that the City of Edinburgh having shortly before the year 1838 become insolvent, an Act, 1 and 2 Vict., c. 55, was passed in that year for effecting a settlement of its affairs. By the 18th section of that Act, an annual sum of £2500 from the revenues of Leith Harbour, the property in which was by the Act transferred from the City, was directed to be paid to the Magistrates and Council, 'for the maintenance and support of the College and Schools of the said City;' and by the 21st section it was directed, that the said sum should be applied by the Magistrates and Council to provide for the support of the College and the payment of the necessary expenses thereof, and that the remainder should be applicable towards the Schools and educational purposes of the City, subject to the condition that, before the application of the sum to such purposes, 'a statement of the intended appropriation thereof shall be submitted to the Commissioners of Her Majesty's Treasury, and their approbation thereof be signified in writing.' By the 22d section, a debt of £13,119 from the City to the University, known as the 'College debt,' was, in consideration of the payment of the annuity of £2500, extinguished and discharged.

A scheme of appropriation, under the provisions of the 21st section, was in the year 1839 sanctioned by the Treasury, the general effect of which was to divide the annuity between the College and Schools in the proportions of £2210 to the College, and £290 to the Schools. The share assigned to the College included payments for bursaries, comprised in the College debt extinguished by the Act, salaries of Professors, and other payments.

In regard, however, to the salaries of Professors, or at all events a large portion of

them, the Treasury Minute sanctioning the appropriation expressed concurrence in a suggestion of the Magistrates and Council, that the sanction should be considered as referring only to the Professors then holding office in the University, and that, on vacancies occurring in Professorships, the scheme should be open to revision. In accordance with this view, various changes were subsequently made in the details of the appropriation; but in no case, we believe, until the year 1859, was the transfer of any sum from the University to the Schools either sanctioned or proposed. In 1859, however, on the death of the late Principal Lee, it was proposed by the Magistrates and Council to reduce by L.125 the salaries of the Principal and the Professor of Divinity, and to appropriate that sum as part of the salary of the Rector of the High School.

As soon as this proposal became known to us, we explained to the Lords of the Treasury the effect which it would have, of relieving the municipal funds, from which the salaries of the Masters of the High School are supplemented, at the expense of two offices in the University, for which the provision then made was quite inadequate. The consent of the Lords of the Treasury was therefore withheld, until we should have an opportunity of reporting fully to them on the subject.

In this way, the necessity of a final arrangement as to the appropriation of the annuity being made was rendered apparent. As long as the finance of the University was liable to be deranged, by part of the funds on which it depended being withdrawn on a successful application of the Town Council to the Treasury, it was impossible for us to proceed with any confidence to make provision for the future establishment of the University. With the exception of a small revenue, also administered by the Town Council, and known as the College Revenue Proper, the value of which was estimated to us by the Town Council at from L.120 to L.150 a year, the Leith annuity was the only fund to represent the ancient patrimony of the University. It formed the principal source of endowment of as many as thirteen Professorships, and it was therefore of the greatest consequence in arranging the University finance.

It appeared to us that a final appropriation, as between the University and the Schools, might fairly have been made according to the shares originally assigned to either in 1839; and this view we thought it our duty to submit to the Lords of the Treasury, in a Report, dated 19th March 1860, prepared with reference to the above-mentioned proposal of the Town Council, that a portion of the annuity should be transferred from the University to the High School. In the same Report we pointed out, that any diminution in the revenue of the University, which should arise from a withdrawal of part of its existing means, would necessarily occasion a corresponding increase in the sum to be provided from the public funds for the support of the University. We endeavoured also, if possible, to arrive at an understanding with the Town Council, as to the manner in which the funds under their control should be divided; but our negotiations for that object had no definite result, as the claims, which they put forward on behalf of the Schools, were larger than we considered ourselves justified in allowing. The arrangements were then undertaken directly by the Lords of the Treasury, on whose attention we continued to urge the necessity of a settlement, as well as the results which would follow from yielding to the demands of the City; and ultimately, in June 1861, their Lordships communicated to us the terms, on which they had resolved that a final settlement with the Town Council should be made. A bill giving effect to this settlement was shortly thereafter introduced into Parliament by the Treasury, and was passed into law under the name of the Edinburgh University Property Arrangement Act, 1861. By this Act, 24 and 25 Vict., c. 90, the Leith annuity was divided between the University and the Town Council for the use of the Schools, in the proportions of L.2170 to the former, and L.330 to the latter. In addition to this share of the annuity, the items of the College Revenue Proper, as enumerated in Schedule (B) to the Act, were also assigned to the Town Council for the support of the Schools. These included certain ground-annuals, rents, and annuities, of the net value at present of about L.150 a year, which were stated by the Town Council to be previously applicable both to the University and the Schools, and the mortcloth dues at Greyfriars burying-ground, granted by the City to the University in the year 1609, the available income from which, however, has of recent years been very small. The Act at the same time vested in the Senatus Academicus the site and buildings of the University, and certain bonds of annuity applicable to special University purposes.

The sum of L.2170, assigned by the Act to the University, is, under its provisions, burdened with the payment of such bursaries as were previously chargeable on the Leith annuity in the hands of the Town Council, that is, such bursaries as were included in the College debt extinguished by the Act of 1838. The annual amount of these bursaries is L.396, 1s. 2d.

The terms so adjusted by the Treasury, and embodied in the Arrangement Act, were more favourable to the City, and in an equal degree less favourable to the University, than

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Rep. of 19th March 1860, and correspondence. App. pp. 198-209.

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App. p. 46.

we had proposed. But the amount of revenue on which the University could depend was now rendered certain, so as to put it in our power to mature the arrangements for the future regulation of the University finance, which for some time we had been engaged in considering. We were thus enabled, on the 25th of November 1861, to issue the Ordinance No. 23, at the same time with the financial Ordinances, Nos. 21 and 22, for the Universities of St Andrew's and Glasgow.

By the Ordinance No. 23, an aggregate annual amount of L.1099, 8s. 4d. from the Leith annuity of L.2170, is appropriated to salaries of fourteen Professorships. This appropriation follows for the most part, but with certain variances, that made under the sanction of the Treasury in 1839, by which an aggregate sum of L.1059, 13s. 10d. was apportioned among thirteen Professorships.

Two Theological Chairs—those of Divinity and Biblical Criticism—have been endowed by Your Majesty with certain shares of the revenues of the Deanery of the Chapel Royal in Scotland. To a third, that of Church History, a salary of L.100 is payable from the Land Revenues of the Crown, under a former Royal grant. The Professorship of Music is provided with an endowment of L.420 a year from the foundation of General Reid; that of Agriculture with an annual sum of L.37, 10s. from Sir W. Pulteney's foundation; and, by the Act 24 and 25 Vict., c. 90, an annuity of about L.35 a year to a lecturer on Mineralogy, under Dr W. Thomson's bequest, is directed to be paid to the Professor of Natural History, as such Lecturer. The Professor of Conveyancing receives a salary of L.105 from the Society of Writers to the Signet.

Besides these endowments, there was payable from sums provided by Parliament, when we began our deliberations, an aggregate amount of L.1210 annually for salaries of Professors.

The provisions so made, however, were altogether inadequate to the requirements of the University. The salaries of several of the Professorships were little more than nominal, and as many as ten were without any salary, and dependent altogether on the fees of students. We found, also, that the Professors in the Faculty of Medicine derived a portion of their emoluments from graduation fees in that Faculty, as examiners for medical degrees; and in this, as in the other Universities, we considered it inexpedient that these fees should continue to form a source of income to the Professors. The withdrawal of graduation fees occasioned an aggregate diminution of income to the Professors of about L.700 a year.

Under these circumstances, we found it necessary to recommend, that a considerable additional provision from the public funds should be made for increasing the salaries attached to existing Chairs in the University, and for providing salaries where none previously existed. The annual increase so recommended applies to twenty Professorships, and amounts in the aggregate to L.2903, 17s. 10d.

Among the Professorships, to the support of which, under the Ordinance No. 23, this sum is applicable, is the Professorship of Public Law, to which, in consequence probably of the failure of the salary which was attached to the Chair on its institution by the Crown in 1707, no appointment had been made since the death of the last Professor in 1831. It appeared to us of great importance to the advancement of legal education in Scotland, that this Chair should no longer be permitted to remain in abeyance. We therefore provided for the payment of a salary to the Professor of L.250, and directed that he should annually deliver a course of lectures on International Law, in which subject the University previously afforded no means of instruction. In the department of Constitutional Law also we thought it desirable that provision should be made for affording instruction to students. We therefore directed that a course of lectures on Constitutional Law and History should be annually delivered by the Professor of History; and, as his Chair was then without salary, we attached to it L.150 yearly of the above-mentioned aggregate sum.

The Professorship of Military Surgery in Edinburgh has been vacant since the death of the last Professor, in 1855, doubts being entertained at present as to the necessity of filling up the Professorship. At the same time, the salary of L.100 a year, which the Professor enjoyed, has uniformly been included in the annual estimates submitted to Parliament. This salary, under the circumstances, we have transferred to the Professorship of Surgery, to which no salary was previously attached.

We have founded by Ordinance in the University of Edinburgh one new Professorship—a Professorship of the Sanskrit Language, Literature, and Philosophy, and Comparative Philology. The foundation of this Chair is due in a great measure to the enlightened liberality of Mr John Muir of Edinburgh, formerly of the Indian Civil Service, who intimated to us his readiness to make over to the University a sum of L.4000, invested in Indian securities at 5 per cent., towards the endowment of a Chair of Sanskrit, on the condition that we should recommend and obtain from the public funds an additional provision for its support. After making the most diligent inquiries on the subject, we were

satisfied that it was for the public interest, that advantage should be taken of the munificent offer made by that gentleman. Increasing importance is now attached to the study of Sanskrit, not merely on account of its value to persons preparing for the public service in India, but also as a language indispensable to the student of Philology and Ethnology; and there could not be a doubt that it was highly desirable, that means of instruction in Sanskrit should be afforded in one of the Universities of Scotland. As soon, therefore, as Mr Muir had given effect to his proposal by a deed, dated the 17th of January 1862, in favour of the University, we issued the Ordinance No. 25, founding a Professorship of Sanskrit, and providing for the Professor an equal salary from the public funds to that arising from Mr Muir's endowment. The title of the Chair, as founded by the Ordinance, embraces the subject of Comparative Philology, in addition to the Sanskrit Language, Literature, and Philosophy; and the duties of the Professor will include the delivery of a course of lectures on Comparative Philology, as well as a course of special instruction in Sanskrit. We thought it only a just acknowledgment of the munificence exhibited by Mr Muir, in contributing so largely to the endowment of this Chair, to place in his hands the first appointment of the Professor. The patronage of the Chair for the future is vested by the Ordinance in the Crown.

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App. p. 53.

Considering the nature of the duties of several of the Professors, and also the large number of students attending their lectures, we thought it necessary in the University of Edinburgh, as in the Universities of Glasgow and Aberdeen, to provide for the appointment of Assistants in certain cases. The Professorships, for which Assistants are thus provided, are those of Humanity, Greek, Mathematics, and Natural Philosophy in the Faculty of Arts, and those of Anatomy, Chemistry, Materia Medica, and Medical Jurisprudence, in the Faculty of Medicine. We were strongly urged to provide Assistants for other Chairs also; but we found it impossible, with the means at our disposal, to make such provision, except in the case of those Professorships which appeared to us to stand most in need of assistance.

The Assistants to the four Professorships in the Faculty of Arts will receive remuneration from moneys to be voted by Parliament, causing together an annual charge of L.400. Considering the amount of support from the public funds required for other purposes in the University of Edinburgh, we were constrained to throw on the General University Fund the salaries of the Assistants in the Faculty of Medicine. It was not, however, without reluctance, that we were induced to impose this charge on the University revenues, as these are now barely sufficient for the ordinary requirements of the University, and, being largely dependent on so precarious a source as the matriculation and examination fees of students, are peculiarly uncertain and liable to fluctuation.

It is right that we should advert specially to a large endowment in this University, which has come into operation since the date of the Royal Commission of 1826-30. The late General Reid, by his will, dated 19th April 1803, directed that the larger part of his personal estate should be made over to the University, for the endowment in the first place of a Professorship of Music, the salary of the Professor to be fixed by the Senatus Academicus, but not to be less than L.300 a year, and, as a secondary purpose, for the support of the Library and the general benefit of the University.

This bequest came into operation in the year 1838, and, the Town Council of Edinburgh having in 1839, as patrons of the University, instituted a Professorship of Music in terms of the will, the Senatus Academicus issued an ordinance, fixing the salary of the Professor at L.300 a year. Subsequently to the appointment of the present Professor, disputes arose as to the amount of provision which should be made for the Professorship under the bequest, and as to the respective rights of the Senatus Academicus and the Magistrates and Council of the city over the administration of the fund. After a litigation extending over several years, a judgment of the Court of Session was pronounced in 1855, to regulate the disposal of the fund.

By this judgment it was declared, that the capital of the fund in the hands of the Senatus Academicus should be taken, as on the 23d of February 1855, at L.61,401. From this amount two sums, of L.8000 and L.2000 respectively, were directed to be paid for the erection of a class-room for the Professor of Music, and for the purchase of an organ. The salary of the Professor was fixed at L.420, and he was further provided with an allowance of L.300 a year for the expenses of the Chair,—viz., L.100 for the purchase of instruments, and L.200 for the expense of assistants, and other charges; and to secure these several payments, certain portions of the capital sum were to be specially set apart and invested. The Ordinance continues these payments to the Chair in terms of the judgment.

A farther yearly sum of L.300 is, under the same judgment, devoted to the expenses of a concert which, by a codicil, the testator directed to be given annually, on his birthday.

App. p. 47.

After deducting the sums of L.8000 and L.2000 above mentioned, and certain incidental payments which have been made, there now remains a total capital of, as nearly as possible, L.50,000, which is for the most part invested in loans on heritable security, so as

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to produce an income of from L.1750 to L.2000, according as the interest on such loans varies from  $3\frac{1}{2}$  to 4 per cent. The aggregate of the annual charges for the Professorship of Music, including the expense of the concert, amounts to L.1020 a year, so that the available surplus remaining for the Library and other University purposes, contemplated in General Reid's will, amounts to from L.730 to L.980 a year.

It cannot but be a subject of regret, that the institution of the Professorship of Music, to the establishment of which so large a portion of this bequest is applicable, should have failed apparently in conferring benefit on the University, and in fulfilling the object, which the founder may be presumed to have had in view. The present Professor is the fourth who has occupied the Chair. None of his predecessors delivered a course of lectures, but on his appointment he endeavoured with energy to establish a class, and to bring the duties of the Professorship into active operation. In this he succeeded so far, as for several years prior to 1859 to enrol a considerable, and in some years a large, number of students. For the last four sessions, however, no lectures have been delivered. In 1859-60 and 1860-1 this may have arisen from a want of proper accommodation for the class during the erection of a new class-room; but no such difficulty has existed for the last two sessions. The Professor states, that, in each of the sessions 1861-2 and 1862-3, he intimated to the students of the University that he would resume his course of lectures, and that the fee for the course would be L.3, 3s. This fee the University had, on his appointment, authorized him to charge, but in previous years the students had been enrolled by him without payment of any fee. On the imposition of the fee, no students appeared willing to give attendance on the lectures; and no class, therefore, has been formed.

App. p. 48.

The Ordinance No. 23 establishes, by section 38, a General University Fund for the University of Edinburgh, applicable, as in the Universities of Glasgow and Aberdeen, to the general purposes of the University. The revenues of which the fund will consist are derived from various sources, and the accounts connected with several of them have hitherto been kept distinct; but advantages will obviously arise from their being united in one account.

The fund will include the income of the University from matriculation, examination, and other fees, and the unappropriated balances of the Leith Harbour Annuity, and of the Reid endowment. It will also include the income arising from an endowment by the late Sir Joseph Straton, who, by his will, dated 3d October 1840, bequeathed a considerable portion of his estate to the University, and directed the Senatus Academicus, after investing the same, to apply the annual proceeds 'for and towards the promotion and advancement of science, literature, and general purposes of education in the said University, in such manner as the said Principal and Senatus Academicus for the time being shall see fit.' The present income of this endowment is about L.500 a year.

On the income of the General Fund, the Ordinance imposes, as a first charge, sums amounting in the aggregate to L.735 a year, for the remuneration of Assistants, and for other class expenses of particular Professorships. The fund has then to meet the ordinary current expenses of the University, including the expenses of the Library, the salaries and wages of officers and servants, the cost of cleaning and heating the class-rooms, the expenses of illustration, and other general expenses, which, in a large University such as Edinburgh, involve an exceedingly heavy expenditure.

The compensation allowance to this University under the Copyright Act is L.575 a year, which is applied towards the purchase of books, but does not nearly suffice for that purpose.

We regard it as of very great importance, that the maintenance of the buildings of the University of Edinburgh should now be undertaken by the Department of Works. These buildings were erected at a large expense to Government; and, previously to the passing of the Edinburgh University Property Arrangement Act, 1861, they were under the charge of the Magistrates and Council of the city; but by that Act the property in the buildings was transferred to the Senatus Academicus of the University, who are, therefore, at present responsible for their maintenance. The University, however, does not possess any special fund for the maintenance of the buildings, and the Senatus Academicus would find the utmost difficulty in providing any funds for the purpose. Were the buildings, indeed, to remain under the charge of that body, great danger would arise of their falling into disrepair, as the necessary means could be obtained only by diminishing the necessary expenditure for other important University purposes. At present we believe that the buildings are in a satisfactory state of repair, and the circumstances are favourable for the charge of their maintenance being undertaken by the Board of Works. Considerations of the clearest expediency make it desirable that Government should not delay assuming the charge until, as in former instances, the buildings have been suffered to fall into disrepair or decay.

## GRADUATION.

We approached with great anxiety the performance of the duty, which devolved on us under the provisions of the Universities Act, of regulating the conditions of graduation. The Act directed us 'to provide that, in so far as shall be practicable, and, in the opinion of the Commissioners, conducive to the well-being of the Universities, and to the advancement of learning, the course of study, the manner of examination, and the conditions under which degrees are to be conferred, shall be uniform in all the Universities of Scotland.'

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To aid us in dealing with the subject of graduation in Arts, we addressed to the Professors in the several Universities, and also to various public bodies and private persons, whose opinions were deserving of weight, a number of inquiries bearing on the subject; and we obtained in this manner much valuable information and assistance. The views expressed to us were by no means in accordance with each other on all points; but this want of agreement was valuable, as enabling us, with the aid of the arguments by which opposite opinions were supported, to consider at greater advantage the questions on which such differences of opinion existed.

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The conclusions, to which our deliberations led us, are embodied in the provisions of the Ordinance No. 14, of 26th January 1861, as supplemented and explained in some respects by the subsequent Ordinances, Nos. 18 and 69. The provisions of these Ordinances are general in their application to all the Universities, and they have superseded the rules previously in force in each University, including certain provisional regulations contained in the Ordinance No. 12, relative to the University of Aberdeen, which a difference in the usage of the two Colleges had rendered it necessary for us to introduce, on their union under the Act coming into operation.

App. p. 22.

App. pp. 30, 33.

App. p. 20.

The Ordinance No. 14 prescribes, as heretofore, a course extending over four winter sessions as the ordinary course of study for the degree of Master of Arts, including, as heretofore, attendance on the classes of Humanity, Greek, Mathematics, Logic, Moral Philosophy, and Natural Philosophy, but requiring, in addition to these, attendance on a course of English Literature, which previously had not been required in any University except Edinburgh. Attendance on lectures on a branch of Natural Science, either Chemistry or Natural History, had been included in the course of study of the Universities of St Andrew's and Aberdeen, but this had not been the case either in Glasgow or in Edinburgh; and, as the variety of subjects embraced in the course was already great, we were at first disposed to adhere rigidly to the usage of the two latter Universities, and to leave attendance on a branch of Natural Science to the option of students. Such was the view on which we proceeded in framing the Ordinance No. 14; but subsequently, in consequence in a great measure of representations addressed to us by gentlemen connected with the University of Aberdeen, we thought that in this matter, notwithstanding a certain departure from uniformity which might probably follow, it was desirable not to exclude altogether the exercise of a discretion by the Universities themselves; and we therefore, by the subsequent Ordinance No. 18, section 4, empowered the University Court of each University, if it should think fit, to require all candidates for graduation to give attendance on the lectures of any one of the Professors of Natural History, Chemistry, or Botany, whose lectures are included in the department of Honours in Natural Science, to be presently mentioned. Under the power thus conferred, the University Court of Aberdeen has issued a regulation, requiring of all candidates in that University attendance on the lectures of the Professor of Natural History. None of the other Universities, however, has taken a similar step.

App. p. 22.

App. p. 30.

The ordinary four years' course, as established by the Ordinance No. 14, includes attendance for two sessions on each of the classes of Latin, Greek, and Mathematics, while attendance for one session on each of the other classes is sufficient. But any student showing himself competent, on examination, to attend the higher classes of Latin, Greek, and Mathematics, or any of them, without having attended the junior, will be admitted at once to such higher class or classes, and will thus be relieved of attendance for one session in the department or departments in which he shall have so shown his proficiency. In the event also of his being admitted to the higher classes both of Latin and Greek, without having previously attended the junior classes, he will be entitled to proceed to his degree, after an attendance at the University of three winter sessions instead of four, as in ordinary cases. This shortening of the course to students in an advanced state of preparation is calculated, in various ways, to lead to an elevation in the standard of the acquirements of students entering the Universities.

As regards the order of attendance on the several classes in the course of study, different rules have prevailed in different Universities; and we did not see any ground for interfering

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by Ordinance to prescribe a uniform order. This absence of interference, however, was interpreted by some persons as implying, that absolute freedom of choice in the matter was in future to be left to the students, and that the *Senatus Academicus* were no longer to exercise the power of issuing regulations on the subject. To prevent the possibility of such an interpretation, we inserted in the Ordinance No. 69 a clause, declaring that the power of regulating the order of attendance remains, as heretofore, with the *Senatus Academicus* of each University.

App. p. 93.

App. p. 23.

The Ordinance No. 14, after providing that candidates shall be examined on the subjects of instruction embraced in the course of study, divides these subjects, for the purposes of examination for graduation without honours, into the three following groups, viz.:—(1) Latin and Greek; (2) Logic, Moral Philosophy, and English Literature; and (3) Mathematics and Natural Philosophy. It further empowers a student, as soon as he has completed his attendance on the branches included in any one of these groups, to present himself for examination therein; and, if he then satisfies the Examiners, he is freed of any future examination in such branches, as a condition of his obtaining a degree. This provision recommended itself to us, as relieving students of the necessity of preparing for examination at one time in a number of subjects of a different nature, and as rendering it therefore probable that a more accurate knowledge of each subject would be generally evinced, and would so in time come to be expected and required, than if the whole subjects of the course were embraced in one examination. Apprehensions have been expressed to us, that the provision may have the effect of admitting students to degrees who, at the time of graduation, have lost much of the knowledge they once possessed of subjects, such as Latin and Greek, in which they had passed an examination a year or two previously. To this objection, however, we are not disposed to attach much importance; for it appears to us, that the best security for a lasting acquaintance with each subject is the thorough and accurate study, which the division of examinations prescribed by the Ordinance is calculated to insure.

App. p. 23.

App. p. 30.

After passing satisfactorily the examinations on the several subjects embraced in the course of study, a student is entitled, under the Ordinance, at once to proceed to a degree without honours. But if he desires to graduate with honours, he may present himself for farther examination in any one or more of the four following departments, viz.:—(1) Classical Literature; (2) Mental Philosophy, including Logic, Metaphysics, and Moral Philosophy; (3) Mathematics, including Pure Mathematics and Natural Philosophy; and (4) Natural Science, including Geology, Zoology, Chemistry, and Botany, the last subject (Botany) being included in this department in terms of the supplementary Ordinance No. 18, section 3. Two grades of honour, a first and a second class, are established in each of the first three of these departments; but in the department of Natural Science, as it is probable that in the meantime fewer candidates will present themselves than in the others, we thought it sufficient that there should be one class of honours only. It is intended that each class shall represent, as nearly as possible, a certain uniform standard of qualification, and in each the names of those entitled to honours will be arranged alphabetically. No candidate will be allowed, except by special permission of the *Senatus Academicus*, to offer himself for examination for honours, after he has ceased to be a student in the University for more than one winter session.

It has been stated as an objection to the enumeration of subjects in the various departments for graduation with honours, that English Literature has not been expressly mentioned. But, without eminence in that branch, it would be impossible for a candidate to obtain distinction either in Classical Literature, or in Mental Philosophy. In the department of Classics more especially, we think it indispensable that regard should be had to the proficiency shown by candidates in English Literature.

App. p. 23.

Hitherto the Professors themselves have been the only Examiners for degrees in the Universities of Scotland. But among the subjects to which we were desired by the Act to direct our attention, was 'the manner of examination, with the qualifications, appointment, and number of Examiners, and the amount and manner of their remuneration.' We have no reason to think that any undue laxity has existed on the part of the Professors in conducting the examinations, or that a high standard of qualification for admission to a degree has not in general been maintained. But we think that advantages are likely to arise from associating with the Professors other Examiners for degrees in Arts, and we have therefore provided for the appointment in each University of three such additional Examiners. These Examiners will be appointed by the University Court of each University, and no person will be eligible for the office, who is not a member of the General Council of one of the Universities. Each Examiner will hold office for three years; and their several periods of office have been so arranged, as to secure that one vacancy shall occur and a new appointment be made in every year. We have further thought it desirable to provide, that no Examiner shall be eligible for re-appointment to the office in the same University, until he has been at least one year out of office. For the remuneration of the Examiners thus

appointed, we have recommended an annual provision from the public funds of L.80 for each Examiner in the Universities of Glasgow, Aberdeen, and Edinburgh, and of L.50 for each Examiner in the University of St Andrew's. Graduation in Arts.

In appointing Examiners, the Ordinance directs the University Court to have regard to their eminence in Classical Literature, Mental Philosophy, and Mathematical Science; it further empowers them, should they think fit, to appoint a fourth additional Examiner for the examination of candidates for honours in Natural Science; and, in the event of such fourth additional Examiner being appointed, the amount of his remuneration will be fixed by the Senatus Academicus, subject to the approval of the University Court, and will be provided from the University funds. App. p. 23.

By the Ordinance No. 14 we provided, that the degree of Master of Arts should not in future be conferred in any case as an honorary distinction without examination. The Act of Parliament has made the degree a qualification for membership in the General Council; and it appeared to us essential, therefore, that it should be conferred on such persons only, as had completed the proper University course, and passed the examinations for the degree. By the same Ordinance we also abolished the degree of Bachelor of Arts, which of recent years had been conferred by the Universities of Edinburgh, Glasgow, and St Andrew's, after a shorter course of study, and an examination limited to fewer subjects, than the degree of Master of Arts. This practice of conferring an academical degree on persons, who had not completed the ordinary course of study, we could not but consider as inexpedient and objectionable. On similar grounds, we were unable to approve of a proposal, submitted to us by the Senatus Academicus of the University of Edinburgh, that the title of Associate in Arts should be conferred on students, after giving attendance on a certain portion only of the course, and passing an examination on a limited range of subjects. App. p. 24.

By the Ordinance No. 18 we have provided for the case of students, who have commenced their course of study in one University, completing their course and proceeding to a degree in another University. The Ordinance requires, however, that in every case a student shall be examined in all the departments necessary for a degree by the Examiners of the University, in which he seeks to graduate; and that, in order to be entitled to a degree in any University, he must have studied therein during the last two sessions of his course. App. p. 30.

In framing the several provisions of our Ordinances on the subject of graduation in Arts, it has been our anxious endeavour to establish such regulations for the degree, as should render it valuable in general estimation. We considered it necessary to take, as the basis of a system applicable to the Universities of Scotland, the course of study which has been followed in these Universities for a very long period. In this course a considerable variety of subjects has always been embraced, including Classics, Mental Philosophy, and Mathematical Science. Too large a variety has, undoubtedly, an injurious effect in dissipating the attention of students; and, as we have explained, a consideration of this evil made us unwilling, unless the Universities themselves should think it expedient, to require attendance on a branch of Natural Science, in addition to the branches prescribed as essential by the Ordinance No. 14.

But, as regards the subjects which have been uniformly included in the course of study for a degree in Scotland, we were not disposed to omit any of them. On the importance of the study of Greek and Latin as a branch of general education it would be superfluous to enlarge. No one who has himself had the benefit of a complete education, or who is competent to form an opinion on such a question, will doubt the propriety of making classical learning the foundation of a University course. The Universities of Scotland have long occupied a distinguished position among seminaries of learning for the cultivation of the various branches of Mental Philosophy, and we think it of the greatest consequence, that the prominence assigned to these subjects in past times should in no degree be diminished. We are satisfied, that the long and successful cultivation of this branch of learning by the Scotch Universities has not only had the effect of producing those great metaphysical writers, whose European reputation has reflected the highest honour on Scotland, but has also exercised a special and most beneficial influence on the national character. The study of Mathematics and Natural Philosophy also forms an essential part of a University education. Great attention has always been paid to these branches in the Universities of Scotland; and we have seen good grounds for concluding, that at no period has the instruction which they afford in the departments of pure and applied Mathematics been productive of better results than of recent years.

Besides these subjects, which it was clearly necessary to include in the curriculum for a degree, we were persuaded that it was expedient to require attendance on a course of English Literature. In explaining the reasons which rendered it necessary, in our opinion, that a Professorship of this branch should be founded in the University of

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Glasgow, we showed, by a reference to the striking increase in the number of students of the Professor in Edinburgh, that greater importance than formerly is now attached to the study of English Literature, as a branch of education. The success which has attended the labours of the distinguished Professor, who now occupies the Edinburgh Chair, has contributed in no small degree to this result. Our inquiries satisfied us, that the students of that University derived the most marked benefit from attendance on his lectures; and we concluded that it was desirable, that similar opportunities of instruction should be afforded to the students of the other Universities. In Glasgow, the number of the students in the Faculty of Arts justified, in our opinion, the foundation of a separate Chair for the purpose; and already we have seen cause to be assured of its success. In St Andrew's, and in Aberdeen, the subject has been assigned to the Professor of Logic; and the value, which is attached to the course in these Universities, is shown by the fact, that, although in the one the class has been instituted for not more than two sessions, and in the other for not more than three, it is already one of the most numerous attended classes in either University. Considering the importance which belongs to the study of the English Language and Literature, as part of a liberal education, we did not hesitate to prescribe attendance on the course to all candidates for degrees in Arts.

It is hardly necessary to observe, that the only attendance which we have prescribed, is that necessary for a degree without honours. For a degree with honours, the additional attendance to be given must be left to the option of each individual student. It is highly desirable, that every encouragement should be given to the prosecution of study, beyond what is barely necessary for a degree; and with this view, the greatest latitude ought to be afforded to candidates in aiming at a degree with honours. It was on this consideration that, in arranging the departments for graduation with honours, we so divided the subjects, as to present to students the opportunity of exhibiting high attainments in the particular department or departments best suited to their several capacities or tastes.

Among the Universities of Scotland a degree in Arts has, in Aberdeen only, continued to be recognised as the proper termination of a student's course. Both in King's and in Marischal College, graduation has uniformly prevailed as a general rule, and the effect of the practice in stimulating the exertions of the students has been most beneficial. We are glad to observe, from the returns with which we have been furnished, that the importance of graduation, as a valuable part of the academical system, is now receiving a wider recognition in the other Universities also. In the short period, which has elapsed since we began our labours, a marked increase in the number of candidates for degrees has taken place; and, considering the privileges which have been extended to graduates under the Universities Act, and other circumstances, we are induced to believe that this is merely the beginning of a still greater advance in the same direction, which will result, we hope, in restoring graduation in Arts to its proper position in all the Universities.

## Length of the Session in the Faculty of Arts.

In connection with degrees in Arts, it may be right for us to advert to a question, which has lately been much discussed in some of the Universities, as to the expediency of instituting summer sessions for students in the Faculty of Arts. At present the classes included in the ordinary course of study in that Faculty assemble during the winter session only, which in each University extends over a period of from 23 to 25 weeks, from the end of October or beginning of November to the beginning or end of April. There is thus a continuous vacation in each University of fully six months. It was represented to us, that evils arise from the suspension of the studies of young men at the University for so long a period; and many persons, who are persuaded of the existence of such evils, advocate strongly the introduction of a different arrangement, by which instruction in the Faculty of Arts may be extended over a portion of the summer.

This subject, from its importance, engaged our attention at an early stage of our proceedings, and we made careful inquiries regarding it. In answer to these inquiries, the most opposite views were expressed to us; and we found that, even admitting it to be desirable, that opportunities of instruction in the Faculty of Arts should be afforded to students during the summer months, any arrangement, prolonging the necessary attendance of the students at the University over a much larger portion of the year than is now required, was surrounded with very serious difficulties. The objection, with which we were most strongly impressed, lay in the difficulty, which it was said a departure from the present system would throw in the way of poor students, in completing their studies at the University. It is undoubted that a very large number of the students in the Scotch Universities are in exceedingly poor circumstances. Many of them engage during the summer in teaching and other employments, in order to gain the means of supporting themselves at the University during the winter; and, even with the winter session at its present length, the Professors receive, in the last few weeks of its course, frequent applications from students to dispense with their longer attendance for the session, on account of their scanty funds being

already exhausted. We were told by many persons, having the best opportunities of forming an opinion, that the institution of a compulsory summer session would have the effect of depriving many deserving young men altogether of the advantages of a University education.

Length of the Session in the Faculty of Arts.

The subject was again brought under our notice, shortly before the expiration of our powers, by a minute of the University Court of the University of Glasgow, of 5th November 1862, transmitting to us, along with certain resolutions of the Court, a carefully considered and elaborate Report, prepared by a Committee of the General Council of the University. That Report recommended the shortening of the winter session to five months, beginning with the second Tuesday of October, and the institution of a summer session of three months, beginning with the second Tuesday of April; and it embodied a scheme, for the completion of the course of study for a degree in three winter and three summer sessions. It contained also much valuable information, and many important suggestions worthy of serious and careful consideration.

At the same time, after giving to this Report the attention which it well deserved, we were not induced to alter the opinion at which we had previously arrived, that it would not be desirable to require of all candidates for a degree attendance during a much longer period of the year than at present. Allowing the system pursued in the English Universities—under which, mainly by the occurrence of more frequent vacations, the period of study at the University is made to extend over a larger portion of the year—to be preferable in theory to the usage of the Scotch Universities, it must yet be borne in mind, that the English system is comparatively an expensive one, and is suited for persons of more liberal means, than many of those who receive their education in the Scotch Universities possess.

But, further, we think that the present arrangement, even with a view to the benefit of the student, is not without advantage; and that it is possible to attach too exclusive importance to mere attendance on lectures at the University. The object and the advantages of a University education are not confined to the instruction received within the class-room. Besides imparting information, the lectures of the Professors are intended, in a great measure, to guide and to stimulate private study, and for this the long vacation affords the best opportunity. The student is then enabled to revise, by himself and at leisure, the subjects of his University studies, and to consider more fully, and carry out to their legitimate conclusions, the principles which he has heard enunciated by his Professors. The encouragement thus given to independent thought has an importance not lightly to be disregarded.

It must also be borne in mind, that under existing regulations opportunities of instruction in the various branches of Natural Science are afforded during the summer months, from May to August, and that it is unnecessary, therefore, that the studies of young men at the Universities should be suspended during the whole of the long vacation. It is true, that at present no attendance on these branches is required for a degree in Arts, except in the University of Aberdeen; but still the opportunity of attending them is presented, if students, or those who have the guidance of their education, think it desirable that they should avail themselves of it. It is further open to any of the Universities, by the institution of summer courses of lectures on the branches embraced in the ordinary curriculum, to enable students, if they please, to prosecute their studies at the University in these branches during a portion of the present long vacation. Such a course, we understand, is about to be adopted in the University of Glasgow, and is free from the objections which would apply to an arrangement, making it imperative on all students to prolong the period of their attendance at the University much beyond what is now required.

For the present, a careful consideration of the subject has satisfied us, that the sudden introduction, as a measure compulsory on the students, of any great change from long-established usage in regard to the University session, would be attended with serious danger.

The expediency of fixing by Ordinance a winter session of uniform length for all the Universities was also pressed on our attention by various persons. But, in consequence mainly of the half-yearly sacramental fast-days occurring, under existing arrangements, at different periods relatively to the beginning and close of the session at the different University seats, it would be difficult, without making the session materially longer or materially shorter than at present, to establish complete uniformity in regard to it. Practically, however, there is now little real difference as to the length of the session in the different Universities; for, although in one the session may be nominally a week or a fortnight longer than in another, the nominally longer session will be found to be interrupted by a larger number of holidays. Thus in Glasgow, where the session is nominally longest, there is a considerable number of holidays, including a week at Christmas, and a period of nearly a week at the time of the sacramental fast, in the beginning of April; while, in Aberdeen, where the session is apparently shortest, the only holidays throughout its course are Christmas day and New Year's day, and occasionally two additional days, when those usual holidays occur towards the end of a week.

Graduation in  
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App. pp. 4, 15,  
24, 26, 30.

For the regulation of degrees in Medicine, separate Ordinances have been issued for the different Universities,—the Ordinances, namely, Nos. 5 and 8, for the University of Edinburgh; the Ordinance No. 15, for the University of Glasgow; the Ordinance No. 16, for the University of Aberdeen; and the Ordinance No. 19, for the University of St Andrew's.

In each of the Universities of Edinburgh, Glasgow, and Aberdeen, there is a complete Medical School, affording ample means of instruction in every branch of Medicine and Surgery; and there is a large body of students engaged in qualifying themselves for the medical profession, by attendance on the lectures of the Professors, and by the opportunities of hospital practice which exist at the University seat. The provisions, therefore, of the Ordinances applicable to these Universities we have made in all material respects the same. While a certain latitude is allowed as to the schools, in which two of the prescribed four years of Medical and Surgical study may be passed, and the only requirement as to a third year is that it shall be in a University, it is provided that during one at least of the four years a candidate must have given attendance in the University in which he seeks to graduate. As regards the degrees to be granted in future, the Ordinances introduce a change from the practice, which has heretofore prevailed in the Universities of Scotland, by providing that the degree to which a candidate shall be entitled, on completing his course of study, and passing the necessary examinations, shall be, not as formerly the degree of Doctor of Medicine, but that of Bachelor of Medicine, along with which a candidate may, if he please, obtain also the degree of Master in Surgery. The degree of Doctor of Medicine is postponed to a later age, and to a period of not less than two years after the candidate has graduated as Bachelor.

Rep. of 18th July  
1860. App. p. 221.

The grounds, which in our opinion justify these departures from previous usage, are fully explained in our Report to Your Majesty in Council, of 18th July 1860, on certain petitions against the two Ordinances relative to graduation in Medicine in the University of Edinburgh, presented by the Colleges of Physicians and Surgeons of Edinburgh, the Faculty of Physicians and Surgeons of Glasgow, and the College of Surgeons of England, which bodies were desirous to prevent degrees in Surgery being granted by the Universities. In that Report, to which we now beg leave to refer, as explaining in detail the effect and bearing of the Ordinances, and the views on which their provisions have been framed, we showed that the institution of degrees in Surgery had, in our opinion, been rendered necessary in consequence of the changes introduced by the Medical Act of 1858.

By that Act, 21 and 22 Vict., c. 90, a general system of registration of medical practitioners for the whole of the United Kingdom was established; and it was provided by the 31st section, that every person registered under it should be entitled, 'according to his qualification or qualifications, to practise Medicine or Surgery, or Medicine and Surgery, as the case may be, in any part of Her Majesty's dominions,' and, subject to such restrictions as might be imposed by any College of Physicians on its Fellows or members, to demand and recover in any Court of Law reasonable charges for professional aid. Among the qualifications enumerated in the Schedule, as entitling persons to registration, were those of 'Doctor, or Bachelor, or Licentiate of Medicine, or Master in Surgery, of any University of the United Kingdom.' Previous to the Act, a degree in Medicine from any of the Universities conferred on its holder a title to practise both Medicine and Surgery throughout Scotland, except, it may be, within certain limits, over which exclusive privileges in regard to the practice of Surgery were claimed by the Corporations of Surgeons of Edinburgh and Glasgow. In interpreting the Act, a difficulty was created by the words, 'Medicine' and 'Medical,' being used sometimes in their more restricted sense, as applied to Physic in contradistinction to Surgery, and sometimes in their more ordinary and general sense, as including all departments of Medicine; and a doubt was suggested, whether the possession of a degree in Medicine from a University was intended by the Act to be taken as indicating in its holder a competent knowledge of the principles and practice of Surgery, as well as of the principles and practice of Physic, and as constituting a qualification in both branches of the profession. In each of the Universities of Edinburgh, Glasgow, and Aberdeen, the course of study for a medical degree has uniformly comprised instruction in Surgery as well as in Medicine, and the graduates of these Universities would have been placed at a disadvantage, had effect been given to the doubt to which we have referred, and no provision been made for their receiving from the Universities a certificate of their qualification in Surgery. The result under these circumstances would have been, that every graduate desiring to practise Surgery would have been obliged, in addition to his University degree, to obtain a diploma from one of the Surgical Corporations. It appeared to us, therefore, necessary for the protection of the Universities, that they should be empowered to grant the degree of Master in Surgery, which the Act had included among the titles qualifying for practice. Having regard, moreover, to the usage of the English Universities, of conferring first the degree of Bachelor of Medicine, and afterwards that of Doctor of Medicine, we thought that, as the Medical Act had comprised the whole of the

United Kingdom in one system of registration, it was desirable, with a view to uniformity, to alter the system previously existing in Scotland, of conferring the degree of Doctor of Medicine as the degree qualifying for ordinary practice, and to substitute the degree of Bachelor of Medicine for that purpose. It appeared to us that this degree should virtually take the position which the degree of Doctor of Medicine formerly held, conferring on its possessor the right to practise as a general practitioner; and that, if for any purpose a candidate should desire to receive a distinct certificate of competency in Surgery, he should be admitted also to the degree of Master in Surgery, to which his education and acquirements fully entitled him. The conditions of education and examination, which we prescribed for the degree of Bachelor of Medicine, are such as to secure that its holders shall possess qualifications fully as high as those formerly required in the University of Edinburgh for the degree of Doctor of Medicine. For this degree, to be conferred as a mark of honour or distinction subsequently to the degree of Bachelor, we regarded it as inexpedient that an additional examination in Medicine should be required. The degree could confer no right of practice which the previous degrees had not conferred, and the institution of a farther examination for it would only have seemed to imply, that the candidate had already been admitted to practise with imperfect and insufficient knowledge.

The Medical Corporations, which had petitioned Your Majesty in Council against the Ordinances, were heard by Counsel before a Committee of the Privy Council in opposition to the views embodied in our Report; and subsequently, on the advice of that Committee, Your Majesty was pleased, by Order in Council, of 4th February 1861, to confirm the Ordinances in every respect.

The confirmation of these Ordinances secured to the University the right, which the Medical Act obviously intended that it should possess, of conferring on its graduates a qualification to practise both Medicine and Surgery. We found, however, that owing to a misapprehension as to the nature of the degrees granted by the University and the regulations contained in our Ordinances, the qualifications possessed by its graduates had not received a full recognition from some of the departments of the public service. In particular, it appeared, that, through a misapprehension of this kind, the War Department declined to accept a degree in Medicine and a degree in Surgery from the same University, as qualifying persons to become candidates for admission to the medical service of the army, and required that the qualifications to practise in these two branches, which each candidate must possess, should emanate from two separate bodies. Under these circumstances, we addressed a communication to the Secretary of State for War, with the view of removing the false impressions on which the restriction in the regulations of that department was based. The Secretary of State shortly afterwards intimated to us in reply, that the existing regulations would be so far modified, as to admit as candidates all persons of suitable age and character, borne on the medical register as licensed to practise both Medicine and Surgery. The unjust restriction, to which we have referred, was thus removed, and the graduates of each of the Universities were placed on the footing to which, by their qualifications, they were entitled. The correspondence on this subject will be found in the Appendix.

App. p. 230.

Until the decision of Your Majesty on the Edinburgh Ordinances had been obtained, we had delayed issuing Ordinances relative to the other Universities. As soon, however, as that decision was given, we prepared Ordinances for the other Universities also, after considering carefully communications received from them on the subject; and, on the 16th of March 1861, we issued the two Ordinances Nos. 15 and 16, for the regulation of degrees in Medicine in the Universities of Glasgow and Aberdeen, embodying provisions similar in all material respects to those applicable to the University of Edinburgh. These two Ordinances shortly thereafter received Your Majesty's sanction.

App. pp. 24, 26.

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In the University of St Andrew's, we were desirous, as far as possible, to make the system of medical graduation uniform with that established in the other Universities. At the same time, the peculiar circumstances of the University afforded grounds, in our opinion, for not insisting on absolute uniformity in every respect. The University does not furnish the means of obtaining a complete medical education. The only Professors in the Faculty of Medicine are a Professor of Medicine, a Professor of Chemistry, and a Professor of Natural History; and, owing to the disadvantage, which would attend

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the prosecution of medical study in St Andrew's, the lectures of even these Professors are rarely, if ever, attended by students preparing for the medical profession. The smallness indeed of the population of the town of St Andrew's, amounting only to about 5000, and the consequent want of an hospital, render it very improbable that a Medical School can ever arise in the University. It appeared to us therefore inexpedient to require in St Andrew's, as in the other Universities, that every candidate should have passed one of his four years of medical study in the University itself, as such a condition would obviously not have been calculated to raise the standard of the acquirements of candidates for its medical and surgical degrees. But we required, in all ordinary cases, that two of the four years of study should have been spent in a University. To this extent, accordingly, we assimilated the system in St Andrew's to that of the other Universities. It was, however, represented to us, on the part of the Senatus Academicus, that instances sometimes occurred in which medical practitioners, who had commenced the study of their profession without the intention of proceeding to a University degree, were desirous, after a successful career of some years, of attaining a higher professional position; and that the absence of any restriction as to the schools, in which candidates for the St Andrew's degree might have received their education, had hitherto enabled such persons to accomplish that object. The names of gentlemen of eminence in their profession, who had graduated in St Andrew's, were mentioned to us, and we ascertained, that in the medical profession a general opinion prevails, that such a facility, as that which the University has been in use to afford, is proper and advantageous, if confined within due limits. Proceeding on this opinion, and after making the most diligent inquiries as to the number of persons on whom it might probably be desirable to confer a degree under such exceptional circumstances, we resolved to empower the University of St Andrew's to grant the degree of Doctor of Medicine to registered medical practitioners of established position, without restriction as to the schools at which they had received their education, on their satisfying the Medical Examiners of the sufficiency of their professional knowledge; but, at the same time, we thought it necessary, with the view of preventing any abuse of the privilege, to limit to ten the number of degrees which should be so conferred in any one year. That number, we were assured on the best professional authority, would be quite sufficient to include all persons so situated, who could present any reasonable claim for admission to a degree.

Among the provisions, which we embodied in the St Andrew's Ordinance, in order to secure that there should be a sufficient examination of candidates in the various branches of medical science, we directed that, in addition to the Professors, such a number of Examiners in Medicine should be appointed by the University Court, as should raise the number to not less than seven in all; and we further specified the respective departments in which they should be specially qualified to examine. We were urged by the University to recommend for the remuneration of these Examiners an allowance from the public funds; but we declined to accede to this application, considering that a system of medical graduation is not required in St Andrew's for the students of the University, and that, if it exists at all, it ought to be self-supporting.

App. p. 30.

The Ordinance No. 19, of 10th June 1861, contains the provisions which, after much careful and anxious deliberation, we thought it right to introduce on the subject of graduation in Medicine in St Andrew's. Petitions, as we mentioned in a former part of this Report, were presented against its approval by the Governors of certain of the London Hospitals, whose students had of late years been in use to resort to St Andrew's in considerable numbers, as candidates for medical degrees. On these petitions we reported to Your Majesty in our Special Report of 20th December 1861; and on a consideration of that Report, after the petitioners had been heard by Counsel before a Committee of Your Majesty's Privy Council, Your Majesty was pleased to confirm the Ordinance, with the exception of directing that King's College and University College London, which we had included in section viii. among the institutions in which the two necessary years of University study might be passed by candidates, should be struck out of that clause, and placed on the same footing with the Hospital Schools mentioned in section ix. The effect of this alteration has been to limit more narrowly, than we had originally proposed, the schools in which the education of candidates for the St Andrew's degree may, in ordinary cases, be obtained.

Rep. of 20th Dec.  
1861. App. p. 232.

Our Report of 20th December 1861 contains a detail of the recent history of medical graduation in St Andrew's, and an explanation of our views as to the inexpediency of the previously existing system of graduation. It is quite unnecessary, and it gives occasion for observations unfavourable to the University, that, while it possesses no Medical School, it should encourage a system of graduation, which attracts candidates in large numbers for its medical degree from all parts of the United Kingdom. Within the last nine years it has conferred degrees on as many as 1231 persons, and these almost entirely persons educated and resident in England or Ireland, and in no way connected with St Andrew's. From information furnished by the Professor of Medicine, we learned that as many as 86 per cent.

of the candidates had received their education in the London Hospitals, or in the English provincial or Irish schools; and a return recently obtained of the residences of above 200 of the candidates, who came forward in last December, shows us that only about 9 per cent. were resident in Scotland. There is no occasion for persons educated in England to resort to St Andrew's for a medical degree, as a licence of any of the London medical corporations suffices to admit them to practice; and, if they aspire to a degree, it appears more natural that they should present themselves as candidates to the University of London. That University is purely an examining and graduating body, and the system adopted in it is to admit candidates from a great variety of medical schools throughout the country. It has probably been enabled to proceed on that principle with less risk or suspicion of abuse, than would be possible in the case of other Universities, by an arrangement under which the public Exchequer receives the benefit of its examination or graduation fees, and which, therefore, secures the University, as well as its examiners, from any pecuniary interest in the number of candidates.

Graduation in  
Medicine.

We believe that the provisions of the Ordinance No. 19, which came into operation on the 1st of January 1863, will have the effect of diminishing considerably the number of medical degrees granted by the University; but, as we have already stated, we cannot contemplate that result with regret.

Degrees in Law have, for a long period, been granted by the Universities of Scotland as honorary distinctions only. Considering, however, that the legal education of the country is for the most part carried on in the Universities, and that in some of them the Faculty of Law occupies a very prominent position, we regarded it as of the highest consequence, that a course of study and examinations for degrees in that Faculty should be established. In Edinburgh, in particular, instruction in Law forms a most important feature of the University system; and the number of students in the Faculty is very considerable, amounting at present to about 260. In this University, the strongest reasons presented themselves, for giving to the Faculty of Law a more extended constitution, than it possessed when we began our labours; and a consideration of these grounds justified, in our opinion, the course which we adopted, of reviving the Chair of Public Law, which for some years had been in abeyance, and of imparting a new character to the Professorship of History, which, as a Chair in the Faculty of Arts directed to the purposes of general education, had not been successful in attracting students.

Graduation in Law.

The desirableness of taking means to extend the opportunities of instruction in Law in the University was brought to our attention at an early stage of our proceedings by a resolution of the Faculty of Advocates, of date 12th January 1859, transmitting and recommending to our favourable consideration a Report of a Committee of the Faculty on legal education, prepared in the year 1855, and a Memorial which the Faculty had submitted to Government, founded on the recommendations of that Report. These recommendations embraced a proposal, that the scheme of University instruction in Law should comprise courses of lectures on International Law, both public and private, and also a course of lectures on Constitutional Law; and, to aid in carrying out these views, it was further recommended, that the Chair of Public Law should be restored to a state of efficiency, and that a new Law Chair should be established in the University.

To these recommendations of the Faculty of Advocates we were naturally disposed to attach the greatest weight; and, after a careful consideration of the subject, we resolved to follow the course, which our Ordinance No. 23 subsequently embodied, of directing that the Professor of the revived Chair of Public Law should lecture on International Law, and of assigning to the Professor of History, whom we introduced as a member into the Faculty of Law, the department of Constitutional Law and History. By the same Ordinance we also required the Professor of Civil Law and the Professor of Scots Law to deliver courses of lectures during the summer, in addition to their usual winter courses.

By these arrangements, the system of lectures in the Faculty of Law in the University of Edinburgh has been established on such a footing, as to give students the opportunity of obtaining complete instruction in the various departments of Law. We were therefore encouraged, in considering the subject of graduation in Law, to regard it as no longer impossible to prescribe such a course of study for the degree, as should secure to it importance as a mark of high legal education.

Before adopting any resolutions, however, as to the conditions to be required for a degree, we intimated both to the Faculty of Advocates and to other legal bodies in Scotland, that we should be glad to receive any suggestions, which they might be disposed to offer to us on the subject of graduation in Law; and we have pleasure in acknowledging the valuable assistance, which we derived from the views expressed to us in reply to this request.

The conclusion at which we arrived, after much consideration, was, that there should be one degree in Law conferred after examination; that that degree should be granted only

Graduation in Law. to graduates in Arts; that it should be considered as a mark of academical and not of professional distinction; and that it should therefore be subject to such conditions, as would imply a more extended course of legal study, and the possession of higher attainments, than are ordinarily required for mere professional purposes. The introduction of a degree of this high character, which the enlarged constitution given to the Faculty of Law in Edinburgh now rendered possible, appeared to us likely to be instrumental in elevating the standard of legal education in the country.

App. p. 97. The general Ordinance No. 75, for the regulation of degrees in Law, is based on these views. It provides that the degree of Bachelor of Laws shall be conferred only on graduates in Arts; and that the course of legal study for the degree shall extend over three academical years, and include attendance on a distinct course of each of the six departments of Civil Law, Law of Scotland, Conveyancing, Public Law, Constitutional Law and History, and Medical Jurisprudence. The Examiners, who are to be six in number, are directed, in judging of the qualifications of candidates, to have special regard to their acquirements in Public Law and Constitutional History. Attention to this provision we consider of importance, with the view of securing, as far as possible, that the degree shall not be regarded as a mere test of professional knowledge.

The University of Edinburgh, in which there is now a Professor of each of the six branches above specified, is the only University in which the whole of the course of study thus required can be prosecuted. But each of the Universities of Glasgow and Aberdeen affords the means of completing a part of the necessary course; and a provision of the Ordinance enables a student to proceed to a degree in one University, although one of his three years of study may have been spent in another.

The Ordinance provides that the degree of Doctor of Laws shall be conferred, as heretofore, as an honorary degree only. With the usage of the Universities in that respect we thought that there was no occasion to interfere.

Graduation in Divinity.

The subject of graduation in Divinity is surrounded with difficulties of a peculiar nature.

The instruction and course of study in the Faculty of Divinity being intended to prepare students for becoming clergymen of the Church of Scotland, and the Professors in the Faculty being necessarily members of that Church, the view was perhaps not unnatural, that, in framing regulations for graduation, it was unnecessary to provide for students belonging to other religious bodies.

Rep. of Comm. of 1826, p. 51.

Such appears, accordingly, to have been the view on which the Royal Commissioners of 1826-30 proceeded in making the recommendations embodied in their Report, with regard to the revival of the degree of Bachelor of Divinity; and at a later period, in the year 1855, a series of proposed regulations for conferring that degree, adopted by a body of delegates from the Professors of the different Universities, was also based on the same view.

Subsequently, however, to the latter date, proposals were made for giving to the degree a wider scope. In 1856 the Senatus Academicus of the University of Glasgow declined to adopt the regulations proposed by the body of delegates in the previous year, on the ground 'that, by the creation of the degree of B.D. in the manner proposed, the Universities would place themselves in the position of having instituted public academical honours, which can be enjoyed by no student of Theology, not belonging to the Church of Scotland; and that, in present circumstances, it is not desirable to erect a distinction which must be invidious, and might be prejudicial to large numbers of young men received, educated, and admitted to all honours in the curriculum in Arts, but who, through effect of differences of opinion widely prevailing, and with which, as representing a National University, the Senate is not concerned, attend other Theological Halls.'

Influenced by the same considerations, the Glasgow Senatus, in the beginning of the year 1862, approved unanimously of a scheme submitted to them by the Theological Faculty of the University, for the revival of the degree of Bachelor of Divinity, under which, to entitle any Master of Arts of the University to present himself for the degree, either attendance on the Theological Classes of the University itself, or 'attendance on the Theological classes of any of the other Scottish Universities, and also on such other Theological Halls or Colleges presided over by one or more graduates of Divinity of this or some other Scottish University, as shall have been specially recognised for this purpose by the University Court, with consent of the Chancellor of the University,' was to be sufficient. The scheme embodying this proposal was recommended to our consideration by the Senatus, with the view of our issuing a general Ordinance on the subject.

Proposed regulations for conferring the degree of Bachelor of Divinity were subsequently submitted to us on the part of the other Universities also. These regulations all contemplated the admission to the degree of persons belonging to other religious bodies besides the Church of Scotland. By the Universities of Edinburgh and St Andrew's, however, the condition of one year's Theological study in the University itself was proposed to

be required; while the Faculty of Divinity of the University of Aberdeen, by whom a scheme had been prepared on the part of that University, left to us the details of any arrangement for the admission of such persons to degrees, 'provided always that security be taken that such degrees shall be conferred only on the members of bodies, whose doctrines are substantially in accordance with the doctrines of the Westminster Confession of Faith and the Thirty-nine Articles, and who have studied at Theological Halls which shall have been specially recognised for the purpose by the University Court, with the consent of the Chancellor and of the Theological Faculty of the University.'

Graduation in  
Divinity.

To the proposals which were thus submitted to us we gave the most attentive consideration; but the conclusion at which we arrived was, that it was not desirable for us to regulate by Ordinance the conditions under which degrees in Divinity shall be conferred.

An important difference, it will be seen, existed between the regulations proposed by the different Universities. On the part of the University of Glasgow, no Theological study in the University itself was proposed, as an essential condition to the right of Masters of Arts of the University to become candidates for the degree; whereas in Edinburgh and St Andrew's it was contemplated that a year's Theological study in the University should be required.

Whether this latter condition would have the effect of preventing the attainment of the object, which the Universities have had in view,—the extension, namely, of the advantages of a system of graduation in Theology to the members of other bodies besides the Church of Scotland,—it is difficult to determine beforehand, and experience alone can show. On the other hand, we cannot but see objections to the proposal made by the University of Glasgow, to admit to its degrees persons who have received no part of their Theological education in the University. The Universities of Scotland, as teaching bodies, have not hitherto been in use to confer degrees in Faculties, in which they afford instruction, except on persons who have studied within their walls, as students in such Faculties; and this usage, depending as it does on an important feature in their constitution, ought not lightly to be infringed upon. The peculiar system, which has been adopted in the University of St Andrew's as to medical graduation, is not an example to be followed, except for very obvious advantages; but even that system fails to present a proper exception to the rule to which we refer, as the University of St Andrew's does not afford the means of education for a medical degree. In the Faculty of Theology, therefore, we should be indisposed, unless there were strong grounds to anticipate that great benefits would result from the change, to introduce so serious a departure from the uniform usage of the Universities.

On the whole, we concluded, in the absence of any experience to guide us in a matter of acknowledged difficulty and delicacy, that it was better for us to abstain from issuing an Ordinance, which would interfere with the free action of the Universities themselves. We thus leave it in their power to take such steps as, after careful inquiry, they may consider most likely to promote the advancement of Theological learning, and no difficulties are placed in the way of a modification of their regulations at a future period, should experience show such a modification to be advisable.

The Act imposed on us important duties in relation to foundations for bursaries and similar objects in the different Universities. By section XV. 2, it directed us 'to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the said Universities or Colleges, or for the benefit of any Professors, students, or others therein;' and it further empowered us, in the case of any such gift or endowment which had taken effect for more than fifty years, to alter or modify the conditions affecting the same, and to frame a new Ordinance for its application, if it should appear to us that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, might be better advanced thereby.

Bursaries and  
Scholarships.

In the discharge of our duties under this section, we received great assistance from the copious information and returns, relating to bursary foundations, furnished to former Royal Commissions, and printed in the Appendices to their Reports. We thought it necessary, however, in addition, to obtain from the Universities, as well as from private persons and public bodies, such farther returns as were required to place before us the existing condition and circumstances of the several foundations, and to bring down the information regarding them to the present time.

In the University of Aberdeen, and also in the University of St Andrew's, the number of bursary foundations is very considerable; and in the former University especially, the duty of revising existing foundations necessarily engaged a large share of our attention.

It is, perhaps, right to explain, that the great majority of the bursaries in each University are tenable by students in the Faculty of Arts; and that the general object of their foundation is to assist persons in obtaining a University education. A certain number of bursaries are applicable to the assistance of students in the Faculty of Divinity; and in St Mary's College, St Andrew's, which is exclusively a Divinity College, the proportion

Bursaries and  
Scholarships.

Rep. of Comm. of  
1826, p. 75.

of bursaries to students is very large. In the Faculties of Law and Medicine, in all the Universities, the number of bursaries is very small.

In considering this subject, we found that the Commissioners of 1826-30 had recorded a very decided opinion as to the evil effects of an excessive number of bursaries in the Faculty of Arts; and the most careful inquiries satisfied us of the soundness of the conclusion at which they had arrived, that the existence of a very great number of bursaries operates unfavourably to the interests of education, by attracting to the Universities persons whose state of preparation is insufficient. It is difficult for the Professors, in many cases, to reject bursars as unfit to enter the University, and they are therefore led by degrees to lower the standard of their instruction, in order to suit it to the attainments of persons of inferior education. It follows as a necessary consequence, that the tone and character of the University come in time to be prejudicially affected, while, to compensate this evil, no corresponding benefit is conferred on those who are admitted to the University without due preparation. Where, therefore, we found a large number of bursaries of small value existing, we considered that a strong ground presented itself for taking steps to diminish the number and increase the value, provided this could be effected consistently with a due regard to the main objects proposed by the founders.

We were further convinced, after mature deliberation, that, where there were adequate funds for the purpose, it was of the utmost importance, with the view of affording inducements to advanced study, to institute pecuniary rewards attainable by distinguished graduates in Arts. All who are interested in the improvement of the Universities of Scotland have regretted the absence of stronger motives to exertion, and greater opportunities of gaining reputation at the Universities, than have hitherto existed; and no more effectual means for supplying these wants can be devised, than the institution of substantial rewards for diligent and successful prosecution of study during the University course. In some of the Universities, through the liberality of private persons, and in others, through the accumulations existing on bursary foundations, we have been enabled, in the course of our proceedings, to establish a certain number of prizes of this nature, under the name of Scholarships; and the benefits which these scholarships may be expected to confer on the Universities cannot, we believe, be too highly estimated.

As regards the principles on which bursaries in the Faculty of Arts should be bestowed, we were led to the conclusion, that it would be most inexpedient that they should all be bestowed on one uniform principle. These aids to a University education are attainable by students entering the University, or who have completed only a small portion of the course; and, while the system of open competition operates advantageously, by stimulating the schools to send their pupils to the Universities in an advanced state of preparation, we yet should regard it as far from desirable, that all bursaries should be bestowed on that principle, to the entire exclusion of private patronage. The opportunities of early instruction of many deserving students may have been inferior to those possessed by others; and the students, whose deficient training would place them at a disadvantage in a competitive examination, are frequently students from country schools, who stand most in need of help. We think, also, it would be very unfortunate, if persons of comparatively moderate talent, or it may be of slower development than other students, were deprived of all chance of assistance in obtaining a University education. In dealing with the bursary foundations in Aberdeen, in which University the subject has a prominent interest, we carefully endeavoured to secure that a due proportion of the bursaries should be bestowed on other conditions than success in the annual competition; and, under the arrangements effected by our Ordinances, the bursaries in that University are nearly equally divided between competition bursaries in the appointment of the *Senatus Academicus*, and presentation bursaries, or those which are in the gift of private persons or corporations.

In Aberdeen, we found that the proportion of bursaries to students had been increased even beyond that, which the Commissioners of 1826-30 condemned in their Report as excessive and injurious, and that this increase had been the result, in a great measure, of an illegal practice of multiplying bursaries on different foundations without authority, at the discretion of the *Senatus Academicus*, or of those entrusted with the management of the funds. Many of the bursaries also were of small or inconsiderable value, and many were frequently left vacant for years, partly owing to their insignificance, and partly to the conditions with which the foundations were fettered. In this University, therefore, we found it necessary to issue a considerable number of Ordinances on the subject of bursaries. The Ordinances so issued were twenty-five in number, from No. 28 to No. 52 inclusive; and, of these, twenty-four have received Your Majesty's sanction. The twenty-fifth, No. 52, was disallowed under circumstances which we shall presently explain. Under the Ordinances, as approved, the number of bursaries has been reduced to some extent,—there being still left, however, in the Faculty of Arts, nearly one bursary for every two students. Restrictions also have

been removed from foundations, where these had in time come to operate injuriously; and, the funds of several foundations having accumulated to an extent much beyond what was necessary to carry out the original intentions of the donors, eight Scholarships, to be awarded and held after graduation, have been instituted from a portion of the surplus income, as encouragements to higher acquirements and more advanced study. These scholarships, each of which is tenable for four years, will be open to general competition, and we have directed that four of them shall be awarded for distinction in the department of Classical Literature and Mental Philosophy, and four for distinction in the department of Mathematics and Natural Philosophy. It has also been provided that two scholarships, one in each of the departments, shall be awarded annually. The annual value of each scholarship has been fixed at L.65, although, had it been in our power, we should have made a larger provision for the purpose.

Bursaries and Scholarships.

App. p. 74.

It was, perhaps, not to be expected that the interference, implied in these Ordinances, with abuses, which had grown up in connection with foundations of old standing, would pass without opposition, or that the alterations, which we considered it our duty to introduce, would meet with universal acquiescence. Petitions accordingly were presented from various quarters against the approval of the Ordinances, and on these, by Order of Your Majesty in Council, we were called upon to report. In terms of that Order, after hearing by Counsel such of the petitioners as were desirous to be so heard, we submitted to Your Majesty a Special Report dated 28th October 1862, explaining the general effect of our Ordinances, the views on which we had proceeded in framing them, and the manner in which particular foundations were dealt with. Your Majesty was subsequently pleased to refer our Report, together with the Ordinances and Petitions, to a Committee of the Privy Council, on whose recommendation Your Majesty proceeded, in approving of the twenty-four Ordinances, from No. 28 to No. 51 inclusive, and in disallowing the twenty-fifth, No. 52. The Order in Council, giving effect to the recommendations of that Committee, is dated the 20th of March 1863.

Rep. of 28th October 1862.  
App. p. 236.

The Ordinance, No. 52, which has thus been disallowed, was framed by us for the regulation of the foundation of Walter Ogilvie, of Redhyth, who, by a deed, dated 16th September 1678, set out in the Appendix to our Report of 28th October 1862, mortified certain property to the ministers of the parishes of Fordyce, Banff, Inverboyndie, Mortlach, and Ordiquhill, and to the Principal and Professors of the King's College of Aberdeen, for the use of twenty boys, to be bred and educated at the school of Fordyce and King's College, subject to the directions contained in the deed; which are to the effect, that each boy should remain at the school for five years, and immediately thereafter at the College for four years; that only twelve of the boys should be together at the school, and eight at the College, for which end the deed directed that only two boys yearly should be admitted to the foundation; that, until the full number of twenty boys should be completed, the surplus of the yearly rents should be accumulated, as this would 'much contribute to their better maintenance and subsistence, their last four years in the College, which requires a better provision;' that each boy, when at school, should receive a specified allowance in grain, for his maintenance and clothing, besides a fixed money payment to the Schoolmaster of Fordyce for his instruction; and that, after providing a certain fixed allowance for the Chamberlains appointed to draw the rents, the income arising from any accumulation made, as above directed, should be employed for the use of the eight boys, who should, from time to time, be at College, in addition to their receiving the like allowance in grain to that provided for the boys at school.

App. p. 280.

App. p. 273.

By a subsequent deed, dated 1st November 1680, the founder vested the right of presenting the bursars, which the former deed had given to the trustees of the foundation, in Sir Patrick Ogilvie of Boyne, and his heirs and successors, from whom, through a purchase by the Earl of Findlater and Seafield, in 1765, the Earl of Seafield, the present patron, derives his title to the patronage.

In framing the provisions of the deed of 1678, the founder seems not to have observed that, by requiring that two boys only should be admitted yearly to bursaries tenable for nine years, and at the same time that the surplus rents should be accumulated for the benefit of the eight bursars at College, 'so long as their shall be any such superplus, and that ye said full number of twenty boys be not altogether and at one time entered to ye benefite of this my mortification,' he in effect directed a perpetual accumulation for the benefit of these eight bursars, as there never could be more than eighteen boys at one time on the foundation. In what way the accumulations on the property were originally disposed of, it might now be difficult to ascertain; but for a long period the administration of the funds has been conducted with little regard to the provisions of the deed, and, for nearly a century, the number of bursaries has been increased from time to time, at the discretion of the patron and the trustees of the foundation. In 1767, on a suggestion by the Earl of Findlater and Seafield to the Principal and Professors of King's College, an additional bursar was appointed at the College, and an annual allowance of L.1 above that

fixed by the deed was given to each boy at school. Subsequently, farther additions were made at various times to the number of the College bursaries, and beginning with the year 1803 to the school bursaries also, the last addition having been made in 1849, when the whole number was raised from 34—viz., 17 at School and 17 at College—to 40, viz. 20 at School and 20 at College.

These departures from the deed have been justified on the ground of a considerable increase in the value of the property. They rest, however, entirely on the authority of the trustees and the patron, and there cannot be a question as to their illegality. Their effect, while bringing to the patron an increase of patronage, and to the Professors an additional income from class-fees, has been, in a great measure, to sever the connection between the school and the University, which it was a main object of the founder to secure. This has arisen partly from the inconsiderable value of the University bursaries, furnishing little inducement to boys educated at the school to proceed to the University, and partly from the disproportionate increase in the number of these bursaries, as compared with those at the school, which renders it necessary that at all events some presentations should every year be made to the University direct. Such direct presentations were authorised by the founder, only in cases where it had been ascertained that a bursar at the school had not 'a genius and inclination for letters,' so as to afford a reason for appointing another bursar to proceed to the University in his room.

The increase in the number of the University bursaries has also had the effect of embarrassing the University with persons of insufficient education and qualifications. The *Senatus Academicus* laid before us, in April 1861, a special complaint as to the character of many of the bursars presented on this foundation, and informed us that the delicate duty of rejecting persons presented by the patron had often fallen upon them, under circumstances in which it was both difficult and painful to exercise it. The foundation thus affords a notable instance of the evil effects produced by a large number of bursaries, in attracting to the University persons of inferior qualifications.

We were fully satisfied, on a careful consideration of the circumstances of the foundation, that it would be for the interest of education that the number of bursaries should be restored to that fixed by the founder, and that means should be taken, through the surplus income which the reduction in the number would set free, to increase the value and usefulness of the bursaries, partly by raising the allowances to the bursars during their University course, and partly by the institution of a limited number of scholarships, to be held by the bursars after graduation, provided they attained a certain distinction at the University. We were also satisfied that the Act of Parliament had given us power thus to deal with the surplus income. The deed contains no indication of an intention that any portion of that surplus should be applicable to the school, and its whole import bears that the income arising from any accumulations, at whatever time such accumulations should come to be used, should be devoted to the benefit of the bursars at the University. On these views we proceeded in framing the Ordinance No. 52, the provisions of which we fully explained in our Special Report of 28th October 1862. We were fully alive to the necessity of avoiding any interference with the rights and interests of the school of Fordyce; and we were especially careful, in framing the provisions of the Ordinance, to afford no ground either for legal objection or legitimate complaint on the part of the school.

It appears from Your Majesty's subsequent Order in Council, of 20th March 1863, disallowing this Ordinance, that the Earl of Seafield, who had petitioned against its confirmation, was, on the 12th of March 1863, heard by Counsel before the Committee of the Privy Council, to whom the Ordinances relative to bursary foundations in Aberdeen were referred by Your Majesty, and that that Committee thereupon presented a report, of the same date, in which they recommended that the Ordinance should be disallowed. We have no means of knowing on what views the Committee proceeded in making that recommendation. Our powers, as Commissioners, had expired at the time when the Committee presented their report, and it was therefore no longer possible for us to issue another Ordinance to regulate the foundation. The result has been, to leave this foundation, which is one of the most valuable in the University of Aberdeen, in such a position, that the fund can hardly be administered for the future, without either an adherence to an obviously illegal system, or the interposition of some other authority to secure that effect shall be given to the will of the founder.

In addition to the twenty-five Ordinances, relative to foundations in the University of Aberdeen, to which we have referred, another Ordinance, No. 74, was issued for the regulation of Dr Alexander Murray's foundation in that University. That Ordinance, however, was issued, not in virtue of the powers conferred on us by the Act 21 and 22 Vict., c. 83, but under an Act of last session, 25 and 26 Vict., c. 28, empowering us specially to deal with the foundation, certain of the conditions affecting which had been found to create

difficulty and embarrassment. The objects of his foundation the founder expressed to be, 'the encouragement of a clergyman to preach a course of lectures in the College Church on Sundays, in the time of the winter sessions,' and 'the education for three years of some ingenious youth of the surname of Murray.' By the Ordinance, we have assigned the portion of the fund, applicable to the former purpose, to the three Professors of Divinity in the University, whom we have required to perform the duties of lecturing, in terms of the bequest. Each of these three Professors will receive about L.60 annually from this source. The Ordinance further directs, that the portion destined for the bursar, also about L.60 a year, shall be given to a graduate in Arts of the University of Aberdeen, and be held by him for the period prescribed by the founder. We have thought it expedient to remove the limitation to persons of the name of Murray, which the will had imposed; but, between candidates whose qualifications in other respects may appear to be equal, a preference will be given to a candidate, if any, of that name.

Bursaries and Scholarships.

In the University of St Andrew's we have issued nine Ordinances for the future application of various foundations, all of which have, without opposition, received Your Majesty's approval. Of these nine Ordinances, two, Nos. 10 and 87, relate to the foundation of the Rev. John Ramsay, formerly minister of Markinch in Fife, which, in the period of nearly two hundred years, since it first came into operation, has increased greatly in value, and is now the most important bursary foundation in the University. The net yearly income is about L.360, and by the former of the two Ordinances eight bursaries are established on the foundation, to each of which one-twelfth of the income is applicable. The Patron of the bursaries, Sir Alexander Ramsay of Balmain, liberally concurred in a suggestion offered by us, that the remaining one-third of the income should be applied towards the institution of a scholarship or scholarships, to be open for competition to students after the completion of their studies in the Faculty of Arts. By the former Ordinance one such scholarship was instituted, the holder of which was for a period of four years to receive one-third of the income, that is, about L.120 a year. Subsequently, the Principal and Professors of the United College, by whom the property of the foundation is administered, submitted to us an urgent representation, which was supported by the Patron of the bursaries, that it would be advantageous to divide the one scholarship into two, so arranged that one should be competed for every second year. Such an arrangement, they urged, was more likely to have a general influence on the exertions of the students, than the prospect of a larger prize falling vacant once in four years only. We were reluctant to reduce a reward tenable after graduation below the annual amount, which we had formerly fixed; but, considering that there are at present no other similar rewards in the University, and being disposed, as far as possible, to give effect to the representations of the College and the Patron, we resolved, by the second Ordinance, to introduce the alteration which they proposed. Under that Ordinance, there will in future be two scholarships, each tenable for four years, and the holder of each receiving one sixth part of the net income of the foundation.

App. pp. 17, 108.

The remaining seven Ordinances, for the regulation of bursary foundations in the University of St Andrew's, are Nos. 58 to 62 inclusive, No. 73, and No. 88. These Ordinances, for the most part, unite into a smaller number of bursaries of larger amount than previously, the bursaries on various foundations, of which the value had in course of time come to be very insignificant. We should, probably, had it been in our power, have effected farther changes of the same character; but this we found impossible, owing to the manner in which the patronage of the bursaries in St Andrew's is distributed among a number of different persons. The Ordinances also, in some cases, have abolished conditions and limitations attached to bursaries, where these have been found to operate injuriously.

App. pp. 82-86, 95, 109.

The bursaries in the University of Edinburgh are not numerous; but, finding that the value of a large portion of them, although nominally the same as when the bursaries were originally founded, had come through course of time, by the depreciation of money, to be in reality very small, so as to render the bursaries practically useless, we considered it necessary to provide in some such cases, by Ordinance, for the reduction of the number of bursaries to a smaller number of larger value. In certain cases also, we introduced alterations into the conditions attached to the foundations. The Ordinances affecting foundations of old standing in this University are twelve in number, viz., Nos. 67, 71, and 76, and Nos. 78 to 86 inclusive. In addition to these, three Ordinances have been issued for the regulation of endowments for scholarships, which were bestowed on the University during the course of our proceedings. Two of these endowments were provided by the Trustees of the Pitt Club of Scotland, from the remaining funds of the Club; one for the foundation of a scholarship for students in Arts, to which the Ordinance No. 17 relates, and the other for a Theological scholarship, which is regulated by the Ordinance No. 77. The third of these endowments was by Mr James Mackenzie, Writer to the Signet in Edinburgh, who munificently presented the University with the sum of L.3000 for the foundation of a scholarship, to be open for competition to graduates in Arts. This gift was made very

App. pp. 90, 94, 98, 100-108.

App. p. 29.

App. p. 99.

Bursaries and  
Scholarships.  
App. p. 110.

shortly before the expiration of our powers, and it is regulated by the last of our Ordinances, No. 90.

App. pp. 79-82,  
86-90, 95.

The number of bursaries in the University of Glasgow is also comparatively small. We found it necessary, however, as in Edinburgh, to unite in certain cases a number of small bursaries into bursaries of greater value, and also to alter the conditions affecting some of the foundations. The Ordinances regulating foundations in this University are nine in number, viz., Nos. 54 to 57 inclusive, Nos. 63 to 66 inclusive, and No. 72. In this University it was not in our power to establish scholarships of a similar nature to those which we have instituted in the other Universities. We think it reasonable, however, to hope, that a University, in which education in the Faculty of Arts occupies so prominent a position, as in Glasgow, will not long be left unprovided with foundations of this description.

Retirement of  
Professors.

One of the most beneficial of the changes, which have been introduced under the provisions of the Universities Act, relates to the retirement of Professors incapacitated by age or permanent ill health for the performance of their duties. The practice, which has heretofore prevailed in the case of a Professor being so incapacitated, of having his class conducted by an assistant or deputy, remunerated from the income of the Professor, has been found most injurious in its effects; and we have already adverted to the evil results, which had arisen from it in the University of St Andrew's about the period when we entered upon our duties. It was obviously essential for the interests of the Universities to put an end to the necessity of resorting to such an expedient, and to provide means for enabling a Professor so situated to retire from his office. Accordingly, the provision of retiring allowances to aged and infirm Principals and Professors was one of the objects towards which the Commissioners of the Treasury were empowered by the Act to make payments from the public funds, on our recommendation. The arrangement of the rate and conditions of such retiring allowances formed the subject of a correspondence between ourselves and the Treasury, extending over a considerable period. The view, which we felt it our duty to submit in our first communication on the subject, was, that Professors in the Universities could not be regarded as in the same position with persons employed in the Civil Service, and that the provisions of the Superannuation Act of 1859, 22 Viet., c. 26, were therefore inapplicable to them. We recommended that a more liberal allowance should be made than is authorized by the Superannuation Act, and that the condition of a minimum period of service, which the Act imposes, should not be enforced in the case of Professors. We found it impossible, however, to obtain the assent of the Lords of the Treasury to these recommendations and ultimately we were constrained to accede to the view which they maintained, that Professors in the Universities should be placed on the same footing with persons holding professional and other special offices, for whom the fourth section of the Superannuation Act enables a larger provision to be made than for persons engaged in the ordinary public service. In applying this section to the case of Professors, the Lords of the Treasury expressed their readiness to assent to the most favourable terms being adopted, which had been fixed in regard to any class of persons under the section, and according to which a period of ten years, in calculating the rate of superannuation allowance, is added to the actual period of service. They also intimated their willingness to reserve to themselves a discretion of deciding on any exceptional cases on their own merits, in which the strict enforcement of the rule, that no retiring allowance should be granted before a period of service of ten years, might operate with peculiar hardship. We subsequently embodied in the general Ordinance, No. 26, applicable to all the Universities, the conditions as to retiring allowances to which the Treasury thus assented. By a previous Ordinance, No. 9, we had made provision for the manner in which a Professor, desiring to retire from his office on the ground of permanent infirmity, should proceed. The Universities Act itself, by section XII. 5, had already provided for the case of a Professor being required to retire by the University Court, where such a step should be rendered necessary.

App. p. 54.  
App. p. 17.

Libraries.

App. pp. 91, 110.

As regards the custody and management of the Libraries belonging to the Universities, for which the Act authorized us to make provision, we have established rules applicable to all the Universities by the two general Ordinances, Nos. 68 and 89.

The members of the Senatus Academicus and the students have the greatest interest in the Library, and the best right to its use; and we have continued the privileges, which they have hitherto respectively enjoyed, without much variation from former usage. We have thought it, at the same time, not inconsistent with the proper use of the Library by the Professors and students, and also desirable in itself, to extend the privilege of the Library in each University to members of the General Council, and to certain other classes of persons connected with the University. In the case of members of the General Council, we have provided for the payment of an annual fee or subscription of 10s. 6d., commutable into one payment of L.5, 5s., by each member using the Library.

The Ordinances further empower the *Senatus Academicus* to grant the privilege of the Library to persons engaged in literary research; but obviously this power must be exercised with caution, so as not to interfere in any degree with the legitimate use of the Library by members of the University. We have therefore thought it necessary to provide, that such privilege shall not in any case be granted except by Minute of the *Senatus*, specifying the grounds on which the grant is made, and the conditions attached to it, an extract of which Minute is directed to be forthwith transmitted to the University Court. We hope that the interposition of this check may be sufficient to prevent any such indiscriminate admission of strangers to the use of the Library, as should deprive the students and other members of the University, who contribute to its support, of the proper enjoyment of their privileges. In St Andrew's, a practice, customary among the Professors, of conferring on a number of the inhabitants of the town the privilege of obtaining books from the Library, was condemned by the Royal Commissioners of 1840, as interfering with its use by members of the University. From a return, which we obtained in the end of last year, and which showed as many as 41 persons, described as 'persons living in St Andrew's and neighbourhood,' using the Library, we question whether, up to that time, the practice had been discontinued; but a proper attention to the provisions of the Ordinance will, we believe, tend materially to insure, that there shall be no serious interference for the future with the privileges of those, whose use of the Library is a matter of right, and for whose benefit it is maintained.

Libraries.

Report of Comm. of 1840, p. xxxv.

The Ordinances provide for an annual inspection of the Library in each University, at the close of which the Librarian is to present a report to the *Senatus*, applicable to the year then ended, on certain specified points, and also on any other matters respecting which he may have been directed by the *Senatus* to report. A copy of this report will be laid before the University Court, accompanied by any remarks which the *Senatus* may think fit to make thereon.

The *Senatus Academicus* are directed by the Ordinances to appoint, in each year, a Library Committee, to have the special charge of the affairs and business of the Library. It is also provided that, in case of there being, as in some of the Universities there is, a Finance Committee of the *Senatus*, one member at least of such Committee shall be also a member of the Library Committee. We think it of importance that due attention should be paid to this provision, in order to secure, as far as possible, that the expenditure on the Library, which forms a most important item in the University finance, shall neither be too lavish, nor yet unnecessarily and injuriously contracted. The charges for the Library in the different Universities we have found to vary very widely.

The Ordinance No. 68, by section x. 3, modifies the privilege in connection with the Library of Edinburgh University, which has been enjoyed by members of the College of Surgeons of Edinburgh since the year 1764, under an agreement between the College and the *Senatus Academicus* of the University. Previous to the passing of the Ordinance, every member of the College of Surgeons, wheresoever resident, had been allowed to borrow books, to the extent of twenty-five volumes at a time, from the University Library, and the only consideration, which the University received in return for this privilege, was an annual payment of L.5 from the College. The books belonging to the College of Surgeons at the time of the agreement had indeed been handed over to the University, but the collection was very limited, and it does not appear to have been one from which the University derived any advantage. The number of members of the College, when the agreement was entered into, was comparatively small; but of late years it had largely increased, so that the burden imposed on the University was much greater than was originally contemplated. At the period of the Royal Commission of 1826-30, it appears that the *Senatus Academicus* were desirous of putting an end to the arrangement, which could not in law be regarded as perpetually binding on the University; and that Commission recommended, that, if practicable, the books of the College of Surgeons should be returned to it by the University, and the connection between the two bodies dissolved. We found, however, that no steps had been taken to effect that object, owing, it may be, to the circumstance, that, before the passing of the Universities Act, the government of the University was not in the hands of the *Senatus*. Considering the length of time, during which the agreement had subsisted, we were reluctant, without giving the College of Surgeons an opportunity of proposing a fairer arrangement, at once to terminate the relations between the two bodies. We intimated to that College, therefore, our readiness to afford such an opportunity; and, after a correspondence extending over some time, we were glad to receive from the President a proposal embodying such terms as, under all circumstances, we thought it would be fair for the University to accept. These terms were contained in two letters from the President, dated respectively 17th July and 9th December 1861, in which it was proposed, that the privilege of the Library should be enjoyed by such Fellows of the College only, as should be resident within ten miles of Edinburgh, that the number of books to be

App. p. 92.

Rep. of Comm. of 1826, p. 170.

App. pp. 282-290.

## Libraries.

allowed to each member at one time should be reduced to ten, and that, in addition to the annual payment of L.5 by the College, each Fellow availing himself of the privilege should pay one guinea annually to the University. The conditions thus proposed are those embodied in the Ordinance No. 68.

It is of very great importance, especially in the larger Universities, that due provision should be made, and opportunity afforded, for students consulting books in the Library. A much more general use of the Library in this manner is made by the students of the University of Edinburgh than by those of any of the other Universities, mainly, we are satisfied, because the accommodation provided in that University is more suitable for the purpose than in any other. The condition and limited extent of the present buildings of the University of Glasgow have hitherto rendered it difficult to provide a proper consulting-room for the students, although recently a considerable improvement in that respect has been introduced. In the University of Aberdeen there is as yet no fitting accommodation for the purpose; but in the plans for the new buildings, which have been prepared by the department of Your Majesty's Works, and which were submitted for our approval, special regard has been had to the necessity of providing consulting-rooms for the students; and we cannot too strongly express our opinion, that it would be most injurious to the interests of the University, were any delay in the execution of this important part of the plans allowed to occur.

## Fees.

App. p. 21.

App. p. 55

We have not seen occasion to interfere by Ordinance to regulate the class-fees in any of the Universities except Aberdeen, in which University it became necessary for us to establish a new scale of fees, on the union of the two Colleges coming into operation. The Ordinance regulating the class-fees in that University is the Ordinance No. 12, the provisions of which, however, have in some respects been modified by the subsequent Ordinance No. 27. Under the latter Ordinance, a general fee of three guineas was fixed for each class in the Faculty of Arts, with the exception of the fee for the course of English Literature, which was retained, as formerly, at one guinea; but power was given to the University Court to modify the fee for a student's second session of attendance under any of the Professors of Latin, Greek, and Mathematics, provided that it should not be fixed at less than two guineas. A regulation of the University Court has been issued, modifying the fee accordingly to two guineas, which is lower by a guinea than the corresponding fee in any of the other Universities. Considering, however, that this fee in Aberdeen was formerly only one guinea, we think that the Court has acted wisely in not adopting in the meantime a higher rate. We have further abolished the rule, which had previously prevailed in the two Colleges of Aberdeen, of modifying the class-fees to all holders of bursaries below a certain value. This practice appeared to us to have no good grounds to support it.

In January 1862, we were memorialised by the Senatus Academicus of the University of Edinburgh, to fix the fee of all the winter classes in that University at four guineas, which for most of the classes in Arts would have been a guinea higher than at present; and further, to consider the expediency of equalizing all the class-fees in all the Universities of Scotland. With neither of these requests, however, did we think it right to comply. We were not satisfied that advantage would have arisen from the establishment of an absolute uniformity of class-fees throughout the Universities. We were also assured, that such an increase in the class-fees in the Faculty of Arts, as the Senatus Academicus contemplated, would be severely felt by many of the poorer students. In Aberdeen, apprehensions were expressed as to the effect, which even the raising of the fees to something like an equality with the scale existing in the other Universities might produce; and in St Andrew's the views of the community were so far opposed to the introduction of any increase in the fees, that, at an early period of our proceedings, we received a memorial signed by the Provost and other members of the municipality of that city, and also by several of the principal inhabitants, in which it was represented that the existing fees were so high, as to prevent many persons from proceeding to the University, who otherwise would do so, and that it was expedient to reduce their amount to not more than two guineas for each class. We think that the views, so entertained by persons interested in the Universities of Aberdeen and St Andrew's, were to a large extent destitute of foundation; but, at the same time, we saw strong grounds for not acceding to the proposal, that we should raise the fee generally to four guineas.

App. pp. 21, 29, 33,  
35, 36, 41, 48.

In each University we have fixed the amount of the matriculation fee, and of the fees payable on examination for degrees. The matriculation fee of L.1 for the whole academical year, or 10s. for a summer session, as fixed by our Ordinances, is nominally higher than it has been in some of the Universities; but the abolition of small fees, formerly charged in these Universities, compensates in a great measure for the increase. In regulating fees payable with a view to graduation, we have, in all cases of degrees given after examination, made each fee strictly an examination fee, not dependent on the admission of the candidate to a degree.

The several Ordinances which we have issued are set out in the Appendix, as they have been approved by Your Majesty in Council. They have been the result of very careful and anxious deliberations; and, before any of them was approved by Your Majesty, every precaution was taken, by its publication for four weeks in the Edinburgh Gazette, and by laying it before both Houses of Parliament, to secure that it should not be finally sanctioned, without ample opportunity being afforded to all persons interested to state objections. In every case, also, in which objections were stated, we were called upon, after hearing Counsel for the petitioners, to explain fully, in a Special Report to Your Majesty in Council, the grounds and scope of the Ordinance, and our opinion of the objections taken by the petitioners; and the Report submitted by us was subsequently laid before a Committee of the Privy Council, who further heard the petitioners by Counsel, before advising Your Majesty as to the course to be adopted in approving or disapproving of the Ordinance. The extreme care, which was thus taken, to prevent the passing of any Ordinance without the fullest consideration, caused a good deal of delay in the course of our proceedings; but we are sensible, that it has had the important effect of giving to the Ordinances a sanction and authority, which otherwise they would not have obtained; and we are therefore induced to rely more confidently on the beneficial tendency of their provisions, than if they had represented merely the results of our own deliberations.

Future alteration of Ordinances.

At the same time, it would of course be unreasonable to imagine, that the Ordinances are free from imperfection, or that time and experience may not show it to be desirable, that alterations in their provisions should be made. The Legislature has therefore wisely enacted by the 19th section of the Universities Act, that 'any of the Rules, Statutes, and Ordinances, to be framed and passed by the Commissioners, as hereinbefore provided, may, at any time after the expiration of the powers herein conferred on the Commissioners, be altered or revoked by the University Court of the University to which the same are applicable, but only with the consent expressed in writing of the Chancellor thereof, and with the approval of Her Majesty in Council.'

While thus providing means for altering our Ordinances, where such alteration may be desirable, the Act has been careful to interpose securities against rash change, by requiring the consent of the Chancellor and the approval of Your Majesty in Council. In this latter requirement, we understand it to have been the intention of the Legislature, that the steps for effecting the alteration of an Ordinance hereafter should be precisely similar to those, which were necessary to its original sanction. It is obviously of importance, that, when any such alteration is proposed, the same publicity should be given, and equal opportunities of making objections to the proposed change afforded, as were required in passing the Ordinance.

In addition, however, to publishing any proposal of change in the Edinburgh Gazette, and laying it before both Houses of Parliament, which would thus be necessary, we would venture humbly to recommend, that, before the decision of Your Majesty in Council is given, intimation should in every case be made to each of the Universities, so as to afford to any University, which may consider itself interested in the change, an opportunity of expressing its opinion thereon. It is by no means impossible, that a proposed change, although nominally affecting one of the Universities only, may in reality be one in which all have an interest. Thus it has been an important object of the Universities Act, to which we were specially directed to have regard, that as far as possible the conditions, under which degrees should be conferred, should be uniform in all the Universities of Scotland. To the attainment of that object we have used our best endeavours; and we think it would be unfortunate, if, now that a power of initiating alterations of the Ordinances is vested in each University Court, that power should be so exercised by any, as to introduce a divergence from the uniformity, which, in a great measure, we have succeeded in establishing. It would materially tend to prevent such a divergence, if care were taken that each University should be informed of any contemplated change, before it is finally sanctioned.

Besides regulating by Ordinance the various matters to which we have adverted in the previous part of this Report, we were further directed by section XV. 10 of the Act, 'to inquire and report to Your Majesty, how far it may be practicable and expedient that a new University should be founded, to be a National University for Scotland.'

Proposal of a National University for Scotland.

By section XV. 11, we were empowered, 'in the event of the erection of such a University, to make arrangements, with consent of the Scottish Universities named in this Act, or any of them, for converting them respectively into Colleges, one or more, as the case may be, of the said National University, and for the due representation of such Colleges in the governing body thereof.'

Section XVI. empowered the present Universities, or any of them, in the event of a charter for the foundation of such National University being granted within the duration of the Commission, 'to surrender to the Commissioners the powers of examining for and

Proposal of a  
National University  
for Scotland.

‘ of granting degrees, with or without the exception of degrees in Theology, and to become Colleges, one or more, as the case may be, of the said National University.’

Section XVII. provided, that no such surrender or consent of any University should be valid ‘ except it be signified in writing by the Chancellor and by the University Court ‘ of the University concerned therein, nor except it be declared by the said Court, that ‘ the said surrender or consent respectively is given with the approval of the Senatus ‘ Academicus, and likewise of the University Council.’

Under these sections two preliminary questions presented themselves for our consideration,—viz. (1), whether it would be practicable to institute, in the room of the present Universities, one central examining and graduating body, to which they should be affiliated as Colleges; and (2), whether such a measure, if practicable, would be expedient.

In the event of our concluding that these questions should be answered in the affirmative, and Your Majesty seeing fit to erect a National University for Scotland, it would then have been our duty to make arrangements for converting the present Universities into Colleges of such National University, and for their due representation in its governing body.

After mature and repeated consideration of this subject, however, we find that we are unable to report to Your Majesty, that it is either practicable or expedient that a new University should be founded, to be a National University for Scotland.

The subject, to which these sections of the Act relate, engaged our attention from time to time during the whole course of our proceedings, and, at an early period, we were led to conclude, from the views expressed to us in connection with the subject of graduation, that any proposal for such a measure, as the Act appeared to contemplate, would be received most unfavourably by the Universities. Although in some cases suggestions were offered to us, as to the advantages which might arise from securing, by means of a common Board of Examiners, a uniform standard of graduation, the greatest jealousy and apprehension were manifested of any steps being taken, to deprive the Universities of the exercise of their ancient privilege, not merely of conferring degrees, but of conducting the examinations for them.

We thought it undesirable, however, to obtain from the Universities any formal expression of opinion on the subject, until a later stage of our proceedings. It appeared to us, that not only should we ourselves be better able to form a satisfactory judgment, after our inquiries and deliberations were further advanced, but that the opinions of the University authorities, whose attention was, equally with our own, being directed to the subject of University reform, would then be more fully matured.

Under these circumstances, we delayed, until November 1862, laying officially before the Universities a request to be favoured with a deliverance on the subject. To the inquiries which we then addressed to each of the Universities, we did not receive any reply favourable to the foundation of a National University.

The University Court, and Senatus Academicus of the University of St Andrew's, the Chancellor, the University Court, and Senatus Academicus of the University of Glasgow, the Chancellor, the University Court, and Senatus Academicus of the University of Aberdeen, and the Senatus Academicus of the University of Edinburgh, all expressed as their opinion, that it was inexpedient that a new University should be founded, to be a National University for Scotland. The reply of the University Court of the University of Edinburgh, alone among the replies which we received, evinced the existence of any doubt on the subject, intimating that within that body there was a difference of opinion.

With so general an agreement on the part of the Universities, that it would be inexpedient to found a new University, to which the present Universities should be affiliated as Colleges, it is impossible for us to report that such a measure would be practicable; and our own deliberations have led us to the conclusion, that it would not be expedient. After the most careful consideration, we are unable to see, that any important or corresponding advantage is likely to be derived from so serious a step, as is implied in reducing the ancient Universities of Scotland from the position of Universities, and converting them into Colleges of a new National University.

Conclusion.

Before concluding this Report, we desire to express our regret that, during the course of our labours, the Commission was deprived, by death, of a distinguished member, in the person of the late Earl of Aberdeen. His Lordship was unable, from infirm health, to be present at any of our meetings; but the correspondence on our business, which he carried on with some of the members of the Commission, evinced the lively interest which he took in our proceedings. The Earl Stanhope, another member of the original Commission, sent in his resignation at an early period, apprehending, that, as he resided at a distance from Edinburgh, where our meetings were held, he might be unable to perform his duties as a Commissioner with satisfaction to himself. The vacancy caused by his resignation was shortly afterwards filled up by the appointment of the Earl of Haddington.

The satisfactory completion, within the prescribed period, of the task assigned to us by the Legislature, is in a great degree due to the exertions of our Secretary, who has throughout displayed such ability, judgment, patience, and capacity for sustained and severe intellectual toil, as to have secured not only our highest approval and admiration, but also, we are persuaded, the respect and esteem of a very large number of persons connected with the Universities, and interested in University affairs, with whom he was constantly brought in contact.

The Appendix contains, in addition to our Ordinances, the Minutes, either at length or in abstract, of every general meeting of the Commissioners. We have not thought it necessary to set out the proceedings of meetings of Committees. The Appendix also contains the several Special Reports, which we made in obedience to Orders of Your Majesty in Council, on petitions presented against our Ordinances, and also certain other Reports made by us, in the course of our proceedings, to different departments of your Majesty's Government. To these are added, where it has appeared to us necessary, other documents or correspondence, relating to particular matters.

One of our number dissented from the conclusion at which we arrived, that it was neither necessary nor expedient to maintain more than one Professorship in any one branch of instruction in the Faculty of Arts in the University of Aberdeen. Two of our number dissented from part of the provisions of the Ordinance No. 19, relative to graduation in Medicine in the University of St Andrew's. With these exceptions, there has been no difference of opinion in regard to any of the Ordinances.

All which is humbly reported by

JOHN INGLIS, *Chairman*.  
ARGYLL.  
HADDINGTON.  
MANSFIELD.  
DUN. McNEILL.  
W. GIBSON CRAIG.  
J. MONCREIFF.  
JAS. CRAUFURD.  
WILLIAM STIRLING.  
ALEX. HASTIE.  
A. MURRAY DUNLOP.

EDINBURGH, 14th May 1863.

I dissent from such parts of the Report, as proceed on the conclusion, that it was neither necessary nor expedient to maintain more than one Professorship in any one branch of instruction in the Faculty of Arts in the University of Aberdeen.

Dissents.

A. MURRAY DUNLOP.

We dissent from part of the provisions of Ordinance No. 19, regarding medical graduation in the University of St Andrew's.

We do not object to the range of subjects required to be studied, nor to the length of time required to be devoted to the study of them, nor to putting the knowledge and fitness of candidates to the test of examination, however strict; but we dissent from the Ordinance, in so far as it provides, that no one, however long and extensive may have been his course of study and opportunities of acquiring knowledge, and however great may be his attainments and abilities, is to be received as a candidate for the degree of Bachelor of Medicine or Master in Surgery, and have his knowledge and fitness put to the test of examination, unless two years of his time have been spent at one or more of the particular seminaries named in section viii.

We also dissent from such parts of the Report, as may imply approval of that part of the provisions of the Ordinance.

ARGYLL.  
DUN. McNEILL.



# APPENDIX.

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I. ORDINANCES.

II. MINUTES.

III. REPORTS, &c.

APPENDIX

THE HISTORY OF

THE UNITED STATES

OF AMERICA

# I. ORDINANCES AS APPROVED BY HER MAJESTY IN COUNCIL.

## ORDINANCE No. 1.

[EDINBURGH—ARRANGEMENTS FOR BRINGING ACT INTO OPERATION.]

*At Edinburgh, the Twelfth Day of March Eighteen hundred and fifty-nine Years.*

THE Commissioners appointed and acting under the authority of a statute passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,'

Ordinance, No. 1.  
Edinburgh, No. 1.

Statute and ordain as follows, viz. :—

*Primo*, That the provisions of the said statute shall, as regards the University of Edinburgh, come into operation and receive effect from and after the fifteenth day of October in this present year.

And whereas by the said statute it is enacted, that from and after the date at which the said statute shall come into operation at the said University of Edinburgh, there shall be constituted therein a University Court, consisting of, among other members, a Rector, to be elected by the matriculated students, voting in such manner as shall be determined by the said Commissioners: And whereas by the said statute it is also enacted, that there shall be in the said University a General Council, which shall assemble twice every year, on such days as may be fixed by the said Commissioners, subject to alteration thereafter, from time to time by resolution of the said Council, with the approval of the University Court: And whereas, by the said statute it is also enacted, that in time coming there shall be a Chancellor of the said University, to be elected by the other members of the General Council: And whereas the said Commissioners are empowered by the said statute, subject to the provisions thereof, to make regulations as to time, place, and manner of presenting and electing all University officers;

The said Commissioners further statute and ordain :

*Secundo*, That the election of Rector by the matriculated students in the said University of Edinburgh, shall be determined by a general poll of such students; and in case of an equality of votes between two or more candidates, then, by the choice between such candidates of the Chancellor, intimated personally, or by letter addressed to the Senatus Academicus of the said University, within twenty-one days from the day of election, and failing such intimation, then by the choice between such candidates of the Principal.

*Tertio*, That the day for the election of Rector by the matriculated students in the said University of Edinburgh shall, in the present year, and thereafter so often as a vacancy in the office of Rector shall occur, take place on the second Saturday after the commencement of the winter session in the said University.

*Quarto*, That the two annual meetings of the General Council of the said University of Edinburgh shall, subject to such alteration as by the said statute is provided, be held respectively on the first Tuesday after the fourteenth day of April, and on the last Friday of October, in each year.

*Quinto*, That at the meeting of the General Council of the said University of Edinburgh, which shall be held on the last Friday of October in the present year, to wit, on the twenty-eighth day of October in the present year, the General Council shall proceed to elect, and shall elect a Chancellor of the said University.

In witness whereof, these presents are sealed with the seal of the Commissioners, and signed by the Commissioners present at a meeting of the Commission held time and place aforesaid.

JOHN INGLIS, *Chairman*.

ARGYLL.	DUN. McNEILL.
MANSFIELD.	W. GIBSON-CRAIG.
ALEX. HASTIE.	JAS. CRAUFURD.
	J. MONCREIFF.

(L. S.)

Approved by Order in Council, dated 13th May 1859.

## ORDINANCE No. 2.

[ABERDEEN—ARRANGEMENTS AS TO PROFESSORSHIPS IN FACULTY OF ARTS, AND SITES OF CLASSES AND LIBRARIES.]

*At Edinburgh, the Twelfth Day of March Eighteen hundred and fifty-nine Years.*

THE Commissioners appointed and acting under the authority of a statute passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' having fully considered the provisions of the said statute regarding the Universities and Colleges of Aberdeen, and the Reports of Royal Commissions to which the said Commissioners are directed by the twenty-third section of the said statute to have special regard :

Ordinance, No. 2.  
Aberdeen, No. 1.

Considering that it is by the said statute enacted, that from and after such date, as may be fixed by

Ordinance, No. 2.

Aberdeen, No. 1.

the said Commissioners, and approved by Her Majesty in Council, the University and King's College of Aberdeen and Marischal College and University of Aberdeen shall be united and incorporated into one University and College, under the style and title of the 'University of Aberdeen.'

And whereas it is by the said statute further enacted, that all the funds, properties, and revenues now pertaining or belonging in any way to either of the said Colleges, shall pertain and belong to the University of Aberdeen: And whereas, under the operation of this enactment, from the date that the said union and incorporation take effect, all such funds, properties, and revenues will thereafter be administered by the Senatus Academicus of the said united University and College, and all separate rights and interests of the Colleges come to an end, and the said Colleges themselves cease to exist:

And whereas, under the said statute, the said Commissioners are directed to consider and determine, whether it is necessary or expedient that there should be two Professors in any one or more branches of instruction in the Faculty of Arts, and also to determine where each of the classes in the said Faculty shall assemble: And whereas the Commissioners are thus empowered, if they shall see cause, to provide that there shall be two Professors in each branch of instruction in the Faculty of Arts, but are not empowered to authorize the maintenance of two separate Faculties of Arts within the said University and College: And whereas it is not necessary or expedient to maintain two separate Professorships in each of the branches of instruction in the Faculty of Arts, either as two separate Faculties, or as one Faculty: And whereas it is not necessary or expedient to maintain two separate Professorships in any one branch of instruction in the Faculty of Arts:

Statute and ordain as follows, viz.:—

*Primo*, That there shall not be more than one Professorship in any one branch of instruction in the Faculty of Arts in the University of Aberdeen.

*Secundo*, That the classes in the Faculty of Arts, with the exception of the class of Natural History, and the classes in the Faculty of Divinity, in the University of Aberdeen, shall assemble and be taught in that portion of the University buildings hitherto belonging to, and occupied by, King's College, with any additions that may be made thereto; and those in the Faculties of Law and Medicine, and also the class of Natural History, shall assemble and be taught in that portion of the University buildings hitherto belonging to, and occupied by, Marischal College, with any additions that may be made thereto.

*Tertio*, That the general Library of the University shall be kept at that portion of the University buildings hitherto belonging to, and occupied by, King's College, but any library or libraries to be appropriated to the Faculties of Law and Medicine, shall be placed in buildings convenient for the use of these Faculties.

In witness whereof, these presents are sealed with the seal of the Commissioners, and signed by the Commissioners present, at a meeting of the Commission held time and place aforesaid.

JOHN INGLIS, *Chairman*.

ARGYLL.

J. MONCREIFF.

MANSFIELD.

JAS. CRAUFURD.

DUN. McNEILL.

ALEX. HASTIE.

W. GIBSON-CRAIG.

(L. S.)

Approved by Order in Council, dated 30th June 1860.

### ORDINANCE No. 3.

[GLASGOW—ARRANGEMENTS FOR BRINGING ACT INTO OPERATION—MATRICULATION FEES.  
See also ORDINANCE No. 22.]

*At Edinburgh, the Fourth Day of May Eighteen hundred and fifty-nine Years.*

Ordinance, No. 3.

Glasgow, No. 1.

THE Commissioners appointed and acting under the authority of an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,'

Statute and ordain as follows:—

*Primo*, That the provisions of the said Act shall, as regards the University of Glasgow, come into operation and receive effect from and after the fifteenth day of October in this present year.

And whereas by the said Act it is enacted, that from and after the date at which the said Act shall come into operation in the said University of Glasgow, there shall be constituted therein a University Court, consisting of, among other members, a Rector, to be elected by the matriculated students, voting by nations as at present, subject to any re-distribution of nations or other regulations to be made by the said Commissioners: And whereas, by the said Act, it is also enacted that there shall be in the said University a General Council, which shall assemble twice every year, on such days as may be fixed by the said Commissioners, subject to alteration thereafter from time to time by resolution of the said Council, with the approval of the University Court: And whereas the said Commissioners are empowered by the said Act to make rules for the management and ordering of the several Universities of Scotland, the manner and conditions in and under which students shall be admitted thereto, and as to the amount and exaction of fees therein; and also, subject to the provisions of the said Act, to make regulations as to time, place, and manner of presenting and electing all University officers:

The said Commissioners further statute and ordain:—

*Secundo*, That in the election of Rector in the said University of Glasgow, the matriculated students shall vote, as at present, in four nations, the Natio Glottiana, the Natio Transforthana, the Natio Rothseiana, and the Natio Loudoniana; and, in case of an equal number of nations voting for two or more candidates, the Rector shall be chosen from among such candidates by the Chancellor of the

said University, who shall intimate his choice personally, or by letter addressed to the Senatus Academicus, within twenty-one days from the day of election, and failing such intimation, then the Rector shall be chosen from among such candidates by the Principal.

*Tertio*, That the nations shall be constituted as follows:—

The Natio Glottiana shall consist of all matriculated students born within the county of Lanark:

The Natio Transforthana shall consist of all matriculated students born within any of the counties of Orkney and Shetland, Caithness, Sutherland, Ross, Inverness, Cromarty, Moray, Nairn, Banff, Aberdeen, Perth, Forfar, Kincardine, Clackmannan, Fife, Kinross, Argyll, Stirling, and Dumbarton:

The Natio Rothseiana shall consist of all matriculated students born within any of the counties of Bute, Renfrew, and Ayr:

The Natio Loudoniana shall consist of all matriculated students not included in any of the other nations.

*Quarto*, That the Senatus Academicus of the said University of Glasgow shall appoint one or more of their number to preside and take the votes in each nation, and shall make such arrangements for the assembling of the nations, and the taking of the votes of the students, and otherwise for keeping order at the election, as may seem to them expedient.

*Quinto*, That from and after the fifteenth day of October in this present year, there shall be, in the said University of Glasgow, one matriculation only of each student for each session of attendance; and such matriculation shall, like the matriculation or enrolment now in use at the Library in the said University, be compulsory on all students, and shall, for the session in respect of which it takes place, entitle students to the use of the Library and all the privileges of matriculated students; and the matriculation fee for the winter session shall be ten shillings, and for the summer session five shillings.

*Sexto*, That the election of Rector by the matriculated students in the said University of Glasgow shall, in the present year, and thereafter, so often as a vacancy in the office of Rector shall occur, take place on the fifteenth day of November, except when the same shall be Sunday, in which case the election shall take place on the following day.

*Septimo*, That the two ordinary meetings of the General Council of the said University of Glasgow shall, subject to such alteration as by the said Act is provided, be held respectively on the Friday immediately preceding the second day of May, and the Friday immediately preceding the first Tuesday of November, in each year.

In witness whereof, these presents are signed by the Commissioners, and sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

MANSFIELD.

W. GIBSON-CRAIG.

JAS. CRAUFURD.

WILLIAM STIRLING.

J. MONCREIFF.

A. MURRAY DUNLOP.

ARGYLL.

DUN. McNEILL.

ALEX. HASTIE.

L. S.

*Approved by Order in Council, dated 6th July 1859.*

#### ORDINANCE No. 4.

[ST ANDREW'S—ARRANGEMENTS FOR BRINGING ACT INTO OPERATION.]

*At Edinburgh, the Fourth Day of May Eighteen hundred and fifty-nine Years.*

THE Commissioners appointed and acting under the authority of an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,'

Statute and ordain as follows:—

*Primo*, That the provisions of the said Act shall, as regards the University of St Andrew's, come into operation and receive effect from and after the fifteenth day of October in this present year.

And whereas by the said Act it is enacted, that from and after the date at which the said Act shall come into operation in the said University of St Andrew's, there shall be constituted therein a University Court, consisting of, among other members, a Rector, to be elected by the matriculated students, voting in such manner as shall be determined by the said Commissioners: And whereas, by the said Act it is also enacted, that there shall be in the said University a General Council, which shall assemble twice every year on such days as may be fixed by the said Commissioners, subject to alteration thereafter from time to time by resolution of the said Council, with the approval of the University Court: And whereas the said Commissioners are empowered by the said Act, subject to the provisions thereof, to make regulations as to time, place, and manner of presenting and electing all University officers:

The said Commissioners further statute and ordain:—

*Secundo*, That the election of Rector by the matriculated students in the said University of St Andrew's, shall be determined by a general poll of such students; and, in case of an equality of votes for two or more candidates, the Rector shall be chosen from among such candidates by the Chancellor of the said University, who shall intimate his choice personally, or by letter addressed to the Senatus Academicus, within twenty-one days from the day of election, and failing such intimation, then the Rector shall be chosen from among such candidates by the Senior Principal.

*Tertio*, That the Senatus Academicus of the said University of St Andrew's shall appoint one or

Ordinance, No. 3.

Glasgow, No. 1.

Ordinance, No. 4.

St Andrew's, No. 1.

Ordinance, No. 4. more of their number to preside at the election and take the votes of the students, and shall make such arrangements for this purpose, and for keeping order at the election, as may seem to them expedient.

St Andrew's, No. 1. *Quarto*, That the first election of Rector, under the said Act, in the said University of St Andrew's, shall take place on the twenty-fourth day of November in the present year, and that in time coming thereafter the election of Rector shall take place on such day as may be fixed by Ordinance of the said Commissioners.

*Quinto*, That the two ordinary meetings of the General Council of the said University of St Andrew's shall, subject to such alteration as by the said Act is provided, be held respectively on the last Thursday of March, and the last Thursday of November, in each year.

In witness whereof, these presents are signed by the Commissioners, and sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

MANSFIELD.	A. MURRAY DUNLOP.
W. GIBSON-CRAIG.	ARGYLL.
JAS. CRAUFURD.	DUN. McNEILL.
WILLIAM STIRLING.	ALEX. HASTIE.
J. MONCREIFF	

(L. S.)

*Approved by Order in Council, dated 6th July 1859.*

## ORDINANCE No. 5.

[EDINBURGH—REGULATIONS FOR DEGREES IN MEDICINE. *See also* ORDINANCE No. 8.]

Ordinance, No. 5.  
Edinburgh, No. 2.

*At Edinburgh, the Sixth Day of August Eighteen hundred and fifty-nine Years.*

WHEREAS, on the twelfth day of March in the present year, the Commissioners appointed and acting under the authority of an Act passed in the twenty-first and twenty-second years of the reign of Her Majesty Queen Victoria, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' made an Ordinance, under which, as approved of by Her Majesty in Council, the provisions of the said Act will come into operation with reference to the University of Edinburgh on the fifteenth day of October next: And whereas by the said Act the Commissioners are empowered, amongst other things, to make rules as to the granting of degrees, whether in Arts, Divinity, Law, or Medicine, in the several Universities of Scotland:—

The Commissioners statute and ordain, with reference to the granting of degrees in Medicine in the University of Edinburgh, that, from and after the fifteenth day of October in the present year, the following shall be the regulations under which such degrees shall be conferred:—

I. That the preliminary branches of Extra-Professional Education shall be English, Latin, Arithmetic, the Elements of Mathematics, and the Elements of Mechanics; and that the proficiency of students in these branches shall, as far as possible, be ascertained by examination prior to the commencement of their medical study.

II. That no candidate shall be admitted to a professional examination, who has not passed a satisfactory examination on at least two of the following subjects (in addition to the subjects mentioned above):—Greek, French, German, Higher Mathematics, Natural Philosophy, Logic, Moral Philosophy; and that the examination on these latter subjects also shall, as far as possible, take place before the candidate has entered on his medical curriculum. The examinations shall be conducted by Examiners in Arts, together with some of the medical Examiners.

III. That a degree in Arts (not being an honorary degree) in any one of the Universities of England, Scotland, or Ireland, shall exempt from all preliminary examination.

IV. That no one shall be admitted to a degree in Medicine, who has not been engaged in medical and surgical study for four years—the medical session of each year, or *annus medicus*, being constituted by at least two courses of not less than one hundred lectures each, or by one such course, and two courses of not less than fifty lectures each; with the exception of the Clinical courses, in which lectures shall be given at least twice a week during the prescribed periods.

V. That no one shall be admitted to the examination for a degree, who has not given sufficient evidence by certificates—

1. That he has studied each of the following departments of medical science, viz.:—

ANATOMY,	.	.	.	.	.	.
CHEMISTRY,	.	.	.	.	.	.
MATERIA MEDICA and PHARMACY,	.	.	.	.	.	.
INSTITUTES of MEDICINE or PHYSIOLOGY,	.	.	.	.	.	.
PRACTICE of MEDICINE,	.	.	.	.	.	.
SURGERY,	.	.	.	.	.	.
MIDWIFERY, and the DISEASES peculiar to WOMEN and CHILDREN; two courses of Midwifery, of three months each, being reckoned equivalent to a six months' course, provided different departments of Obstetric Medicine be taught in each of the courses,	.	.	.	.	.	.
GENERAL PATHOLOGY, or, in schools where there is no such course, a three months' course of lectures on Morbid Anatomy, together with a supplemental course of Practice of Medicine, or Clinical Medicine,	.	.	.	.	.	.
PRACTICAL ANATOMY,	.	.	.	.	.	.
PRACTICAL CHEMISTRY,	.	.	.	.	.	.

During Courses including not less than One Hundred Lectures.

Six Months.  
Three Months.

## PRACTICAL MIDWIFERY,

Three Months at a Midwifery Hospital, or a Certificate of Attendance on Six Cases from a registered Medical Practitioner. Ordinance, No. 5. Edinburgh, No. 2.

CLINICAL MEDICINE,  
CLINICAL SURGERY,

During Courses of Six Months, or Two Courses of Three Months; Lectures being given at least Twice a Week.

MEDICAL JURISPRUDENCE,  
BOTANY,  
NATURAL HISTORY, including ZOOLOGY,

During Courses including not less than Fifty Lectures.

2. That he has attended, for at least two years, the medical and surgical practice of a general hospital, either at Edinburgh or elsewhere, which accommodates not fewer than eighty patients, and possesses a distinct staff of physicians and surgeons.

3. That he has been engaged, for at least three months, by apprenticeship or otherwise, in compounding and dispensing drugs at the laboratory of an hospital or dispensary, of a member of a surgical College or Faculty, of a licentiate of the London or Dublin Society of Apothecaries, or of a member of the Pharmaceutical Society of Great Britain.

4. That he has attended, for at least six months, by apprenticeship or otherwise, the out-practice of an hospital, or the practice of a dispensary, or of a physician, surgeon, or member of the London or Dublin Society of Apothecaries.

VI. That no one shall obtain a degree who has not studied, in the manner already prescribed, for at least one year in the University of Edinburgh.

VII. That every candidate must deliver, before the thirty-first day of March of the year in which he proposes to graduate, to the Dean of the Faculty of Medicine—

1. A declaration, in his own handwriting, that he has completed his twenty-first year; and that he will not be on the day of graduation under articles of apprenticeship to any surgeon or other master:

2. A statement of his studies, as well in Literature and Philosophy as in Medicine, accompanied with proper certificates:

3. A Thesis composed by himself, to be approved by the Medical Faculty.

VIII. That each candidate shall be examined, both in writing and *viva voce*,—*first*, on Chemistry, Botany, and Natural History; *secondly*, on Anatomy, Institutes of Medicine, and Surgery; and, *thirdly*, on Materia Medica, Pathology, Practice of Medicine, Clinical Medicine, Clinical Surgery, Midwifery, and Medical Jurisprudence. The examinations on Anatomy, Chemistry, Institutes of Medicine, Botany, and Natural History shall be conducted, as far as possible, by demonstrations of objects placed before the candidates; and those on Medicine and Surgery in part by clinical demonstrations in the hospital.

IX. That students who profess themselves ready to submit to an examination on the first division of these subjects at the end of their second year may be admitted to examination at that time.

X. That students who have passed their examination on the first division of these subjects may be admitted to examination in the second division at the end of their third year.

XI. That the examination on the third division shall not take place until the candidate has completed his fourth *annus medicus*.

XII. That candidates may, if they choose, be admitted to examination on the first two of these divisions at the end of their third year; or to the three examinations at the end of their fourth year.

XIII. That if any candidate, at these examinations, be found unqualified, he shall not be again admitted to examination, unless he shall have studied during another year two of the prescribed subjects, either in the University, or in some other school of medicine.

XIV. That after the candidate shall have satisfied the medical examiners, the Dean shall lay the proceedings before the Senatus Academicus, by whose authority the candidate shall be summoned, on the thirty-first day of July, or, if that day be Sunday, then on the preceding day, to defend his Thesis; and, finally, if the Senate think fit, he shall be admitted, on the first day of August, or, if that day be Sunday, then on the following day, to his degree.

XV. That the Senatus Academicus, on the day here appointed, shall assemble at ten o'clock A.M., for the purpose of conferring degrees; and no candidate, unless a sufficient reason be assigned, shall absent himself, on pain of being refused his degree for that year.

XVI. That candidates for graduation shall be required to produce evidence of their having conformed to the regulations which were in force at the time they commenced their medical studies.

In witness whereof, these presents are signed by the Commissioners, and sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

ARGYLL.

JAS. CRAUFURD.

HADDINGTON.

ALEX. HASTIE.

J. MONCREIFF.

(L. S.)

*Approved, along with Ordinance No. 8, by Order in Council, dated 4th February 1861, which bore that 'Her Majesty was further pleased to order, and it is hereby ordered, that the said Ordinances shall come into operation and take effect from and after the date of this Her Majesty's Order.'*

## ORDINANCE No. 6.

[ABERDEEN—CONJUNCTION OF OFFICES—PATRONAGE OF CHAIRS—FINANCIAL ARRANGEMENTS—  
ELECTION OF RECTOR—UNIVERSITY MEETINGS. See ORDINANCES NOS. 12 AND 74.]

*At Edinburgh, the Ninth Day of January Eighteen hundred and sixty Years.*

Ordinance, No. 6.

Aberdeen, No. 2.

WHEREAS, by an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' it is enacted, that from and after such date, as may be fixed by the Commissioners for the purposes of the said Act by special Ordinance, approved by Her Majesty in Council, the 'University and King's College of Aberdeen' and 'Marischal College and University of Aberdeen,' shall be united and incorporated into one University and College, under the style and title of the 'University of Aberdeen.' And whereas it is by the said Act further enacted, that all the funds, properties, and revenues, now pertaining or belonging in any way to either of the said Colleges, shall pertain and belong to the University of Aberdeen: And whereas, under the operation of the said enactment, all such funds, properties, and revenues, will thereafter be administered by the Senatus Academicus of the said united University and College, and all separate rights and interests of the Colleges come to an end, and the said Colleges themselves cease to exist: And whereas by an Ordinance, dated the twelfth day of March in the year eighteen hundred and fifty-nine, the said Commissioners have ordained, that there shall not be more than one Professorship in any one branch of instruction in the Faculty of Arts in the University of Aberdeen: And whereas, by the eighteenth section of the said Act, the Commissioners are empowered, among other things, to make Ordinances, in order to abolish such Professorships and other offices within the said University, as are rendered unnecessary by the union, or to conjoin two or more of such Professorships, making full compensation, as is therein mentioned; and, having regard, as far as practicable, to the main design of any existing gift or endowment of such Professorships or other offices, to make such other arrangements respecting such Professorships and other offices as may seem expedient; and, having regard as aforesaid, to appropriate the funds and revenues belonging or payable to the holders of such Professorships or other offices, after the death, resignation, or deprivation of any of the present incumbents, to any of the purposes therein mentioned; and the Commissioners are further empowered by the same section to accept resignations of existing incumbents as therein mentioned, and to make arrangements for giving reasonable compensation to such persons for loss of emoluments by such resignation, or for the appointment of such incumbents to other Professorships or other offices in the said University; and also to make Ordinances, in order to determine in whom for the future shall be vested the patronage or right of presenting Professors to each of the Chairs in the said University, having regard, as far as possible, to the preservation of the existing rights of patronage: The Commissioners statute and ordain:—

*Primo*, That, from and after the date to be fixed as aforesaid,

The office of Principal of King's College and the office of Principal of Marischal College shall be conjoined, and shall be the office of Principal of the University of Aberdeen, which shall be held by the very Reverend Peter Colin Campbell, Doctor of Divinity, now Principal of King's College:

The two Professorships of Greek in the said existing Colleges shall be conjoined, and shall be the Professorship of Greek in the University of Aberdeen, which shall be held by William Duguid Geddes, Master of Arts, now Professor of Greek in King's College:

The two Professorships of Humanity in the said existing Colleges shall be conjoined, and shall be the Professorship of Humanity in the University of Aberdeen, which shall be held by Robert Maclure, Doctor of Laws, now Professor of Humanity in Marischal College:

The two Professorships of Mathematics in the said existing Colleges shall be conjoined, and shall be the Professorship of Mathematics in the University of Aberdeen, which shall be held by Frederick Fuller, Master of Arts, now Professor of Mathematics in King's College:

The Professorship of Moral Philosophy in King's College and the Professorship of Moral Philosophy and Logic in Marischal College shall be conjoined, and shall be the Professorship of Moral Philosophy in the University of Aberdeen, which shall be held by William Martin, Master of Arts, now Professor of Moral Philosophy and Logic in Marischal College:

The two Professorships of Natural Philosophy in the said existing Colleges shall be conjoined, and shall be the Professorship of Natural Philosophy in the University of Aberdeen, which shall be held by David Thomson, Master of Arts, now Professor of Natural Philosophy in King's College:

The Professorship of Civil and Natural History in Marischal College shall be the Professorship of Natural History in the University of Aberdeen, and shall be held by James Nicol, now Professor of Civil and Natural History in Marischal College:

The Professorship of Divinity in King's College shall be the Professorship of Systematic Theology in the University of Aberdeen, and shall be held by the Reverend Robert Macpherson, Doctor of Divinity, now Professor of Divinity in King's College:

The Professorship of Divinity and Church History in King's College, the Professorship of Divinity in Marischal College, and the Professorship of Church History in Marischal College shall be conjoined, and shall be the Professorship of Divinity and Church History in the University of Aberdeen, which shall be held by the Reverend William Robinson Pirie, Doctor of Divinity, now Professor of Divinity in Marischal College:

The two Professorships of Oriental Languages in the said existing Colleges shall be conjoined, and shall be the Professorship of Oriental Languages in the University of Aberdeen, which shall be held by Andrew Scott, Master of Arts, now Professor of Oriental Languages in King's College:

The Professorship of Civil Law in King's College shall be the Professorship of Law in the University of Aberdeen, and shall be held by Patrick Davidson, Doctor of Laws, now Professor of Civil Law in King's College:

- The Professorship of the Practice of Medicine in Marischal College shall be the Professorship of the Practice of Medicine in the University of Aberdeen, and shall be held by John Macrobain, Doctor of Medicine, now Professor of the Practice of Medicine in Marischal College: Ordinance, No. 6. Aberdeen, No. 2.
- The Professorship of Medicine and Chemistry in King's College and the Professorship of Chemistry in Marischal College shall be conjoined, and shall be the Professorship of Chemistry in the University of Aberdeen, which shall be held by Andrew Fyfe, Doctor of Medicine, now Professor of Medicine and Chemistry in King's College:
- The Professorship of Anatomy in Marischal College shall be the Professorship of Anatomy in the University of Aberdeen, and shall be held by Alexander Jardine Lizars, Doctor of Medicine, now Professor of Anatomy in Marischal College:
- The Professorship of Surgery in Marischal College shall be the Professorship of Surgery in the University of Aberdeen, and shall be held by William Pirrie, Doctor of Medicine, now Professor of Surgery in Marischal College:
- The Professorship of Medical Logic and Medical Jurisprudence in Marischal College shall be the Professorship of Medical Jurisprudence in the University of Aberdeen, and shall be held by Francis Ogston, Doctor of Medicine, now Professor of Medical Logic and Medical Jurisprudence in Marischal College.

*Secundo*, That, in the University of Aberdeen, the patronage of, or right of presenting to, the Principalship, and the several Professorships of Greek, Humanity, Logic, Moral Philosophy, Natural History, Divinity and Church History, Divinity and Biblical Criticism, Oriental Languages, Institutes of Medicine, Practice of Medicine, Anatomy, Surgery, Materia Medica, Midwifery, and Botany, shall be vested in the Crown; that the patronage of, or right of presenting to, the several Professorships of Mathematics, Natural Philosophy, Law, Chemistry, and Medical Jurisprudence, shall be vested in the University Court; and that the patronage of, or right of presenting to, the Professorship of Systematic Theology shall be vested in the Synod of Aberdeen.

*Tertio*, That, from and after the date to be fixed as aforesaid, the following arrangements shall take effect with reference to the emoluments of the Principal and Professors, and the expenditure for certain other purposes in the University of Aberdeen:—

1. To the office of Principal there shall be attached the same proportion of the revenues of the University to be derived from the present endowed funds of Marischal College, as has heretofore been paid or payable to the Principal of that College, including in such funds the Locality Fund of that College, the bequests by Sir Thomas Crombie and Mrs Barbara Blackwell, and a certain grant to the same College out of the Bishops' Rents by His late Majesty King William the Third, in the year sixteen hundred and ninety-nine; and there shall also be attached to the said office the sums of sixty pounds and one hundred and fifty pounds, heretofore annually voted by Parliament to the Principal of Marischal College, and as additional salary to the Professor of Divinity in King's College, respectively, and the farther sum of fifty pounds, to be annually voted by Parliament.
2. For the Faculty of Divinity there shall be set apart, as a general fund, the whole of the nett rents and profits of the lands of Cairntradlin, mortified by the Synod of Aberdeen, in the year sixteen hundred and forty-two, for support of the Professor of Divinity in King's College, including in such rents and profits what has been hitherto payable to the said Professor in name of feu-duty, but deducting public and other burdens, including interest of debt thereon; the annual sum of one hundred and twenty pounds, consisting of certain sums, now payable to the Principal and Professors of Divinity and Oriental Languages in King's College, through the office of Her Majesty's Woods, Forests, and Land Revenues, in discharge of certain grants to the College out of the Bishops' Rents by His late Majesty King William the Third; and one-seventh of all such of the remaining revenues of the University of Aberdeen, as shall be derived from the present endowed funds of King's College, in so far as these are applicable to the support of the Principal and Professors therein, excluding sums voted by Parliament, after deducting from such funds the interest accruing under a bond given in the year seventeen hundred and fifty-six, by the Procurator of King's College to the Synod of Aberdeen, for the support of the Professorship of Divinity in that College, and the interest of a sum bequeathed by Miss Theresa Lumsden, in the year eighteen hundred and nineteen, for the support of the same Professorship, which two sums, as hereinafter mentioned, shall be attached to the Professorship of Systematic Theology in the University of Aberdeen.

To the Professorship of Systematic Theology there shall be attached six-fifteenths of the general fund set apart for the Faculty of Divinity as above-mentioned; the interest accruing under the above-mentioned bond to the Synod of Aberdeen; the interest of the said sum bequeathed by Miss Theresa Lumsden; one-tenth of the sum of seven hundred pounds, heretofore annually voted by Parliament in compensation for loss of teinds, and in continuance of a royal grant, as additional allowance to the Principal and Professors of King's College, and of which sum the like proportion has heretofore been paid to the Professor of Divinity in that College; the sum of twelve pounds, heretofore annually voted by Parliament in continuance of a royal grant to the Professor of Divinity in King's College; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of Divinity and Church History shall be attached four-fifteenths of the general fund set apart for the Faculty of Divinity as above-mentioned; the income to be derived from the several funds bequeathed for the support of the Professorship of Divinity in Marischal College by Patrick Coupland or Copland and Peter Chamberlane; one-tenth of the said sum of seven hundred pounds, heretofore annually voted by Parliament as additional allowance to the Principal and Professors of King's College, and of which sum the like proportion has heretofore been paid to the Principal of that College, who, as such, has been Primarius Professor of Divinity therein; the sum of fifty-three pounds heretofore annually voted by Parliament in continuance of two royal grants to the Professor of Divinity in

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Marischal College; and in addition, the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of Divinity and Biblical Criticism shall be attached the sum of twenty pounds heretofore annually voted by Parliament in continuance of a royal grant of that amount to the Principal of King's College; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of Oriental Languages shall be attached five-fifteenths of the general fund set apart for the Faculty of Divinity, as above-mentioned; the annual proceeds of a bequest by the Reverend Gilbert Ramsay, in the year seventeen hundred and twenty-seven, for the support of the Professorship of Oriental Languages in Marischal College; one-tenth of the said sum of seven hundred pounds, heretofore annually voted by Parliament as additional allowance to the Principal and Professors of King's College, and of which sum the like proportion has heretofore been paid to the Professor of Oriental Languages in that College; the sum of thirty-three pounds heretofore annually voted by Parliament in continuance of a royal grant to the Professor of Oriental Languages in Marischal College; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

3. For the Faculty of Arts there shall be set apart as a general fund, *first*, four-sevenths of that portion of the revenues of the University, which shall be derived from the said present endowed funds of King's College, applicable as aforesaid (other than the said lands of Cairntradlin, the said sum of one hundred and twenty pounds, payable through the Office of her Majesty's Woods, Forests, and Land Revenues, and the deductions hereinbefore specifically made for the Professorship of Systematic Theology), and of which portion one-seventh has been assigned above to the Faculty of Divinity; *secondly*, the same proportion of the revenues of the University to be derived from the present endowed funds of Marischal College, as has heretofore been paid or payable to the four Regents and the Professor of Mathematics in that College, including in such funds the Locality Fund of that College, the several bequests by Sir Thomas Crombie, Mrs Barbara Blackwell, and Doctor Duncan Liddell, and the said grant to the same College out of the Bishops' Rents, by his late Majesty King William the Third, in the year sixteen hundred and ninety-nine: *thirdly*, one-half of the said sum of seven hundred pounds, heretofore annually voted by Parliament as additional allowance to the Principal and Professors of King's College, and of which sum the like proportion has heretofore been paid to the Professors in the Faculty of Arts, exclusive of the Professor of Medicine and Chemistry in that College; and, *lastly*, the sum of four hundred and seventy-one pounds, six shillings, and eight pence, being the aggregate of the sums heretofore annually voted by Parliament to Professors in the Faculty of Arts in King's College and in Marischal College, exclusive of the sum voted to the Professor of Medicine and Chemistry in King's College.

Of the general fund, so attached to this Faculty, there shall be set apart an annual sum of four hundred pounds, to provide a salary of one hundred pounds for an Assistant to each of the Professors of Greek, Humanity, Mathematics, and Natural Philosophy.

Of the sum remaining, after deduction of the said sum of four hundred pounds, the Professors of Greek, Humanity, and Mathematics, shall each receive one-ninth, and the Professors of Logic, Moral Philosophy, Natural Philosophy, and Natural History, each one-sixth; and each of the Professors shall, in addition, receive the amount of such fees as, from time to time, he may be authorized to exact from the students.

4. To the Professorship of Law there shall be attached one-seventh of that portion of the revenues of the University, which shall be derived from the said present endowed funds of King's College, applicable as aforesaid (other than the said lands of Cairntradlin, the said sum of one hundred and twenty pounds, payable through the Office of her Majesty's Woods, Forests, and Land Revenues, and the deductions hereinbefore specifically made for the Professorship of Systematic Theology), and of which portion one-seventh has been assigned above to the Faculty of Divinity, and four-sevenths to the Faculty of Arts; one-tenth of the said sum of seven hundred pounds, heretofore annually voted by Parliament as additional allowance to the Principal and Professors of King's College, and of which sum the like proportion has heretofore been paid to the Professor of Civil Law in that College; the sum of sixty pounds, eight shillings, and eight pence, being the aggregate of the sums heretofore annually voted by Parliament in continuance of royal grants to the Professor of Civil Law in King's College and the Professor of Church History in Marischal College; and, in addition, the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

5. In the Faculty of Medicine:—

To the Professorship of the Institutes of Medicine shall be attached a salary of two hundred pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of the Practice of Medicine shall be attached the annual proceeds of the bequest by the Reverend John Paterson to the Professorship of the Practice of Medicine in Marischal College; the sum of one hundred pounds heretofore annually voted by Parliament to that Professorship; the additional sum of fifty pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of Chemistry shall be attached one-seventh of that portion of the revenues of the University, which shall be derived from the said present endowed funds of King's College, applicable as aforesaid (other than the said lands of Cairntradlin, the said sum of one hundred and twenty pounds, payable through the Office of Her Majesty's Woods, Forests, and Land Revenues, and the deductions hereinbefore specifically made for the Professorship of Systematic Theology), and of which portion one-seventh has been assigned above to the Faculty of Divinity, four-sevenths to the Faculty of Arts, and one-seventh to the Pro-

fessorship of Law; the yearly sum of forty pounds from the lands of Pulmuir, as heretofore payable to the Professor of Chemistry in Marischal College, in terms of the bequest by Mrs Barbara Blackwell; the sum of forty pounds, eight shillings, and eight pence, portion of the sums heretofore annually voted by Parliament to the Professorship of Medicine and Chemistry in King's College and the Professorship of Chemistry in Marischal College; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students. To the Professorship of Chemistry there shall be attached a teaching Assistant and a Laboratory Attendant, who shall receive respectively the sums of one hundred pounds and fifty pounds a year, portions of the sums heretofore annually voted by Parliament to the Professorship of Medicine and Chemistry in King's College and the Professorship of Chemistry in Marischal College. To provide materials, and meet other class expenses of the Professor of Chemistry, there shall be applied one-tenth of the said sum of seven hundred pounds, heretofore annually voted by Parliament as additional allowance to the Principal and Professors of King's College, and of which sum the like proportion has heretofore been paid to the Professor of Medicine and Chemistry in that College; and, in addition, the sum of thirty pounds, portion of the sums heretofore annually voted by Parliament to the Professorship of Medicine and Chemistry in King's College, and the Professorship of Chemistry in Marischal College.

To the Professorship of Anatomy shall be attached the sum of one hundred and fifty pounds, heretofore annually voted by Parliament to the Professorship of Anatomy in Marischal College; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students. To the Professorship of Anatomy there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

To the Professorship of Surgery shall be attached the sum of one hundred pounds, heretofore annually voted by Parliament to the Professorship of Surgery in Marischal College; the additional sum of fifty pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of Materia Medica shall be attached a salary of one hundred and fifty pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students. To the Professorships of Materia Medica and Medical Jurisprudence there shall be attached a joint Assistant, who shall receive a salary of fifty pounds, to be annually voted by Parliament. To provide materials, and meet other class expenses of the Professor of Materia Medica, there shall be applied the sum of fifty pounds, to be annually voted by Parliament.

To the Professorship of Midwifery shall be attached a salary of one hundred and fifty pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

To the Professorship of Medical Jurisprudence shall be attached the annual proceeds of the sum bequeathed in the year eighteen hundred and fifty-seven, by Doctor Alexander Henderson, for the support of a Professorship of Medical Logic and Medical Jurisprudence in Marischal College; the sum of seventy-five pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students. To provide materials, and meet other class expenses of the Professor of Medical Jurisprudence, there shall be applied the sum of thirty-five pounds, to be annually voted by Parliament.

To the Professorship of Botany shall be attached a salary of three hundred pounds, to be annually voted by Parliament; and the amount of such fees as the Professor may, from time to time, be authorized to exact from the students.

6. No Professor in the University of Aberdeen shall have a claim to any portion of the fund which may arise from fees payable on graduation in any of the Faculties in the University; and no Professor shall be entitled to exact or receive fees from any students, except in respect of their attendance on his class.

*Quarto*, That compensation shall be made, in terms of the said Act, to the following persons for loss of emoluments, consequent on the abolition or conjunction of offices held by them respectively in King's College or in Marischal College, except in so far as the terms of the appointment of any of such persons to any of such offices, or the conditions under which he may have received emoluments in respect thereof, are such as to preclude him from a legal right to compensation in respect thereof or of any part thereof, viz.:—The very Reverend Daniel Dewar, Doctor of Divinity; the Reverend Robert James Brown, Doctor of Divinity; George Ferguson, Master of Arts; John Cruickshank, Doctor of Laws; Hercules Scott, Doctor of Laws; James Clerk Maxwell, Master of Arts; George Gordon McLean, Doctor of Medicine; and Thomas Clark, Doctor of Medicine.

*Quinto*, That all persons, now occupying houses or manses in respect of their holding any offices in King's College, shall be allowed to continue to occupy personally the same houses after the union shall take effect, so long as these are not required for other University purposes, subject to payment of the same rent as they would have paid had the union not taken place, and that, whether or not such persons shall be Professors in the University of Aberdeen: Provided always, that the glebes and portions of the College Croft, now occupied by certain Professors of King's College in virtue of their offices, shall fall into and be treated as part of the property of the University.

*Sexto*, That the Assistants to the Professors of Greek, Humanity, Mathematics, Natural Philosophy, Chemistry, and Anatomy, shall be appointed from year to year by the Professors respectively, subject to the approval and control of the University Court; and the joint Assistant to the Professors of Materia Medica and Medical Jurisprudence shall be appointed by these Professors jointly, subject to the same approval and control; and, in case of a difference between the two Professors as to the person to be appointed, the appointment shall be made by the Senatus Academicus, subject to the same approval and control.

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*Septimo*, That each student, who, at the time when the union of the said existing Colleges shall take effect, shall have completed a part of his course in any Faculty in either of such Colleges with a view to graduation, shall be entitled to proceed to graduation, in the same Faculty in the University of Aberdeen, by attending the same classes as he would have been required to attend, had the union not taken place, and had he proceeded to graduation in that College, in which he shall have so completed a part of his course as aforesaid.

*Octavo*, That all rights of nomination or presentation to bursaries, exercised by the *Senatus Academicus* of King's College or of Marischal College, or by any member or members thereof, either by themselves or conjointly with other persons not members thereof, shall be transferred from such *Senatus Academicus* or member or members thereof to, and be exercised by, the *Senatus Academicus* of the University of Aberdeen, either alone or conjointly with such other persons, as the case may be.

And whereas, by the said Act, it is further enacted, that from and after the date at which the said Act shall come into operation with reference to the University of Aberdeen, as united and incorporated thereby, there shall be constituted in the said University a University Court, consisting of, among other members, a Rector, to be elected by the matriculated students voting according to the present usage in Marischal College, but subject to any regulations as to voting to be made by the Commissioners for the purposes of the said Act: And whereas, by the said Act, it is also enacted, that there shall be in the said University a General Council, which shall assemble twice every year, on such days as may be fixed by the said Commissioners, subject to alteration thereafter, from time to time, by resolution of the said Council, with the approval of the University Court: And whereas the said Commissioners are empowered, by the said Act, subject to the provisions thereof, to make regulations as to time, place, and manner of presenting and electing all University officers, and also to make arrangements and regulations as to the uses and purposes to which the buildings of King's College and Marischal College respectively shall be appropriated: The said Commissioners further statute and ordain:—

*Nono*, That, in the election of Rector in the said University of Aberdeen, the matriculated students shall vote in four nations, to be called respectively the Mar, Buchan, Moray, and Angus Nations, by each of whom one Procurator shall be chosen, and the Procurators shall elect the Rector; and, in case of equality in the votes of such Procurators, the Chancellor of the said University shall have a casting vote, provided he intimate his choice personally, or by letter addressed to the *Senatus Academicus*, within twenty-one days from the day of election; and failing such intimation, then the Principal shall have the casting vote: Provided always, that so long as, under the provisions of the said Act, there shall be joint Chancellors of the said University, the choice hereby given to the Chancellor shall be exercised by the senior of such joint Chancellors.

*Decimo*, That the nations shall be constituted as follows:—

The Mar Nation shall consist of all matriculated students born within the city of Aberdeen and its neighbourhood (as included in the parishes of St Nicholas and Old Machar), and within the parishes of Banchory-Devenick, Belhelvie, Drumoak, Durris, Dyce, Fintray, Kinnellar, New Machar, Maryculter, Newhills, Nigg, Peterculter, Skene, Cruden, Ellon, Foveran, Logie-Buchan, Methlic, Slains, Tarves, and Uduy:

The Buchan Nation shall consist of all matriculated students born within the county of Banff, and within such part of the county of Aberdeen as is not included in the Mar Nation:

The Moray Nation shall consist of all matriculated students born within the counties of Moray, Nairn, Inverness, Ross, Cromarty, Sutherland, Caithness, and Orkney and Shetland:

The Angus Nation shall consist of all matriculated students not included in any of the other Nations.

*Undecimo*, That the *Senatus Academicus* of the said University of Aberdeen shall appoint one or more of their number to preside and take the votes in each nation, and shall, subject to the provisions of this Ordinance, make such arrangements for the assembling of the nations, and the taking of the votes of the students for the Procurators, and of the votes of the Procurators for the Rector, and otherwise for keeping order at the election, as may seem to them expedient.

*Duodecimo*, That the first election of Rector in the said University of Aberdeen shall take place on the twenty-third day of December, which shall first happen after the date to be fixed as aforesaid: Provided always, that, if such day shall be Saturday or Sunday, the election shall take place on the immediately preceding Friday: and in time coming thereafter, the election of Rector shall take place on such day as may be fixed by the *Senatus Academicus*, with the approval of the University Court.

*Decimo-tertio*, That the two ordinary meetings of the General Council of the said University of Aberdeen shall, subject to such alteration as by the said Act is provided, be held respectively on the Wednesday next after the second Tuesday of April, and the Wednesday next after the second Tuesday of October in each year.

*Decimo-quarto*, That meetings of the *Senatus Academicus* of the said University of Aberdeen, and meetings for graduation in the Faculties of Arts and Divinity, shall be held in that portion of the University buildings hitherto belonging to and occupied by King's College; and that meetings for other graduation, and meetings of the General Council, and of the University Court, and also meetings for the election of Rector, and for public installations, shall be held in that portion of the University buildings hitherto belonging to and occupied by Marischal College.

In witness whereof, these presents are signed by the Commissioners, and sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

ARGYLL.	J. MONCREIFF.
HADDINGTON.	JAS. CRAUFURD.
MANSFIELD.	W. GIBSON-CRAIG.
DUN. McNEILL.	WILLIAM STIRLING.
	ALEX. HASTIE.

(L. S.)

Approved by Order in Council, dated 30th June 1860.

## SCHEDULE IN EXPLANATION OF THE FOREGOING ORDINANCE.

Ordinance, No. 6.

Aberdeen, No. 2.

## I. PRINCIPAL.

PATRON—THE CROWN.

*Emoluments.*

## Present College Funds—

<i>Marischal</i> —Salary of Principal from Locality Fund (average), . . . . .	L.290 18 0	<i>Vide Supra, Tertio</i>
Sir Thomas Crombie's bequest (average), . . . . .	11 7 0	subdiv. 1.
Mrs Blackwell's do. do. . . . .	12 3 0	
Bishops' Rents, . . . . .	25 0 0	
	<hr/>	
	L.339 8 0	

## Present Parliamentary vote—

<i>King's</i> —Vote to Professor of Divinity as additional salary, . . . . .	150 0 0
<i>Marischal</i> —Vote to Principal, . . . . .	60 0 0
New Parliamentary vote, . . . . .	50 0 0
	<hr/>
Total (average), . . . . .	L.599 8 0

## II. FACULTY OF ARTS.

The General Fund set apart for this Faculty will consist of:—

## Present College Funds—

<i>King's</i> —Four-sevenths of portion of endowed funds mentioned in the Ordinance (average), . . . . .	L.502 0 6	<i>Tertio 3.</i>
<i>Marischal</i> —Locality Fund (average), . . . . .	L.581 12 0	
Sir Thomas Crombie's bequest (average), . . . . .	45 8 0	
Mrs Barbara Blackwell's do. do. . . . .	60 15 0	
Dr Duncan Liddell's do. do. . . . .	119 6 0	
Bishops' Rents, . . . . .	33 8 0	
	<hr/>	
	840 9 0	

## Present Parliamentary vote—

<i>King's</i> —One-half of additional allowance to Principal and Professors, . . . . .	350 0 0
Votes to Professors in the Faculty of Arts, . . . . .	52 3 4
<i>Marischal</i> —Votes to Professors in the Faculty of Arts, . . . . .	419 3 4

Total General Fund (average), . . . . . L.2163 16 2

The distribution of this sum of L.2163, 16s. 2d. among the several Professors and Assistants is stated under the head 'Salary' in the following Table:—

Chairs.	Patrons.	Emoluments of Professors.			Salaries of Assistants.	Professors.
			L.	s.	d.	
Greek.	Crown.	Salary . . . . .	195	19	7	William Duguid Geddes, M.A.
		Estimated fees . . . . .	412	0	0	
		Total	607	19	7	
Humanity.	Crown.	Salary . . . . .	195	19	7	Robert Maclure, LL.D.
		Estimated fees . . . . .	383	0	0	
		Total	578	19	7	
Logic.	Crown.	Salary . . . . .	293	19	4	
		Estimated fees . . . . .	199	0	0	
		Total	492	19	4	
Mathematics.	University Court.	Salary . . . . .	195	19	7	Frederick Fuller, M.A.
		Estimated fees . . . . .	341	0	0	
		Total	536	19	7	
Moral Philosophy.	Crown.	Salary . . . . .	293	19	4	William Martin, M.A.
		Estimated fees . . . . .	199	0	0	
		Total	492	19	4	

Ordinance, No. 6.

Aberdeen, No. 2.

## II. FACULTY OF ARTS—continued.

Chairs.	Patrons.	Emoluments of Professors.	Salaries of Assistants.	Professors.
Natural Philo- sophy.	University Court.	<div style="text-align: right;">L. s. d.</div> Salary . . . 293 19 4 Estimated fees . . 231 0 0 <hr/> Total 524 19 4	<div style="text-align: right;">L. s. d.</div> 100 0 0	David Thomson, M.A.
Natural History.	Crown.	<div style="text-align: right;">L. s. d.</div> Salary . . . 293 19 4 Estimated fees . . 175 0 0 <hr/> Total 468 19 4		James Nicol.

## III. FACULTY OF DIVINITY.

The General Fund set apart for this Faculty will consist of:—

## Present College Funds—

<i>King's</i> —Rents and Profits of the estate of Cairntradlin (average),	L.472 0 0
Bishops' Rents,	120 0 0
One-seventh of portion of endowed funds mentioned in the Ordinance (average),	125 10 1

Total General Fund (average),	<u>L.717 10 1</u>
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The distribution of the General Fund is stated under the head 'Salary' in the following Table:—

Chairs.	Patrons.	Emoluments.	Professors.
Systematic Theo- logy.	Synod of Aberdeen.	<div style="text-align: right;">L. s. d.</div> Salary . . . 287 0 0 College Funds specially attached to this Chair— <i>King's</i> —Interest on bond to the Synod of Aberdeen . . . 5 6 3 Miss Theresa Lumsden's bequest (average) . . . 12 0 0 Present Parliamentary vote— <i>King's</i> —One-tenth of additional allowance to Principal and Pro- fessors . . . 70 0 0 Vote to Professor of Divinity . . 12 0 0 Estimated fees . . . 130 0 0 <hr/> Total . . . 516 6 3	Robert Macpherson, D.D.
Divinity and Church History.	Crown.	<div style="text-align: right;">L. s. d.</div> Salary . . . 191 6 8 College Funds specially attached to this Chair . . . <i>Marischal</i> —Patrick Copland's and Peter Chamberlane's bequests to the Chair of Divinity (average) . . 61 17 0 Present Parliamentary vote— <i>King's</i> —One-tenth of additional allowance to Principal and Pro- fessors . . . 70 0 0 <i>Marischal</i> —Vote to Professor of Divinity . . . 53 0 0 Estimated fees . . . 60 0 0 <hr/> Total . . . 436 3 8	William Robinson Pirie, D.D.
Divinity and Bib- lical Criticism.	Crown.	<div style="text-align: right;">L. s. d.</div> Present Parliamentary vote— <i>King's</i> —Vote to Principal . . . 20 0 0 Estimated fees . . . 60 0 0 <hr/> Total . . . 80 0 0	

III. FACULTY OF DIVINITY—*continued*.Ordinance, No. 6.  
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Chairs.	Patrons.	Emoluments.			Professors.	
Oriental Languages.	Crown.	Salary . . . . .	L.	s.	d.	Andrew Scott, M.A.
		College Funds specially attached to this Chair—	239	3	4	
		<i>Marischal</i> —Rev. Gilbert Ramsay's bequest . . . . .	37	2	0	
		Present Parliamentary vote—				
		<i>King's</i> — One-tenth of additional allowance to Principal and Professors . . . . .	70	0	0	
		<i>Marischal</i> —Vote to Professor . . . . .	33	0	0	
		Estimated fees . . . . .	60	0	0	
		Total	439	5	4	

## IV. FACULTY OF LAW.

There will be attached to the one Chair in this Faculty :—

Present College Funds :—

*King's*—One-seventh of portion of endowed funds mentioned in the Ordinance (average), . . . . . L.125 10 1

Present Parliamentary vote—

*King's*—One-tenth of additional allowance to Principal and Professors, . . . . . 70 0 0

Vote to Professor of Civil Law, . . . . . 10 8 8

*Marischal*—Vote to Professor of Church History, . . . . . 50 0 0

Total (average), . . . . . L.255 18 9

Tertio 4.

Chair.	Patron.	Emoluments.			Professor.	
Law.	University Court.	Salary . . . . .	L.	s.	d.	Patrick Davidson, LL.D.
		Estimated Fees . . . . .	255	18	9	
			48	0	0	
		Total	303	18	9	

## V. FACULTY OF MEDICINE.

Tertio 5.

Chairs.	Patrons.	Sources of Emoluments, etc.	Emoluments of Professors.	Salaries of Assistants.	Class Expenses.	Professors.
Institutes of Medicine.	Crown.	Salary—	L.	s.	d.	
		New Parliamentary vote	200	0	0	
		Estimated fees . . . . .	72	0	0	
		Total	272	0	0	
Practice of Medicine.	Crown.	Salary—				John Mac- robin, M.D.
		College Fund— <i>Marischal</i>	3	0	0	
		Present Parliamentary vote—do. . . . .	100	0	0	
		New Parliamentary vote . . . . .	50	0	0	
		Estimated fees . . . . .	101	0	0	
		Total	254	0	0	
Chemistry.	University Court.	College Funds—				Andrew Fyfe, M.D.
		<i>King's</i> —One-seventh of portion of endowed funds mentioned in the Ordinance . . . . .	125	10	1	
		<i>Marischal</i> —Mrs Barbara Blackwell's bequest . . . . .	40	0	0	
		Carry forward	165	10	1	

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## V. FACULTY OF MEDICINE—continued.

Chairs.	Patrons.	Sources of Emoluments, etc.	Emoluments of Professors.	Salaries of Assistants.	Class Expenses.	Professors.
			L. s. d.	L. s. d.	L. s. d.	
Chemistry— <i>continued.</i>	University Court.	Brought forward, Present Parliamentary vote— <i>King's</i> —One-tenth of additional allowance to Principal and Professors, . L.70 0 0 Vote to Professor . 10 8 8 <i>Marischal</i> — Vote to Professor . 210 0 0  Total . L.290 8 8 Which is to be divided thus  Estimated fees . . .  Total .	165 10 1       40 8 8 326 0 0 531 18 9	      100 0 0 50 0 0 150 0 0	      100 0 0  100 0 0	
Anatomy.	Crown.	Salary— <i>Marischal</i> — Present Parliamentary vote . New Parliamentary vote Estimated fees . . .  Total .	150 0 0 450 0 0 600 0 0	100 0 0		Alexander Jardine Lizars, M.D.
Surgery.	Crown.	Salary— <i>Marischal</i> — Present Parliamentary vote . New Parliamentary vote Estimated fees . . .  Total .	100 0 0 50 0 0 116 0 0 266 0 0			Wm. Pirrie, M.D.
Materia Medica.	Crown.	Salary— New Parliamentary vote Estimated fees . . .  Total . (The Assistant to this Chair to be also Assistant to the Chair of Medical Jurisprudence.)	150 0 0 92 0 0 242 0 0	50 0 0	50 0 0 50 0 0	
Midwifery.	Crown.	Salary— New Parliamentary vote Estimated fees . . .  Total .	150 0 0 73 0 0 223 0 0			
Medical Jurisprudence.	University Court.	Salary— <i>Marischal</i> — Dividends of L.1000 Bank of England Stock (say) . New Parliamentary vote Estimated fees . . .  Total . (The Assistant to the Chair of Materia Medica to be also Assistant to this Chair.)	100 0 0 75 0 0 47 0 0 222 0 0		35 0 0 35 0 0	Francis Ogston, M.D.

V.—FACULTY OF MEDICINE—*continued.*Ordinance, No. 6.  
Aberdeen, No. 2.

Chairs.	Patrons.	Sources of Emoluments, etc.	Emoluments of Professors.	Salaries of Assistants.	Class Expenses.	Professors.
Botany.	Crown.	Salary— New Parliamentary vote Estimated fees . . .	L. s. d. 300 0 0 77 0 0	L. s. d.	L. s. d.	
		Total .	377 0 0			

## ORDINANCE No. 7.

[ABERDEEN—DATE FIXED FOR ACT TAKING EFFECT.]

*At Edinburgh, the Tenth Day of January Eighteen hundred and sixty Years.*

WHEREAS, by an Act made and passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' it is provided, that from and after such date, as may be fixed by the Commissioners for the purposes of the said Act by special Ordinance, approved by Her Majesty in Council, the 'University and King's College of Aberdeen' and 'Marischal College and University of Aberdeen' shall be united and incorporated into one University and College, in all time coming thereafter, under the style and title of the 'University of Aberdeen;' and the Commissioners are empowered and directed to provide by special Ordinance, at what date, with reference to each of the Universities of Scotland, the provisions of the said Act shall come into operation: The Commissioners statute and ordain:—

That from and after the fifteenth day of September in the present year, the 'University and King's College of Aberdeen' and 'Marischal College and University of Aberdeen' shall be united and incorporated into one University and College, under the style and title of the 'University of Aberdeen,' and that from and after that date the provisions of the said Act shall come into operation with reference to the University of Aberdeen.

In witness whereof, these presents are signed by the Commissioners, and sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

ARGYLL. JAS. CRAUFURD.  
HADDINGTON. W. GIBSON-CRAIG.  
MANSFIELD. WILLIAM STIRLING.  
DUN. McNEILL. ALEX. HASTIE.  
J. MONCREIFF.

L. S.

Approved by Order in Council, dated 30th June 1860.

## ORDINANCE No. 8.

[EDINBURGH—REGULATIONS FOR DEGREES IN MEDICINE, SUPPLEMENTARY TO ORDINANCE No. 5.]

*At Edinburgh, the Nineteenth Day of March Eighteen hundred and sixty Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners for the purposes of the said Act are empowered amongst other things to make rules as to the granting of degrees, whether in Arts, Divinity, Law, or Medicine, in the several Universities of Scotland: And whereas, on the sixth day of August in the year eighteen hundred and fifty-nine, the Commissioners made and published an Ordinance with reference to the granting of degrees in Medicine in the University of Edinburgh: And whereas it is expedient that further regulations should be made with reference to the granting of such degrees: The Commissioners statute and ordain, with regard to the University of Edinburgh—

*Primo*, That the degrees in Medicine, to be hereafter granted by the University of Edinburgh, shall be divided into three classes, and be designated respectively Bachelor of Medicine (M.B.), Master in Surgery (C.M.), and Doctor of Medicine (M.D.).

*Secundo*, That the regulations contained in the said Ordinance of the sixth day of August eighteen hundred and fifty-nine shall be applicable to the granting of the degrees of Bachelor of Medicine and Master in Surgery: Provided always, that the degree of Master in Surgery shall not be conferred on any person who does not also at the same time obtain the degree of Bachelor of Medicine.

*Tertio*, That the regulation contained in section III. of the said Ordinance of the sixth day of August eighteen hundred and fifty-nine, shall extend to a degree in Arts conferred by any colonial or foreign University, which may, for this purpose, be specially recognised by the University Court.

*Quarto*, That the degree of Doctor of Medicine may be conferred on any candidate, who has obtained

Ordinance, No. 8.  
Edinburgh, No. 3.

Ordinance, No. 8.  
Edinburgh, No. 3.

the degree of Bachelor of Medicine, and is of the age of twenty-four years, and has been engaged, subsequently to his having obtained the degree of Bachelor of Medicine, for at least two years, in attendance on an hospital, or in the Military or Naval medical service, or in medical and surgical practice: Provided always, that the degree of Doctor of Medicine shall not be conferred on any person, unless he be a graduate in Arts of one of the Universities of England, Scotland, or Ireland, or of such other Universities as are above specified, or unless he shall, before or at the time of his obtaining the degree of Bachelor of Medicine, or within three years thereafter, have passed a satisfactory examination in Greek, and in Logic or Moral Philosophy, and in one at least of the following subjects, namely, French, German, Higher Mathematics, and Natural Philosophy.

*Quinto*, That the Medical Examiners for all candidates for graduation in Medicine in the said University shall be the Professors in the Faculty of Medicine therein, and, in addition, three persons to be appointed annually by the University Court, who shall be selected from among the Fellows of the three following bodies, namely, the Royal College of Physicians of Edinburgh, the Royal College of Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow, or shall be persons otherwise fully qualified in the judgment of the University Court; such three persons to be eligible for re-election, and each of them to receive a sum of one hundred pounds for each year, in which he shall act as Examiner.

*Sexto*, That the studies of candidates for the degrees of Bachelor of Medicine and Master in Surgery shall be subject to the following regulations:—

- (1.) One of the four years of medical and surgical study, required by the said Ordinance of the sixth day of August eighteen hundred and fifty-nine, must be in the University of Edinburgh.
- (2.) Another of such four years of medical and surgical study must be either in the University of Edinburgh, or in some other University entitled to give the degree of Doctor of Medicine.
- (3.) Attendance during at least six winter months on the medical or surgical practice of a general hospital, which accommodates at least eighty patients, and, during the same period, on a course of Practical Anatomy, may be reckoned as one of such four years, and to that extent shall be held equivalent to one year's attendance on courses of lectures, as prescribed by the said Ordinance.
- (4.) One year's attendance on the lectures of Teachers of Medicine in the Hospital Schools of London, or in the school of the College of Surgeons in Dublin, or of such Teachers of Medicine in Edinburgh, or elsewhere, as shall from time to time be recognised by the University Court, may be reckoned as one of such four years, and to that extent shall be held as attendance on courses of lectures, as prescribed by the said Ordinance.
- (5.) Candidates may, to the extent of four of the departments of medical study required by section V. sub-section 1 of the said Ordinance, attend in such year or years of their medical and surgical studies, as may be most convenient to them, the lectures of the Teachers of Medicine specified in sub-section (4).
- (6.) All candidates, not students of the University, availing themselves of the permission to attend the lectures of extra-academical Teachers in Edinburgh must, at the commencement of each year of such attendance, enrol their names in a book to be kept by the University for that purpose, paying a fee of the same amount as the matriculation fee paid by students of the University, and having, in respect of such payment, a right to the use of the library of the University.
- (7.) The fee for attendance on the lectures of an extra-academical Teacher in Edinburgh, with a view to graduation, shall be of the same amount as that exigible by Medical Professors in the University.
- (8.) No Teacher shall be recognised, who is at the same time a Teacher of more than one of the prescribed branches of study, except in those cases where Professors in the University are at liberty to teach two branches.
- (9.) It shall not be necessary for any Teacher, attendance on whose lectures is now recognised for the purposes of graduation in the University, to obtain a new recognition from the University Court; and attendance on the lectures of every such Teacher shall continue to be recognised as heretofore.
- (10.) It shall be in the power of the University Court, if they shall see cause, at any time to withdraw or suspend the recognition of any Teacher or Teachers.

*Septimo*, That the provisions of the said Ordinance of the sixth day of August eighteen hundred and fifty-nine, and of this Ordinance, shall come into operation and receive effect from and after the fifteenth day of October in the present year.

*Octavo*, That persons, who shall have begun their medical studies before the fifteenth day of October in the present year, shall be entitled to graduate under the system in force before or after that date, according as they shall comply with the regulations in force in the University before or after that date.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved, along with Ordinance No. 5, by Order in Council, dated 4th February 1861, which bore that 'Her Majesty was further pleased to order, and it is hereby ordered, that the said Ordinances shall 'come into operation and take effect from and after the date of this Her Majesty's Order.'*

## ORDINANCE No. 9.

[GENERAL—PROVISION FOR A PROFESSOR APPLYING TO BE ALLOWED TO RETIRE ON A RETIRING ALLOWANCE.]

*At Edinburgh, the Twenty-second Day of June Eighteen hundred and sixty Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' it is provided, that the Commissioners of Her Majesty's Treasury shall be empowered to pay out of such moneys, as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the said Act shall recommend to be paid for, among other purposes, that of providing retiring allowances to aged and infirm Principals and Professors: And whereas the said Act, by section XII. 5, empowers the University Court of each University, upon sufficient cause shown, and after due investigation, to require a Principal or Professor to retire from his office on a retiring allowance, subject to the proviso, that no such requisition shall have any effect until it has been approved by Her Majesty in Council; but the said Act does not provide in what manner a Principal or Professor, disabled from the performance of his duties by age or infirmity, should make application to be allowed to retire on a retiring allowance: And whereas it is expedient that provision should be made as to the mode of procedure in such a case: The Commissioners statute and ordain:—

That any Principal or Professor desiring to retire from his office on a retiring allowance on the ground of age or infirmity, shall apply by petition to the University Court, stating the grounds on which his application is rested; and if the University Court, after due inquiry, shall be satisfied that the petitioner is, by reason of age or infirmity, permanently incapable to discharge the duties of his office, they shall report the same to Her Majesty in Council, together with a statement of their opinion that the petitioner ought to be permitted to retire; and, in the event of the opinion of the University Court receiving the approval of Her Majesty in Council, the petitioner shall be entitled to retire from his office, and to receive a retiring allowance on the same scale and conditions as may for the time be applicable to the case of a Principal or Professor retiring under section XII. 5 of the said Act.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 27th August 1860.*

## ORDINANCE No. 10.

[ST ANDREW'S—REGULATIONS FOR RAMSAY FOUNDATION. *See also* ORDINANCE No. 87.]

*At Edinburgh, the Twenty-fifth Day of June Eighteen hundred and sixty Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners for the purposes of the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and, further, if in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any persons therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas by deed of mortification, dated the fourth day of June sixteen hundred and eighty-one, Mr John Ramsay, Minister of Markinch, in the county of Fife, mortified his lands of Duniface, in the said parish and county, for the education and entertainment of three youths at School and College in St Andrew's, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas, since the said date, the value of the said lands has greatly increased, so that it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification: And whereas two of the said three bursaries were vacant at the commencement of the last College session: And whereas a competition took place for appointment to such two bursaries, subject to the condition that their number, value, and duration should be determined by the Commissioners, and two students were declared successful competitors for such bursaries, but have not received any presentation thereto: And whereas the third of the said bursaries has become vacant since the expiration of the last College session: The Commissioners statute and ordain, with reference to the University of St Andrew's and the said mortification, as follows:—

I. Hereafter there shall be eight bursars and one fellow on the said foundation, to be called respectively the Ramsay Bursars and Ramsay Fellow, who shall receive the net annual rents and proceeds of the said lands or other property included in the said mortification in the following proportions, that is to say, each bursar on the foundation shall receive annually during the continuance of his bur-

Ordinance, No. 9.  
General, No. 1.

Ordinance, No. 10.  
St Andrew's, No. 2.

Ordinance, No. 10.  
St Andrew's, No. 2.

sary one-twelfth part of such net annual rents and proceeds, and the Fellow shall receive annually during the continuance of his fellowship four-twelfth parts of such rents and proceeds.

II. The sole patronage of, and right of nomination to, the said eight bursaries, shall be vested in Sir Alexander Ramsay of Balmain, Baronet, and his heirs, in whom is now vested the patronage of the three bursaries under the said mortification.

III. The Senatus of the United College of St Salvator and St Leonard shall, on or before the first day of August in each year, intimate to the Patron the number of bursaries then vacant, and the Patron shall thereupon, and not later than the fifteenth day of October then next, intimate to the College the name or names of the person or persons whom he nominates to such vacant bursary or bursaries, nominating at least one person for each vacant bursary; and, in the event of more than one person being nominated for any bursary, such bursary shall be competed for by the persons so nominated: Provided that, in the event of the Patron failing at any time to intimate his nomination to any bursary on or before the said fifteenth day of October, such bursary shall, at the commencement of the session, be thrown open to general competition among the students then entering upon the first year of the curriculum in Arts in the said College: Provided also, that nominations shall not be made to more than two bursaries, nor shall more than two bursaries be filled up, in any one session; and in the event of more than two bursaries being vacant at one time, the vacant bursary or bursaries above the number of two shall be suspended and kept vacant until some subsequent session, so that there shall not be more than two bursaries filled up in any one session, as aforesaid; and the portion of the income of the mortified estate so set free shall be added to the capital, or employed in the improvement of the lands belonging to the mortification; and the funds so added to the capital may be invested by the College, in land, or on heritable security, or in the public funds, and no otherwise.

IV. All students, without limitation or preference of names, entering upon the first year of the curriculum in Arts, and being between the ages of fifteen and nineteen years on the first day of the session in the United College, shall be eligible for nomination on or before the preceding fifteenth day of October.

V. Every student nominated to a bursary under the said mortification, shall, before being admitted thereto, be required to pass the entrance examination of students; and, upon being admitted to his bursary, he shall proceed regularly through the curriculum in Arts, and undergo the examinations required by the College for the degree of Master of Arts, and shall also submit to such examinations during his curriculum as may be required of the foundation bursars of the College: Provided that, if he shall fail to pass the entrance examination, or any of the above-mentioned subsequent examinations, he shall from and after such failure forfeit his bursary: Provided also, that in case of any gross misconduct on the part of a bursar, it shall be in the power of the Senatus Academicus of the University, with the approval of the University Court, to deprive him of his bursary.

VI. Each bursar shall, subject to the above-mentioned conditions, be entitled to hold his bursary for a period of eight years, provided that he shall during the first four of such years give attendance on the course of study in the Faculty of Arts in the United College, and shall, on the completion thereof, proceed to the degree of Master of Arts, and during the next four years shall give attendance on the course of study in Divinity in St Mary's College; but in case of a bursar not proceeding with the study of Divinity in St Mary's College, his bursary shall lapse and become vacant at the end of his course in the Faculty of Arts in the United College.

VII. Nothing herein contained shall affect the claims of the two successful competitors for the bursaries competed for at the commencement of last session, as above mentioned, to be presented by the Patron to two bursaries to be held as from the beginning of last session: Provided always, that, if so presented, they shall hereafter hold their bursaries subject to the above-mentioned regulations and conditions as to the value, duration, and terms of tenure for the future, of bursaries under the said mortification: Provided also, that the presentation of the said two bursars, as aforesaid, shall not interfere with the right of the Patron to nominate two persons for vacant bursaries on or before the fifteenth day of October eighteen hundred and sixty.

VIII. The Ramsay Fellowship shall be open for general competition to all persons who have passed regularly and uninterruptedly through the course of study in the Faculty of Arts in the United College, and have completed such course of study within four years before the time at which the competition shall take place; and the successful competitor for the Fellowship, if he have not already been admitted to the degree of Master of Arts, shall not be admitted to the Fellowship, unless he proceed to that degree within one year after the time of the competition.

IX. The examination of candidates for the Ramsay Fellowship shall embrace all the branches of study included in the curriculum in Arts, and the examination shall be conducted by the Professors whose branches are included in the said curriculum.

X. The first competition for the said Fellowship shall take place at a time to be hereafter fixed by the Senatus of the United College, with the sanction of the Commissioners.

XI. The said Fellowship shall be tenable for four years; and on its becoming vacant at the end of such four years, or by the death of the holder, it shall be again competed for under the same conditions, and so on thereafter as often as it shall become vacant.

XII. It shall not be competent for any person to hold the said Fellowship along with any bursary in the University of St Andrew's.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 27th August 1860.*

## ORDINANCE No. 11.

[GENERAL—REGULATION OF MEETINGS OF GENERAL COUNCIL AND UNIVERSITY COURT—ELECTIONS OF CHANCELLOR AND ASSESSOR BY GENERAL COUNCIL—APPOINTMENT OF EVERY ASSESSOR TO BE IN WRITING.]

*At Edinburgh, the Second Day of July Eighteen hundred and sixty Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, subject to the provisions of the Act, to regulate by Ordinance the powers, jurisdictions, and privileges of Chancellors, Rectors, Assessors, Professors, and all other members or office-bearers in the several Universities of Scotland, as also of the Senatus Academicus, the General Council, and the University Court, and their meetings; and, further, to make regulations as to time, place, and manner of presenting and electing all University officers: The Commissioners statute and ordain, with reference to each of the said Universities, as follows:—

Ordinance, No. 11.

General, No. 2.

I. At the meetings of the General Council, in the absence of the Chancellor, Rector, and Principal, the Professor who has been longest in office, as Professor in the University, of those present shall preside: Provided that in the University of St Andrew's the Junior Principal, if present, shall, in the absence of the Chancellor, Rector, and Senior Principal, preside in preference to the Senior Professor; and in every case, the president of the meeting shall have a deliberative and also a casting vote.

II. It shall not be in the power of the General Council to adjourn its meetings from either of the stated annual days of meeting to a future day; but it shall be in the power of any meeting to suspend its proceedings from one hour to a later hour of the same day.

III. It shall be in the power of the General Council to appoint a committee or committees at one meeting to arrange or prepare business for a future meeting; but it shall not be in the power of the General Council to delegate any of its functions to a committee, or to act by means of a committee.

IV. In the absence of the Rector at a meeting of the University Court of any University, the member present, who is first mentioned in the enumeration of its members in the said Act, shall preside, with a deliberative vote only; and, in the event of an equality of votes upon any question at such meeting, the consideration of the question before the University Court shall be adjourned to a day, of which due notice shall be given to the Rector; and on that day the consideration of the question so adjourned shall be resumed, and, if the Rector does not then attend, the member presiding at such subsequent meeting shall have both a deliberative and a casting vote on that question.

V. On the occurrence of a vacancy in the office of Chancellor, the election of his successor shall take place at the first ordinary meeting of the General Council, which shall take place after the lapse of two months from the occurrence of the vacancy.

VI. Whensoever the statutory term of office of the Assessor in the University Court for the General Council is to expire within ten days next after an ordinary half-yearly meeting of the General Council, it shall be lawful for the General Council at the said half-yearly meeting to proceed to the election of an Assessor, who shall enter upon his office at the expiration of the said statutory term of office; and, in the event of a vacancy occurring from any cause at any other period, the General Council shall proceed to the election of an Assessor at the next ordinary half-yearly meeting.

VII. Provided always, that at any meeting of the General Council, at which an election of Chancellor or Assessor shall fall to take place, the General Council shall proceed to such election before entering on any other business.

VIII. The appointment of every Assessor to the University Court shall be made in writing, and the written appointment shall be forthwith transmitted to the University Court; and no Assessor shall be entitled to act as a member of the University Court, until his written appointment shall have been so transmitted.

IX. In the election of Chancellor or of Assessor by the General Council, where more than one person is nominated for the same office, the president of the meeting shall, by means of a show of hands, ascertain and declare which of the persons nominated has a majority of votes at the meeting, and, if no poll be demanded by the proposer or seconder of any candidate, the president shall declare such person to be duly elected; but, in the event of a poll being demanded by the proposer or seconder of a candidate, a poll of all the members of the General Council shall be taken in the manner hereinafter provided, that is to say, the Registrar shall, on the next day but one after the day of meeting, issue, through the post, to each member resident in the United Kingdom, to his address as appearing in the register, a voting letter in the form of Schedule (A.) hereunto annexed, with all the blanks filled up, except the name of the person for whom the member votes, and the signature of the member; and such letter shall be accompanied by a letter of intimation from the Registrar in the form of Schedule (B.) hereunto annexed; and each member, upon receipt of his voting letter, if he desires to vote in the election, shall insert the name of the candidate for whom he votes, and affix his subscription, and return the voting letter to the Registrar in such time that the Registrar shall receive the same within twenty-one days after the said day of meeting; and on the expiration of the said twenty-one days, the Registrar shall, in the presence of the proposer or seconder of each candidate, or of some person to be named by them for the purpose, sum up the votes so returned; and the candidate for whom the largest number of votes shall be returned within the time aforesaid, shall be declared to be duly elected as from the day of meeting; and an intimation to that effect, under the hands of the president of the meeting and the Registrar, shall be forthwith published in the Edinburgh Gazette, and a copy thereof fixed in some patent place in the University; and, in case of an equality of votes for two or more persons, the president of the meeting shall have a casting vote: Provided always, that it shall be lawful for the Registrar to deliver his voting paper, with the blanks duly filled up as aforesaid, to any member of the General Council personally, or to send it through the post to any member to a different address from that appearing in the register, on an application by such member to that effect being lodged with the Registrar not later than the day

Ordinance, No. 11. immediately following the day of meeting; but the Registrar shall not in any case deliver the voting paper of any member to another member, or to any other person, but shall either send it through the post, or deliver it personally to each member; and no vote shall be reckoned in the election, which is not returned under the signature of a member to the Registrar in a voting letter issued as aforesaid.

General, No. 2. In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

### SCHEDULE (A.)

UNIVERSITY OF [Name of University].

#### VOTING LETTER.

No. [Number of member, as in the register].

I [Name of member in full, with his designation and residence to be filled in by the Registrar] hereby record my vote in favour of \* \_\_\_\_\_ for the Office of [Chancellor or Assessor, as the case may be].

(Date) \_\_\_\_\_

† \_\_\_\_\_

\* Here the voter will fill in the name of the candidate for whom he votes.

† Signature of voter.

### SCHEDULE (B.)

UNIVERSITY OF [Name of University].

Election to the Office of [Chancellor or Assessor, as the case may be].

Persons Nominated.	Proposed by	Seconded by
A. B., . . . .	(Name of Proposer.)	(Name of Seconder.)
C. D., . . . .	Do.	Do.
E. F., . . . .	Do.	Do.

SIR,

I have to intimate, that the above-mentioned persons have been nominated for the office of [Chancellor or Assessor, as the case may be], and I have to request that, if you desire to vote in the election, you will insert in the blank of the accompanying voting letter the name of the person for whom you vote, and, after signing the letter, will transmit it to me at the University, so as to reach me on or before [day on or before which votes must be returned].

I am, etc.

Registrar.

(Date) \_\_\_\_\_

Approved by Order in Council, dated 27th August 1860.

### ORDINANCE No. 12.

[ABERDEEN—COURSE OF STUDY IN ARTS—FEES—GENERAL UNIVERSITY FUND—PATRONAGE OF CHAIR OF SYSTEMATIC THEOLOGY: See also ORDINANCES NOS. 14, 18, 27, AND 69.]

*At Edinburgh, the Second Day of July Eighteen hundred and sixty Years.*

Ordinance, No. 12. WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules as to the amount and exaction of fees, and the granting of degrees, whether in Arts, Divinity, Law, or Medicine, in the several Universities of Scotland, and to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of the said Universities, and to make all such rules and ordinances as may be necessary for securing good order and government, and regulating the course of study in the University of Aberdeen: The Commissioners statute and ordain, with reference to the University of Aberdeen, as follows:—

Aberdeen, No. 4.

I. From and after the date at which the said Act shall come into operation in the University of Aberdeen, and subject to any alterations which may hereafter be made by the Commissioners, the course of study for the degree of Master of Arts in the said University shall extend over four winter sessions, as herein provided; and no person, who shall commence his course of study after the said date, shall be admitted to the degree of Master of Arts, unless he shall have completed such course of study:—

During the first session, the attendance shall be on the classes of Latin and Greek, each for two hours daily for five days a week, and on the class of English Language and Composition, under the Professor of Logic, for one hour on each of three days a week;

During the second session, the attendance shall be on the class of Mathematics for two hours daily for five days a week, and on the classes of Latin, Greek, and Natural History, each for one hour daily for five days a week;

During the third session, the attendance shall be on the classes of Logic and Natural Philosophy, each for two hours on each of three days, and one hour on each of two days a week, and on the class of Mathematics for one hour daily for five days a week; Ordinance, No. 12.  
Aberdeen, No. 4.

During the fourth session, the attendance shall be on the class of Moral Philosophy for two hours on each of three days, and one hour on each of two days a week, and on the classes of Natural Philosophy and Chemistry, each for one hour daily for five days a week.

II. The class-fees payable by students in the Faculty of Arts shall be the following, viz. :—

During the first session, for each of the classes of Latin and Greek a fee of three guineas, and for the class of English Language and Composition a fee of one guinea;

During the second session, for each of the classes of Mathematics and Natural History a fee of three guineas, and for each of the classes of Latin and Greek a fee of one guinea;

During the third session, for the class of Natural Philosophy a fee of three guineas, for the class of Logic a fee of two guineas, and for the class of Mathematics a fee of one guinea;

During the fourth session, for each of the classes of Moral Philosophy and Chemistry, a fee of three guineas, and for the class of Natural Philosophy a fee of one guinea:

Provided always, that students who shall not have commenced their studies in King's College or Marischal College before the date aforesaid, and shall attend the second class of Latin, Greek, Mathematics, or Natural Philosophy, without having attended the first class, or shall attend the class of Logic without having attended the class of English Language and Composition, shall pay in each case a fee of three guineas, in respect of such attendance, instead of the lower fee above mentioned.

III. In the Faculty of Divinity, the fees payable by students for each of the classes of Systematic Theology, Oriental Languages, Church History, and Biblical Criticism, shall be one guinea and a half for each session.

IV. In the Faculty of Law, the Professor of Law shall deliver two courses of lectures, one on Scots Law, and the other on Conveyancing, and the fee payable by students for each of the said courses shall be two guineas.

V. In the Faculty of Medicine, the fees payable by students shall be, for each of the classes of Institutes of Medicine, Practice of Medicine, Chemistry, Practical Chemistry, Anatomy, Surgery, Materia Medica, Midwifery, Botany, and Medical Jurisprudence, a fee of three guineas, and for Practical Anatomy and Demonstrations a fee of two guineas: Provided always, that the title of the Professor of Medical Jurisprudence shall be 'the Professor of Medical Logic and Medical Jurisprudence,' in terms of the deed of mortification made by Doctor Alexander Henderson, on the twenty-sixth day of August eighteen hundred and fifty-seven, for the establishment of a Professorship of Medical Logic and Medical Jurisprudence in Marischal College.

VI. Each student shall pay a matriculation fee of one pound sterling at the commencement of each winter session for the whole academical year then next ensuing; but any student attending classes during a summer session, without having attended the immediately preceding winter session, shall, in respect of such summer session, pay a fee of ten shillings only; and no other fee shall be chargeable against any student for such year or session, except the Professors' class-fees.

VII. The fees for graduation shall be the following, viz. :—

For the degree of Master of Arts, four guineas;

For the degree of Bachelor of Medicine, twenty guineas;

For the degree of Doctor of Medicine, five guineas, in addition to the fee previously paid for the degree of Bachelor of Medicine, but exclusive of any stamp duty which may for the time be exigible.

VIII. The fees hereinbefore specified, whether class, matriculation, or graduation fees, shall be payable by all students, whether bursars or not, with this exception, that students who shall have obtained bursaries either in King's College or in Marischal College, and who shall have studied as bursars therein before the date aforesaid, shall, during the continuance of such bursaries, pay the same fees in the University of Aberdeen, as they would have paid had the union not taken effect, and had they continued their studies in the College in which they obtained their bursaries as aforesaid.

IX. The matriculation and graduation fees shall be placed to the account of a General University Fund, which shall also include all the revenues formerly belonging to King's College or Marischal College, except such as have been, or shall be, otherwise appropriated by Ordinance of the Commissioners, and such as are appropriated to special purposes by mortification, gift, or endowment, the conditions or directions of which have not been altered or modified by the Commissioners; and the said general fund, after the payment of the expense of diplomas, shall be applicable to defray the ordinary current expenses of the University, including servants' wages, and the cost of lighting, heating, cleaning, maintaining, and repairing the buildings; also, the necessary expenses of providing and maintaining such apparatus and museums as are not provided for by Ordinance No. 6, Aberdeen No. 2, of the ninth day of January in the present year, or otherwise; and the residue of the said general fund shall be applicable to the purposes of the library or libraries of the University.

X. And whereas the Professorship of Divinity in King's College was endowed by the Synod of Aberdeen, and the patronage of the said Professorship has heretofore belonged to the Synod: And whereas the Commissioners, by their said Ordinance No. 6, Aberdeen No. 2, ordained that the patronage of the Professorship of Systematic Theology in the University of Aberdeen shall be vested in the said Synod: And whereas it is expedient to define the manner in which such patronage shall be exercised: The Commissioners statute and ordain—

That the patronage of, or right of presenting to, the said Professorship of Systematic Theology shall be exercised as nearly as possible in the manner pointed out by the charter of erection of the said Professorship of Divinity in King's College, dated the twelfth day of March in the year sixteen hundred and forty-two, that is to say, on a trial and election by the following persons, viz., the Moderator of the Synod of Aberdeen, two commissioners from each Presbytery of the Synod to be chosen for the purpose, the Principal of the University of Aberdeen, a Professor of the University to be chosen by the Senatus

Ordinance, No. 12. Academicus, and the Dean of the Faculty of Divinity therein, or a member of that Faculty to be chosen for the purpose by the Faculty.

Aberdeen, No. 4. In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 27th August 1860.*

### ORDINANCE No. 13.

[ABERDEEN—REGULATION OF MEETINGS OF SENATUS ACADEMICUS.]

*At Edinburgh, the Twelfth Day of January Eighteen hundred and sixty-one Years.*

Ordinance, No. 13. WHEREAS, by an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter  
Aberdeen, No. 5. eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, subject to the provisions thereof, to regulate by Ordinance the powers, jurisdictions, and privileges of Professors, and all other members or office-bearers in the several Universities of Scotland, as also of the Senatus Academicus and their meetings: The Commissioners statute and ordain, with reference to the University of Aberdeen, as follows:—

I. The order of precedence among the several Professors in the University of Aberdeen shall be regulated according to seniority of appointment as Professor, whether such appointment shall have originally been made in King's College, or in Marischal College, or in the University of Aberdeen; and in the case of two or more appointments being of the same date, the order of precedence shall be regulated according to the order in which the Professorships are named in the eighteenth section of the said Act.

II. In the absence of the Principal at any meeting of the Senatus Academicus, the Professor present, who is first in the order of precedence herein above provided, shall preside, with a deliberative and a casting vote.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 30th April 1861.*

### ORDINANCE No. 14.

[GENERAL—REGULATIONS FOR DEGREES IN ARTS. See also ORDINANCES NOS. 18 AND 69.]

*At Edinburgh, the Twenty-sixth day of January Eighteen hundred and sixty-one Years.*

Ordinance, No. 14. WHEREAS, by an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter  
General, No. 3. eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules for the management and ordering of the several Universities of Scotland, the manner and conditions in and under which students shall be admitted thereto, the course of study and manner of teaching therein, the manner of examination, with the qualifications, appointment, and number of Examiners, and the amount and manner of their remuneration, the granting of degrees, whether in Arts, Divinity, Law, or Medicine, and to provide that, in so far as shall be practicable, and in the opinion of the Commissioners conducive to the well-being of the Universities, and to the advancement of learning, the course of study, the manner of examination, and the conditions under which degrees are to be conferred, shall be uniform in all the Universities of Scotland: And whereas the Commissioners of Her Majesty's Treasury are empowered by the same Act to pay out of such moneys as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the Act shall recommend to be paid for, among other purposes, that of providing remuneration to the Examiners appointed in pursuance thereof: The Commissioners under the said Act statute and ordain, with reference to the granting of degrees in Arts in each of the said Universities, as follows:—

I. The course of study necessary for the degree of Master of Arts shall extend over four winter sessions, and shall include attendance for not less than two sessions on the classes of Humanity, Greek, and Mathematics respectively; and attendance for not less than one session on the classes of Logic, Moral Philosophy, and Natural Philosophy respectively; and also attendance on a course of English Literature, for which each University shall make due provision: Provided always, that any student, who, at the time of his entrance to the University, shall satisfy the Professors in the Faculty of Arts on examination that he is qualified to attend the higher classes of Latin, Greek, and Mathematics, or any of them, shall be admitted to such higher class or classes as the case may be, without having previously attended the first or junior class or classes in the same department or departments: Provided also, that, where a student has been admitted to the higher classes, both of Latin and Greek, without having previously attended the first or junior Latin and Greek classes, his course of study for the degree of Master of Arts may be completed within three winter sessions, instead of four.

II. In pursuing the course of study for the degree of Master of Arts, no student shall be permitted to pass from the junior to a higher class in any department, unless the Professor shall be satisfied of his fitness to enter the higher class.

III. Examinations for the degree of Master of Arts shall take place, in each University annually, at such convenient time, after the close of the winter session, as the Senatus Academicus shall from time to time appoint; with power to each University to appoint examinations to take place at such other time or times as may be convenient. Ordinance, No. 14.  
General, No. 3.

IV. Candidates for the degree of Master of Arts shall be examined on the subjects of instruction embraced in the course of study above prescribed; and the examinations may be conducted partly in writing and partly *vivâ voce*.

V. Any student, who has completed his attendance on the Latin and Greek classes required in the prescribed course of study, may be examined on these subjects at any examination for degrees, although he has not completed his attendance on the other classes of the prescribed course; and, in like manner, any student who has completed the attendance required in the prescribed course of study on the classes of Logic and Moral Philosophy and course of English Literature, may be examined on these subjects at any examination for degrees, although he has not completed his attendance on the other classes of the prescribed course; and also, in like manner, any student, who has completed the attendance required in the prescribed course of study on the classes of Mathematics and Natural Philosophy, may be examined on these subjects at any examination for degrees, although he has not completed his attendance on the other classes of the prescribed course; and if such student shall satisfy the Examiners when so examined in Latin and Greek, or in Logic, Moral Philosophy, and English Literature, or in Mathematics and Natural Philosophy, he shall receive from them a certificate to that effect, and he shall not be again examined on the same subjects, as a condition of his taking the degree of Master of Arts.

VI. Students, who have passed satisfactorily an examination or examinations on the several subjects embraced in the prescribed course of study, shall be entitled forthwith to receive the degree of Master of Arts without honours; but they may, before taking a degree, offer themselves for a farther examination with a view to graduation with honours: Provided always, that no person shall be admitted to examination for honours, after he has ceased to be a matriculated student in attendance on a class or classes in the University, for more than one winter session; but it shall be in the power of the Senatus Academicus in particular cases, on the ground of ill health or other sufficient cause, to dispense, so far as may be necessary, with this regulation.

VII. There shall be four departments, in any one or more of which candidates for graduation with honours may offer themselves for examination, viz.:—(1) Classical Literature; (2) Mental Philosophy, including Logic, Metaphysics, and Moral Philosophy; (3) Mathematics, including Pure Mathematics and Natural Philosophy; and (4) Natural Science, including Geology, Zoology, and Chemistry.

VIII. In each of the first three of the above-mentioned departments, viz., in Classical Literature, in Mental Philosophy, and in Mathematics, there shall be two grades of honour, each representing, as nearly as may be, a uniform standard of qualification, to be denominated respectively the First Class and the Second Class; but in the department of Natural Science there shall be one class of honours only; and the Examiners shall determine, with reference to each candidate for honours, whether he is entitled to any honourable distinction, and if so, whether, in regard to each of the first three departments, he has attained the standard of the first, or only of the second class; and the names of the candidates entitled to honours in each class, in the several departments, shall be arranged in alphabetical order.

IX. The Examiners for graduation without honours in each University shall be the Professors whose classes are embraced in the prescribed course of study, and, in addition, three persons, not being Professors or Assistant Professors in any Scottish University, to be appointed by the University Court, and in the appointment of whom regard shall be had to their eminence in Classical Literature, Mental Philosophy, and Mathematical Science.

X. Of the three Examiners first appointed by the University Court in each University, one shall be appointed for the term of two years, another for the term of three years, and the third for the term of four years; and thereafter, every additional Examiner shall be appointed for a term of three years: Provided that the appointment of any Examiner, during the currency of his term of office, to a Professorship or Assistant Professorship in any Scottish University, shall be held to vacate his office of Examiner: Provided also, that, in the event of a vacancy in the office of an Examiner occurring otherwise than by expiration of his term of office, the Examiner to be appointed by the University Court in his room shall be appointed for the remainder of such term only.

XI. No person, who has been appointed to the office of Examiner for the period of three years or four years, shall be eligible for re-appointment to the office of Examiner in the same University, until he has ceased to hold the office of Examiner in such University for not less than one year.

XII. The Examiners for graduation with honours shall be the same Professors and additional Examiners as for graduation without honours; and, in the examination of candidates for honours in the department of Natural Science, there shall be added the Professors of Natural History and of Chemistry; and the University Court may, if they think fit, appoint an additional Examiner, skilled in Natural Science, not being a Professor or Assistant Professor in any Scottish University.

XIII. No person shall be appointed an Examiner, who is not a member of the General Council of one or other of the Scottish Universities.

XIV. With the exception of the additional Examiner in Natural Science, each of the Examiners to be appointed by the University Court shall, for each full period of a year in which he shall act as Examiner, receive, in the case of the Universities of Glasgow, Aberdeen, and Edinburgh, a sum of eighty pounds, and in the case of the University of St Andrew's a sum of fifty pounds, to be annually voted by Parliament; and, where an additional Examiner in Natural Science is appointed, he shall receive, from the general funds of the University, such remuneration as the Senatus Academicus, with the approval of the University Court, shall appoint.

XV. The first article of Ordinance No. 12, Aberdeen No. 4, of the second day of July eighteen hundred and sixty, shall be, and the same is hereby, repealed; and the course of study to be required hereafter in the University of Aberdeen, as necessary for admission to the degree of Master of Arts, shall be the course of study hereinbefore prescribed; and all existing regulations in any of the said Universities inconsistent in any respect with the provisions of this Ordinance, shall be, and the same are hereby, repealed.

Ordinance, No. 14.  
General, No. 3.

XVI. The degree of Master of Arts shall in no case be conferred, except on persons who have complied with the conditions hereinbefore set forth, and shall in no case be conferred *honoris causâ tantum*; and the degree of Bachelor of Arts shall not hereafter be conferred.

XVII. The provisions of this Ordinance shall come into operation, in each University, at the commencement of the winter session next after the approval thereof by Her Majesty in Council.

XVIII. Every student, who, at the time when this Ordinance shall come into operation, shall have completed a part of his course, with a view to graduation in Arts in any of the said Universities, under regulations in force at the time in such University, and shall thereafter complete his course of study in conformity with such regulations, may become a candidate for the degree of Master of Arts, without complying with the provisions of this Ordinance regarding the course of study for that degree, provided he pass the examination or examinations required by this Ordinance.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

L. S.

*Approved by Order in Council, dated 30th April 1861.*

## ORDINANCE No. 15.

### [GLASGOW—REGULATIONS FOR DEGREES IN MEDICINE.]

Ordinance, No. 15.  
Glasgow, No. 2.

*At Edinburgh, the Sixteenth Day of March Eighteen hundred and sixty-one Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules for the management and ordering of the several Universities of Scotland, the course of study and manner of teaching therein, the manner of examination, with the qualifications, appointment, and number of Examiners, and the amount and manner of their remuneration, and the granting of degrees, whether in Arts, Divinity, Law, or Medicine, in the several Universities of Scotland: The Commissioners statute and ordain, with reference to the granting of degrees in Medicine in the University of Glasgow, as follows:—

I. The degrees in Medicine to be hereafter granted by the University of Glasgow shall be divided into three classes, and be designated respectively Bachelor of Medicine (M.B.), Master in Surgery (C.M.), and Doctor of Medicine (M.D.).

II. The preliminary branches of extra-professional education shall be English, Latin, Arithmetic, the Elements of Mathematics, and the Elements of Mechanics; and the proficiency of students in these branches shall, as far as possible, be ascertained by examination prior to the commencement of their medical study.

III. No candidate shall be admitted to a professional examination, who has not passed a satisfactory examination on at least two of the following subjects, in addition to the subjects mentioned above:—Greek, French, German, Higher Mathematics, Natural Philosophy, Natural History, Logic, Moral Philosophy; and the examination on these subjects also shall, as far as possible, take place before the candidate has entered on his medical curriculum.

IV. The examinations in extra-professional education shall be conducted by some of the Examiners in Arts (who may be Professors), together with some of the Medical Examiners.

V. A degree in Arts (not being an honorary degree) of any of the Universities of England, Scotland, and Ireland, and also a degree in Arts of any Colonial or Foreign University, which may for this purpose have been specially recognised by the University Court, shall exempt candidates from all preliminary examination.

VI. No one shall be admitted to the degree of Bachelor of Medicine or Master in Surgery, who has not been engaged in medical and surgical study for four years,—the medical session of each year, or *annus medicus*, being constituted by at least two courses of not less than one hundred lectures each, or by one such course and two courses of not less than fifty lectures each; but, in the case of the Clinical Courses, it shall be sufficient that the lectures be given at least twice a week during the prescribed periods.

VII. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall give sufficient evidence by certificates:—

(1.) That he has studied each of the following departments of medical science, viz.:—

ANATOMY, . . . . .  
CHEMISTRY, . . . . .  
MATERIA MEDICA and PHARMACY, . . . . .  
INSTITUTES of MEDICINE, or PHYSIOLOGY, . . . . .  
PRACTICE of MEDICINE, . . . . .  
SURGERY, . . . . .  
MIDWIFERY, and the DISEASES peculiar to  
WOMEN and CHILDREN; two courses of Mid-  
wifery, of three months each, being reckoned equiva-  
lent to a six months' course, provided different de-  
partments of Obstetric Medicine be taught in each of  
the courses, . . . . .

) During Courses including not less  
than One Hundred Lectures.

**PATHOLOGICAL ANATOMY**, during a three months' course of lectures, together with a supplemental course of Practice of Medicine or Clinical Medicine; or a course of not less than one hundred lectures on General Pathology,

**PRACTICAL ANATOMY**, . . . . . Six Months.

**PRACTICAL CHEMISTRY**, . . . . . Three Months.

**PRACTICAL MIDWIFERY**, . . . . . { Three Months at a Midwifery Hospital, or a certificate of Attendance on Six Cases from a Registered Medical Practitioner.

**CLINICAL MEDICINE**, . . . . . { During Courses of Six Months, or  
**CLINICAL SURGERY**, . . . . . { Two Courses of Three Months; Lectures being given at least twice a Week.

**MEDICAL JURISPRUDENCE**, . . . . . }  
**BOTANY**, . . . . . } During Courses including not less than Fifty Lectures.  
**ZOOLOGY with COMPARATIVE ANATOMY**, . }

- (2.) That he has attended for at least two years the medical and surgical practice of a general hospital, either at Glasgow or elsewhere, which accommodates not fewer than eighty patients, and possesses a distinct staff of physicians and surgeons.
- (3.) That he has been engaged for at least three months, by apprenticeship or otherwise, in compounding and dispensing drugs at the laboratory of an hospital, dispensary, member of a Surgical College or Faculty, of a licentiate of the London or Dublin Society of Apothecaries, or of a member of the Pharmaceutical Society of Great Britain.
- (4.) That he has attended for at least six months, by apprenticeship or otherwise, the out-practice of an hospital, or the practice of a dispensary, or of a physician, surgeon, or member of the London or Dublin Society of Apothecaries.

**VIII.** The studies of candidates for the degrees of Bachelor of Medicine and Master in Surgery shall be subject to the following regulations:—

- (1.) One at least of the four years of medical and surgical study above required must be in the University of Glasgow.
- (2.) Another of such four years must be either in the University of Glasgow, or in some other University entitled to give the degree of Doctor of Medicine.
- (3.) Attendance during at least six winter months on the medical or surgical practice of a general hospital which accommodates at least eighty patients, and during the same period on a course of Practical Anatomy, may be reckoned as one of such four years; and to that extent shall be held equivalent to one year's attendance on courses of lectures, as hereinbefore prescribed.
- (4.) One year's attendance on the Lecturers or Teachers of Medicine in the Hospital Schools of London, or in the School of the College of Surgeons in Dublin, may be reckoned as one of such four years; and to that extent shall be held as attendance on courses of lectures, as hereinbefore prescribed.
- (5.) If the University Court shall, at any time, by regulation to that effect, which it is hereby empowered to make, recognise, for the purpose of graduation in the University, the lectures of any private Teacher or Teachers of Medicine, then, and in that case, attendance on such lectures may be reckoned in place of the year's attendance under sub-section (4), or as part thereof, as the case may be: Provided always, that no course of lectures of a private Teacher on any subject taught by a Professor of the University shall be recognised, without the consent of the Chancellor of the University.
- (6.) Candidates may, to the extent of four of the departments of medical study above required, attend in such year or years of their medical and surgical studies, as may be most convenient to them, the lectures of the Teachers of Medicine specified in sub-sections (4) and (5).
- (7.) In the event of the lectures of any private Teachers of Medicine being recognised in terms of sub-section (5), all candidates availing themselves of the permission to attend the lectures of such Teachers, and not being, at the time, matriculated students of the University, must, at the commencement of the year of such attendance, enrol their names in a book to be kept by the University for that purpose, paying a fee of one-half the amount of the matriculation fee paid by students of the University; but they shall not be thereby entitled to any of the privileges of a matriculated student of the University.
- (8.) The fee for attendance on the lectures of any private Teacher, with a view to graduation, shall not be of less amount than that exigible by Medical Professors of the University for the same course of instruction.
- (9.) No attendance on lectures shall be reckoned, if the Teacher gives instruction in more than one of the prescribed branches of study, except in those cases where Professors of the University are at liberty to teach more than one branch.
- (10.) It shall not be necessary for any private Teacher, attendance on whose lectures is now recognised for the purpose of graduation in the University, to obtain a new recognition from the University Court.
- (11.) It shall be in the power of the University Court, if they shall see cause, at any time to withdraw or suspend the recognition of any private Teacher or Teachers.

**IX.** Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall lodge with the clerk of Senate, at such period of the year in which he proposes to graduate, as may be fixed for that purpose by the Senatus Academicus,—

Ordinance, No. 15.  
Glasgow, No. 2.

- (1.) A declaration, in his own handwriting, that, on the day of graduation, he will have completed his twenty-first year, and will not be under articles of apprenticeship;
- (2.) A statement of his studies, as well in Literature and Philosophy as in Medicine, accompanied with proper certificates;
- (3.) An inaugural dissertation, composed by himself, to be approved by the Senatus Academicus.

X. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall be examined, both in writing and *viva voce*,—*first*, on Chemistry, Botany, and Elementary Anatomy; *secondly*, on Advanced Anatomy, Zoology with Comparative Anatomy, Physiology, and Surgery; and, *thirdly*, on Materia Medica, General Pathology, Practice of Medicine, Clinical Medicine, Clinical Surgery, Midwifery, and Medical Jurisprudence: the examinations on Anatomy, Chemistry, Physiology, Botany, and Zoology, to be conducted, as far as possible, by demonstrations of objects exhibited to the candidates; and those on Medicine and Surgery in part by clinical demonstrations.

XI. Students, who profess themselves ready to submit to an examination on the first division of these subjects at the end of the second year of their course, may be admitted to examination at that time.

XII. Students, who have passed their examination on the first division of these subjects, may be admitted to examination on the second division at the end of the third year of their course.

XIII. The examination on the third division shall not take place until the candidate has completed the fourth year of his course.

XIV. Candidates may be admitted to examination on the first two of these divisions at the end of their third year; or to the three examinations at the end of their fourth year.

XV. If any candidate, on examination, be found unqualified, he shall not be again admitted to examination, unless he shall have completed another year of medical study, or such portion of another year, as may be prescribed by the Examiners when he is found unqualified.

XVI. The Medical Examiners for graduation in Medicine in the said University shall be the Professors in the Faculty of Medicine therein (including the Professor of Natural History), and, in addition, three persons to be appointed annually by the University Court, who shall be selected from among the Fellows of the three following bodies, namely, the Royal College of Physicians of Edinburgh, the Royal College of Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow, or shall be persons otherwise fully qualified in the judgment of the University Court; such three persons to be eligible for re-election, and each of them to receive, out of moneys to be provided by Parliament for the purpose, a sum of eighty pounds for each full period of a year in which he shall act as Examiner.

XVII. The degree of Master in Surgery shall not be conferred on any person who does not at the same time obtain the degree of Bachelor of Medicine.

XVIII. The degree of Doctor of Medicine may be conferred on any candidate who has obtained the degree of Bachelor of Medicine, and is of the age of twenty-four years, and has been engaged, subsequently to his having obtained the degree of Bachelor of Medicine, for at least two years in attendance on an hospital, or in the Military or Naval medical service, or in medical and surgical practice: Provided always, that the degree of Doctor of Medicine shall not be conferred on any person, unless he be a graduate in Arts within the fifth section of this Ordinance, or unless he shall, before or at the time of his obtaining the degree of Bachelor of Medicine, or within three years thereafter, have passed a satisfactory examination in Greek, and in Logic or Moral Philosophy, and in one, at least, of the following subjects, namely, French, German, Higher Mathematics, Natural Philosophy, and Natural History.

XIX. The Senatus Academicus shall, from time to time, as they think expedient, appoint the period or periods of the year at which degrees in Medicine shall be conferred.

XX. The provisions of this Ordinance shall come into operation at the commencement of the winter session in the University next after the approval thereof by Her Majesty in Council.

XXI. Candidates, who shall have begun their medical studies before the date at which this Ordinance shall come into operation, shall be entitled to graduate under the system in force before or after that date, according as they shall comply with the regulations in force in the University before or after that date.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 26th June 1861.*

## ORDINANCE No. 16.

### [ABERDEEN—REGULATIONS FOR DEGREES IN MEDICINE.]

*At Edinburgh, the Sixteenth Day of March Eighteen hundred and sixty-one Years.*

Ordinance, No. 16.  
Aberdeen, No. 6.

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules for the management and ordering of the several Universities of Scotland, the course of study and manner of teaching therein, the amount and exaction of fees, the manner of examination, with the qualifications, appointment, and number of Examiners, and the amount and manner of their remuneration, and the granting of degrees, whether in Arts, Divinity, Law, or Medicine, in the several Universities of Scotland: The Commissioners statute and ordain, with reference to the granting of degrees in Medicine in the University of Aberdeen, as follows:—

- I. The degrees in Medicine to be hereafter granted by the University of Aberdeen shall be divided

into three classes, and be designated respectively Bachelor of Medicine (M.B.), Master in Surgery (C.M.), and Doctor of Medicine (M.D.).

II. The preliminary branches of extra-professional education shall be English, Latin, Arithmetic, the Elements of Mathematics, and the Elements of Mechanics; and the proficiency of students in these branches shall, as far as possible, be ascertained by examination prior to the commencement of their medical study.

III. No candidate shall be admitted to a professional examination, who has not passed a satisfactory examination on at least two of the following subjects, in addition to the subjects mentioned above:—Greek, French, German, Higher Mathematics, Natural Philosophy, Natural History, Logic, Moral Philosophy; and the examination on these subjects also shall, as far as possible, take place before the candidate has entered on his medical curriculum.

IV. The examinations in extra-professional education shall be conducted by some of the Examiners in Arts (who may be Professors), together with some of the Medical Examiners.

V. A degree in Arts (not being an honorary degree) of any of the Universities of England, Scotland, and Ireland, and also a degree in Arts of any Colonial or Foreign University, which may for this purpose have been specially recognised by the University Court, shall exempt candidates from all preliminary examination.

VI. No one shall be admitted to the degree of Bachelor of Medicine or Master in Surgery, who has not been engaged in medical and surgical study for four years,—the medical session of each year, or *annus medicus*, being constituted by at least two courses of not less than one hundred lectures each, or by one such course and two courses of not less than fifty lectures each; but, in the case of the Clinical courses, it shall be sufficient that the lectures be given at least twice a week during the prescribed periods.

VII. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall give sufficient evidence by certificates:—

(1.) That he has studied each of the following departments of medical science, viz.:—

ANATOMY,	.	.	.	.	.	
CHEMISTRY,	.	.	.	.	.	
MATERIA MEDICA and PHARMACY,	.	.	.	.	.	
INSTITUTES of MEDICINE, or PHYSIOLOGY,	.	.	.	.	.	
PRACTICE of MEDICINE,	.	.	.	.	.	
SURGERY,	.	.	.	.	.	
MIDWIFERY, and the DISEASES peculiar to WOMEN and CHILDREN; two courses of Midwifery, of three months each, being reckoned equivalent to a six months' course, provided different departments of Obstetric Medicine be taught in each of the courses,	.	.	.	.	.	
PRACTICAL ANATOMY,	.	.	.	.	.	Six Months.
PRACTICAL CHEMISTRY,	.	.	.	.	.	Three Months.
PRACTICAL MIDWIFERY,	.	.	.	.	.	Three Months at a Midwifery Hospital, or a Certificate of Attendance on Six Cases from a Registered Medical Practitioner.
CLINICAL MEDICINE,	.	.	.	.	.	During Courses of Six Months, or Two Courses of Three Months; Lectures being given at least Twice a Week.
CLINICAL SURGERY,	.	.	.	.	.	
MEDICAL JURISPRUDENCE,	.	.	.	.	.	
BOTANY,	.	.	.	.	.	
ZOOLOGY with COMPARATIVE ANATOMY,	.	.	.	.	.	During Courses including not less than Fifty Lectures.

(2.) That he has attended for at least two years the medical and surgical practice of a general hospital, either at Aberdeen or elsewhere, which accommodates not fewer than eighty patients, and possesses a distinct staff of physicians and surgeons.

(3.) That he has been engaged for at least three months, by apprenticeship or otherwise, in compounding and dispensing drugs at the laboratory of an hospital, dispensary, member of a Surgical College or Faculty, of a licentiate of the London or Dublin Society of Apothecaries, or of a member of the Pharmaceutical Society of Great Britain.

(4.) That he has attended for at least six months, by apprenticeship or otherwise, the out-practice of an hospital, or the practice of a dispensary, or of a physician, surgeon, or member of the London or Dublin Society of Apothecaries.

VIII. The studies of candidates for the degrees of Bachelor of Medicine and Master in Surgery shall be subject to the following regulations:—

(1.) One at least of the four years of medical and surgical study above required must be in the University of Aberdeen.

(2.) Another of such four years must be either in the University of Aberdeen, or in some other University entitled to give the degree of Doctor of Medicine.

(3.) Attendance during at least six winter months on the medical or surgical practice of a general hospital which accommodates at least eighty patients, and during the same period on a course of Practical Anatomy, may be reckoned as one of such four years; and to that extent shall be held equivalent to one year's attendance on courses of lectures, as hereinbefore prescribed.

(4.) One year's attendance on the lectures of Teachers of Medicine in the Hospital Schools of London, or in the School of the College of Surgeons in Dublin, may be reckoned as one of such four years; and to that extent shall be held as attendance on courses of lectures, as hereinbefore prescribed.

(5.) If the University Court shall, at any time, by regulation to that effect, which it is hereby

Ordinance, No. 16.

Aberdeen, No. 6.

empowered to make, recognise, for the purpose of graduation in the University, the lectures of any private Teacher or Teachers of Medicine, then, and in that case, attendance on such lectures may be reckoned in place of the year's attendance under sub-section (4), or as part thereof, as the case may be: Provided always, that no course of Lectures of a private Teacher on any subject taught by a Professor of the University shall be recognised, without the consent of the Chancellor of the University.

- (6.) Candidates may, to the extent of four of the departments of medical study above required, attend in such year or years of their medical and surgical studies, as may be most convenient to them, the lectures of the Teachers of Medicine specified in sub-sections (4) and (5).
- (7.) In the event of the lectures of any private Teachers of Medicine being recognised in terms of sub-section (5), all candidates availing themselves of the permission to attend the lectures of such Teachers, and not being, at the time, matriculated students of the University, must, at the commencement of the year of such attendance, enrol their names in a book to be kept by the University for that purpose, paying a fee of one-half the amount of the matriculation fee paid by students of the University; but they shall not be thereby entitled to any of the privileges of a matriculated student of the University.
- (8.) The fee for attendance on the lectures of any private Teacher, with a view to graduation, shall not be of less amount than that exigible by Medical Professors of the University for the same course of instruction.
- (9.) No attendance on lectures shall be reckoned, if the Teacher gives instruction in more than one of the prescribed branches of study, except in those cases where Professors of the University are at liberty to teach more than one branch.
- (10.) It shall not be necessary for any private Teacher, attendance on whose lectures is now recognised for the purpose of graduation in the University, to obtain a new recognition from the University Court.
- (11.) It shall be in the power of the University Court, if they shall see cause, at any time to withdraw or suspend the recognition of any private Teacher or Teachers.

IX. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall, at such period of the year in which he proposes to graduate, as may be fixed for the purpose by the *Senatus Academicus*, lodge with the Dean of the Faculty of Medicine, or some other Professor appointed by the *Senatus*,—

- (1.) A declaration, in his own handwriting, that on the day of graduation he will have completed his twenty-first year, and will not be under articles of apprenticeship;
- (2.) A statement of his studies, as well in Literature and Philosophy as in Medicine, accompanied with proper certificates;
- (3.) An inaugural dissertation, composed by himself, to be approved by the *Senatus Academicus*.

X. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall be examined, both in writing and *vivâ voce*,—*first*, on Chemistry, Botany, Elementary Anatomy, and *Materia Medica*; *secondly*, on Advanced Anatomy, Zoology with Comparative Anatomy, Physiology, and Surgery; and, *thirdly*, on Practice of Medicine, Clinical Medicine, Clinical Surgery, Midwifery, General Pathology, and Medical Jurisprudence: the examinations on Anatomy, Chemistry, Physiology, Botany, Zoology, and *Materia Medica*, to be conducted, as far as possible, by demonstrations of objects exhibited to the candidates; and those on Medicine and Surgery in part by clinical demonstrations.

XI. Students, who profess themselves ready to submit to an examination on the first division of these subjects at the end of the second year of their course, may be admitted to examination at that time.

XII. Students, who have passed their examination on the first division of these subjects, may be admitted to examination on the second division at the end of the third year of their course.

XIII. The examination on the third division shall not take place until the candidate has completed the fourth year of his course.

XIV. Candidates may be admitted to examination on the first two of these divisions at the end of their third year; or to the three examinations at the end of their fourth year.

XV. If any candidate, on examination, be found unqualified, he shall not be again admitted to examination, unless he shall have completed another year of medical study, or such portion of another year, as may be prescribed by the Examiners when he is found unqualified.

XVI. The Medical Examiners for graduation in Medicine in the said University shall be the Professors in the Faculty of Medicine therein, and, in addition, three persons to be appointed annually by the University Court, who shall be selected from among the Fellows of the three following bodies, namely, the Royal College of Physicians of Edinburgh, the Royal College of Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow, or shall be persons otherwise fully qualified in the judgment of the University Court; such three persons to be eligible for re-election, and each of them to receive, out of moneys to be provided by Parliament for the purpose, a sum of sixty pounds for each full period of a year in which he shall act as Examiner.

XVII. The degree of Master in Surgery shall not be conferred on any person who does not at the same time obtain the degree of Bachelor of Medicine.

XVIII. The degree of Doctor of Medicine may be conferred on any candidate who has obtained the degree of Bachelor of Medicine, and is of the age of twenty-four years, and has been engaged, subsequently to his having obtained the degree of Bachelor of Medicine, for at least two years in attendance on an hospital, or in the Military or Naval medical service, or in medical and surgical practice: Provided always, that the degree of Doctor of Medicine shall not be conferred on any person, unless he be a graduate in Arts within the fifth section of this Ordinance, or unless he shall, before or at the time of his obtaining the degree of Bachelor of Medicine, or within three years thereafter, have passed a satisfactory examination in Greek, and in Logic or Moral Philosophy, and in one, at least, of the following subjects, namely, French, German, Higher Mathematics, Natural Philosophy, and Natural History.

XIX. The *Senatus Academicus* shall, from time to time, as they think expedient, appoint the period or periods of the year at which degrees in Medicine shall be conferred.

XX. The provisions hereinbefore contained shall come into operation at the commencement of

the winter session in the University next after the approval of this Ordinance by Her Majesty in Council. Ordinance, No. 16.

XXI. Candidates, who shall have begun their medical studies before the date at which the afore-said provisions shall come into operation, shall be entitled to graduate under the system in force before or after that date, according as they shall comply with the regulations in force in the University before or after that date. Aberdeen, No. 6.

XXII. So much of the seventh section of Ordinance No. 12, Aberdeen No. 4, of the second day of July eighteen hundred and sixty, as relates to the fees payable for the degrees of Bachelor of Medicine and Doctor of Medicine, is hereby repealed; and in place of the fees therein specified, there shall be paid, by each candidate for the degree of Bachelor of Medicine, a fee of five guineas in respect of each of the three divisions of the examination on professional subjects specified in the tenth section of this Ordinance; each such fee of five guineas being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and if the candidate desires to be admitted to the degree of Bachelor of Medicine only, he shall not, on admission thereto, be required to pay any farther fee in addition to the fifteen guineas so paid by him; but if he desires to be admitted to the degree of Master in Surgery also, he shall, on being admitted to such degree, pay a farther fee of five guineas; and every candidate for the degree of Doctor of Medicine shall pay, in addition to the fees paid by him as a candidate for the degree of Bachelor of Medicine, a fee of five guineas, exclusive of any stamp duty which may for the time be exigible.

XXIII. The Professor of Natural History in the said University shall be a Professor in the Faculty of Medicine therein, as well as a Professor in the Faculty of Arts.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 26th June 1861.*

#### ORDINANCE No. 17.

[EDINBURGH—REGULATIONS FOR PITT CLASSICAL SCHOLARSHIP.]

*At Edinburgh, the Thirteenth Day of May Eighteen hundred and sixty-one Years.*

WHEREAS, by deed of mortification, dated the nineteenth and twenty-second days of April eighteen hundred and sixty-one, Sir George Clerk of Penicuik, Baronet, David Anderson of Moredun, Esquire, and William Pitt Dundas, Esquire, therein described as surviving members of a committee appointed by the Pitt Club of Scotland to appropriate and dispose of the remaining funds of the Club, have, for the considerations therein mentioned, given, granted, and mortified the sum of one thousand four hundred and eighty pounds, being the amount of the funds of the said Club in the Union Bank of Scotland, to and in favour of the University of Edinburgh, for the foundation and endowment of a scholarship, under the name of the Pitt Scholarship, in the said University, such Scholarship to be in the gift and appointment of the Senatus Academicus, and to be open for competition to students who have completed the course of study in the Faculty of Arts in the said University, and to be tenable by the same individual for a period not exceeding four years; and it is by the said deed declared, that the object of the said endowment is the encouragement and promotion of the study of Classical Literature in the University; and it is further provided and declared, that the same shall be subject to such conditions and regulations as may be provided in that behalf by the Commissioners under the Act of the twenty-first and twenty-second years of the reign of Her present Majesty Queen Victoria, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen;' and it is thereby further provided and declared, that, until the first appointment to the Scholarship, the interests or proceeds of the mortified sum shall be added to the capital, and that in any year, in which the said Scholarship may be vacant, the interest or proceeds of the said mortified sum shall be added to the capital, subject always to the provisions of the said deed, and in conformity with any conditions and regulations to be made by the said Commissioners; and the Senatus Academicus of the said University are empowered to lay out and invest the said sum, as in the said deed is provided; and it is thereby further provided and declared, that the stipend of the scholar shall be the free annual proceeds of the said mortified sum, or of the funds or security or securities, in which the same shall be invested: The said Commissioners statute and ordain, with reference to the University of Edinburgh and the said mortification, as follows:—

I. The Pitt Scholarship shall, in accordance with the provisions of the said deed, be in the gift of the Senatus Academicus of the University of Edinburgh, who shall, from time to time, appoint thereto the candidate who shall appear to be the best qualified on examination, as hereinafter provided.

II. The Scholarship shall be open for general competition to all students who, having passed regularly through the course of study in the Faculty of Arts in the said University, have been admitted to the degree of Master of Arts therein, at any time within four years before the time at which the competition shall take place.

III. Candidates for the Scholarship shall be examined in Classical Literature and in English Literature; and the examination shall be conducted by three or more Examiners, to be selected by the Senatus Academicus from their own body.

IV. The first competition for the Scholarship shall take place at a time to be hereafter fixed by the Senatus Academicus.

V. The Scholarship shall be tenable for four years; and whensoever it shall, from any cause,

Ordinance, No. 17. become vacant, it shall be again competed for under the same conditions, and at the same period of the year; and so on thereafter, as often as it shall become vacant.

Edinburgh, No. 4. In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 25th July 1861.*

### ORDINANCE No. 18.

[GENERAL—REGULATIONS FOR DEGREES IN ARTS, SUPPLEMENTARY TO ORDINANCE No. 14. See also ORDINANCE No. 69.]

*At Edinburgh, the Tenth Day of June Eighteen hundred and sixty-one Years.*

Ordinance, No. 18. WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules for the granting of degrees in Arts in the several Universities of Scotland: And whereas, on the twenty-sixth day of January in the present year, the Commissioners issued an Ordinance for the regulation of such degrees, which has since received the approval of Her Majesty in Council: And whereas doubts have been expressed as to the effect of the first clause of the said Ordinance: And whereas it is expedient that the said Ordinance should be explained and amended as hereinafter provided: The Commissioners declare and ordain, with reference to the granting of degrees in Arts in the said Universities, as follows:—

General, No. 4.

I. No student who, under the provisions of the first section of the said recited Ordinance, shall be admitted to the higher class of Latin, Greek, or Mathematics, without having previously attended the first or junior class in the same department, shall be required to give attendance in such department for more than one session, as a necessary part of the course of study for the degree of Master of Arts.

II. It shall be in the power of any student, who has given attendance during one or more sessions on the course of study in any Scottish University, to complete his course of study by giving attendance during the remaining sessions of the course in another Scottish University, and to proceed to a degree in the latter University, in the same way, in all respects, as if the previous part of his course of study had been therein: Provided always, that every such student shall be bound to produce, to the satisfaction of the Senatus Academicus of the latter University, testimonials of his attendance at the former University, and shall be examined in all the departments necessary for the degree of Master of Arts by the Examiners of the University in which he completes his course, and in which alone he shall be allowed to graduate: Provided also, that no student shall be admitted to a degree in any University, unless he has given attendance in such University during the last two sessions of his course.

III. The department of honours in Natural Science shall include Botany, in addition to Geology, Zoology, and Chemistry, as provided in the said Ordinance; and the Professor of Botany, in each University where such a Professorship exists, shall be one of the Examiners of candidates for honours in the said department.

IV. It shall be in the power of the University Court of each University, if it shall think fit, by regulation to that effect, to require that all candidates for graduation shall, in addition to the attendance specified in the said recited Ordinance, give attendance on the lectures of one of the Professors whose branches of study are included in the department of honours in Natural Science; and the University Court may, in such regulation, either specify the particular branch on which attendance shall be required, or leave it to the option of each candidate to select the particular branch of Natural Science on which he shall give attendance. It shall also be in the power of the University Court, if it shall think fit, to require that all candidates for graduation shall be examined in the branch on which attendance may be so required or given, and to direct that, where the particular branch is prescribed by the University Court, the Professor of such branch, or, where an option is given, the Professors of the said several branches, shall be an Examiner or Examiners for graduation without honours.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 11th October 1861.*

### ORDINANCE No. 19.

[ST ANDREW'S—REGULATIONS FOR DEGREES IN MEDICINE.]

*At Edinburgh, the Tenth Day of June Eighteen hundred and sixty-one Years.*

Ordinance, No. 19. WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules for the management and ordering of the several Universities of Scotland, the course of study and manner of teaching therein, the amount and exaction of fees, the manner of examination, with the qualifications, appointment, and number of examiners, and the amount

St Andrew's, No. 3.

and manner of their remuneration, and the granting of degrees, whether in Arts, Divinity, Law, or Medicine, in the several Universities of Scotland: The Commissioners statute and ordain, with reference to the granting of degrees in Medicine in the University of St Andrew's, as follows:—

I. The degrees in Medicine to be hereafter granted by the University of St Andrew's shall be divided into three classes, and be designated respectively Bachelor of Medicine (M.B.), Master in Surgery (C.M.), and Doctor of Medicine (M.D.).

II. The preliminary branches of extra-professional education, in the case of candidates for the degrees of Bachelor of Medicine and Master in Surgery, shall be English, Latin, Arithmetic, the Elements of Mathematics, and the Elements of Mechanics; and the proficiency of students in these branches shall, as far as possible, be ascertained by examination prior to the commencement of their medical study.

III. No candidate shall be admitted to a professional examination for either of the last-mentioned degrees, who has not passed a satisfactory examination on at least two of the following subjects, in addition to the subjects mentioned above:—Greek, French, German, Higher Mathematics, Natural Philosophy, Natural History, Logic, Moral Philosophy; and the examination on these subjects also shall, as far as possible, take place before the candidate has entered on his medical curriculum.

IV. The examinations in extra-professional education shall be conducted by some of the Examiners in Arts (who may be Professors), together with some of the Medical Examiners.

V. A degree in Arts (not being an honorary degree) of any of the Universities of Scotland, or of England or Ireland, and also a degree in Arts of any Colonial or Foreign University, which may for this purpose have been specially recognised by the University Court, shall exempt candidates from all preliminary examination.

VI. No one shall be admitted to the degree of Bachelor of Medicine or Master in Surgery, who has not been engaged in medical and surgical study for four years,—the medical session of each year, or *annus medicus*, being constituted by at least two courses of not less than one hundred lectures each, or by one such course and two courses of not less than fifty lectures each; but, in the case of the Clinical courses, it shall be sufficient that the lectures be given at least twice a week during the prescribed periods.

VII. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall give sufficient evidence by certificates:—

(1.) That he has studied each of the following departments of medical science, viz.:—

ANATOMY, . . . . .	
CHEMISTRY, . . . . .	
MATERIA MEDICA and PHARMACY, . . . . .	
INSTITUTES of MEDICINE, or PHYSIOLOGY, . . . . .	
PRACTICE of MEDICINE, . . . . .	
SURGERY, . . . . .	
MIDWIFERY, and the DISEASES peculiar to WOMEN and CHILDREN; two courses of Midwifery, of three months each, being reckoned equivalent to a six months' course, provided different departments of Obstetric Medicine be taught in each of the courses, . . . . .	During Courses including not less than One Hundred Lectures.
GENERAL PATHOLOGY, or, in Schools where there is no such course, a three months' course of lectures on Morbid Anatomy, together with a supplemental course of Practice of Medicine, or Clinical Medicine, . . . . .	
PRACTICAL ANATOMY, . . . . .	Six Months.
PRACTICAL CHEMISTRY, . . . . .	Three Months.
PRACTICAL MIDWIFERY, . . . . .	{ Three Months at a Midwifery Hospital, or a Certificate of Attendance on Six Cases from a Registered Medical Practitioner.
CLINICAL MEDICINE, . . . . .	
CLINICAL SURGERY, . . . . .	{ During Courses of Six Months, or Two Courses of Three Months; Lectures being given at least Twice a Week.
MEDICAL JURISPRUDENCE, . . . . .	{ During Courses including not less than Fifty Lectures.
BOTANY, . . . . .	
ZOOLOGY with COMPARATIVE ANATOMY, . . . . .	

(2.) That he has attended for at least two years the medical and surgical practice of a general hospital, which accommodates not fewer than eighty patients, and possesses a distinct staff of physicians and surgeons.

(3.) That he has been engaged for at least three months, by apprenticeship or otherwise, in compounding and dispensing drugs at the laboratory of an hospital, dispensary, member of a Surgical College or Faculty, of a licentiate of the London or Dublin Society of Apothecaries, or of a member of the Pharmaceutical Society of Great Britain.

(4.) That he has attended for at least six months, by apprenticeship or otherwise, the out-practice of an hospital, or the practice of a dispensary, or of a physician, surgeon, or member of the London or Dublin Society of Apothecaries.

VIII. No one shall be received as a candidate for the degree of Bachelor of Medicine or Master in Surgery, unless two years at least of his four years of medical and surgical study, as above defined, shall have been in one or more of the following Universities and Colleges, viz.:—the University of St Andrew's; the University of Glasgow; the University of Aberdeen; the University of Edinburgh; the

Ordinance, No. 19. University of Oxford; the University of Cambridge; Trinity College, Dublin; Queen's College, Belfast; Queen's College, Cork; and Queen's College, Galway.

St Andrew's, No. 3.

IX. Subject always to the condition specified in the eighth section, the studies of candidates for the degrees of Bachelor of Medicine and Master in Surgery shall be under the following regulations:—

- (1.) The remaining years of medical and surgical study, other than those for which provision is made by the eighth section, may be either in one or more of the Universities and Colleges above specified, or in University College, London, King's College, London, or the Hospital Schools of London, or in the School of the College of Surgeons in Dublin, or under such private Teachers of Medicine as may from time to time receive recognition from the University Court:
- (2.) Attendance during at least six winter months on the medical or surgical practice of a general hospital which accommodates at least eighty patients, and during the same period on a course of Practical Anatomy, may be reckoned as one of such remaining years; and to that extent shall be held equivalent to one year's attendance on courses of lectures, as prescribed in the sixth section:
- (3.) The University Court is hereby empowered, by regulation to that effect, to recognise, as qualifying for graduation in the University, to the extent of such remaining years of medical and surgical study as aforesaid, the lectures of any private Teacher or Teachers of Medicine: Provided always, that no course of lectures of a private Teacher on any subject taught by a Professor of the University shall be recognised, without the consent of the Chancellor of the University; and provided also, that it shall be in the power of the University Court, if they shall see cause, at any time to withdraw or suspend the recognition of any private Teacher or Teachers:
- (4.) Attendance on the lectures of any private Teacher in Edinburgh, Glasgow, or Aberdeen, shall not be reckoned for graduation in St Andrew's, if the fee for such lectures be of less amount than is charged for the like course of lectures in the University of Edinburgh, of Glasgow, or of Aberdeen, according as the Teacher lectures in Edinburgh, Glasgow, or Aberdeen.

X. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall, at such period of the year in which he proposes to graduate, as may be fixed for the purpose by the *Senatus Academicus*, lodge with the *Senatus*,—

- (1.) A declaration, in his own handwriting, that, on the day of graduation, he will have completed his twenty-first year, and will not be under articles of apprenticeship:
- (2.) A statement of his studies, as well in Literature and Philosophy as in Medicine, accompanied with proper certificates:
- (3.) An inaugural dissertation, composed by himself, to be approved by the *Senatus Academicus*.

XI. Every candidate for the degrees of Bachelor of Medicine and Master in Surgery shall be examined, both in writing and  *viva voce*,—*first*, on Chemistry, Botany, Elementary Anatomy, and *Materia Medica*; *secondly*, on Advanced Anatomy, Zoology with Comparative Anatomy, Physiology, and Surgery; and, *thirdly*, on Practice of Medicine, Clinical Medicine, Clinical Surgery, Midwifery, General Pathology, and Medical Jurisprudence: the examinations on Anatomy, Chemistry, Physiology, Botany, Zoology, and *Materia Medica*, to be conducted, as far as possible, by demonstrations of objects exhibited to the candidates; and those on Clinical Medicine and Clinical Surgery, as far as possible, by Clinical demonstrations.

XII. Students, who profess themselves ready to submit to an examination on the first division of these subjects at the end of the second year of their course, may be admitted to examination at that time.

XIII. Students, who have passed their examination on the first division of these subjects, may be admitted to examination on the second division at the end of the third year of their course.

XIV. The examination on the third division shall not take place until the candidate has completed the fourth year of his course.

XV. Candidates may be admitted to examination on the first two of these divisions at the end of their third year; or to the three examinations at the end of their fourth year.

XVI. If any candidate, on examination, be found unqualified, he shall not be again admitted to examination, unless he shall have completed another year of medical study, or such portion of another year, as may be prescribed by the Examiners when he is found unqualified.

XVII. The Medical Examiners for graduation shall be the Professors in the Faculty of Medicine, and, in addition, such number of persons, to be appointed annually by the University Court, as shall raise the number of Examiners to not less than seven in all, and so that there shall always be an Examiner specially qualified in each of the following departments, viz.:—(1) Anatomy and Physiology, (2) Chemistry, (3) Botany and Natural History, (4) *Materia Medica* and Medical Jurisprudence, (5) Practice of Medicine, (6) Surgery, and (7) Midwifery. The several Examiners appointed by the University Court shall be eligible for re-election, and each of them, for each full period of a year in which he shall act as Examiner, shall receive, out of the fees to be paid by candidates for degrees in Medicine, such sum as may from time to time be fixed by the *Senatus Academicus*, with the approval of the University Court.

XVIII. The degree of Master in Surgery shall not be conferred on any person who does not at the same time obtain the degree of Bachelor of Medicine.

XIX. The degree of Doctor of Medicine may be conferred on any candidate who has obtained the degree of Bachelor of Medicine, and is of the age of twenty-four years, and has been engaged, subsequently to his having obtained the degree of Bachelor of Medicine, for at least two years in attendance on an hospital, or in the military or naval medical service, or in medical and surgical practice: Provided always, that, subject to the provisions of the following section of this Ordinance, the degree of Doctor of Medicine shall not be conferred on any person, unless he be a graduate in Arts within the fifth section of this Ordinance, or unless he shall, before, or at the time of his obtaining the degree of Bachelor of Medicine, or within three years thereafter, have passed a satisfactory examination in Greek, and in Logic or Moral Philosophy, and in one, at least, of the following subjects, namely, French, German, Higher Mathematics, Natural Philosophy, and Natural History.

XX. The degree of Doctor of Medicine may be conferred by the University of St Andrew's on any

registered medical practitioner above the age of forty years, whose professional position and experience are such as, in the estimation of the University, to entitle him to that degree, and who shall, on examination, satisfy the Medical Examiners of the sufficiency of his professional knowledge: Provided always, that degrees shall not be conferred under this section to a greater number than ten in any one year.

Ordinance, No. 19.  
St Andrew's, No. 3.

XXI. Except under the provisions of the twentieth section, the degree of Doctor of Medicine shall not be conferred on any person who has not previously obtained the degree of Bachelor of Medicine.

XXII. The Senatus Academicus shall, from time to time, as they think expedient, appoint the period or periods of the year at which degrees in Medicine shall be conferred.

XXIII. No degrees in Medicine shall, after the first day of January in the year one thousand eight hundred and sixty-three, be conferred by the University of St Andrew's, except on candidates who have complied with the terms of this Ordinance.

XXIV. There shall be paid, by each candidate for the degree of Bachelor of Medicine, a fee of five guineas in respect of each of the three divisions of the examination on professional subjects specified in the eleventh section of this Ordinance; each such fee of five guineas being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and if the candidate desires to be admitted to the degree of Bachelor of Medicine only, he shall not, on admission thereto, be required to pay any farther fee in addition to the fifteen guineas so paid by him; but if he desires to be admitted to the degree of Master in Surgery also, he shall, on being admitted to such degree, pay a farther fee of five guineas; and every candidate for the degree of Doctor of Medicine, who has previously obtained the degree of Bachelor of Medicine, shall pay, in addition to the fees paid by him as a candidate for the degree of Bachelor of Medicine, a fee of five guineas, exclusive of any stamp duty which may for the time be exigible; and any person presenting himself as a candidate for the degree of Doctor of Medicine under the twentieth section of this Ordinance, without having previously obtained the degree of Bachelor of Medicine, shall, on so presenting himself, pay a fee of fifty guineas, inclusive of any stamp duty which may for the time be exigible.

XXV. The Faculty of Medicine in the said University, shall include the Professor of Medicine, the Professor of Chemistry, and, in the event of the Professorship of Civil History being, by competent authority, changed into a Professorship of Natural History, the Professor of Natural History.

XXVI. After the confirmation of this Ordinance by Her Majesty in Council, no Principal or Professor in the said University shall receive any payment out of the fees to be paid by candidates for degrees in Medicine; with this exception only, that it shall be lawful for the Senatus Academicus, out of such fees, to pay to the present Professor of Medicine during his incumbency, and to the present Professor of Chemistry during his incumbency, such annual or other sums respectively, as may from time to time be fixed by the Senatus Academicus, with the approval of the University Court.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 21st March 1862.*

#### ORDINANCE No. 20.

[GLASGOW—FOUNDATION OF PROFESSORSHIP OF CONVEYANCING.]

*At Edinburgh, the Fifteenth Day of June Eighteen hundred and sixty-one Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make Ordinances in order to found new Professorships where they are required, and also to provide by whom the right of presenting or appointing to such new Professorships shall be exercised: And whereas it is expedient that a Professorship of Conveyancing should be founded in the University of Glasgow: And whereas the Faculty of Procurators in Glasgow have by minute, dated the first day of March in the present year, agreed to provide the sum of one hundred and five pounds yearly towards the endowment of such a Professorship, on the footing of the patronage being vested in the President or Dean of Faculty, and the Council of the said Faculty: The Commissioners statute and ordain as follows:—

Ordinance, No. 20.  
Glasgow, No. 3.

I. From the date of the confirmation of this Ordinance by Her Majesty in Council, there shall be a Professorship of Conveyancing in the University of Glasgow; and the Professor of Conveyancing shall be a Professor in the Faculty of Law in the said University, and shall hold his office *ad vitam aut culpam*.

II. There shall be attached to the said Professorship the yearly sum of one hundred and five pounds, provided by the Faculty of Procurators in Glasgow in terms of their said minute, together with the amount of such class-fees as the Professor may from time to time be authorized to exact from students; but the Professor shall not, in virtue of his appointment, be entitled to any fees payable for examination or graduation.

III. In consideration of the foresaid endowment of one hundred and five pounds yearly, the right of presenting or appointing the Professor of Conveyancing shall be vested in the President or Dean of Faculty, and the Council of the Faculty of Procurators in Glasgow, appointed in pursuance of their charter of incorporation: Provided always, that, in the event of the said President or Dean and Council

Ordinance, No. 20. failing at any time to appoint a Professor within six months after the occurrence of a vacancy, the right of appointment shall *pro vice* be exercised by the University Court of the said University.  
Glasgow, No. 3.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 11th October 1861.*

# ORDINANCE No. 21.

## [ST ANDREW'S—FINANCIAL ARRANGEMENTS.]

Ordinance, No. 21.  
St Andrew's, No. 4

*At Edinburgh, the Twenty-fifth Day of November Eighteen hundred and sixty-one Years.*  
WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of the several Universities and Colleges therein mentioned; and to provide by Ordinance, as the Commissioners shall judge expedient, by means of any of the funds, property, rents, revenues, and endowments of any University or College, for the payment and extinction of any debts forming a present burden on such rents, revenues, or endowments respectively: And whereas the Commissioners of Her Majesty's Treasury are empowered by the same Act to pay, out of such moneys as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the Act shall recommend to be paid, *inter alia*, for the purpose of increasing the salaries presently attached to existing Professorships, and to any other offices in the University: And whereas, by an Act passed in the twentieth year of the reign of His late Majesty King George the Second, intituled, 'An Act for uniting the Two Colleges of St Salvator and St Leonard in the University of St Andrew's, pursuant to an Agreement to that purpose,' certain yearly salaries were directed to be paid to the Principal and eight Professors of the United College, mentioned in the said Act, out of the common stock of the said College, including therein the annual bounty of the Crown, amounting to one hundred and fifty-seven pounds seventeen shillings, which is now annually voted by Parliament to the Factor or Steward for the use of the Principal and Masters: And whereas there is now a considerable debt forming a burden on the said common stock or revenues of the said College: The Commissioners under the said Act statute and ordain, with reference to the financial arrangements of the United College of St Salvator and St Leonard in the University of St Andrew's, of St Mary's College in the said University, and of the said University, as follows:—

I. From the commencement of the first financial year of the United College after the confirmation of this Ordinance by Her Majesty in Council, the annual revenues arising from the said common stock of the College, including the said annual bounty of the Crown, but not including any sums voted by Parliament specially to the Principal or to any individual Professor, shall, after payment of public and parochial burdens, expense of management and of repairs, and other necessary expenses connected therewith, be applied,—*first*, in payment of an annuity of such amount as shall be sufficient, within a period not exceeding thirty years from the term of Martinmas in the year one thousand eight hundred and sixty-two, to extinguish the debt now forming a burden on the said common stock, exclusive of any sum now charged thereon for payment of bursaries, such annuity to continue for the said period of thirty years, or until the said debt, towards the extinction of which the same is hereby directed to be paid, shall be extinguished, and then to cease and determine; *secondly*, in payment of bursaries, including as well foundation bursaries, as others now charged upon the said common stock; *thirdly*, in payment towards a Reserve College Fund of a sum equal in amount to five per centum on the balance of the revenues in each year remaining after the aforesaid payments; *fourthly*, in payment to the Principal and eight Professors, mentioned in the said Act of the twentieth year of the reign of His late Majesty King George the Second, of their respective yearly salaries as fixed thereby; that is to say, to the Principal, of the salary of one hundred and sixty pounds; to the Professor of Greek and each of the three Professors of Philosophy, of the salary of eighty pounds; to each of the Professors of Humanity and Civil History, of the salary of sixty pounds; to the Professor of Mathematics, of the salary of seventy-one pounds; and to the Professor of Medicine, of the salary of sixty pounds; And, *lastly*, the residue of the said annual revenues shall be divided into one hundred equal parts, whereof twelve parts shall be paid to the Principal, and eleven parts to each of the said eight Professors.

II. To the office of Principal shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Principal; and, in addition, the sum of one hundred and eighty-four pounds nine shillings, to be annually voted by Parliament.

III. To the Professorship of Greek shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of forty-four pounds nine shillings, to be annually voted by Parliament.

IV. To the Professorship of Logic, Rhetoric, and Metaphysics, shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of ninety-four pounds nine shillings, to be annually voted by Parliament.

V. To the Professorship of Moral Philosophy, called in the said Act of the twentieth year of the reign of His late Majesty King George the Second the Professorship of Ethics and Pneumatics, shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of ninety-four pounds nine shillings, to be annually voted by Parliament.

VI. To the Professorship of Natural and Experimental Philosophy shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of ninety-four pounds nine shillings, to be annually voted by Parliament. Ordinance, No. 21. St Andrew's, No. 4.

VII. To the Professorship of Humanity shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of sixty-four pounds nine shillings, to be annually voted by Parliament.

VIII. The Professor of Civil History shall also be Professor of Natural History in the said University, and a Professor in the Faculty of Medicine therein; and shall, in each year, deliver a course or courses of lectures in Natural History, sufficient to qualify candidates for graduation in Medicine, and also sufficient to qualify candidates for graduation in Arts with honours in the department of Natural Science in the University. To the Professorship of Civil History and Natural History shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of forty-four pounds nine shillings, to be annually voted by Parliament.

IX. To the Professorship of Mathematics shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of fifty-three pounds nine shillings, to be annually voted by Parliament.

X. To the Professorship of Medicine shall be attached the sum of fifty-five pounds eleven shillings, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of forty-four pounds nine shillings, to be annually voted by Parliament.

XI. The Professor of Chemistry, on the foundation of the late Doctor John Gray, shall be a Professor in the said United College, and in the University of St Andrew's: Provided always, that the Professor shall not be thereby entitled to any payment out of the common stock or revenues of the United College hereinbefore mentioned. To the Professorship of Chemistry shall be attached the net annual rents or proceeds of the lands or other property, in which the sum bequeathed by the said Doctor John Gray for the foundation of the Professorship shall for the time being be invested; and, in addition, the sum of one hundred and twenty-five pounds, to be annually voted by Parliament.

XII. As soon as it shall please Her Majesty to provide, by way of endowment, to the Professorship of Ecclesiastical History in St Mary's College, a share not less than one equal sixth part of the revenues of the Deanery of the Chapel Royal in Scotland, the following arrangements shall, from the commencement of the first financial year of the College, after the time at which such gift shall become available, take effect with reference to the emoluments of the Professors and the revenues of the said College:—

- (1.) The whole revenues of St Mary's College, from whatever source arising, but excluding sums voted by Parliament specially to the Principal or to any individual Professor, shall, after payment of public and parochial burdens, expense of management, and other necessary expenses; of bursaries, including foundation bursaries, as well as others for which the College is bound to provide; and after deduction, for payment towards a Reserve College Fund, of a sum equal in amount to five per centum on the net revenues in each year remaining after the aforesaid payments, be applied in payment of salaries to the Principal, the Second Master, and the Professor of Hebrew, in manner hereinafter provided, and shall, for that purpose, be divided into thirty-three equal parts:
- (2.) To the office of Principal and Primarius Professor of Divinity shall be attached a salary of ten such parts as aforesaid of the net revenues of the College; the sum of one hundred and fifty pounds now payable annually to the Professor of Ecclesiastical History through the Office of Her Majesty's Woods, Forests, and Land Revenues, and the sum of ninety-three pounds, heretofore annually voted by Parliament to the Principal: the Principal shall also have the same right as heretofore of occupying the Principal's house in the said College:
- (3.) To the office of Second Master, who shall hereafter be styled Professor of Divinity and Biblical Criticism, shall be attached fifteen such parts as aforesaid of the said net revenues of the College; and the sum of eighty-seven pounds, heretofore annually voted by Parliament to the Professor:
- (4.) To the Professorship of Ecclesiastical History shall be attached, in addition to such share of the revenues of the Deanery of the Chapel Royal, as Her Majesty may have been pleased to grant to the Professorship, the sum of eighty-six pounds one shilling and eightpence, heretofore annually voted by Parliament to the Professor:
- (5.) To the Professorship of Hebrew and Oriental Languages shall be attached eight such parts as aforesaid of the said net revenues of the College; the sum of twenty-five pounds, heretofore payable annually to the Professor through the Office of Her Majesty's Woods, Forests, and Land Revenues; the sum of eighty-six pounds one shilling and eightpence, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of one hundred pounds, to be annually voted by Parliament:

Provided always, that the time at which the said addition of one hundred pounds, to be annually voted by Parliament, shall be made to the emoluments of the Professorship of Hebrew and Oriental Languages, shall not be dependent on the time at which the other arrangements specified in this section shall take effect.

XIII. No payment shall be made by the Principal and Professors of either College out of the reserve fund of such Collège, hereinbefore provided for, except for the purpose of meeting some extraordinary expenditure connected with such College; and no such payment shall in any case be made, except with the authority of the University Court first had and obtained.

XIV. Each student shall pay to the University a matriculation fee of one pound at the commencement of each winter session for the whole academical year then next ensuing; but any student attending a class or classes during a summer session, without having attended the immediately preceding winter session, shall, in respect of such summer session, pay a fee of ten shillings only; and no fee shall be chargeable against any student for cleaning, lighting, or heating of class-rooms, or for attendance of University or College servants.

Ordinance, No. 21.  
St Andrew's, No. 4.

XV. There shall be paid to the University, by each candidate for the degree of Master of Arts, a fee of one guinea in respect of each of the three divisions of the examination for graduation without honours, specified in the fifth section of Ordinance No. 14, General No. 3, of the twenty-sixth day of January eighteen hundred and sixty-one; each such fee of one guinea being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and no farther fee than the sum of three guineas, as aforesaid, shall be payable by any candidate in respect of examination for, or admission to, the said degree, whether with or without honours.

XVI. Each member of the General Council of the University shall, on being first registered, pay a fee of five shillings, and, on each fifteenth day of October thereafter, shall pay an annual fee of two shillings and sixpence for the year then next ensuing: Provided always, that after payment of the first registration fee of five shillings, and of all fees of two shillings and sixpence, which may have become payable by any member, it shall be lawful for him to compound for all future payments of the fee of two shillings and sixpence by a single payment of one pound: Provided also, that no person shall be entitled to act as a member of the General Council, until he has paid all fees which may have become due by him.

XVII. The whole revenues of the University of St Andrew's, including rent of lands, interest of money, matriculation, examination, and graduation fees, except such portion of the fees payable by candidates for degrees in Medicine as may be required for the purposes specified in Ordinance No. 19, St Andrew's No. 3, of the tenth day of June eighteen hundred and sixty-one; and also including the registration fees of members of the General Council, but excluding any such revenues as are or may be appropriated to special purposes by mortification, gift, or endowment, shall be applied to the proper expenses of the University, including the expenses of the Library, the expenses connected with the meetings of the Senatus Academicus, of the University Court, and of the General Council, and the salaries and wages of the officers and servants of the University, in so far as the said several expenses may not be otherwise provided for; and, after providing for such proper expenses, it shall be lawful for the Senatus Academicus, with the approval of the University Court, from time to time to pay out of the said revenues such sum or sums, as may be reasonable and expedient, towards the expenses of any class or classes in the University, including the cost of prizes, and of apparatus and materials, and also the remuneration of assistants or attendants.

XVIII. In every case, where a sum is appointed to be paid out of the University funds for the purchase of apparatus and materials, or other class expenses of any class in the University, an account of the expenditure of such sum in each year shall be laid by the Professor before the Senatus Academicus; and in the event of the whole sum not being expended in any year, the portion unexpended shall revert and fall into the University funds: Provided always, that it shall be lawful for the Senatus Academicus, if it shall think fit, to allow the portion so unexpended in any year to be applied to a similar purpose in connection with the same class in a subsequent year.

XIX. With the exception of such payments as may be made out of the fees payable by candidates for degrees in Medicine to the present Professor of Medicine, or the present Professor of Chemistry, under the said Ordinance of the tenth day of June eighteen hundred and sixty-one, no member of the Senatus Academicus shall, in virtue of his office as Principal or Professor, or as Examiner, receive any payment out of the revenues of the University: Provided always, that nothing herein contained shall prevent the Senatus Academicus, with the approval of the University Court, from paying, out of the said revenues, a reasonable remuneration for any special service, which may at any time be rendered by the Principal of either College, or by any Professor.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 21st March 1862.*

## SCHEDULE IN EXPLANATION OF PART OF THE FOREGOING ORDINANCE.

### I. UNITED COLLEGE OF ST SALVATOR AND ST LEONARD.

#### ESTIMATED INCOME FROM THE COMMON STOCK OR REVENUES OF THE COLLEGE.

1. Land Rents . . . . .	L.2981	12	7
2. Garden Rents, etc. . . . .		148	0 0
3. Bishops' Rents . . . . .	L.140	0	0
Parliamentary vote to the Factor for the use of the Principal and Masters . . . . .	157	17	0
Sum . . . . .		297	17 0
4. Revenue from Teinds . . . . .	L.409	9	11
Less possible Reduction for Augmentation . . . . .	140	0	0
Difference . . . . .		269	9 11
5. Interest and Dividends . . . . .		13	4 1
6. Compositions for Entries, etc. . . . .		43	4 1
		L.3753	7 8

#### Deduct—

1. Public and Parochial Burdens (say) . . . . .	L.500	0	0
2. Expenses of Management . . . . .	325	0	0
3. Repairs and incidental outlay . . . . .	50	0	0

Carry forward, L.875 0 0 L.3753 7 8

		Brought forward,	L.875	0	0	L.3753	7	8	Ordinance, No. 21.
4. Annuity to repay (say) L.10,000 in 30 years (say) at L.6, 2s. 9d.									St Andrew's, No. 4.
per cent.			613	15	0				
5. Foundation and other bursaries			252	1	3				
		Sum				1740	16	3	
						L.2012	11	5	
Deduct for Reserve College Fund, 5 per cent.						100	12	7	
		Net Revenues				L.1911	18	10	
To be applied in payment of salaries under Act 20 George II., c. 32,									
viz. :—									
Principal			L.160	0	0				
One Professor of Greek, and three Professors of Philosophy, L.80 each			320	0	0				
Professor of Humanity			60	0	0				
" Civil History			60	0	0				
" Mathematics			71	0	0				
" Medicine			60	0	0				
		Deduct				731	0	0	
						L.1180	18	10	

of which the Principal's share (twelve hundredth parts) would be L.141, 14s.; and that of each of the eight Professors (eleven hundredth parts), L.129, 18s.

TABLE SHOWING THE EMOLUMENTS OF THE CHAIRS IN THE UNITED COLLEGE UNDER THE ORDINANCE.

Chairs.	Sources of Emoluments.	Emoluments of Professors.
Principal.	Salary under Act 20 George II., c. 32 . . . . .	L. s. d. 160 0 0
	Estimated share of Surplus College Revenues . . . . .	141 14 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 184 9 0	
	Sum	240 0 0
		541 14 0
Greek.	Salary under Act 20 George II., c. 32 . . . . .	80 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary Vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 44 9 0	
	Sum	100 0 0
	Estimated fees . . . . .	200 0 0
Logic.	Salary under Act 20 George II., c. 32 . . . . .	80 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 94 9 0	
	Sum	150 0 0
	Estimated fees . . . . .	100 0 0
Moral Philosophy.	Salary under Act 20 George II., c. 32 . . . . .	80 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 94 9 0	
	Sum	150 0 0
	Estimated fees . . . . .	85 0 0
		444 18 0

TABLE—continued.

Ordinance, No. 21.  
St Andrew's, No. 4.

Chairs.	Sources of Emoluments.	Emoluments of Professors.
Natural Philosophy.	Salary under Act 20 George II., c. 32 . . . . .	L. s. d. 80 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 94 9 0	
	Sum . . . . .	150 0 0
	Estimated fees . . . . .	85 0 0
		444 18 0
Humanity.	Salary under Act 20 George II., c. 32 . . . . .	60 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 64 9 0	
	Sum . . . . .	120 0 0
	Estimated fees . . . . .	200 0 0
		509 18 0
Civil History and Natural History.	Salary under Act 20 George II., c. 32 . . . . .	60 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 44 9 0	
	Sum . . . . .	100 0 0
	Estimated fees . . . . .	80 0 0
		369 18 0
Mathematics.	Salary under Act 20 George II., c. 32 . . . . .	71 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 53 9 0	
	Sum . . . . .	109 0 0
	Estimated fees . . . . .	200 0 0
		509 18 0
Medicine.	Salary under Act 20 George II., c. 32 . . . . .	60 0 0
	Estimated share of Surplus College Revenues . . . . .	129 18 0
	Parliamentary vote—	
	Present . . . . . L.55 11 0	
	New . . . . . 44 9 0	
	Sum . . . . .	100 0 0
	Estimated fees . . . . .	30 0 0
		319 18 0
Chemistry.	Income from Dr Gray's Foundation . . . . .	125 0 0
	New Parliamentary vote . . . . .	125 0 0
	Estimated fees . . . . .	80 0 0
		330 0 0

## II. ST MARY'S COLLEGE.

Gross estimated Revenues . . . . .	L.1115 0 0
Estimated deduction for Burdens, Expenses of Management, Repairs, Bursaries, etc. . . . .	420 0 0
	L.695 0 0
Deduct for Reserve College Fund, 5 per cent. . . . .	34 15 0
Estimated Net Revenue . . . . .	L.660 5 0

of which the Principal's share (ten thirty-third parts) would be L.200; that of the Professor of Divinity and Biblical Criticism (fifteen thirty-third parts), L.300; and that of the Professor of Hebrew (eight thirty-third parts), L.160.

TABLE SHOWING THE EMOLUMENTS OF THE CHAIRS IN ST MARY'S COLLEGE UNDER THE ORDINANCE.

Chairs.	Sources of Emoluments.	Emoluments of Professors.		
		L.	s.	d.
Principal and Primarius Professor of Divinity.	College Revenue (estimated)	200	0	0
	Sum now paid to Professor of Ecclesiastical History from Land Revenues of Crown	150	0	0
	Present Parliamentary vote	93	0	0
	Estimated fees	47	0	0
		490	0	0
Divinity and Biblical Criticism.	College Revenue (estimated)	300	0	0
	Present Parliamentary vote	87	0	0
	Estimated fees	40	0	0
		427	0	0
Ecclesiastical History.	Deanery of Chapel Royal (estimated)	336	0	0
	Present Parliamentary vote	86	1	8
	Estimated fees	30	0	0
		452	1	8
Hebrew and Oriental Languages.	College Revenue (estimated)	160	0	0
	Land Revenues of Crown	25	0	0
	Present Parliamentary vote	86	1	8
	New Parliamentary vote	100	0	0
	Estimated fees	30	0	0
		401	1	8

Ordinance, No. 21.  
St Andrew's, No. 4.

#### ORDINANCE No. 22.

[GLASGOW—FINANCIAL ARRANGEMENTS—FOUNDATION OF PROFESSORSHIPS OF ENGLISH LITERATURE AND BIBLICAL CRITICISM.]

*At Edinburgh, the Twenty-fifth Day of November Eighteen hundred and sixty-one Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of the several Universities and Colleges therein mentioned; and to make Ordinances in order to found new Professorships where they are required, and to provide for the appointment of Assistants to such Professors as from the nature and duties of their Professorships require assistance, and to provide for the remuneration of such Assistants, and to provide by whom the right of presenting or appointing such new Professors and Assistants shall be exercised: And whereas the Commissioners of Her Majesty's Treasury are empowered by the same Act to pay, out of such moneys as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the Act shall recommend to be paid, *inter alia*, for the purpose of providing additional teaching by means of Assistants to the Professors in any Professorships already established or to be established, of increasing the salaries presently attached to existing Professorships and to any other offices in the University, and of the endowment of new Professorships: The Commissioners under the said Act statute and ordain, with reference to the University of Glasgow, as follows:—

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I. To the office of Principal shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Principal, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues; and, in addition, the sum of two hundred and fifty pounds, to be annually voted by Parliament.

II. To the Professorship of Logic and Rhetoric shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor; and the sum of eleven pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant.

III. To the Professorship of Moral Philosophy shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor; the sum of eleven pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and the income arising from the endowment of the Professorship out of the rents of the Island of Shuna.

IV. To the Professorship of Natural Philosophy shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor; the sum of twenty-one pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and the

Ordinance, No. 22.

Glasgow, No. 4.

income arising from the endowment of the Professorship out of the rents of the Island of Shuna. To the Professorship of Natural Philosophy there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament; and a sum of one hundred pounds shall be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

V. To the Professorship of Greek shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues; and the sum of twenty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant. To the Professorship of Greek there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

VI. To the Professorship of Humanity shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues; and the sum of twenty-five pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant. To the Professorship of Humanity there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

VII. To the Professorship of Mathematics shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor; the sum of sixty-two pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and the income arising from the endowment of the Professorship out of the rents of the Island of Shuna. To the Professorship of Mathematics there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

VIII. To the Professorship of Practical Astronomy shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor; and the sum of fifty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant.

IX. To the Professorship of Civil Engineering and Mechanics shall be attached the sum of two hundred and seventy-five pounds, heretofore annually voted by Parliament to the Professor.

X. There shall be a Professorship of the English Language and Literature in the University of Glasgow; and the right of presenting or appointing the Professor shall be vested in, and exercised by, Her Majesty, Her heirs and successors. To the Professorship shall be attached a salary of two hundred pounds, to be annually voted by Parliament.

XI. To the Professorship of Divinity shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues.

XII. To the Professorship of Oriental Languages shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues; and the sum of twenty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant.

XIII. To the Professorship of Ecclesiastical History shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues.

XIV. There shall be a Professorship of Divinity and Biblical Criticism in the University of Glasgow; and as soon as it shall please Her Majesty to provide, by way of endowment, for its support, a share not less than one equal sixth part of the revenues of the Deanery of the Chapel Royal in Scotland, the right of presenting or appointing the Professor shall be vested in, and exercised by, Her Majesty, Her heirs and successors.

XV. To the Professorship of Law shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues.

XVI. To the Professorship of Medicine shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor, including the sum payable, under royal grant, through the Office of Her Majesty's Woods, Forests, and Land Revenues; and the sum of ten pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant.

XVII. To the Professorship of Anatomy shall be attached the same proportion of the revenues of the University as has heretofore been payable to the Professor; and the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant. A sum of two hundred pounds shall be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned, towards defraying the salary of an Assistant or Demonstrator, and the class expenses of the Professorship.

XVIII. To the Professorship of Natural History shall be attached the sum of one hundred and fifty pounds, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of fifty pounds, to be annually voted by Parliament.

XIX. To the Professorship of Surgery shall be attached the sum of seventy-five pounds, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of twenty-five pounds, to be annually voted by Parliament.

XX. To the Professorship of Midwifery shall be attached the sum of fifty pounds, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of fifty pounds, to be annually voted by Parliament.

XXI. To the Professorship of Chemistry shall be attached the sum of two hundred pounds, heretofore annually voted by Parliament to the Professor. To the Professorship of Chemistry there shall be attached a Teaching Assistant and a Laboratory Assistant, who shall each receive a salary of one hundred pounds, to be annually voted by Parliament; and a sum of seventy pounds shall be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

XXII. To the Professorship of Botany shall be attached the sum of one hundred pounds, heretofore payable annually to the Professor through the Office of Her Majesty's Woods, Forests, and Land Revenues; the sum of one hundred pounds, heretofore annually voted by Parliament to the Professor; and the income arising from the endowment of the Professorship out of the rents of the Island of Shuna.

XXIII. To the Professorship of Materia Medica shall be attached the sum of one hundred pounds, heretofore annually voted by Parliament to the Professor. A sum of fifty pounds shall be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

XXIV. To the Professorship of the Institutes of Medicine shall be attached the sum of seventy-five pounds, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of seventy-five pounds, to be annually voted by Parliament.

XXV. To the Professorship of Forensic Medicine shall be attached the sum of seventy-five pounds, heretofore annually voted by Parliament to the Professor; and, in addition, the sum of twenty-five pounds, to be annually voted by Parliament. A sum of thirty-five pounds shall be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

XXVI. To the Professorships of Materia Medica and Forensic Medicine there shall be attached a joint Assistant, who shall receive a salary of fifty pounds, to be annually voted by Parliament.

XXVII. The like payments, as heretofore, shall continue to be made from the University revenues to the eldest regent, and, through the Office of Her Majesty's Woods, Forests, and Land Revenues, to the three Professors of Philosophy in the University.

XXVIII. In place of the fees specified in the fifth section of Ordinance No. 3, Glasgow No. 1, of the fourth day of May eighteen hundred and fifty-nine, each student shall, after the confirmation of this Ordinance by Her Majesty in Council, pay a matriculation fee of one pound at the commencement of each winter session for the whole academical year then next ensuing; but any student attending a class or classes during a summer session, without having attended the immediately preceding winter session, shall, in respect of such summer session, pay a fee of ten shillings only; and no fee shall be chargeable against any student for cleaning, lighting, or heating of class-rooms, or for the attendance of College servants.

XXIX. There shall be paid, by each candidate for the degree of Master of Arts, a fee of one guinea in respect of each of the three divisions of the examination for graduation without honours, specified in the fifth section of Ordinance No. 14, General No. 3, of the twenty-sixth day of January eighteen hundred and sixty-one; each such fee of one guinea being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and no farther fee than the sum of three guineas, as aforesaid, shall be payable by any candidate in respect of examination for, or admission to, the said degree, whether with or without honours.

XXX. There shall be paid, by each candidate for the degree of Bachelor of Medicine, a fee of five guineas in respect of each of the three divisions of the examination on professional subjects, specified in the tenth section of Ordinance No. 15, Glasgow No. 2, of the sixteenth day of March eighteen hundred and sixty-one; each such fee of five guineas being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and if the candidate desires to be admitted to the degree of Bachelor of Medicine only, he shall not, on admission thereto, be required to pay any farther fee in addition to the fifteen guineas so paid by him; but if he desires to be admitted to the degree of Master in Surgery also, he shall, on being admitted to such degree, pay a farther fee of five guineas; and every candidate for the degree of Doctor of Medicine shall pay, in addition to the fees paid by him as a candidate for the degree of Bachelor of Medicine, a fee of five guineas, exclusive of any stamp duty which may for the time be exigible.

XXXI. Each member of the General Council of the University shall, on being first registered, pay a fee of five shillings, and, on each fifteenth day of October thereafter, shall pay an annual fee of two shillings and sixpence for the year then next ensuing: Provided always, that, after payment of the first registration fee of five shillings, and of all fees of two shillings and sixpence, which may have become payable by any member, it shall be lawful for him to compound for all future payments of the fee of two shillings and sixpence by a single payment of one pound: Provided also, that no person shall be entitled to act as a member of the General Council, until he has paid all fees which may have become due by him.

XXXII. All matriculation, examination, and graduation fees, and the registration fees of members of the General Council, shall be placed to the account of a General University Fund, which shall also include all the revenues of the University, except such as have been, or shall be, otherwise appropriated by Ordinance of the Commissioners, and except such as are appropriated to special purposes by mortification, gift, or endowment; and the said General University Fund shall be applicable to defray the ordinary current expenses of the University, including the expenses of the library or libraries of the University, the expenses connected with the meetings of the Senatus Academicus, of the University Court, and of the General Council; the salaries and wages of officers and servants; the cost of lighting, heating, cleaning, maintaining, and repairing the buildings; the cost of apparatus and materials, and other class expenses, including prizes; and the expenses of the Hunterian Museum, in so far as the said several expenses may not be otherwise provided for.

XXXIII. In every case where, by this Ordinance or otherwise, a sum is appointed to be paid out of the University funds for the purchase of apparatus and materials, or other class expenses of any class in the University, an account of the expenditure of such sum in each year shall be laid by the Professor before the Senatus Academicus; and, in the event of the whole sum not being expended in any year, the portion unexpended shall revert and fall into the General University Fund: Provided always, that it shall be lawful for the Senatus Academicus, if it shall think fit, to allow the portion so unexpended in any year to be applied to a similar purpose in connection with the same class in a subsequent year.

XXXIV. The incumbents for the time being of the several Professorships, to which the right of occupation of certain dwelling-houses is now attached, shall continue to have the same right to such

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Glasgow, No. 4.

occupation as heretofore; and it shall be lawful for the Senatus Academicus, with the approval of the University Court, from time to time to pay out of the said General University Fund, such sums as may be reasonable and expedient, towards the maintaining and repairing the said houses, and for other purposes connected therewith.

XXXV. No member of the Senatus Academicus shall, after the time at which the full salary appropriated to his office by this Ordinance shall become available, receive in virtue of his office as Principal or Professor, or as Examiner, any payment from the revenues of the University, except such amount as has been above appropriated to his office: Provided always, that nothing herein contained shall prevent the Senatus Academicus, with the approval of the University Court, from paying, out of the said General University Fund, a reasonable remuneration for any special service which may at any time be rendered by the Principal or any Professor: Provided also, that each of the present Professors of Moral Philosophy, of Divinity, of Oriental Languages, of Ecclesiastical History, of Law, of Medicine, of Botany, and of Materia Medica, shall be entitled during his incumbency to receive, out of the said general fund, an annual sum equal in amount to the sum derived by him from graduation fees, on an average of the five years immediately preceding the confirmation of this Ordinance by Her Majesty in Council.

XXXVI. The Assistants to the Professors of Natural Philosophy, Greek, Humanity, Mathematics, Anatomy, and Chemistry, shall be appointed from year to year by the Professors respectively, subject to the approval and control of the University Court; and the joint Assistant to the Professors of Materia Medica and Forensic Medicine shall be appointed by these Professors jointly, subject to the same approval and control; and, in case of a difference between the two Professors as to the person to be appointed, the appointment shall be made by the Senatus Academicus, subject to the same approval and control.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 21st March 1862.*

#### SCHEDULE IN EXPLANATION OF PART OF THE FOREGOING ORDINANCE.

##### I. PRINCIPAL.

###### *Emoluments.*

University Revenues (average)	.	.	.	L.411 15 11 $\frac{1}{2}$
Land Revenues of Crown	.	.	.	38 4 5 $\frac{1}{2}$
New Parliamentary vote	.	.	.	250 0 0
Total	.	.	.	L.700 0 4 $\frac{1}{2}$

##### II. FACULTY OF ARTS.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowances for Class Expenses.
		L. s. d.	L. s. d.	L. s. d.
Logic.	Salary— University Revenues . (Besides sum from University Revenues, if Senior Regent; and variable sum from Land Revenues of Crown, as one of the Professors of Philosophy.—See Note at end of Schedule.) Present Parliamentary vote Estimated fees . . .	267 4 5 $\frac{1}{2}$  11 0 0 460 0 0 <hr/> 738 4 5 $\frac{1}{2}$		
Moral Philosophy.	Salary— University Revenues . (Besides sum from University Revenues, if Senior Regent; and variable sum from Land Revenues of Crown, as one of the Professors of Philosophy.—See Note at end of Schedule.) Present Parliamentary vote Shuna rents (average) . Estimated fees . . .	267 4 5 $\frac{1}{2}$  11 0 0 20 0 0 320 0 0 <hr/> 618 4 5 $\frac{1}{2}$		

## FACULTY OF ARTS—continued.

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Glasgow, No. 4.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowances for Class Expenses.
		L. s. d.	L. s. d.	L. s. d.
Natural Philosophy.	Salary— University Revenues . (Besides sum from University Revenues, if Senior Regent; and variable sum from Land Revenues of Crown, as one of the Professors of Philosophy.—See Note at end of Schedule.) Present Parliamentary vote Shuna rents (average) . New Parliamentary vote Estimated fees . . .  General University Fund	267 4 5½  21 0 0 20 0 0 ... 300 0 0 <hr/> 608 4 5½ ...	    100 0 0  ...	     100 0 0
Greek.	Salary— University Revenues . (Besides sum from University Revenues, if Senior Regent.—See Note at end of Schedule.) Land Revenues of Crown Present Parliamentary vote New Parliamentary vote Estimated fees . . .	264 8 10½  5 0 0 20 0 0 ... 680 0 0 <hr/> 969 8 10½	   100 0 0  	
Humanity.	Salary— University Revenues . Land Revenues of Crown Present Parliamentary vote New Parliamentary vote Estimated fees . . .	256 2 2½ 8 6 8 25 0 0 ... 680 0 0 <hr/> 969 8 10½	   100 0 0  	
Mathematics.	Salary— University Revenues . Present Parliamentary vote Shuna rents (average) . New Parliamentary vote Estimated fees . . .	230 0 0 62 0 0 20 0 0 ... 350 0 0 <hr/> 662 0 0	   100 0 0  	
Practical Astronomy.	Salary— University Revenues . Present Parliamentary vote Estimated fees . . . (The Professor of Practical Astronomy has also charge of the Observatory. Hitherto the students have been so few, that it is unnecessary to estimate the fees.)	220 0 0 50 0 0 0 0 0 <hr/> 270 0 0		
Civil Engineering and Mechanics.	Salary— Present Parliamentary vote Estimated fees . . .	275 0 0 50 0 0 <hr/> 325 0 0		
English Language and Literature	Salary— New Parliamentary vote . Estimated fees . . .	200 0 0 200 0 0 <hr/> 400 0 0		

## III. FACULTY OF DIVINITY.

Ordinance, No. 22.

Glasgow, No. 4.

Chairs.	Sources of Emoluments.	Emoluments of Professors.
		L. s. d.
Divinity.	Salary—	
	University Revenues (average) . . . . .	408 6 8
	Land Revenues of Crown . . . . .	16 13 4
	Estimated fees . . . . .	175 0 0
		<hr/> 600 0 0
Oriental Languages.	Salary—	
	University Revenues . . . . .	264 8 10 <sup>3</sup> / <sub>4</sub>
	Land Revenues of Crown . . . . .	15 11 1 <sup>1</sup> / <sub>2</sub>
	Present Parliamentary vote . . . . .	20 0 0
	Estimated fees . . . . .	130 0 0
		<hr/> 430 0 0
Ecclesiastical History.	Salary—	
	University Revenues . . . . .	222 15 6 <sup>3</sup> / <sub>4</sub>
	Land Revenues of Crown . . . . .	100 0 0
	Estimated fees . . . . .	80 0 0
		<hr/> 402 15 6 <sup>3</sup> / <sub>4</sub>
Divinity and Biblical Criticism.	Salary—	
	Deanery of Chapel Royal (estimated) . . . . .	336 0 0
	Estimated fees . . . . .	100 0 0
		<hr/> 436 0 0

## IV. FACULTY OF LAW.

Chair.	Sources of Emoluments.	Emoluments of Professor.
		L. s. d.
Law.	Salary—	
	University Revenues . . . . .	220 0 0
	Land Revenues of Crown . . . . .	90 0 0
	Estimated fees . . . . .	230 0 0
		<hr/> 540 0 0

## V. FACULTY OF MEDICINE.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowances for Class Expenses.
		L. s. d.	L. s. d.	L. s. d.
Medicine.	Salary—			
	University Revenues . . . . .	220 0 0		
	Land Revenues of Crown . . . . .	40 0 0		
	Present Parliamentary vote . . . . .	10 0 0		
	Estimated fees . . . . .	140 0 0		
		<hr/> 410 0 0		
Anatomy.	Salary—			
	University Revenues . . . . .	220 0 0		
	Present Parliamentary vote . . . . .	30 0 0		
	Estimated fees . . . . .	500 0 0		
		<hr/> 750 0 0		
	General University Fund . . . . .	...	...	200 0 0

## FACULTY OF MEDICINE—continued.

Ordinance, No. 22.

Glasgow, No. 4.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowances for Class Expenses.
		L. s. d.	L. s. d.	L. s. d.
Natural History.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .	150 0 0 50 0 0 100 0 0 <hr/> 300 0 0		
Surgery.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .	75 0 0 25 0 0 220 0 0 <hr/> 320 0 0		
Midwifery.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .	50 0 0 50 0 0 130 0 0 <hr/> 230 0 0		
Chemistry.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .  General University Fund .	200 0 0 ... 420 0 0 <hr/> 620 0 0 ...	{100 0 0 {100 0 0  ...	70 0 0
Botany.	Salary— Woods and Forests . . . Present Parliamentary vote Shuna rents (average) . Estimated fees . . . .	100 0 0 100 0 0 20 0 0 180 0 0 <hr/> 400 0 0		
Materia Medica.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .  General University Fund . (The Assistant to this Chair to be also Assistant to the Chair of Forensic Medicine.)	100 0 0 ... 170 0 0 <hr/> 270 0 0 ...	50 0 0  ...	50 0 0
Institutes of Medicine.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .	75 0 0 75 0 0 160 0 0 <hr/> 310 0 0		
Forensic Medicine.	Salary— Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .  General University Fund . (The Assistant to the Chair of Materia Medica to be also As- sistant to this Chair.)	75 0 0 25 0 0 110 0 0 <hr/> 210 0 0 ...	...	35 0 0

Ordinance, No. 22.

Glasgow, No. 4.

NOTE.—Additional sum payable to the 'Eldest Regent' from University

Revenues . . . . . L.2 15 6 $\frac{1}{2}$ 

(The Regents are the Professors of Greek, Logic, Moral Philosophy, and Natural Philosophy.)

Additional Sums payable to the three Professors of Philosophy from the Land Revenues of the Crown:—

First Philosophy	.	.	.	.	.	8	6	8
Second Philosophy	.	.	.	.	.	8	6	8
Third Philosophy	.	.	.	.	.	2	17	9 $\frac{1}{2}$

## ORDINANCE No. 23.

[EDINBURGH—FINANCIAL ARRANGEMENTS.]

Ordinance, No. 23.

Edinburgh, No. 5.

*At Edinburgh, the Twenty-fifth Day of November Eighteen hundred and sixty-one Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of the several Universities and Colleges therein mentioned; to make rules as to the number of Examiners, and the amount and manner of their remuneration; and to make Ordinances in order to found new Professorships where they are required, and to provide for the appointment of Assistants to such Professors as from the nature and duties of their Professorships require assistance, and to provide for the remuneration of such Assistants, and to provide by whom the right of presenting or appointing such new Professors and Assistants shall be exercised: And whereas the Commissioners of Her Majesty's Treasury are empowered by the same Act to pay, out of such moneys as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the Act shall recommend to be paid, *inter alia*, for the purposes of providing additional teaching by means of Assistants to the Professors in any Professorships already established or to be established, of providing remuneration to the Examiners appointed in pursuance of the said Act, of increasing the salaries presently attached to existing Professorships, and to any other offices in the University, and of the endowment of new Professorships: And whereas, by the Edinburgh University Property Arrangement Act, 1861, the sum of two thousand one hundred and seventy pounds per annum from the revenues of the Harbour and Docks of Leith is directed to be paid to the Senatus Academicus of the University of Edinburgh for the purposes of the University, as in the said Act is provided: The Commissioners under the first recited Act statute and ordain, with reference to the University of Edinburgh, as follows:—

I. To the Office of Principal shall be attached the annual sum of one hundred and fifty-one pounds two shillings and twopence, portion of the annuity of two thousand one hundred and seventy pounds, payable as aforesaid from the revenues of the Harbour and Docks of Leith; and the additional sum of five hundred and forty-eight pounds seventeen shillings and ten pence, to be annually voted by Parliament.

II. To the Professorship of Humanity shall be attached the annual sum of fifty-seven pounds ten shillings, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred pounds, to be annually voted by Parliament. To the Professorship of Humanity there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

III. To the Professorship of Mathematics shall be attached the annual sum of one hundred and eighteen pounds six shillings and eightpence, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of fifty pounds, to be annually voted by Parliament. To the Professorship of Mathematics there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

IV. To the Professorship of Greek shall be attached the annual sum of fifty-seven pounds four shillings and four pence, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred pounds, to be annually voted by Parliament. To the Professorship of Greek there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament.

V. To the Professorship of Logic and Metaphysics shall be attached the annual sum of twenty-two pounds four shillings and four pence, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred and fifty pounds, to be annually voted by Parliament.

VI. To the Professorship of Moral Philosophy shall be attached the annual sum of seventy-two pounds four shillings and four pence, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred pounds, to be annually voted by Parliament.

VII. To the Professorship of Natural Philosophy shall be attached the annual sum of twenty-two

pounds four shillings and four pence, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred and fifty pounds, to be annually voted by Parliament. To the Professorship of Natural Philosophy there shall be attached an Assistant, who shall receive a salary of one hundred pounds, to be annually voted by Parliament; and a sum of one hundred pounds shall be provided annually by the Senatus Academicus, out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

Ordinance, No. 23.

Edinburgh, No. 5.

VIII. The Professorship of Universal Civil History and Antiquities shall hereafter be styled the Professorship of History. The Professor shall deliver a course of not less than forty lectures on Constitutional Law and Constitutional History, during the winter session of the University, yearly. To the Professorship shall be attached the sum of one hundred and fifty pounds, to be annually voted by Parliament. The Professor shall be a Professor in the Faculty of Law, as well as a Professor in the Faculty of Arts.

IX. The Professorship of Rhetoric and Belles Lettres shall hereafter be styled the Professorship of Rhetoric and English Literature. To the Professorship shall be attached the sum of one hundred pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred pounds, to be annually voted by Parliament.

X. To the Professorship of Practical Astronomy shall be attached the sum of three hundred pounds, heretofore annually voted by Parliament to the Professor.

XI. To the Professorship of Agriculture shall be attached the income arising from Sir William Pulteney's Mortification for the endowment of the Professorship, and the annual sum of twelve pounds ten shillings, portion of the said annuity from the revenues of the Harbour and Docks of Leith.

XII. To the Professorship of Music shall be attached the annual sum of four hundred and twenty pounds, to be provided out of the income of the funds bequeathed to the University by the late General Reid, in manner directed by decree of the Court of Session, of date the seventh day of July one thousand eight hundred and fifty-five; and, as directed by the said decree, there shall be paid yearly to the Professor of Music out of the said income, the sum of one hundred pounds for the purchase of instruments and apparatus, as also for tear and wear; and the sum of two hundred pounds to meet the expenses of Assistants, and other expenses in connection with the duties of the Professorship of Music, subject always to the conditions in the said decree set forth: Provided always, that the accounts to be rendered annually by the Professor to the Senatus Academicus, as thereby directed, shall hereafter be annually laid before the University Court, instead of being communicated to the Lord Provost, Magistrates, and Council of the City of Edinburgh, as by the said decree was appointed.

XIII. To the Professorship of Divinity shall be attached, in addition to the share of the revenues of the Deanery of the Chapel Royal which Her Majesty has been pleased to grant to the Professorship, the annual sum of one hundred and eleven pounds two shillings and twopence, portion of the said annuity from the revenues of the Harbour and Docks of Leith.

XIV. To the Professorship of Hebrew and Oriental Languages shall be attached the annual sum of eighty-five pounds, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of thirty pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of one hundred and eighty-five pounds, to be annually voted by Parliament.

XV. To the Professorship of Divinity and Church History shall be attached the annual sum of one hundred and fifty pounds, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of one hundred pounds, payable under royal grant through the Office of Her Majesty's Woods, Forests, and Land Revenues; and the sum of one hundred pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant.

XVI. To the Professorship of Biblical Criticism and Biblical Antiquities shall be attached the share of the revenues of the Deanery of the Chapel Royal, which Her Majesty has been pleased to grant to the Professorship.

XVII. The Professor of Public Law shall deliver a course of not less than forty lectures on International Law, during the winter session of the University, yearly. To the Professorship shall be attached a salary of two hundred and fifty pounds, to be annually voted by Parliament.

XVIII. To the Professorship of Civil Law shall be attached the annual sum of one hundred pounds, portion of the said annuity from the revenues of the Harbour and Docks of Leith; and, in addition, the sum of one hundred and fifty pounds, to be annually voted by Parliament. The Professor shall, in addition to the course of lectures delivered by him during the winter session of the University as heretofore, deliver also a course of lectures within the period between the twelfth of May and the thirty-first of July, yearly.

XIX. To the Professorship of Scots Law shall be attached the annual sum of one hundred pounds, portion of the said annuity from the revenues of the Harbour and Docks of Leith. The Professor shall, in addition to the course of lectures delivered by him during the winter session of the University as heretofore, deliver also a course of lectures on Criminal Law, within the period between the twelfth of May and the thirty-first of July, yearly.

XX. To the Professorship of Conveyancing shall be attached the salary of one hundred and five pounds, provided annually by the Society of Writers to the Signet.

XXI. To the Professorship of Botany shall be attached the annual sum of forty pounds, portion of the said annuity from the revenues of the Harbour and Docks of Leith; the sum of one hundred pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of sixty pounds, to be annually voted by Parliament.

XXII. To the Professorship of the Institutes of Medicine shall be attached a salary of one hundred and fifty pounds, to be annually voted by Parliament.

XXIII. To the Professorship of the Practice of Physic shall be attached a salary of one hundred pounds, to be annually voted by Parliament.

Ordinance, No. 23.

Edinburgh, No. 5.

XXIV. For the Professorship of Anatomy there shall be provided annually by the Senatus Academicus, out of the General University Fund hereinafter mentioned, a sum of two hundred pounds towards defraying the salary of the Demonstrator attached to the Professorship, and the class expenses of the Professorship.

XXV. To the Professorship of Chemistry shall be attached a salary of two hundred pounds, to be annually voted by Parliament. To the Professorship of Chemistry there shall be attached a Teaching Assistant and a Laboratory Assistant, who shall each receive a salary of one hundred pounds, to be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned; and a farther sum of one hundred pounds shall also be provided annually by the Senatus Academicus out of the same fund, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

XXVI. To the Professorship of Midwifery shall be attached a salary of one hundred pounds, to be annually voted by Parliament.

XXVII. To the Professorship of Natural History, besides the sum payable to the Professor as Lecturer on Mineralogy under the bequest of Doctor William Thomson, as provided by the Edinburgh University Property Arrangement Act, 1861, shall be attached the sum of one hundred pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant; and, in addition, the sum of sixty pounds, to be annually voted by Parliament.

XXVIII. To the Professorship of Dietetics, Materia Medica, and Pharmacy, shall be attached a salary of one hundred pounds, to be annually voted by Parliament. A sum of fifty pounds shall be provided annually by the Senatus Academicus, out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship.

XXIX. To the Professorship of Clinical Surgery shall be attached the salary of one hundred pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant.

XXX. To the Professorship of Medical Jurisprudence shall be attached the salary of one hundred pounds, heretofore annually voted by Parliament to the Professor in continuance of a royal grant. A sum of thirty-five pounds shall be provided annually by the Senatus Academicus, out of the General University Fund hereinafter mentioned, for the purchase of apparatus and materials, and for other class expenses of the Professorship. The Professor shall be a Professor in the Faculty of Law, as well as a Professor in the Faculty of Medicine.

XXXI. To the Professorships of Materia Medica and Medical Jurisprudence there shall be attached a joint Assistant, who shall receive a salary of fifty pounds, to be provided annually by the Senatus Academicus out of the General University Fund hereinafter mentioned.

XXXII. To the Professorship of Surgery shall be attached the salary of one hundred pounds, heretofore annually voted by Parliament to the Professor of Military Surgery in continuance of a royal grant.

XXXIII. To the Professorship of General Pathology shall be attached the salary of one hundred pounds, to be annually voted by Parliament.

XXXIV. Each student shall pay a matriculation fee of one pound at the commencement of each winter session for the whole academical year then next ensuing; but any student attending a class or classes during a summer session, without having attended the immediately preceding winter session, shall, in respect of such summer session, pay a fee of ten shillings only; and no fee shall be chargeable against any student for cleaning, lighting, or heating of class-rooms, or for the attendance of College servants.

XXXV. There shall be paid, by each candidate for the degree of Master of Arts, a fee of one guinea in respect of each of the three divisions of the examination for graduation without honours, specified in the fifth section of Ordinance No. 14, General No. 3, of the twenty-sixth day of January eighteen hundred and sixty-one; each such fee of one guinea being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and no further fee than the sum of three guineas, as aforesaid, shall be payable by any candidate in respect of examination for, or admission to, the said degree, whether with or without honours.

XXXVI. There shall be paid, by each candidate for the degree of Bachelor of Medicine, a fee of five guineas in respect of each of the three divisions of the examination on professional subjects, specified in the eighth section of Ordinance No. 5, Edinburgh No. 2, of the sixth day of August eighteen hundred and fifty-nine; each such fee of five guineas being payable at the time at which the candidate comes forward to be examined in that division in respect of which it is payable; and if the candidate desires to be admitted to the degree of Bachelor of Medicine only, he shall not, on admission thereto, be required to pay any farther fee in addition to the fifteen guineas so paid by him; but if he desires to be admitted to the degree of Master in Surgery also, he shall, on being admitted to such degree, pay a farther fee of five guineas; and every candidate for the degree of Doctor of Medicine shall pay, in addition to the fees paid by him as a candidate for the degree of Bachelor of Medicine, a fee of five guineas, exclusive of any stamp duty which may for the time be exigible.

XXXVII. Each member of the General Council of the University shall, on being first registered, pay a fee of five shillings, and, on each fifteenth day of October thereafter, shall pay an annual fee of two shillings and sixpence for the year then next ensuing: Provided always, that, after payment of the first registration fee of five shillings, and of all fees of two shillings and sixpence, which may have become payable by any member, it shall be lawful for him to compound for all future payments of the fee of two shillings and sixpence by a single payment of one pound: Provided also, that no person shall be entitled to act as a member of the General Council, until he has paid all fees which may have become due by him.

XXXVIII. All matriculation, examination, and graduation fees, and the registration fees of members of the General Council, shall be placed to the account of a General University Fund, which shall also include all the revenues of the University, except such as have been, or shall be, otherwise appropriated by Ordinance of the Commissioners, and except such as are appropriated to special purposes by mortification, gift, or endowment; and the said General University Fund shall be applicable to defray the ordinary current expenses of the University, including the expenses of the library of the University, the expenses connected with the meetings of the Senatus Academicus, of the University Court, and of the General Council; the salaries and wages of officers and servants; the cost of lighting, heating, clean-

ing, maintaining, and repairing the buildings; the cost of apparatus and materials, and other class expenses, including prizes; and the expenses of museums, in so far as the said several expenses may not be otherwise provided for. Ordinance, No. 23. Edinburgh, No. 5.

XXXIX. In every case where, by this Ordinance or otherwise, a sum is appointed to be paid out of the University funds for the purchase of apparatus and materials, or for other class expenses of any class in the University, an account of the expenditure of such sum in each year shall be laid by the Professor before the Senatus Academicus; and, in the event of the whole sum not being expended in any year, the portion unexpended shall revert and fall into the General University Fund: Provided always, that it shall be lawful for the Senatus Academicus, if it shall think fit, to allow the portion so unexpended in any year to be applied to a similar purpose in connection with the same class in a subsequent year.

XL. No member of the Senatus Academicus shall, after the time at which the full salary appropriated to his office by this Ordinance shall become available, receive in virtue of his office as Principal or Professor, or as Examiner, any payment from the revenues of the University, except such amount as has been above appropriated to his office: Provided always, that nothing herein contained shall prevent the Senatus Academicus, with the approval of the University Court, from paying, out of the said General University Fund, a reasonable remuneration for any special service which may at any time be rendered by the Principal or any Professor: Provided also, that the present Professor of Clinical Surgery and the present Professor of Medical Jurisprudence shall each be entitled during his incumbency to receive, out of the said general fund, an annual sum equal in amount to the sum derived by him from graduation fees, on an average of the five years immediately preceding the confirmation of this Ordinance by Her Majesty in Council.

XLI. The Assistants to the Professors of Humanity, Mathematics, Greek, Natural Philosophy, Anatomy, and Chemistry, shall be appointed from year to year by the Professors respectively, subject to the approval and control of the University Court; and the joint Assistant to the Professors of Materia Medica and Medical Jurisprudence shall be appointed by these Professors jointly, subject to the same approval and control; and, in case of a difference between the two Professors as to the person to be appointed, the appointment shall be made by the Senatus Academicus, subject to the same approval and control.

XLII. The sum of one hundred pounds payable to each of the three Examiners in Medicine, to be appointed by the University Court, in terms of the fifth section of Ordinance No. 8, Edinburgh No. 3, of the nineteenth day of March eighteen hundred and sixty, shall be paid out of moneys to be voted by Parliament for the purpose.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

Approved by Order in Council, dated 21st March 1862.

## SCHEDULE IN EXPLANATION OF PART OF THE FOREGOING ORDINANCE.

### I. PRINCIPAL.

#### Emoluments.

Leith Harbour annuity,	.	.	.	L.151	2	2
New Parliamentary vote,	.	.	.	548	17	10
				L.700	0	0

### II. FACULTY OF ARTS.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowances for Class Expenses.
Humanity.	Salary— Leith Harbour annuity . Present Parliamentary vote . New Parliamentary vote . Estimated fees . . . .	L. s. d. 57 10 0 30 0 0 100 0 0 500 0 0 <hr/> 687 10 0	L. s. d.   100 0 0	L. s. d.
Mathematics.	Salary— Leith Harbour annuity . Present Parliamentary vote . New Parliamentary vote . Estimated fees . . . .	118 6 8 30 0 0 50 0 0 500 0 0 <hr/> 698 6 8	100 0 0	
Greek.	Salary— Leith Harbour annuity . Present Parliamentary vote . New Parliamentary vote . Estimated fees . . . .	57 4 4 30 0 0 100 0 0 550 0 0 <hr/> 737 4 4	100 0 0	



## III. FACULTY OF DIVINITY.

Ordinance, No. 23.  
Edinburgh, No. 5.

Chairs.	Sources of Emoluments.	Emoluments of Professors.
Divinity.	Salary— Deanery of Chapel Royal (estimated) . . . Leith Harbour annuity . . . . . Estimated fees . . . . .	L. s. d. 336 0 0 111 2 2 190 0 0 <hr/> 637 2 2
Hebrew and Oriental Languages.	Salary— Leith Harbour annuity . . . . . Present Parliamentary vote . . . . . New Parliamentary vote . . . . . Estimated fees . . . . .	85 0 0 30 0 0 185 0 0 100 0 0 <hr/> 400 0 0
Church History.	Salary— Leith Harbour annuity . . . . . Land Revenues of Crown . . . . . Present Parliamentary vote . . . . . Estimated fees . . . . .	150 0 0 100 0 0 100 0 0 95 0 0 <hr/> 445 0 0
Biblical Criticism.	Salary— Deanery of Chapel Royal (estimated) . . . Estimated fees . . . . .  (The present Professor has not been in use to take fees from his students.)	672 0 0 95 0 0 <hr/> 767 0 0

## IV. FACULTY OF LAW.

Chairs.	Sources of Emoluments.	Emoluments of Professors.
Public Law.	Salary— New Parliamentary vote . . . . . Estimated fees . . . . .	L. s. d. 250 0 0 100 0 0 <hr/> 350 0 0
Civil Law.	Salary— Leith Harbour annuity . . . . . New Parliamentary vote . . . . . Estimated fees . . . . .	100 0 0 150 0 0 125 0 0 <hr/> 375 0 0
History.	(See under Faculty of Arts.)	
Scots Law.	Salary— Leith Harbour annuity . . . . . Estimated fees . . . . .	100 0 0 405 0 0 <hr/> 505 0 0
Medical Jurisprudence.	(See under Faculty of Medicine.)	
Conveyancing.	Salary— Endowment by Society of Writers to the Signet . Estimated fees . . . . .	105 0 0 430 0 0 <hr/> 535 0 0

## V. FACULTY OF MEDICINE.

Ordinance, No. 23.

Edinburgh, No. 5.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowances for Class Expenses.
Botany.	Salary— Leith Harbour annuity . Present Parliamentary vote New Parliamentary vote . Estimated fees . . . .	L. s. d. 40 0 0 100 0 0 60 0 0 680 0 0 <hr/> 880 0 0	L. s. d.	L. s. d.
Institutes of Medicine.	Salary— New Parliamentary vote . Estimated fees . . . .	150 0 0 490 0 0 <hr/> 640 0 0		
Practice of Physic.	Salary— New Parliamentary vote . Estimated fees . . . .	100 0 0 365 0 0 <hr/> 465 0 0		
Anatomy.	Salary . . . . . Estimated fees . . . .  General University Fund .	0 0 0 1900 0 0 <hr/> 1900 0 0 ...	...	200 0 0
Chemistry.	Salary— New Parliamentary vote . Estimated fees . . . .  General University Fund .	200 0 0 1110 0 0 <hr/> 1310 0 0 ...	{100 0 0 100 0 0	100 0 0
Midwifery.	Salary— New Parliamentary vote . Estimated fees . . . .	100 0 0 450 0 0 <hr/> 550 0 0		
Natural History.	Salary— Present Parliamentary vote New Parliamentary vote . Dr Thomson's bequest . Estimated fees . . . .	100 0 0 60 0 0 35 15 2½ 570 0 0 <hr/> 765 15 2½		
Materia Medica.	Salary— New Parliamentary vote . Estimated fees . . . .  General University Fund . (The Assistant to this Chair to be also Assistant to the Chair of Medical Jurisprudence.)	100 0 0 456 0 0 <hr/> 556 0 0 ...	50 0 0	50 0 0
Clinical Surgery.	Salary— Present Parliamentary vote Estimated fees . . . .	100 0 0 450 0 0 <hr/> 550 0 0		

## FACULTY OF MEDICINE—continued.

Chairs.	Sources of Emoluments.	Emoluments of Professors.	Salaries of Assistants.	Allowance for Class Expense
		L. s. d.	L. s. d.	L. s. d.
Medical Jurisprudence.	Salary—			
	Present Parliamentary vote	100 0 0		
	Estimated fees . . . .	310 0 0		
		410 0 0		
	General University Fund .	...	...	35 0 0
	(The Assistant to the Chair of Materia Medica to be also Assistant to this Chair.)			
Surgery.	Salary—			
	Present Parliamentary vote	100 0 0		
	Estimated fees . . . .	450 0 0		
		550 0 0		
General Pathology.	Salary—			
	New Parliamentary vote .	100 0 0		
	Estimated fees . . . .	345 0 0		
		445 0 0		

Ordinance, No. 23.  
Edinburgh, No. 5.

## ORDINANCE No. 24.

[ST ANDREW'S—DAY FOR ELECTION OF RECTOR.]

*At Edinburgh, the Twenty-fifth Day of November Eighteen hundred and sixty-one Years.*

WHEREAS the Commissioners under the Act of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' by their Ordinance No. 4, St Andrew's No. 1, of the fourth day of May eighteen hundred and fifty-nine, ordained that, in the University of St Andrew's, the first election of Rector under the said Act should take place on the twenty-fourth day of November in the said year, and that in time coming thereafter the election of Rector should take place on such day as might be fixed by Ordinance of the Commissioners; The Commissioners statute and ordain as follows:—

The election of Rector in the University of St Andrew's shall, as often as a vacancy shall occur, take place on the fourth Thursday of November next ensuing: Provided always, that, in the event of the statutory term of office of a Rector being about to expire in the period between the fourth Thursday of November and the thirty-first day of December in any year, the election of a new Rector shall take place on the fourth Thursday of November in such year; but the Rector then elected shall not enter on his office until the expiration of the aforesaid statutory term, or until a vacancy shall actually have occurred.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

Approved by Order in Council, dated 21st March 1862.

Ordinance, No. 24.  
St Andrew's, No. 5.

## ORDINANCE No. 25.

[EDINBURGH—FOUNDATION OF PROFESSORSHIP OF SANSKRIT.]

*At Edinburgh, the Eighteenth Day of January Eighteen hundred and sixty-two Years.*

WHEREAS, by deed of mortification, dated the seventeenth day of January eighteen hundred and sixty-two, John Muir, Esquire, Doctor of Laws of the University of Edinburgh, Doctor of Civil Law of the University of Oxford, and late of the Bengal Civil Service, now residing in Edinburgh, being, as therein mentioned, desirous that a Chair or Professorship of the Sanskrit Language, Literature, and Philosophy, and of Comparative Philology, should be instituted and endowed in the University of Edinburgh, did, for the considerations mentioned in the said deed, assign, transfer, and make over to and in favour of the University of Edinburgh, subject to the conditions therein mentioned, and hereinafter set forth, all and whole the sum of forty thousand rupees, invested, as therein mentioned, in promissory notes, bearing five per cent. interest, payable half-yearly by the Governor-General of India in Council, with the interest

Ordinance, No. 25.  
Edinburgh, No. 6.

Ordinance, No. 25.  
Edinburgh, No. 6.

that was, at the date of the said deed, or might thereafter become, due upon the same, and the said promissory notes granted for the said sum, with full power to the Senatus Academicus of the said University to procure the same transferred to their own names, or to the names of any of them, in trust for the University, and also to uplift, discharge, convey, and re-invest the same, subject to the control and review of the University Court of the said University, as prescribed by the Act of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' but in trust always for the use and behoof of the Professor for the time being of the said Chair of the Sanskrit Language, Literature, and Philosophy, and of Comparative Philology, who should receive the free annual proceeds of the said sum, in whatever way the same might come to be invested; but providing and declaring, that the foregoing endowment was made on the following conditions, viz., *First*, That the Commissioners for the purposes of the said recited Act should forthwith, by an Ordinance, found a Chair or Professorship of the Sanskrit Language, Literature, and Philosophy, and of Comparative Philology, in the University of Edinburgh, and should recommend to the Commissioners of Her Majesty's Treasury to pay, out of such moneys as might be provided by Parliament for the purpose, the sum of two hundred pounds per annum to the said Professor, and that the same should be so paid; and in default, at any time, of payment of the said annual sum of two hundred pounds, by the same running into arrear for more than twelve months, that then the foresaid grant and assignation should stand void, and the said fund of forty thousand rupees, in whatever way invested at the time of default as aforesaid, should revert to him, the said John Muir, his heirs and assigns, and the said Senatus Academicus of the University of Edinburgh should convey the same to him, or his heirs or assigns: *Second*, That, upon the first occasion of an appointment to the Chair, the right to nominate and appoint the Professor should belong to the said John Muir, and that thereafter the patronage of the said Chair should be vested in Her Majesty, and Her successors: *Third*, That the said Professor of the Sanskrit Language, Literature, and Philosophy, and of Comparative Philology, should be bound to teach and instruct students in the Sanskrit Language, Literature, and Philosophy, and in Comparative Philology, and also to deliver in each winter session at least fifteen lectures on Sanskrit Literature and Philosophy, and also at least fifteen lectures on Comparative Philology, which, in addition to the regular students of his class, might be attended by such other persons as should desire to attend the same, on payment of such fees as should be sanctioned by the University Court; and further, that the said Professor should be bound to instruct such of his ordinary students as might desire it in the principles of Hindu Law: *Fourth*, That the interest accruing on the said sum of forty thousand rupees, subsequent to the last half-yearly payment thereof immediately preceding the date of the said deed, and the annual sum of two hundred pounds to be provided by Parliament as aforesaid, and such fees from students as might be sanctioned by the University Court of the University of Edinburgh, should be paid to the said Professor, the said interest and Government salary at the usual half-yearly or quarterly periods of payment, as the case might be, and the students' fees at the usual period: And whereas the Commissioners under the said Act are empowered, *inter alia*, to make Ordinances in order to found new Professorships, where they are required, and also to provide by whom the right of presenting or appointing to such new Professorships shall be exercised; and the Commissioners of Her Majesty's Treasury are empowered by the same Act to pay, out of such moneys as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the Act shall recommend to be paid, *inter alia*, for the endowment of new Professorships: And whereas it is expedient that a Professorship of the Sanskrit Language, Literature, and Philosophy, and of Comparative Philology, should be founded in the University of Edinburgh: The Commissioners under the said Act statute and ordain as follows:—

I. There shall be a Professorship of the Sanskrit Language, Literature, and Philosophy, and of Comparative Philology, in the University of Edinburgh; and the Professor shall be a Professor in the Faculty of Arts in the said University.

II. Subject always to the conditions mentioned in the said recited deed of mortification, there shall be attached to the said Professorship the net interest or annual proceeds of the said sum of forty thousand rupees, mortified by the said John Muir, Esquire, as aforesaid, or of the fund in which for the time being the same may be invested; and, in addition, the sum of two hundred pounds, to be annually voted by Parliament.

III. The right of presenting or appointing the Professor, on the first occasion of an appointment to the said Professorship, shall belong to the said John Muir, Esquire, and, failing him, to Her Majesty, Her heirs and successors; and thereafter, the patronage of the said Professorship, and the right of presenting or appointing the Professor, shall be vested in and exercised by Her Majesty, Her heirs and successors.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 21st March 1862.*

#### ORDINANCE No. 26.

[GENERAL—RATE AND CONDITIONS OF RETIRING ALLOWANCES.]

*At Edinburgh, the Eighth Day of February Eighteen hundred and sixty-two Years.*

Ordinance, No. 26.  
General, No. 5.

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein;

'and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners of Her Majesty's Treasury are empowered to pay, out of such moneys as may be provided by Parliament for the purpose, such sums of money as the Commissioners under the said Act shall recommend to be paid, *inter alia*, for providing retiring allowances to aged and infirm Principals and Professors: The Commissioners under the said Act statute and ordain as follows:—

I. The retiring allowance to be granted to a Principal or Professor in any of the Universities of Scotland, retiring from his office on the ground of age or infirmity, shall be as follows; that is to say,

To any Principal or Professor who shall have served for ten years and upwards, and under eleven years, an annual allowance equal to twenty-sixtieths of the annual salary and emoluments of his office:

For eleven years, and under twelve years, an annual allowance equal to twenty-one sixtieths of such salary and emoluments:

And in like manner a farther addition to the annual allowance equal to one-sixtieth in respect of each additional year of such service, until the completion of a period of service of thirty years, when an annual allowance equal to forty-sixtieths may be granted; and no addition shall be made in respect of any service beyond thirty years.

II. In reckoning the years of service of a Principal or Professor under this Ordinance, the years during which he shall have held the office from which he retires, and also the years, if any, during which he may have held any other office of Principal or Professor in the same or in any other Scottish University, shall be taken into account.

III. The annual salary and emoluments of a Principal or Professor shall be taken to be the annual average of the salary and emoluments of the office from which he retires, estimated on a period of five years immediately preceding the date of retirement.

IV. In cases in which special circumstances may appear to justify an increased rate of retiring allowance, and in cases in which a Principal or Professor may be disabled by infirmity or bad health from performing the duties of his office before the completion of ten years' service, the increased rate, or retiring allowance, if any, shall be such as the Commissioners of Her Majesty's Treasury may determine.

V. The retiring allowances to aged and infirm Principals and Professors under this Ordinance shall be paid out of such moneys as may be provided by Parliament for the purpose.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 26th April 1862.*

#### ORDINANCE No. 27.

##### [ABERDEEN—REGULATIONS AS TO CERTAIN FEES.]

*At Edinburgh, the Thirty-first Day of March Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules as to the amount and exaction of fees in the several Universities of Scotland; and to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of or connected with the Universities: And whereas, by their Ordinance No. 12, Aberdeen No. 4, of the second day of July eighteen hundred and sixty, the Commissioners made certain regulations regarding the class-fees and graduation fees in the University of Aberdeen, which it is expedient to alter and amend, as hereinafter provided: The Commissioners statute and ordain as follows:—

I. So much of the said recited Ordinance of the second day of July eighteen hundred and sixty, as relates to the class-fees payable by students in the Faculty of Arts in the University of Aberdeen, is hereby repealed; and the class-fees, to be paid for the future by students in the said Faculty, shall be the following, viz.:—

(1.) For the course of English Literature, a fee of one guinea:

(2.) For each of the other classes included in the course of study in the Faculty of Arts, a fee of three guineas: Provided always, that it shall be in the power of the University Court, if it shall think expedient, by general regulation, at any time, to fix a lower fee than three guineas, but not being less than two guineas, for a student's second session of attendance and study under any of the Professors of Humanity, Greek, and Mathematics: Provided also, that, in case of a student attending and studying under any of the Professors of Humanity, Greek, and Mathematics during a third session, or attending any of the other classes included in the course of study in the Faculty of Arts during a second session, his attendance during such additional session shall be on such terms as to the amount of class-fee, or exemption therefrom, as may be fixed by any general regulation of the University Court.

II. So much of the said recited Ordinance, as regards the fee payable for the degree of Master of Arts, is hereby repealed as to all persons becoming candidates for that degree under Ordinance No. 14, General No. 3, of the twenty-sixth day of January eighteen hundred and sixty-one; and, in place of the graduation fee specified in the said recited Ordinance, there shall be paid by each such candidate a fee of one guinea, in respect of each of the three divisions of the examination for graduation without honours, specified in the fifth section of Ordinance No. 14, General No. 3; each such fee of one guinea being payable at the time at which the candidate comes forward to be examined in that division, in

Ordinance, No. 27.  
Aberdeen, No. 7.

Ordinance, No. 27. respect of which it is payable; and no farther fee than the sum of three guineas, as aforesaid, shall be payable by any candidate in respect of examination for, or admission to, the said degree, whether with or without honours.

Aberdeen, No. 7.

III. No bursar shall be exempted from payment of any fees payable by other students in the University.

IV. Each member of the General Council of the University shall, on being first registered, pay a fee of five shillings, and, on each fifteenth day of September thereafter, shall pay an annual fee of two shillings and sixpence for the year then next ensuing: Provided always, that, after payment of the first registration fee of five shillings, and of all fees of two shillings and sixpence, which may have become payable by any member, it shall be lawful for him to compound for all future payments of the fee of two shillings and sixpence by a single payment of one pound: Provided also, that no person shall be entitled to act as a member of the General Council, until he has paid all fees which may have become due by him.

V. The fees paid in respect of examination with a view to graduation in any Faculty, and the registration fees of members of the General Council, shall be paid into, and form part of, the General University Fund, mentioned in the ninth section of the said recited Ordinance of the second day of July eighteen hundred and sixty; and the said General University Fund shall be applicable to defray, among other ordinary current expenses of the University, the expenses connected with the meetings of the Senatus Academicus, of the University Court, and of the General Council.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

L. S.

*Approved by Order in Council, dated 7th June 1862.*

# ORDINANCE No. 28.

[ABERDEEN—GENERAL REGULATIONS RELATIVE TO BURSARIES AND SCHOLARSHIPS.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 28. WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to make rules for the management and ordering of the several Universities of Scotland, and also to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of or connected with the said Universities: The Commissioners statute and ordain, with reference to the University of Aberdeen, as follows:—

Aberdeen, No. 8.

I. There shall be a Common Bursary Fund for the University of Aberdeen; and there shall be paid into the said Common Bursary Fund the surplus income of each foundation, which, by Ordinance of the Commissioners affecting such foundation, is directed so to be paid, and also the net unappropriated income, for each year (including therein the unappropriated income arising from vacancies in any bursaries), of each of the bursary foundations in the administration of the Senatus Academicus; and the fund, heretofore called the Bursary Fund, in Marischal College, shall for this purpose be held to be a bursary foundation, and the net unappropriated income, for each year, of the said Bursary Fund shall in like manner be paid into the said Common Bursary Fund.

II. The said Common Bursary Fund shall be applicable, in the first place, to provide the fees payable to Professors and others for conducting the examinations for scholarships, and to defray incidental expenses attending the examinations for scholarships and bursaries; and the remainder of the moneys belonging to the said fund shall from time to time be invested by the Senatus Academicus upon good security, and the interest and annual proceeds to arise from such investments shall from time to time be accumulated with the capital.

III. Each foundation shall have a claim upon the Common Bursary Fund for augmentations of the bursaries, scholarships, or prizes on the foundation, and for any necessary purposes, corresponding, or as near as may be corresponding, to the amount of the contributions which such foundation shall from time to time have made to the said fund; and any such augmentations to be made, as aforesaid, shall be made as the Senatus Academicus shall in their discretion think expedient: Provided always, that no augmentation of any bursary, scholarship, or prize, shall be made from the said fund before the expiration of twenty years from the date of this Ordinance; nor shall there be a shorter interval than twenty years between any two of such augmentations of the same bursary, scholarship, or prize.

IV. It shall not be competent for any person to hold two competition bursaries at the same time, or to hold a competition bursary along with a presentation bursary.

V. It shall not be competent for any person to hold a scholarship of the University of Aberdeen along with any other scholarship or bursary, either of the said University or of any other Scottish University.

VI. It shall not be competent for any person to continue to hold a bursary which is attached to a particular Faculty, who is not in attendance on a class or classes in such Faculty.

VII. No student, obtaining a competition bursary in the Faculty of Arts in the appointment of the Senatus Academicus, shall be required, as a condition of his tenure thereof, to enter the first or junior classes of Latin, Greek, and Mathematics, or any of them, unless otherwise he would have been required to attend such classes, or any of them, in proceeding to the degree of Master of Arts; nor shall any such

student be required to attend any class or classes, in addition to those required from other students, in proceeding to the said degree. Ordinance, No. 28.

VIII. No bursar shall be exempted from payment of any fees payable by other students in the University. Aberdeen, No. 8.

IX. It shall be lawful for the Senatus Academicus, with the approval of the University Court, to suspend any bursar or scholar from, or to deprive him of, his bursary or scholarship, on account of gross misconduct.

X. It shall be the duty of the Senatus Academicus, at some period between the first day of May and the first day of July in each year, to intimate to the respective Patrons all vacancies in presentation bursaries, which, to the knowledge of the Senatus, will fall to be filled up before or at the commencement of the next ensuing winter session of the University; and it shall also be the duty of the Senatus Academicus, on the occurrence of any unexpected vacancy in a presentation bursary, forthwith to intimate the same to the Patron or Patrons; and it shall be incumbent on the Patrons to present to all such bursaries without undue delay; and, in the event of the Patron or Patrons of any of the bursaries established more than fifty years before the date of the said recited Act, and specified in the schedule hereunto annexed, allowing, after such intimation as aforesaid, an entire winter session of the University to elapse without so presenting, the right to present to such bursary shall for that time be transferred to, and devolve upon, the Senatus Academicus, who shall have the power of appointing thereto any duly qualified person at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by the Patron or Patrons: Provided always, that nothing contained in this Ordinance, or in the schedule hereunto annexed, shall be held to relieve any Patron or Patrons of any obligation or condition as to the time of presenting to a bursary imposed by the deed of foundation, or by any Ordinance of the Commissioners specially applicable thereto.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

### SCHEDULE.

Names of Bursaries.	Founded by	Patrons.
Leys	Sir Thomas Burnett of Leys, Bart.	Sir James Burnett, of Leys, Bart.
Braco	Lady Braco . . . . .	Earl of Fife.
Glenfarquhar	Sir Alexander Falconer of Glenfarquhar	Sir Alexander Ramsay of Balmain, Bart.
Glenfarquhar	Sir Alexander Falconer of Glenfarquhar	Earl of Kintore.
Macintosh	Lachlan Macintosh of Macintosh	The Laird of Macintosh.
Coll	Alexander Maclean of Coll	Chancellor of the University.
Udny Duff	Mrs Margaret Udny Duff of Coulter	Earl of Fife.
Grant	Rev. James Grant . . . .	Heirs of Sir James Grant of Grant.
Findlay	Rev. Robert Findlay . . .	Sir Michael Bruce of Stenhouse and Scotstown, Bart.
Liddell	Dr Duncan Liddell . . . .	Magistrates and Council of Aberdeen.
Cargill	Dr James Cargill . . . .	
Reid	Dr Alexander Reid . . . .	
Crombie	Sir Thomas Crombie . . . .	
Ross	Dr Alexander Ross . . . .	
Rolland	Mrs Catharine Rolland . . .	
Mylne	Mr James Mylne . . . .	
Cumming	Mr Robert Cumming . . . .	
Lorimer	Rev. William Lorimer . . . .	
Fraser	Mr John Fraser . . . .	
Cruden	Mr Alexander Cruden . . . .	
Johnston	Rev. John Johnston . . . .	
Turner	Mr John Turner . . . .	Earl of Aberdeen, and Magistrates and Council of Aberdeen, alternately.
Gordon	Rev. Charles Gordon . . . .	
Guild	Dr William Guild . . . .	Incorporated Trades of Aberdeen.
Moir	Dr John Moir . . . .	
Denoon	Rev. Walter Denoon . . . .	Presbyteries of Tain and Dingwall.
Paterson	Mr John Paterson . . . .	Principal of the University.
Adams	Dr James Adams . . . .	Minister of Fordyce.
Dr William Lorimer's	Dr William Lorimer . . . .	Moderator and Kirk-Session of Cullen.
Dr John Lorimer's	Dr John Lorimer . . . .	Moderator and Kirk-Session of Mortlach.
Irvine	Sir Alexander Irvine of Drum	Alexander Forbes Irvine of Drum.
Turner	Mr John Turner . . . .	Mr Turner of Turnerhall.
Burnett	Burnett, Bishop of Salisbury	Sir James Burnett of Leys, Bart.
Ramsay	Rev. Gilbert Ramsay . . . .	Sir Alexander Ramsay of Balmain, Bart.

Approved by Order in Council, dated 20th March 1863.

## ORDINANCE No. 29.

## [ABERDEEN—REGULATIONS FOR ELPHINSTON FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 29.

Aberdeen, No. 9.

[Elphinston Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, under the charter of Bishop Elphinston, of date the eighteenth day of December fifteen hundred and twenty-nine, there have heretofore been twelve foundation bursaries in Arts in King's College of Aberdeen: And whereas the value of each of the said twelve bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the founder, would be better advanced by diminishing the number and increasing the value of the said foundation bursaries, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. There shall hereafter be six bursaries, and no more, on the said foundation in the University of Aberdeen; and the holder of each of such six bursaries shall annually, during his tenure thereof, receive ten pounds from the income applicable to the purposes of the foundation.

II. With a view to reducing the number of bursaries on the said foundation to six, no appointment of a bursar shall be made until two of the present bursaries are vacant, when an appointment may be made of one bursar; and, in like manner, as others of the present bursaries fall vacant, an appointment may be made of one bursar for every two of the present bursaries that fall vacant, and so on, until appointments have been made of the whole six bursars: Provided always, that it shall be in the power of the Senatus Academicus, if they shall think it expedient, to delay the filling up of any one or more of such six bursaries, so as to distribute among students of different years the benefits of bursaries in the appointment of the Senatus Academicus.

III. The surplus in each year of the income applicable to the purposes of the said foundation, including therein any unappropriated income arising from vacancies in any of the bursaries, shall be paid into, and form part of, the Common Bursary Fund of the University.

IV. Nothing herein contained shall extend to, or affect, the interests of the present holders of any of the said twelve foundation bursaries.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, Chairman.

(L. S.)

Approved by Order in Council, dated 20th March 1863.

## ORDINANCE No. 30.

## [ABERDEEN—REGULATIONS FOR WATT FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 30.

Aberdeen, No. 10.

[Watt Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by two deeds of mortification, dated respectively the seventeenth day of June sixteen hundred and twenty-three, and the fifteenth day of August sixteen hundred and twenty-five, the Reverend James Watt of Snaith mortified certain lands and property for the foundation of two bursaries in Theology in the King's College of Aberdeen, in the manner and subject to the conditions in the said deeds more particularly set forth: And whereas, since

the dates of the said deeds, the value of the lands and other property included in the said mortification has greatly increased, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be four bursaries on the said foundation in the University of Aberdeen; and the holder of each of such four bursaries shall annually, during his tenure thereof, receive fourteen pounds from the income of the property included in the mortification.

II. Each of the said bursaries shall be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in the Faculty of Divinity in the University of Aberdeen, without restriction or preference as to name or birth-place; and the successful candidate for any of the said bursaries shall be entitled to hold the same for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University; but if he shall discontinue his attendance as a student in Theology, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of the holder of any such bursary, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

III. The members of the Senatus Academicus for the time being shall be the sole trustees of the said foundation.

IV. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to each of the said four bursaries, and shall, in the exercise of this discretion, have special regard to the expediency of distributing as much as possible among students of different years the benefits of competition bursaries in Theology; and, for this purpose, it shall be lawful for the Senatus to keep any one or more of the said four bursaries vacant for such period, not exceeding in any case the period of three years, as they may think expedient.

V. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from vacancies in any of the bursaries, shall be paid into, and form part of, the Common Bursary Fund of the University.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, Chairman.

(L. S.)

Approved by Order in Council, dated 20th March 1863.

#### ORDINANCE No. 31.

##### [ABERDEEN—REGULATIONS FOR MELVILL FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the fourteenth day of November sixteen hundred and seventy-eight, the Reverend George Melvill, minister of Alford, mortified to the King's College of Aberdeen, and to the Marischal College of Aberdeen, certain sums of money for the maintenance of an equal number of bursars at the said two Colleges, in the manner and subject to the conditions in the said will more particularly set forth: And whereas there were instituted in King's College three bursaries, and in Marischal College two bursaries, on the said foundation: And whereas the value of the said several bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by diminishing the number and increasing the value of the said bursaries, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The three bursaries, instituted in King's College on the said foundation as aforesaid, shall hereafter be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive fifteen pounds from the income of the fund on which the said three bursaries are now chargeable; and, as the said three bursaries severally become vacant, no appointment shall be made to any of them; but, as soon as the whole three are vacant, an appointment shall be made

Ordinance, No. 30.

Aberdeen, No. 10.

[Watt Foundation.]

Ordinance, No. 31.

Aberdeen, No. 11.

[Melvill Foundation.]

Ordinance, No. 31.  
Aberdeen, No. 11.  
[Melvill Founda-  
tion.]

of one bursar, and no more, to the said one bursary; and so on, as often as the said one bursary shall thereafter become vacant; and the surplus, in each year, of the income of the said fund, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

II. The two bursaries, instituted in Marischal College on the said foundation as aforesaid, shall hereafter be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive fifteen pounds from the income of the fund called the Bursary Fund in the said College; and, as the said two bursaries severally become vacant, no appointment shall be made to either of them; but, as soon as both are vacant, an appointment shall be made of one bursar, and no more, to the said one bursary; and so on, as often as the said one bursary shall thereafter become vacant.

III. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 32.

### [ABERDEEN—REGULATIONS FOR PARK FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 32.  
Aberdeen, No. 12.  
[Park Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the twenty-fifth day of July sixteen hundred and ninety-one, Mr James Park of Cranoch mortified the sum of two thousand merks to the King's College of Aberdeen for the maintenance of two bursars in Philosophy therein, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas the value of the two bursaries on the said foundation is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive ten pounds from the income of the foundation.

II. In appointing to the said one bursary there shall not be any preference to students of the founder's kindred.

III. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

IV. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 33.

[ABERDEEN—REGULATIONS FOR DR ALEXANDER ADAM'S FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the tenth day of August sixteen hundred and ninety-one, Alexander Adam, of Anstruther Wester, in the county of Fife, Doctor of Medicine, mortified to the King's College of Aberdeen certain lands and property for the maintenance of three bursars therein, and for other purposes in the said deed particularly set forth: And whereas, since the said date, the value of the property included in the said mortification has greatly increased; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

Ordinance, No. 33.

Aberdeen, No. 13.

[Adam Foundation.]

I. There shall hereafter be nine bursaries in all, and no more, on the said foundation in the University of Aberdeen; and of such nine bursaries three shall be of the annual value of twenty pounds each, and six of the annual value of fifteen pounds each.

II. Each of the said nine bursaries shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction or preference to students of any particular kindred or name: Provided always, that no student shall be admissible to the competition for any bursary, who has for more than one session been a student in the Faculty of Arts in any one or more of the Scottish Universities.

III. Each bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

IV. In the event of a vacancy occurring in any bursary on the said foundation during the currency of the period of four years, for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts as the bursar was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

V. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to each of the said nine bursaries, and shall, in the exercise of this discretion, have special regard to the expediency of distributing as much as possible among students of different years the benefits of competition bursaries; and, for this purpose, it shall be lawful for the Senatus to keep any one or more of the said nine bursaries vacant for such period, not exceeding in any case the period of three years, as they may think expedient.

VI. After setting aside such a sum as may be necessary to provide for the payment of the bursars on the foundation for the time, and of all other burdens affecting the property and funds of the foundation, the surplus of the yearly income shall be paid into, and form part of, the General University Fund, provided for by Ordinance No. 12, Aberdeen No. 4, of the second day of July eighteen hundred and sixty, and shall be applicable to the purposes of that fund: Provided always, that, so long as there shall be a debt on the manse belonging to the University or any of them, one-half of the said surplus shall in each year be placed to the account of a sinking fund for the extinction of the said debt, and, as soon as the said debt is extinguished, the whole of the said surplus shall be applied to the purposes of the said General University Fund; but nothing herein contained shall be held to relieve the occupants of any of the manse from payment of any portion of the rent presently payable for the same, until the debt on the manse is entirely extinguished.

Ordinance, No. 33.  
Aberdeen, No. 13.  
[Adam Founda-  
tion.]

VII. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

# ORDINANCE No. 34.

[ABERDEEN—REGULATIONS FOR WATSON FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 34.  
Aberdeen, No. 14.  
[Watson Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the fourteenth day of August sixteen hundred and ninety-nine, the Reverend William Watson, minister of Leslie, mortified the sum of two thousand merks Scots for the maintenance of two Philosophy bursars in the King's College of Aberdeen, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas the value of the two bursaries on the said foundation is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive ten pounds from the income of the foundation.

II. In appointing to the said one bursary, there shall not be any preference to students of particular names.

III. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

IV. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

# ORDINANCE No. 35.

[ABERDEEN—REGULATIONS FOR REV. JAMES JOHNSTON'S FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 35.  
Aberdeen, No. 15.  
[Rev. James John-  
ston's Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the

conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, the Reverend James Johnston, minister of Crimond, mortified to the King's College of Aberdeen the sum of two hundred pounds for the maintenance of two bursars therein, in the manner and subject to the conditions in the said will more particularly set forth: And whereas the said mortification took effect more than fifty years prior to the date of the said recited Act, and it appears to the Commissioners that, as the value of the two bursaries on the foundation is now very small, the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive eleven pounds from the income of the foundation.

II. In appointing to the said one bursary, there shall not be any preference to students of particular names.

III. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

IV. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 36.

##### [ABERDEEN—REGULATIONS FOR ADAM AND DAVIDSON FOUNDATIONS.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the tenth day of August sixteen hundred and ninety-one, Alexander Adam of Anstruther Wester, in the county of Fife, Doctor of Medicine, mortified to the Marischal College of Aberdeen certain lands and property for the foundation of two bursaries therein, and for other purposes in the said deed more particularly set forth: And whereas, by deed of mortification, dated the twenty-first day of February seventeen hundred and six, John Davidson, merchant in Aberdeen, mortified an annuity of fifty merks Scots for the behoof of a bursar in the said College: And whereas the bursaries under the said mortifications have been heretofore chargeable on the fund called the Bursary Fund in the said College: And whereas the value of the property included in the said mortifications respectively is now very small, and for a number of years there has been only one bursar on the foundation of the said Alexander Adam, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donors, would be better advanced by conjoining the bursaries under the said mortifications into one bursary, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortifications, as follows:—

I. The two bursaries founded by the said Alexander Adam, and the bursary founded by the said John Davidson, as aforesaid, shall hereafter be conjoined into one bursary in the University of Aberdeen, to be called the Adam and Davidson Bursary, the holder of which shall annually, during his tenure thereof, receive ten pounds from the said Bursary Fund.

II. The Adam and Davidson Bursary shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction or preference to students of any particular kindred or name: Provided always, that no student shall be

Ordinance, No. 35.

Aberdeen, No. 15.

[Rev. James Johnston's Foundation.]

Ordinance, No. 36.

Aberdeen, No. 16.

[Adam and Davidson Foundations.]

Ordinance, No. 36.

Aberdeen, No. 16.

[Adam and Davidson Foundations.]

admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Arts in any one or more of the Scottish Universities.

III. The Adam and Davidson bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

IV. In the event of any vacancy occurring in the Adam and Davidson Bursary during the currency of the period of four years, for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired from among the students of the same standing in the curriculum in Arts, as the student was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

V. No appointment of a bursar on the foundation of the said Alexander Adam alone, or on that of the said John Davidson alone, shall hereafter be made; but as soon as the existing bursaries on the said foundations are both vacant, and not sooner, an appointment shall be made of one bursar, and no more, to the said Adam and Davidson Bursary; and so on, as often as the said Adam and Davidson Bursary shall thereafter become vacant.

VI. Nothing herein contained shall extend to, or affect, the interests of the present holder of either of the said existing bursaries.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 37.

##### [ABERDEEN—REGULATIONS FOR GALLOWAY AND GARDEN FOUNDATIONS.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 37.

Aberdeen, No. 17.

[Galloway and Garden Foundations.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there have been heretofore chargeable on the fund, called the Bursar Fund, in the Marischal College of Aberdeen, a bursary under the mortification of Mr Alexander Galloway, and a bursary under the mortification of Mrs Margaret Garden, relict of James Skene, merchant, burgess of Old Aberdeen: And whereas both of the said mortifications took effect more than fifty years prior to the date of the said recited Act, and it appears to the Commissioners, that, as the values of the said two bursaries respectively are now very small, the interests of religion and learning, and the main design of the donors, would be better advanced by conjoining the said two bursaries into one bursary, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortifications, as follows:—

I. The bursary on the foundation of the said Alexander Galloway, and the bursary on the foundation of the said Margaret Garden, shall hereafter be conjoined into one bursary in the University of Aberdeen, to be called the Galloway and Garden Bursary, the holder of which shall annually, during his tenure thereof, receive ten pounds from the said Bursar Fund.

II. The Galloway and Garden Bursary shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction or preference to students of any particular kindred or name: Provided always, that no student shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Arts in any one or more of the Scottish Universities.

III. The Galloway and Garden bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree

of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

IV. In the event of any vacancy occurring in the Galloway and Garden Bursary during the currency of the period of four years, for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts, as the student was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

V. No appointment of a bursar on the foundation of the said Alexander Galloway alone, or on that of the said Margaret Garden alone, shall hereafter be made; but, as soon as the existing bursaries on the said foundations are both vacant, and not sooner, an appointment shall be made of one bursar, and no more, to the said Galloway and Garden Bursary; and so on, as often as the said Galloway and Garden Bursary shall thereafter become vacant.

VI. Nothing herein contained shall extend to, or affect, the interests of the present holder of either of the said existing bursaries.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

### ORDINANCE No. 38.

#### [ABERDEEN—REGULATIONS FOR SMITH AND FORBES FOUNDATIONS.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there have been heretofore chargeable on the fund, called the Burse Fund, in the Marischal College of Aberdeen, a bursary under the mortification of the Reverend Alexander Smith, dated the fifteenth day of July seventeen hundred and forty-one, and a bursary under the mortification of Mr Thomas Forbes of Little Leighes, in the county of Essex, dated the ninth day of February seventeen hundred and forty-six: And whereas it appears to the Commissioners that, as the values of the said two bursaries respectively are now very small, the interests of religion and learning, and the main design of the donors, would be better advanced by conjoining the said two bursaries into one bursary, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortifications, as follows:—

I. The bursary on the foundation of the said Alexander Smith, and the bursary on the foundation of the said Thomas Forbes, shall hereafter be conjoined into one bursary in the University of Aberdeen, to be called the Smith and Forbes Bursary, the holder of which shall annually, during his tenure thereof, receive ten pounds from the said Burse Fund.

II. The Smith and Forbes Bursary shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction or preference to students of any particular kindred or name: Provided always, that no student shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Arts in any one or more of the Scottish Universities.

III. The Smith and Forbes bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

Ordinance, No. 37.

Aberdeen, No. 17.

[Galloway and Garden Foundations.]

Ordinance, No. 38.

Aberdeen, No. 18.

[Smith and Forbes Foundations.]

Ordinance, No. 38.

Aberdeen, No. 18.

[Smith and Forbes  
Foundations.]

IV. In the event of any vacancy occurring in the Smith and Forbes Bursary during the currency of the period of four years, for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts, as the student was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

V. No appointment of a bursar on the foundation of the said Alexander Smith alone, or on that of the said Thomas Forbes alone, shall hereafter be made; but, as soon as the existing bursaries on the said foundations are both vacant, and not sooner, an appointment shall be made of one bursar, and no more, to the said Smith and Forbes Bursary; and so on, as often as the said Smith and Forbes Bursary shall thereafter become vacant.

VI. Nothing herein contained shall extend to, or affect, the interests of the present holder of either of the said existing bursaries.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, Chairman.

L. S.

Approved by Order in Council, dated 20th March 1863.

## ORDINANCE No. 39.

[ABERDEEN—REGULATIONS FOR SIMPSON AND BOXILL FOUNDATIONS.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 39.

Aberdeen, No. 19.

[Simpson and Boxill  
Foundations.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, to make rules for the management and ordering of the said Universities, and to make such provision by Ordinance, as the Commissioners shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments, of or connected therewith: And whereas, by his will, John Simpson, of Shrub Hill, in the borough of Worcester, Doctor of Laws, bequeathed certain property to the King's College of Aberdeen, for, among other purposes, the foundation of an annual prize of sixty pounds for distinction in Mathematics, to be competed for by the scholars in the fourth or magistrand class of the said College: And whereas, by his will, William Boxill, of Woburn Square, in the county of Middlesex, Doctor of Medicine, bequeathed the sum of seven hundred pounds consolidated annuities to the Marischal College of Aberdeen, for the foundation of a Mathematical bursary therein: And whereas it appears to the Commissioners expedient to make the following regulations with reference to the said mortifications: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortifications, as follows:—

I. The prize founded as aforesaid by the said John Simpson, and the income, for the year, of the bursary on the foundation of the said William Boxill, shall hereafter be annually awarded, as a first and a second prize respectively, to the two graduates in Arts for the year, who shall have been the most distinguished in the examination for honours in the department of Mathematics.

II. The Examiners for graduation in Arts shall report annually to the Senatus Academicus the two graduates most distinguished in the examination for honours in the department of Mathematics, and shall also classify them as the first, and the second, in order of merit.

III. Nothing herein contained shall extend to, or affect, the interest of any bursar now on the foundation of the said William Boxill at the University; and the income of the bursary shall not be awarded as hereinbefore provided, until the interest of such bursar therein shall have ceased.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, Chairman.

L. S.

Approved by Order in Council, dated 20th March 1863.

## ORDINANCE No. 40.

[ABERDEEN—REGULATIONS FOR FRASER FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 40.

Aberdeen, No. 20.

[Fraser Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein;

'and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the tenth day of September seventeen hundred and thirty, James Fraser, Doctor of Laws, secretary of the Royal Hospital at Chelsea, bequeathed to the King's College of Aberdeen the sum of two hundred and twenty pounds in South Sea Stock, to be laid out in a good fund and security, for the maintenance of two bursars in the said College perpetually, whereof one was to be a bursar in Theology and the library keeper during four years after he was made Master of Arts, and the other to be a bursar in Philosophy during four years, after the expiration of which he was to succeed in the place of the bursar in Theology and library keeper for the like number of years, in the manner and subject to the conditions in the said will more particularly set forth; and he further desired the Magistrates and Ministers of Inverness to provide out of their school young lads fitly qualified to fill the places designed for them, as often as a vacancy should happen, according to his said settlement, with the concurrence of the Presbytery of Inverness: And whereas, since the date of the said will, the value of the property included in the said mortification has increased, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter, as prescribed by the said will, be two bursaries on the said foundation in the University of Aberdeen, of which one shall be a bursary in Philosophy, and the other a bursary in Theology.

II. On the first occasion of a vacancy in the bursary in Philosophy, and as often thereafter as a vacancy shall occur at the expiration of the four years for which the same is tenable as hereinafter provided, it shall be lawful to present thereto any person educated at the Royal Academy of Inverness, without restriction as to name or birth-place; and the right of presentation shall be exercised by the following persons, viz., the Provost and four Bailies of Inverness, the three Ministers of Inverness, and three delegates from the Presbytery of Inverness, of whom the Moderator of the Presbytery shall be one, unless he be one of the Ministers of Inverness; and, in the event of an equality of votes for two candidates, the Moderator of the Presbytery shall have a casting vote.

III. The said right of presentation may be exercised at any time after the first day of August, in the year in which such vacancy as aforesaid shall occur; and, in the event of the said patrons allowing one month of the winter session of the University next after such first day of August to expire, without exercising their right of presentation, it shall be lawful for the Senatus Academicus forthwith to present to the vacant bursary.

IV. The bursar in Philosophy shall be entitled to hold the bursary for four years as a student in Arts, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required by the University of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; and, on the expiration of such four years, he shall further be entitled, provided he shall have obtained the degree of Master of Arts, to succeed to the said bursary in Theology on the said foundation, and to hold the same for the farther period of four years, subject to the condition that he shall during that period give regular attendance as a student in Theology in the said University.

V. In the event of a vacancy occurring in the bursary in Philosophy during the currency of any period of four years for which the same is tenable as aforesaid, an appointment shall be made by the Senatus Academicus, without restriction as to name or birth-place, of another student, as bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts, as the bursar was in whose room the appointment is made; and the bursar then appointed shall be entitled to hold the bursary in Philosophy for the remainder of the said period of four years unexpired, and no longer; and, on the expiration thereof, and subject to the same conditions as aforesaid, to succeed to the said bursary in Theology, and to hold the same for the like period of four years: Provided always, that, in the event of there being at the time of such vacancy any student of such standing as aforesaid, who has been educated at the Royal Academy of Inverness, he shall have a preferable claim to the appointment; and, in the event of there being two or more such students so educated, the appointment shall be given to that one of them, who shall appear to the Senatus, either after competition or otherwise, as they may think most expedient, to be the most deserving; and, in the event of there being no such student so educated, the appointment shall be given to another student of the said standing, and that either after competition or otherwise, as the Senatus may think most expedient.

VI. In the event of a vacancy occurring in the said bursary in Theology during the currency of any period of four years for which the same is tenable, an appointment shall be made by the Senatus Academicus, without restriction as to name or birth-place, of another student in Theology, as bursar for the remainder of the said period then unexpired, and the bursar then appointed shall be entitled to hold the said bursary for the remainder of such period, and no longer: Provided always, that the appointment shall be made subject to the same conditions, as to a preference in favour of students educated at the Royal Academy of Inverness, as are above provided in the case of a vacancy occurring in the bursary in Philosophy during the currency of the four years.

VII. In the event of the bursar in Philosophy failing, before the period of expiration of his bursary

Ordinance, No. 40.

Aberdeen, No. 20.

[Fraser Foundation.]

Ordinance, No. 40.  
Aberdeen, No. 20.  
[Fraser Founda-  
tion.]

to obtain the degree of Master of Arts, and also in the event of the bursar in Philosophy, although otherwise qualified, not becoming a student in Theology in the said University, an appointment shall be made by the Senatus Academicus, without restriction as to name or birth-place, of a graduate in Arts to the said bursary in Theology; and the bursar then appointed shall be entitled to hold the bursary for the like period of four years, and subject to the same conditions, as if he had succeeded thereto in manner hereinbefore provided: Provided always, that the appointment shall be made subject to the same conditions, as to a preference in favour of students educated at the Royal Academy of Inverness, as are above provided in the case of a vacancy occurring in the bursary in Philosophy during the currency of the four years.

VIII. In addition to the said two bursaries provided in terms of the said will, there shall also be a second or additional bursary in Theology on the said foundation; and such second bursary in Theology shall, on every occurrence of a vacancy, be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in the Faculty of Divinity in the said University, without restriction or preference as to name, or place of birth or education; and the successful candidate for the said bursary shall be entitled to hold the same for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University: Provided always, that no person shall be entitled to be the holder of both the said bursaries in Theology at the same time.

IX. If the bursar in Philosophy shall fail to pass any of the examinations required as aforesaid of presentation bursars, or of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary, and all rights in respect thereof; and, if the holder of either of the said bursaries in Theology shall discontinue his attendance as a student in Theology, he shall forfeit his bursary.

X. In case of any gross misconduct on the part of the holder of any of the said bursaries, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

XI. In any competition for any of the said bursaries, the examination of candidates shall embrace such branches of study as may from time to time be appointed by the Senatus Academicus.

XII. Neither of the bursars in Theology shall be required, as a condition of tenure of his bursary, to perform any duties in connection with the Library of the University.

XIII. The annual payments to be made from the income of the foundation to the holders of the said bursaries respectively shall be, to the holder of the bursary in Philosophy twenty-five pounds, to the holder of the first mentioned bursary in Theology thirty pounds, and to the holder of the second or additional bursary in Theology thirty pounds.

XIV. After providing for the annual payments to the said three bursars, and for all other burdens affecting the property and funds of the foundation, the sum of fifty pounds shall, in each year, be applied towards defraying the salary of the librarian or librarians of the University, or otherwise to the purposes of the Library.

XV. No appointment shall be made to the bursary in Philosophy on the said foundation, until the present bursar in Arts, now on the said foundation at the University, shall have ceased to hold his bursary in Arts.

XVI. No appointment to the said first-mentioned bursary in Theology on the said foundation in terms of this Ordinance shall be made, until the expiration of four years from the first appointment of the bursar in Philosophy under this Ordinance.

XVII. The first appointment to the said second bursary in Theology shall be made, as soon as either of the present holders of the Theological Bursaries, now on the said foundation at the University, shall have ceased to hold his bursary.

XVIII. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from vacancies in any of the bursaries, shall be paid into, and form part of, the Common Bursary Fund of the University.

XIX. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 41.

[ABERDEEN—REGULATIONS FOR DR WILLIAM LORIMER'S FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 41.  
Aberdeen, No. 21.  
[Dr William Lorimer's Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities and Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the con-

ditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the sixth day of December seventeen hundred and sixty-four, Doctor William Lorimer, of the parish of St James', Westminster, in the county of Middlesex, mortified the sum of two hundred pounds for the maintenance and education of a boy for one year at the High School of Aberdeen, and four years at the Marischal College of Aberdeen successively, and he ordained that the said boy should be of the relations of his father and mother each alternate five years; and he further provided that the lapsed bursary money, in case of vacancies, should be accumulated, that in time, if possible, two bursaries might be formed on and from the foundation, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas, since the date of the said deed, the value of the property included in the said mortification has increased, and there are now two bursaries on the foundation: And whereas difficulties are now experienced in obtaining candidates who are qualified in terms of the deed, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. On the occurrence of any vacancy in either of the said bursaries, if there be no candidate qualified by relationship in terms of the said deed, it shall be lawful to appoint a boy to the vacant bursary, though not so qualified.

II. The patronage or right of presenting to the said bursaries shall, for the future, be vested in the Moderator and Kirk-session of the parish of Cullen.

III. Each bursar shall, after attending for one year at the High School of Aberdeen, be entitled to hold his bursary at the University for four years as a student in Arts, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

IV. The annual payment to be made to each bursar from the income of the foundation shall be sixteen pounds; and the surplus, in each year, of the income of the foundation, including therein any unappropriated income arising from any vacancy in either of the said bursaries, shall be paid into, and form part of, the Common Bursary Fund of the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 42.

[ABERDEEN—REGULATIONS FOR DR JOHN LORIMER'S FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the twenty-first day of November seventeen hundred and ninety-three, Doctor John Lorimer, of Charlotte Street, in the parish of St Mary-le-bone and county of Middlesex, mortified the sum of two hundred pounds to the Marischal College of Aberdeen, for the maintenance and education of a boy of the relations of his father and mother: And whereas difficulties are now experienced in obtaining candidates who are qualified in terms of the will, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

Ordinance, No. 41.

Aberdeen, No. 21.

[Dr William Lorimer's Foundation.]

Ordinance, No. 42.

Aberdeen, No. 22.

[Dr John Lorimer's Foundation.]

Ordinance, No. 42.

Aberdeen, No. 22.

[Dr John Lorimer's  
Foundation.]

I. On the occurrence of any vacancy in the said bursary, if there be no candidate qualified by relationship in terms of the said will, it shall be lawful to appoint a boy to the vacant bursary, though not so qualified.

II. The patronage or right of presenting to the said bursary shall, for the future, be vested in the Moderator and Kirk-session of the parish of Mortlach.

III. Each bursar shall be entitled to hold his bursary for four years as a student in Arts, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

IV. The annual payment to be made to the bursar from the income of the foundation shall be sixteen pounds; and the surplus, in each year, of the income of the foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

### ORDINANCE No. 43.

[ABERDEEN—REGULATIONS FOR COLL FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 43.

Aberdeen, No. 23.

[Coll Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, on or before the fifteenth day of October seventeen hundred and ninety, Alexander Maclean, of Coll, mortified to the King's College of Aberdeen the sum of two hundred pounds for the foundation of a bursary therein, and he directed, *inter alia*, that the produce of the said sum should be annually applied towards the maintenance and education of a young man or boy, to be recommended by him or his heirs and successors in the estate of Coll: And whereas the said Alexander Maclean is now deceased, and there are no heirs or successors of the said Alexander Maclean in the estate of Coll, within the meaning of the said mortification, and the patronage of the said bursary has therefore lapsed: And whereas the said gift took effect more than fifty years prior to the date of the said recited Act, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The patronage or right of presenting to the said bursary shall, for the future, be vested in the Chancellor of the University of Aberdeen for the time being.

II. It shall be lawful to present any person to the said bursary, without restriction as to name; and the person presented shall be entitled to hold the bursary for four years, as a student in Arts, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, the bursary.

III. The annual payment to be made to the bursar from the income of the foundation shall be, as at present, sixteen pounds ten shillings; and the surplus in each year of the income of the foundation,

including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

IV. Nothing herein contained shall extend to, or affect, the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 44.

##### [ABERDEEN—REGULATIONS FOR LEYS FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the sixth and twelfth days of October sixteen hundred and forty-eight, Sir Thomas Burnett, of Leys, Baronet, mortified to the King's College of Aberdeen, certain lands and property for the foundation of three bursaries therein, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas the value of each of the said three bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The three bursaries founded by the said deed of mortification shall hereafter be conjoined into one bursary in the University of Aberdeen, to be called the Leys Bursary, the holder of which shall annually, during his tenure thereof, receive fifteen pounds from the income applicable to the purposes of the foundation; and in all other respects the said one bursary shall be in the same position in regard to patronage, and the period and conditions of tenure, as each of the said three bursaries now is under the said deed of mortification, subject, however, to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith.

II. No appointment of a bursar on the said foundation shall be made, until all the three existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

III. The surplus, in each year, of the income applicable to the purposes of the said foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

IV. Nothing herein contained shall extend to, or affect, the interests of the present holders of any of the said three bursaries.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 45.

##### [ABERDEEN—REGULATIONS FOR GLENFARQUHAR FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any

Ordinance, No. 43.

Aberdeen, No. 23.

[Coll Foundation.]

Ordinance, No. 44.

Aberdeen, No. 21.

[Leys Foundation.]

Ordinance, No. 45.

Aberdeen, No. 25.

[Glenfarquhar Foundation.]

Ordinance, No. 45.  
Aberdeen, No. 25.  
[Glenfarquhar  
Foundation.]

Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the seventh day of August seventeen hundred and sixteen, Sir Alexander Falconer, of Glenfarquhar, appointed an annuity of three hundred and twenty pounds Scots, to be paid out of the lands of Tillievaird and Middletown therein mentioned, for the educating and maintaining four boys yearly at the King's College of Aberdeen, in the manner and subject to the conditions in the said deed more particularly set forth; and he thereby appointed one half of the said boys to be presented by his grandchild Sir Alexander Ramsay of Balmain, his heirs and successors, lairds of Balmain, descended of the then Lady Balmain, the grantor's daughter, and the other half to be presented by the heirs and successors who should happen to succeed to the grantor in the estate of Glenfarquhar and the lands of Tillievaird and Middletown aforesaid, of the name of Falconer: And whereas the value of the four bursaries on the said foundation is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The two bursaries on the said foundation, the right of presenting to which was by the said deed vested in the then Sir Alexander Ramsay of Balmain, his heirs and successors, lairds of Balmain, descended of the grantor's daughter as aforesaid, shall be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive sixteen pounds sixteen shillings from the income of the foundation; and no appointment of a bursar under the said right of presentation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, under the said right of presentation; and so on, as often as the said one bursary shall thereafter become vacant: Provided always, that, in all other respects than as aforesaid, the said one bursary shall be in the same position in regard to patronage, and the period and conditions of tenure, as each of the said two bursaries now is under the said deed, subject, however, to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith.

II. The two bursaries on the said foundation, the right of presenting to which was by the said deed vested in the grantor's heirs and successors in the estate of Glenfarquhar and the lands of Tillievaird and Middletown aforesaid, of the name of Falconer, shall be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive sixteen pounds sixteen shillings from the income of the foundation, and no appointment of a bursar under the said right of presentation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, under the said right of presentation; and so on, as often as the said one bursary shall thereafter become vacant: Provided always, that, in all other respects than as aforesaid, the said one bursary shall be in the same position in regard to patronage, and the period and conditions of tenure, as each of the last-mentioned two bursaries now is under the said deed, subject, however, to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith.

III. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from any vacancy in either of the said bursaries, shall be paid into, and form part of, the Common Bursary Fund of the University.

IV. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 46.

##### [ABERDEEN—REGULATIONS FOR UDN Y DUFF FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 46.  
Aberdeen, No. 26.  
[Udny Duff Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far

as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by bond, dated the twenty-first day of July seventeen hundred and ninety-one, James, Earl of Fife, did, by the desire of Mrs Margaret Udny Duff of Coulter, and for the considerations therein mentioned, bind himself to secure the sum of six thousand merks Scots for the maintenance and education of two or more young men of the name, relation, or connection of her family at the King's College of Aberdeen, in the manner and subject to the conditions in the said bond more particularly set forth: And whereas the value of the two bursaries now on the said foundation is very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The two bursaries now on the said foundation shall hereafter be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive fourteen pounds from the income of the foundation.

II. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

III. On the occurrence of any vacancy in the said one bursary, if there be no candidate qualified by name or relationship in terms of the said bond, it shall be lawful to appoint a young man to the vacant bursary though not so qualified.

IV. Except as hereinbefore expressly provided, and subject to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith, the said one bursary shall be in the same position in regard to patronage, and the period and conditions of tenure, as each of the two present bursaries on the said foundation now is.

V. The surplus, in each year, of the income of the said foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 47.

##### [ABERDEEN—REGULATIONS FOR FULLERTON, MOIR, AND GRAY FOUNDATIONS.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the twenty-fifth day of January sixteen hundred and ninety-two, James Fullerton of Halstead, in the county of Essex, gentleman, mortified certain property for the maintenance of scholars in the King's College of Aberdeen, in the manner and subject to the conditions in the said will more particularly set forth: And whereas, by his will, Doctor Alexander Moir of St Croix mortified to the said College the sum of six hundred pounds for the support and education of four students therein, in the manner and subject to the conditions in the said will more particularly set forth: And whereas, by deed of mortification, dated the nineteenth day of December seventeen hundred and sixty-eight, John Gray, of King Street, Covent Garden, in the county of Middlesex, Esquire, mortified to the Marischal College of Aberdeen the sum of one thousand pounds for the foundation of mathematical bursaries therein: And whereas each of the said mortifications took effect more than fifty years prior to the date of the said recited Act, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donors, would be better advanced by an alteration of the conditions and directions affecting the said mortifications, in manner hereinafter pro-

Ordinance, No. 46.

Aberdeen, No. 26.

[Udny Duff Foundation.]

Ordinance, No. 17.

Aberdeen, No. 27.

[Fullerton, Moir, and Gray Foundations.]

Ordinance, No. 47.

Aberdeen, No. 27.

[Fullerton, Moir,  
and Gray Foun-  
dations.]

vided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortifications, as follows:—

I. There shall hereafter be fourteen bursaries in all, and no more, on the foundation of the said James Fullerton, in the University of Aberdeen; and of such fourteen bursaries, five shall be of the annual value of twenty pounds each, and nine shall be of the annual value of fifteen pounds each.

II. There shall hereafter be fourteen bursaries in all, and no more, on the foundation of the said Alexander Moir in the University of Aberdeen; and of such fourteen bursaries, four shall be of the annual value of twenty pounds each, and ten shall be of the annual value of fifteen pounds each.

III. Each of the said fourteen Fullerton bursaries, and each of the said fourteen Moir bursaries, shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction or preference to students of any particular kindred or name: Provided always, that no student shall be admissible to the competition for any bursary, who has, for more than one session, been a student in the Faculty of Arts in any one or more of the Scottish Universities.

IV. Each bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

V. In the event of a vacancy occurring in any bursary on either of the said foundations during the currency of the period of four years, for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts, as the bursar was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

VI. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to each of the said fourteen Fullerton Bursaries, and also in what year an appointment shall be made for the first time to each of the said fourteen Moir Bursaries, and shall, in the exercise of this discretion, have special regard to the expediency of distributing as much as possible among students of different years the benefits of competition bursaries; and, for this purpose, it shall be lawful for the Senatus to keep any one or more of the said bursaries vacant for such period, not exceeding in any case the period of three years, as they may think expedient.

VII. No appointment shall hereafter be made to either of the bursaries on the foundation of the said John Gray; and as soon as the interests of the present bursars shall have ceased, the income of the property included in the mortification shall, instead of being applied in payment of such bursaries, or of any fees in respect thereof, be disposed of in manner hereinafter provided.

VIII. After setting aside in each year, from the income of the property included in each of the said Fullerton and Moir mortifications, such a sum as may be necessary to provide for the payment of the bursars on the foundation for the time, and of all other burdens, the surplus of the yearly income of the property included in each of the said mortifications, and the net income of the property included in the mortification of the said John Gray, shall be placed to the account of a special fund, to be called the Fullerton, Moir, and Gray Scholarship Fund, which shall be applied in manner hereinafter provided.

IX. There shall hereafter be eight scholarships in the University of Aberdeen, to be called the Fullerton, Moir, and Gray Scholarships; and the holder of each of such scholarships shall annually, during his tenure thereof, receive the sum of sixty-five pounds from the said Scholarship Fund: Provided always, that, in the event of the fund being insufficient in any year to afford such payment of sixty-five pounds to each scholar, the stipends of the scholars then on the foundation shall suffer such equal abatement, as the Senatus Academicus shall deem necessary.

X. Each scholarship shall be tenable for four years.

XI. Each scholarship shall be awarded after a special competitive examination; and all persons who shall have obtained the degree of Master of Arts in the University in the year in which the competition takes place, and also all persons who shall have obtained the said degree in the preceding year, shall be admissible to the competition.

XII. Of the said eight scholarships, four shall be awarded for distinction in Classical Literature, including English, Latin, and Greek Literature, and in Mental Philosophy, including Logic, Metaphysics, and Moral Philosophy; and four shall be awarded for distinction in Mathematics, including pure Mathematics and Natural Philosophy.

XIII. The examination for each of the four scholarships to be awarded for distinction in Classical Literature and Mental Philosophy shall be conducted by the Professor of Greek, the Professor of Humanity, the Professor of Logic, the Professor of Moral Philosophy, and an additional Examiner to be appointed by the Senatus Academicus, who shall not be a member of the Senatus; and the examination for each of the four scholarships to be awarded for distinction in Mathematics shall be conducted by the Professor of Mathematics, the Professor of Natural Philosophy, and an additional Examiner to be appointed by the Senatus Academicus, who shall not be a member of the Senatus: Provided always, that, in the event at any time of any of the said Professors being prevented from acting as Examiner, the Senatus Academicus shall appoint a person to act in his place, who may or may not be a member of the Senatus.

XIV. One of the said scholarships to be awarded for distinction in Classical Literature and Mental

Philosophy, and one of the said scholarships to be awarded for distinction in Mathematics, shall be awarded for the first time in the year eighteen hundred and sixty-three; and thereafter two scholarships, but no more, shall be awarded in each year, one for distinction in Classical Literature and Mental Philosophy, and the other for distinction in Mathematics.

XV. The competitive examination for scholarships in each year shall take place at such time, after the ordinary period for conferring degrees in Arts, as the Senatus Academicus may determine; and each Examiner shall receive for such examination a fee of five pounds out of the Common Bursary Fund of the University.

XVI. In the event of a vacancy occurring in any scholarship during the currency of the four years for which the same is tenable, it shall be kept vacant for the remainder of such four years then unexpired, and the income thereof during the vacancy, and also the residue of the surplus income of the said scholarship fund, after providing for the stipends of the scholars on the foundation for the time, shall be paid into, and form part of, the said Common Bursary Fund; and the said scholarship fund shall, for the purpose of any claim against the Common Bursary Fund, be considered and dealt with as one foundation.

XVII. Nothing herein contained shall extend to, or affect, the interests of any bursars now on any of the said foundations at the University.

It witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 48.

[ABERDEEN—REGULATIONS FOR CARGILL FOUNDATION.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professor, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated at Aberdeen in the year sixteen hundred and fourteen, James Cargill, Doctor of Medicine, mortified to the Magistrates and Council of Aberdeen the sum of four thousand merks for the maintenance of four poor scholars, and specially of his own friends, which failing, to town's bairns of New Aberdeen at the College wherein learning should be thought by the Council of Aberdeen most to flourish, in the manner and subject to the conditions in the said will more particularly set forth: And whereas it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas the income of the said mortification has heretofore been applied towards the maintenance of bursars in Arts in the Marischal College of Aberdeen: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College, under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter, as prescribed by the said will, be four bursaries, and no more, on the said foundation, in the Faculty of Arts in the University of Aberdeen; and the said bursaries shall be regulated in all respects by the terms of the said will, except as hereinafter provided, and subject always to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith.

II. It shall be lawful for the Magistrates and Council of Aberdeen to present any person to a vacant bursary, without restriction as to kindred or place of birth.

III. The annual payment to be made to each bursar from the income of the foundation shall be twenty pounds; and it shall be in the power of the Magistrates and Council to increase such payment from time to time, as the funds shall appear to them to be sufficient to afford such increase: Provided always, that, in the event of the income being insufficient in any year to afford the payment of twenty pounds to each bursar, the stipends of the bursars shall suffer such equal abatement, as the Magistrates and Council shall deem necessary.

IV. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

Ordinance, No. 47.

Aberdeen, No. 27.

[Fullerton, Moir, and Gray Foundations.]

Ordinance, No. 48.

Aberdeen, No. 28.

[Cargill Foundation.]

Ordinance, No. 51.

Aberdeen, No. 31.

[Turner Founda-  
tion.]

conditions of tenure, as each of the said two bursaries now is under the said deed, subject, however, to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith.

II. The two bursaries on the said foundation, the right of presenting to which was, by the said deed, vested in the founder's heirs and successors, shall be conjoined into one bursary in the University of Aberdeen, the holder of which shall annually, during his tenure thereof, receive from the income of the foundation an amount equal to that which the holders of the said two bursaries would, but for this Ordinance, have received; and no appointment of a bursar under the said right of presentation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, under the said right of presentation; and so on, as often as the said one bursary shall thereafter become vacant: Provided always, that, in all other respects than as aforesaid, the said one bursary shall be in the same position in regard to patronage, and the period and conditions of tenure, as each of the last-mentioned two bursaries now is under the said deed, subject, however, to the provisions of Ordinance No. 28, Aberdeen No. 8, of even date herewith.

III. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 52.

Ordinance, No. 52.

Aberdeen, No. 32.

[Redyth Founda-  
tion.]

[This Ordinance was disallowed by Order in Council, dated 20th March 1863, and is therefore not printed here.]

## ORDINANCE No. 53.

## [ABERDEEN—ALLOCATION OF MANSES.]

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 53.

Aberdeen, No. 33.

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of or connected with the several Universities of Scotland; and further, to make arrangements and regulations as to the uses and purposes to which the buildings of King's College and Marischal College, now united and incorporated as the University of Aberdeen, shall be appropriated: The Commissioners statute and ordain as follows:—

I. Subject always to the rights of occupation given by Ordinance No. 6, Aberdeen No. 2, of the ninth day of January eighteen hundred and sixty, and subject also, so long as any debt shall exist on the manses, or any of them, to the payment of the same rent as is now payable, the right of occupation of the manses belonging to the University shall be regulated as follows:—

1. Whereas the Principal of the University is now in occupation of a house provided for him, and whereas arrangements may be made for securing the said house permanently as a manse for the Principal, the right of occupation of the manse lately occupied by Professor Fyfe, now deceased, shall be attached to the Professorship of Divinity and Biblical Criticism: Provided always, that, in the event, at any time hereafter, of the Principal being deprived of the occupation of the house now occupied by him, and not being provided with another in its place, the right of occupation of the said manse shall be transferred from the said Professorship, and attached to the office of Principal:
2. The right of occupation of the manse now occupied by Professor Geddes shall be attached to the Professorship of Greek:
3. The right of occupation of the manse now occupied by Dr Ferguson, formerly Professor of Humanity in King's College, shall, on his ceasing to occupy the same, be attached to the Professorship of Humanity:
4. The right of occupation of the manse now occupied by Professor Fuller shall be attached to the Professorship of Mathematics:
5. The right of occupation of the manse now occupied by Professor Thomson shall, on his ceasing to occupy the same, be attached to the Professorship of Divinity and Church History:
6. The right of occupation of the manse now occupied by the Reverend Professor Macpherson shall be attached to the Professorship of Systematic Theology.

II. In every case, the right of occupation of a manse shall include the right of occupation of such ground adjacent thereto, as has heretofore been in use to be occupied therewith: Provided always, that this shall not be held to include a right to occupy any ground now let for agricultural purposes: Provided also, that, in the event of any ground belonging to the University, or of any ground, the right to occupy which is hereby given, being required for the purpose of any addition or additions to the University buildings, no claim shall be competent to any member of the *Senatus Academicus*, or to any person or body connected with the University, for compensation in respect of its being so applied.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 6th August 1862.*

## ORDINANCE No. 54.

## [GLASGOW—REGULATIONS FOR WILSON FOUNDATION.]

*At Edinburgh, the Seventeenth Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein ; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein ; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof : And whereas, by his will, dated the fifteenth day of September sixteen hundred and seventeen, Michael Wilson, of Eastbourne, in the county of Sussex, gentleman, bequeathed certain property for, among other purposes, the education of bursars in the University of Glasgow, and there are now two bursaries in Divinity on the said foundation in the patronage of the Magistrates and Council of Glasgow : And whereas the value of the said two bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided : The Commissioners statute and ordain, with reference to the said foundation, as follows :—

I. The two bursaries on the said foundation in the patronage of the Magistrates and Council as aforesaid shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive thirteen pounds six shillings and eightpence from the fund on which the said two bursaries are now chargeable.

II. It shall be lawful for the Magistrates and Council of Glasgow to present to the bursary any person, without restriction as to kindred, but subject to the condition that he be a Master of Arts of a Scottish University ; and the person presented shall be entitled to hold the bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the University of Glasgow ; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary : Provided always, that, in case of any gross misconduct on the part of the holder of the bursary, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch ; but in the meantime the decision of the Senatus Academicus shall receive effect from its date.

III. No appointment of a bursar on the said foundation in the patronage of the Magistrates and Council shall be made, until both the existing bursaries are vacant ; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, to the said one bursary, and so on, as often as the said one bursary shall thereafter become vacant.

IV. Nothing herein contained shall extend to or affect any bursary on the foundation of the said Michael Wilson, which is not in the patronage of the Magistrates and Council, nor the interests of any bursars now on the foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

## ORDINANCE No. 55.

## [GLASGOW—REGULATIONS FOR STRUTHERS FOUNDATION.]

*At Edinburgh, the seventeenth Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein ; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein ; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may

Ordinance, No. 54.

Glasgow, No. 5.

[Wilson Foundation.]

Ordinance, No. 55.

Glasgow, No. 6.

[Struthers Foundation.]

Ordinance, No. 55.  
Glasgow, No. 6.  
[Struthers Founda-  
tion.]

better advance the purposes thereof: And whereas there are now two bursaries in Divinity in the University of Glasgow on the foundation of the Reverend William Struthers, of date in or about the year sixteen hundred and thirty-three: And whereas the value of the said two bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive thirteen pounds six shillings and eightpence from the fund on which the said two bursaries are now chargeable.

II. It shall be lawful for the Patrons to present any person to the bursary, without restriction as to kindred or birthplace, but subject to the condition that he be a Master of Arts of a Scottish University; and the person presented shall be entitled to hold the bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the University of Glasgow, but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of the holder of the bursary, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation, and so on as often as the said one bursary shall thereafter become vacant.

IV. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 56.

##### [GLASGOW—REGULATIONS FOR BOYD FOUNDATION.]

*At Edinburgh, the seventeenth Day of May Eighteen hundred and sixty-two Years.*

Ordinance, No. 56.  
Glasgow, No. 7.  
[Boyd Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Glasgow two bursaries in Divinity in the patronage of the Magistrates and Council of Glasgow, on the foundation of the Reverend Zachary Boyd, of date in or about the year sixteen hundred and thirty-five: And whereas the value of the said two bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The two bursaries on the said foundation in the patronage of the Magistrates and Council as aforesaid shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive eleven pounds from the fund on which the said two bursaries are now chargeable.

II. No person shall be presented to the said bursary, unless he be a Master of Arts of a Scottish University.

III. Each bursar shall be entitled to hold the bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the University of Glasgow; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of the holder of the bursary, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. No appointment to a bursary on the said foundation in the patronage of the Magistrates and Council shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that

event, an appointment shall be made of one bursar, and no more, to the said one bursary, and so on, as often as the said one bursary shall thereafter become vacant. Ordinance, No. 56.

V. Nothing herein contained shall extend to, or affect, the bursary on the foundation of the said Zachary Boyd in the patronage of the Merchants' House in Glasgow, nor the interests of any bursars now on the foundation at the University. Glasgow, No. 7. [Boyd Foundation.]

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 6th August 1862.*

### ORDINANCE No. 57.

[GLASGOW—REGULATIONS FOR ARMAGH FOUNDATION.]

*At Edinburgh, the Seventeenth Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the twenty-first day of March seventeen hundred and thirty-three, Doctor Hugh Boulter, Archbishop of Armagh, mortified certain property for the foundation of a bursary in the University of Glasgow, to be held for a period of three years by a graduate in Arts of the University born in England or Ireland, who should prosecute the study of Theology, Law, or Medicine, in the manner and subject to the conditions in the said deed more particularly set forth; and he thereby empowered the University, out of the income of any increase in the capital of the mortification, to found another bursary under like conditions: And whereas, in the year seventeen hundred and seventy-three, and again in or about the year eighteen hundred and six, the University founded another bursary in virtue of the power so conferred: And whereas difficulties are now experienced in obtaining candidates who are qualified in terms of the deed, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be three bursaries on the said foundation, and the holder of each of such bursaries shall annually, during his tenure thereof, receive twenty-five pounds from the income of the foundation.

II. All persons, without restriction as to kindred or birthplace, who have obtained the degree of Master of Arts in the University in the year in which an appointment to a vacant bursary is made, shall be eligible for such bursary; and the Senatus Academicus shall appoint thereto the candidate who, in their opinion, is the most distinguished as a graduate in Arts for the year, as may appear either from the report of the Examiners for graduation in Arts, or from such report in connection with any other examination which the Senatus may think necessary: Provided always, that, between candidates whose qualifications in other respects shall appear to the Senatus to be equal, a preference shall be given to a candidate born in England or Ireland: Provided also, that no person shall be entitled to hold any of the said bursaries along with any other bursary in the University.

III. Each bursar shall be entitled to hold his bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology, Law, or Medicine in the University of Glasgow; but, if he shall discontinue his attendance as such student, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. The bursars shall not be required or entitled, as such, to reside in the University, or to perform any duties in connection with the University library.

V. With the view of distributing, as far as possible, among students of different years the benefits of the said bursaries, no appointment shall in any case be made to more than one of the said bursaries in the same year.

VI. The surplus, in each year, of the income of the Armagh Foundation, including therein any unappropriated income arising from any vacancy in any of the bursaries, shall be paid into, and form part of, the foundation funds of the University; and the Armagh Foundation shall have a claim upon the said funds for augmentation or increase of bursaries, or for any necessary purposes, corresponding,

Ordinance, No. 57. or as near as may be corresponding, to the amount of the contributions which, from time to time, it shall have made thereto.

Glasgow, No. 8.

[Armagh Foundation.]

VII. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

# ORDINANCE No. 58.

[ST ANDREW'S—REGULATIONS FOR GRANT FOUNDATION.]

*At Edinburgh, the Seventeenth Day of May Eighteen hundred and sixty-two Years.*

Ordinance, No. 58.

St Andrew's, No. 6.

[Grant Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof; and the Commissioners are further empowered to make rules as to the amount and exaction of fees in the said Universities: And whereas, by deed of mortification, dated the fourth day of February sixteen hundred and seventy-eight, Mr Alexander Grant, one of the Regents of St Leonard's College in the University of St Andrew's, mortified certain property for the maintenance and education of three bursars therein yearly in all time coming: And whereas an agreement, dated the seventh and thirtieth days of December seventeen hundred and forty-seven, was made between the then Principal and Professors of the United College of St Salvator and St Leonard, and Sir Ludovic Grant of Grant, the then Patron of the bursaries on the said foundation, in virtue of which the number of the said bursaries was reduced to two, and certain arrangements were also made with reference to the fees to be paid by and for the bursars, which are now inapplicable to the altered state of circumstances; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be two bursaries, and no more, on the said foundation, and the holder of each of such two bursaries shall annually, during his tenure thereof, receive one-half of the net income of the foundation.

II. Each person presented to either of the said bursaries shall be entitled to hold the bursary for four years as a student in Arts in the United College, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said College, and shall pass the examinations required by the University of St Andrew's of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the College as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Principal and Professors of the United College to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the said Principal and Professors shall receive effect from its date.

III. No bursar shall be entitled to admission to any class in the United College without payment of fees of the same amount as are payable by other students.

IV. It shall be the duty of the Principal and Professors of the United College, at some period between the first day of May and the first day of July in each year in which, to their knowledge, either of the said bursaries will fall to be filled up before or at the commencement of the next ensuing winter session of the College, to intimate the same to the Patron; and it shall also be the duty of the Principal and Professors, on the occurrence of any unexpected vacancy in either bursary, forthwith to intimate the same to the Patron; and it shall be incumbent on the Patron to present to each vacant bursary without undue delay; and, in the event of the Patron allowing, after such intimation as aforesaid, an entire winter session of the United College to elapse without presenting to the vacant bursary, the right to present thereto shall, for that time, be transferred to, and devolve upon, the College, who shall have the power of appointing a bursar at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by the Patron.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the College.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

## ORDINANCE No. 59.

## [ST ANDREW'S—REGULATIONS FOR GUILD FOUNDATION.]

*At Edinburgh, the Seventeenth Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the nineteenth day of December sixteen hundred and fifty-six, the Reverend William Guild, Doctor of Divinity, mortified to the Magistrates and Council of Dundee the sum of four thousand pounds Scots for the entertainment of four bursars at the College of St Leonard's in St Andrew's, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas the value of the property included in the said mortification is now very small, and for a number of years there have been only two bursars on the foundation, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be one bursary, and no more, on the said foundation, the holder of which shall annually, during his tenure thereof, receive the net income of the foundation.

II. It shall be lawful for the Magistrates and Council of Dundee to present any person to the said one bursary, without restriction as to kindred, place of birth, or circumstances; and the person presented shall be entitled to hold the bursary for four years, as a student in Arts in the United College, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said College, and shall pass the examinations required by the University of St Andrew's of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the College as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Principal and Professors of the United College to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the said Principal and Professors shall receive effect from its date.

III. It shall be the duty of the Principal and Professors of the United College, at some period between the first day of May and the first day of July in each year in which, to their knowledge, the said one bursary will fall to be filled up before or at the commencement of the next ensuing winter session of the College, to intimate the same to the Patrons; and it shall also be the duty of the Principal and Professors, on the occasion of any unexpected vacancy in the bursary, forthwith to intimate the same to the Patrons; and it shall be incumbent on the Patrons, on each occasion of a vacancy in the bursary, to present thereto without undue delay; and, in the event of the Patrons allowing, after such intimation as aforesaid, an entire winter session of the United College to elapse without presenting to the bursary, the right to present thereto shall, for that time, be transferred to, and devolve upon, the College, who shall have the power of appointing a bursar at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by the Patrons.

IV. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the College.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

## ORDINANCE No. 60.

## [ST ANDREW'S—REGULATIONS FOR MALCOLM FOUNDATION.]

*At Edinburgh, the Seventeenth Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the

Ordinance, No. 60.

St Andrew's, No. 8.

[Malcolm Foundation.]

Ordinance, No. 60.  
St Andrew's, No. 8.  
[Malcolm Founda-  
tion.]

said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the twelfth day of April seventeen hundred and eight, Robert Malcolm, merchant in Dundee, mortified certain property for the maintenance and education of two bursars at the Old College of St Andrew's, in the manner and subject to the conditions in the said will more particularly set forth: And whereas the value of the said two bursaries is now very small, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive the net income of the foundation.

II. It shall be lawful for the Patrons to present any person to the said one bursary, without restriction or condition as to name; and the person presented shall be entitled to hold the bursary for four years, as a student in Arts in the United College, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said College, and shall pass the examinations required by the University of St Andrew's of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the College as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Principal and Professors of the United College to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the said Principal and Professors shall receive effect from its date.

III. It shall be the duty of the Principal and Professors of the United College, at some period between the first day of May and the first day of July in each year in which, to their knowledge, the said one bursary will fall to be filled up before or at the commencement of the next ensuing winter session of the College, to intimate the same to the Patrons; and it shall also be the duty of the Principal and Professors, on the occasion of any unexpected vacancy in the bursary, forthwith to intimate the same to the Patrons; and it shall be incumbent on the Patrons, on each occasion of a vacancy in the bursary, to present thereto without undue delay; and, in the event of the Patrons allowing, after such intimation as aforesaid, an entire winter session of the United College to elapse without presenting to the bursary, the right to present thereto shall, for that time, be transferred to, and devolve upon, the College, who shall have the power of appointing a bursar at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by the Patrons.

IV. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the College.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 61.

[ST ANDREW'S—REGULATIONS FOR GLENDEE FOUNDATION.]

*At Edinburgh, the Seventeenth Day of May Eighteen hundred and sixty-two Years.*

Ordinance, No. 61.  
St Andrew's, No. 9.  
[Glendee Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to

frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the seventeenth day of December sixteen hundred and ninety, the Reverend John Glendee bequeathed the sum of one hundred and twenty pounds to St Salvator's or the Old College in St Andrew's, for the maintenance of a bursar at the said College until his laureation, and thereafter for four years more, while he should study Divinity or any other liberal Art or Science, in the manner and subject to the conditions in the said will more particularly set forth: And whereas it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. It shall be lawful for the Patron of the said bursary to present thereto any person, without restriction as to kindred or place of birth; and the person presented shall be entitled to hold the bursary for eight years, as a student in the University of St Andrew's, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required by the United College of presentation bursars, and shall, during the first four years, or the first three years, of his tenure of the bursary, before obtaining the degree of Master of Arts, proceed through the curriculum in Arts in the said College, and shall pass the examinations required by the University of St Andrew's of students proceeding to the degree of Master of Arts, and that, after obtaining the said degree, he shall give regular attendance as a student in Theology in St Mary's College; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the United College, or shall not proceed to St Mary's College, or discontinue his attendance there, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus of the University to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

II. It shall be the duty of the Principal and Professors of the United College, at some period between the first day of May and the first day of July in each year in which, to their knowledge, the said bursary will fall to be filled up before or at the commencement of the next ensuing winter session of the College, to intimate the same to the Patron; and it shall also be the duty of the Principal and Professors, on the occasion of any unexpected vacancy in the bursary, forthwith to intimate the same to the Patron; and it shall be incumbent on the Patron, on each occasion of a vacancy in the bursary, to present thereto without undue delay; and, in the event of the Patron allowing, after such intimation as aforesaid, an entire winter session of the United College to elapse without presenting to the bursary, the right to present thereto shall, for that time, be transferred to, and devolve upon, the College, who shall have the power of appointing a bursar at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by the Patron.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 62.

##### [ST ANDREW'S—REGULATIONS FOR WILKIE FOUNDATION.]

*At Edinburgh, the Twenty-first Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, in or about the year sixteen hundred and twenty-seven, Mr James Wilkie did, in pursuance of a direction contained in the will of his uncle Robert Wilkie, Principal of St Leonard's College in the University of St Andrew's, mortify certain property for the maintenance of six bursars in the said College: And whereas, notwithstanding additions subsequently made thereto, the value of the property included in the mortification is now very small, and the number of bursaries on the foundation has been reduced; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be one bursary, and no more, on the said foundation, the holder of which shall annually, during his tenure thereof, receive the net income of the foundation.

Ordinance, No. 61.

St Andrew's, No. 9.

[Glendee Foundation.]

Ordinance, No. 62.

St Andrew's, No. 10.

[Wilkie Foundation.]

Ordinance, No. 62.

St Andrew's, No. 10.

[Wilkie Foundation.]

II. Each person presented to the said bursary shall be entitled to hold the same for four years as a student in Arts in the United College, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said College, and shall pass the examinations required by the University of St Andrew's of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the College as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Principal and Professors of the United College to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the said Principal and Professors shall receive effect from its date.

III. In the event, on any occasion of a vacancy in the said bursary, of the Patron failing to present and to intimate to the College on or before the thirty-first day of December in the session in which such vacancy falls to be filled up, the name of the bursar whom he presents thereto, the right of presenting the bursar shall for that time be transferred to, and devolve upon, the Principal of the College, who shall be entitled to exercise such right at any time between the said thirty-first day of December and the second day of February then next ensuing; and the bursar then presented shall be entitled to hold the bursary for the like period, and subject, as nearly as may be, to the same conditions, as if he had been presented by the Patron at the commencement of the session.

IV. The holder of the said bursary shall not be entitled to admission to any class in the United College without payment of fees of the same amount as are payable by other students.

V. No appointment of a bursar on the said foundation shall be made, until all the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

L. S.

*Approved by Order in Council, dated 6th August 1862.*

## ORDINANCE No. 63.

[GLASGOW—REGULATIONS FOR FORFAR FOUNDATION.]

Ordinance, No. 63.

Glasgow, No. 9.

[Forfar Foundation.]

*At Edinburgh, the Thirty-first Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification dated the twenty-third day of March seventeen hundred and thirty-seven, Robina, Countess of Forfar, mortified the sum of five hundred pounds to and in favour of the University of Glasgow for the education of bursars therein, and for other purposes in the said deed more particularly set forth, but subject always to the conditions and directions contained in the said deed, and in a subsequent deed, dated the fourteenth day of March seventeen hundred and thirty-eight: And whereas, for a long period, the said conditions and directions have been inapplicable to the altered state of circumstances, and the foundation has been almost entirely in abeyance; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of such conditions and directions, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be four bursaries in all, and no more, on the said foundation; and the holder of each of such four bursaries shall annually, during his tenure thereof, receive twenty pounds from the income of the foundation: Provided always, that, in the event of the income being insufficient in any year to afford the payment of twenty pounds to each bursar, the stipends of the bursars shall suffer such equal abatement as the Senatus Academicus shall deem necessary.

II. Each of the said four bursaries shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction as to place of birth or education: Provided always, that no student shall be admissible to the competition for any bursary, who has for more than one session been a student in the Faculty of Arts in any one or more of the Scottish Universities: Provided also, that, between candidates whose qualifications in other respects shall appear to the Senatus to be equal, a preference shall be given to a candidate qualified by birth and education, as provided by the said deeds.

III. Each bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. In the event of a vacancy occurring in any bursary on the said foundation during the currency of the period of four years for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts as the bursar was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

V. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to each of the said four bursaries, and shall, in the exercise of this discretion, have special regard to the expediency of distributing as far as possible among students of different years the benefits of competition bursaries.

VI. No person shall be entitled to hold any of the said bursaries along with any other bursary in the University.

VII. The surplus in each year of the income of the Forfar foundation, including therein any unappropriated income arising from any vacancy in any of the bursaries, shall be paid into, and form part of, the foundation funds of the University; and the Forfar foundation shall have a claim upon the said funds for augmentation of the said four bursaries, or for any necessary purposes, corresponding, or as near as may be corresponding, to the amount of the contributions which, from time to time, it shall have made thereto.

VIII. Nothing herein contained shall extend to, or affect, the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 64.

##### [GLASGOW—REGULATIONS FOR HASTIE FOUNDATION.]

*At Edinburgh, the Thirty-first Day of May Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the fifth day of September seventeen hundred and seven, the Reverend Alexander Hastie, minister of the East Quarter Parish of Glasgow, mortified certain property to the University of Glasgow for the maintenance of a bursar professing Theology therein: And whereas there are now, and have been for a long period, three bursaries on the foundation, of which two are bursaries in Theology, and the third a bursary tenable for four years in the Faculty of Arts, and for two years in Theology: And whereas it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. There shall hereafter be three bursaries on the said foundation, of which two shall be bursaries in Theology, and the third a bursary in Arts; and the holder of each of such bursaries shall annually, during his tenure thereof, receive twenty pounds from the income of the foundation: Provided always, that, in the event of the income being insufficient in any year to afford the payment of twenty pounds to each bursar, the stipends of the bursars shall suffer such equal abatement as the Senatus Academicus may deem necessary.

II. Each of the said two bursaries in Theology shall be open for competition to all Masters of Arts

Ordinance, No. 63.

Glasgow, No. 9.

[Forfar Foundation.]

Ordinance, No. 64.

Glasgow, No. 10.

[Hastie Foundation.]

Ordinance, No. 64.  
Glasgow, No. 10.  
[Hastie Founda-  
tion.]

of any of the Scottish Universities, without restriction or preference as to name; and the successful candidate for either of the said bursaries shall be entitled to hold the same for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the University of Glasgow; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit his bursary: Provided always, that no person shall be admissible to the competition for either of the said bursaries, who has for more than one session been a student in the Faculty of Divinity in any one or more of the Scottish Universities.

III. The bursary in Arts on the said foundation shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University, without restriction or preference as to name; and the successful candidate shall be entitled to hold the bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit the bursary: Provided always, that no student shall be admissible to the competition for the bursary, who has for more than one session been a student in the Faculty of Arts in any one or more of the Scottish Universities.

IV. In the event of a vacancy occurring in the bursary in Arts during the currency of the period of four years for which the same is tenable as aforesaid, the Senatus Academicus may appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts as the bursar was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and the bursar then appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer: Provided always, that, in the event of the Senatus Academicus not appointing a bursar as aforesaid, the bursary shall continue vacant for the remainder of the said period then unexpired.

V. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to each of the said three bursaries, and shall, in the exercise of this discretion, have special regard to the expediency of distributing as far as possible among students of different years the benefits of competition bursaries.

VI. No person shall be entitled to hold any of the said bursaries along with any other bursary in the University.

VII. In case of any gross misconduct on the part of the holder of any of the said bursaries, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch: Provided always, that, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

VIII. The surplus, in each year, of the income of the Hastie foundation, including therein any unappropriated income arising from any vacancy in any of the bursaries, shall be paid into, and form part of, the foundation funds of the University; and the Hastie foundation shall have a claim upon the said funds for augmentation of the said three bursaries, or for any necessary purposes, corresponding, or as near as may be corresponding, to the amount of the contributions which, from time to time, it shall have made thereto.

IX. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 65.

##### [GLASGOW—REGULATIONS FOR CRAWFURD FOUNDATION.]

*At Edinburgh, the Seventh Day of June Eighteen hundred and sixty-two Years.*

Ordinance, No. 65.  
Glasgow, No. 11.  
[Crawford Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there is now in the University of Glasgow a bursary, known as Crawford's or the Bishop's Bursary, founded by Captain Thomas Crawford of Jordanhill, in the year fifteen hundred and seventy-six: And whereas certain of the conditions and directions attached to the foundation are inapplicable to the altered state of circumstances; and it appears to the Commissioners

that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of such conditions and directions, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The bursary on the said foundation shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University: Provided always, that no student shall be admissible to the competition for the bursary, who has, for more than one session, been a student in the Faculty of Arts in any one or more of the Scottish Universities.

II. Each bursar shall be entitled to hold the bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court, with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. In the event of a vacancy occurring in the bursary during the currency of the period of four years, for which the same is tenable as aforesaid, it shall be lawful for the Senatus Academicus to appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts as the bursar was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and any bursar so appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer.

IV. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to the said bursary; and shall, in the exercise of this discretion, have special regard to the expediency of distributing, as far as possible, among students of different years, the benefits of competition bursaries.

V. No person shall be entitled to hold the said bursary along with any other bursary in the University.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 66.

[GLASGOW—REGULATIONS FOR FOUNDATION BURSARIES.]

*At Edinburgh, the Seventh Day of June Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners, under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now four foundation bursaries in the University of Glasgow, as provided by the Foundation Charter of King James the Sixth, of date the thirteenth day of July fifteen hundred and seventy-seven: And whereas certain of the conditions and directions attached to the said bursaries are inapplicable to the altered state of circumstances; and it appears to the Commissioners that the interests of religion and learning, and the main design of the founder, would be better advanced by an alteration of such conditions and directions, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said bursaries, as follows:—

I. Each of the said four bursaries shall be open for competition to all students entering on their first or second session of attendance in the Faculty of Arts in the said University: Provided always, that no student shall be admissible to the competition for any bursary, who has, for more than one session, been a student in the Faculty of Arts in any one or more of the Scottish Universities.

II. Each bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but,

Ordinance, No. 66  
Glasgow, No. 12.  
[Foundation Bursaries.]

if he shall fail to pass any of the examinations required as aforesaid of students proceeding to the degree of Master of Arts, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. In the event of a vacancy occurring in any of the said bursaries during the currency of the period of four years, for which the same is tenable as aforesaid, it shall be lawful for the Senatus Academicus to appoint a bursar for the remainder of the said period then unexpired, from among the students of the same standing in the curriculum in Arts as the bursar was in whose room the appointment is made, and that either after competition or otherwise, as they may think most expedient; and any bursar so appointed shall, subject to the same conditions as aforesaid, be entitled to hold the said bursary for the remainder of the said period of four years then unexpired, and no longer.

IV. The Senatus Academicus shall, in their discretion, determine in what year an appointment shall be made for the first time to each of the said four bursaries; and shall, in the exercise of this discretion, have special regard to the expediency of distributing, as far as possible, among students of different years, the benefits of competition bursaries.

V. No person shall be entitled to hold any of the said bursaries along with any other bursary in the University.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, Chairman.

(L. S.)

Approved by Order in Council, dated 6th August 1862.

#### ORDINANCE No. 67.

[EDINBURGH—REGULATIONS FOR NAIRNE FOUNDATION.]

*At Edinburgh, the Seventh Day of June Eighteen hundred and sixty-two Years.*

Ordinance, No. 67.  
Edinburgh, No. 7.  
[Nairne Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh two bursaries in Divinity on the foundation of Mr James Nairne: And whereas the value of the said two bursaries is now very small: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive sixteen pounds thirteen shillings and fourpence from the fund on which the said two bursaries are now chargeable.

II. The patronage of, or right of presentation to, the said one bursary, shall be vested in the Professor of Divinity in the said University for the time being, in whom is now vested the patronage of the two existing bursaries on the said foundation; and such right of presentation shall be exercised subject to the condition, that the person presented be a Master of Arts of a Scottish University.

III. Each bursar shall be entitled to hold the said bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the University of Edinburgh; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of the holder of the said bursary, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. No appointment of a bursar on the said foundation shall be made, until both the existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

V. No person shall be entitled to hold the said bursary along with any other bursary, or with any scholarship in the University. Ordinance, No. 67.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University. Edinburgh, No. 7.

In witness whereof, these presents are sealed with the seal of the Commission. [Nairne Foundation.]

JOHN INGLIS, *Chairman*.

L. S.

*Approved by Order in Council, dated 6th August 1862.*

# ORDINANCE No. 68.

[GENERAL—REGULATIONS FOR LIBRARIES—USE OF EDINBURGH UNIVERSITY LIBRARY BY FELLOWS OF COLLEGE OF SURGEONS. See also ORDINANCE No. 89.]

*At Edinburgh, the Seventh Day of June Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make such provision by Ordinance, as they shall see fit, for the better custody and management of the Libraries belonging to the Universities: The Commissioners statute and ordain as follows:—

I. The Librarian in each University shall have the ordinary management of the Library of the University, subject to the superintendence of the Library Committee of the Senatus Academicus, to be appointed as hereinafter provided.

II. The Senatus Academicus shall in each year appoint a committee of their own number, to be called the Library Committee, whose duty it shall be, under the authority and subject to the directions of the Senatus, to take special charge of the affairs and business of the Library; and such committee shall consist of not less than five members, of whom three shall be a quorum; and in the event of there being a Finance Committee of the Senatus, one member at least of the Finance Committee shall be also a member of the Library Committee.

III. The Librarian in each University, and such Assistant Librarians as the Senatus Academicus may think necessary, shall be appointed by the Senatus Academicus, who shall also have the power of suspending or dismissing such Librarian and Assistant Librarians, subject to an appeal to the University Court, as provided by the twelfth section of the said Act.

IV. All books ordered for the Library shall be sent direct to the Librarian, and shall be forthwith entered by him in the Catalogue, and noted with distinguishing marks; and no person shall be allowed to use or borrow any book, until it has been entered in the Catalogue, and noted.

V. The Senatus Academicus, or their Library Committee, shall from time to time make provision for the manner in which the ordinary business of the Library, in regard to borrowing and consulting books, shall be conducted, by establishing a regular and authentic record of borrowing and returning books on such a system as shall secure their due return and preservation.

VI. The Librarian shall from time to time prepare a list, to be submitted to, and adjusted and approved by, the Senatus, and, when so adjusted and approved, to be kept by the Librarian, of such books, manuscripts, and other works, as ought not to be lent out of the Library, and which shall not be lent out on any terms; and the Senatus shall from time to time make such regulations, as they shall think expedient, for allowing access to such works for consultation.

VII. The Librarian shall from time to time prepare a list, to be submitted to, and adjusted and approved by, the Senatus, and, when so adjusted and approved, to be kept by the Librarian, of such works as ought not to be lent out of the Library, except upon special application, and by special permission of the Library Committee; and the Senatus shall from time to time make such general regulations as to the conditions under which such works may be borrowed, as they shall think expedient; and, in addition to such general regulations, the Library Committee may, in each individual case of borrowing such works, impose such special conditions as they may think necessary or expedient: Provided always, that every such special permission, and all such additional conditions imposed by the Library Committee, shall be entered in the Minute Book of the Committee.

VIII. A general inspection of the Library of each University, and of the record kept, as above provided by Section V., of the borrowing and returning of books, shall take place in each University annually, at such time and during such period as the Senatus Academicus shall determine.

IX. During the period of the annual inspection the Library shall be closed, and all works whatever, and by whomsoever borrowed, shall be returned to the Library before the commencement of such period, under a penalty, previously fixed and publicly notified by the Senatus, of not less than one shilling a volume; and, in the event of any volume not being returned before the expiration of one week after the last day of the inspection, the fine shall be repeated weekly until such volume is returned, or until a copy of the work of the same edition, and of equal value, shall, at the expense of the borrower, be placed in the Library in its stead: Provided always, that the amount of the fine in the case of works borrowed by special permission as aforesaid, may be fixed either by general regulation of the Senatus, or by special condition imposed by the Library Committee in any individual case.

X. The use of the Library by persons not being students of the University shall be subject to the following regulations:—

1. Each member of the Senatus Academicus shall be entitled to have in his possession at one time twenty-five volumes, but not more.

Ordinance, No. 68.

General, No. 6.

2. Each member of the General Council, who has paid all fees necessary to entitle him to act as such, shall, in each year in which he shall have paid a subscription to the Library of ten shillings and sixpence, be entitled to have in his possession at one time four volumes, but not more: Provided always, that a payment, instead of such yearly subscription, of a composition of five guineas shall entitle a person to the like privilege, so long as he shall continue a member of the General Council: Provided also, that, in regard to the use of the Library by members of the General Council, the year shall, in each of the Universities of St Andrew's, Glasgow, and Edinburgh, be held to date from the fifteenth day of October, and in the University of Aberdeen from the fifteenth day of September.
3. In consideration of the annual payment of five pounds by the Royal College of Surgeons of Edinburgh to the University of Edinburgh, each Fellow of the College resident within ten miles of Edinburgh, shall, in each year in which he shall have paid a subscription of one guinea to the Library of that University, be entitled to have in his possession at one time ten volumes, but not more: Provided always, that the said College of Surgeons and the members thereof, as such, shall not be entitled, in virtue of any former agreement or otherwise, to any privilege or use of the Library of the said University, except as herein specially provided: Provided also, that, as regards such use of the said Library, the year shall be held to date from the fifteenth day of October.
4. Subject always to the provision as to the return of books at the annual period of inspection, every person in each of the said classes mentioned in this section, shall be entitled to retain each book for one month from the date of borrowing, if the book has been borrowed at any time between the first day of October and the thirtieth day of April inclusive, and for two months from the date of borrowing, if the book has been borrowed at any time between the first day of May and the thirtieth day of September inclusive; and shall further, after the expiration of such period of one month, or of two months, as the case may be, be entitled to retain each book until the annual period of inspection, unless notice shall be received from the Librarian, requiring the return of such book, which notice shall be issued on application being made for the same by any person entitled to the use of the Library, or by order of the Senatus Academicus, or of the Library Committee, and shall require the return of the book within a certain short period, to be specified in the notice, under a penalty of not less than one shilling a volume, if the book be not returned within such period, and, after the expiration thereof, under a farther penalty of sixpence a volume for each day, as long as the book is not returned, until the amount of the fine shall exceed the sum for which the book can be replaced in the Library, such penalties to be also specified in such notice: Provided always, that, in the event of the Library possessing more than one copy of the book so applied for, and of all the copies being out of the Library, such notice as aforesaid shall be sent to the earliest borrower.

XI. The use of the Library by matriculated students of the University shall be regulated as follows:—

1. Every matriculated student shall be entitled to have in his possession two volumes at one time, and shall be entitled to retain any book for two weeks from the date of borrowing; and further, to re-borrow any book for successive periods of two weeks, unless an application for the same shall in the meantime have been made by another person entitled to the use of the Library: Provided always, that it shall be in the power of the Senatus Academicus, if they shall think it expedient, to allow students either generally, or during any particular period of the year, to be in possession of more than two volumes at a time.
2. It shall be in the power of the Senatus Academicus, from time to time, to make such regulations as to a deposit of money by students borrowing books from the Library, as they shall think expedient; and also to regulate the use of the Library by students in consulting books in the Library itself.
3. No certificate of attendance upon a class shall be granted by a Professor to any student without the production of evidence to the Professor, that the student has duly returned all books which he may have borrowed from the Library.

XII. Students enrolled by the University of Edinburgh as attending the lectures of Extra-Academical Teachers in Edinburgh, under the sixth sub-section of the sixth section of Ordinance No. 8, Edinburgh No. 3, shall be entitled to the like privileges in connection with the Library of that University, and be subject in the same manner to any regulations to be made by the Senatus, as matriculated students of the University; and no certificate of attendance on the lectures of any such Teacher shall be given to any student so enrolled, without the production of evidence to the Teacher that the student has duly returned all books which he may have borrowed from the Library.

XIII. It shall be in the power of the Senatus Academicus, from time to time, to grant the use of the Library to such extent, and on such conditions, as they shall think expedient, to persons for purposes of literary research, and that, whether such persons shall be members of the University or not: Provided always, that no such privilege shall in any case be granted, except by minute of the Senatus specifying the grounds on which the grant is made, and the conditions which have been attached thereto, an extract of which minute shall be forthwith transmitted to the University Court.

XIV. All grants of the use of the Library made by the Senatus Academicus, in pursuance of the preceding section, shall terminate at the annual period of inspection of the Library, but shall be renewable under like conditions, if again applied for on the expiration of that period: Provided always, that the Library Committee may be empowered by the Senatus, to renew any such grant until the first meeting of Senatus after the expiration of the annual period of inspection, but no longer.

XV. In the event of any book being lost or injured, while in the possession of a person entitled to the use of the Library, he shall be liable either to replace the same, or to pay such fine, either as representing the value of the book, or otherwise, as may be fixed by the Senatus Academicus, or by the Library Committee, in the event of their having been empowered by the Senatus to fix the amount of such fines.

XVI. So long as any person shall remain in possession of a book which he is not entitled to retain, or shall allow any fine incurred by him to remain unpaid, the right of such person to borrow or retain any books whatever, or to exercise any of the privileges of the Library, shall be suspended, and remain in abeyance. Ordinance, No. 68.  
General, No. 6.

XVII. No book shall in any case be given out of the Library except to the borrower in person, or to some one having written authority from him.

XVIII. On the expiration of the annual period of inspection, the Librarian shall report to the Senatus Academicus, in reference to the year then ended:—

1. The particulars of every case of admission to special privileges in the use of the Library;
2. The particulars of every case in which a person's right to the use of the Library has been suspended, or is in abeyance;
3. Every case of a book belonging to the Library having been replaced at the expense of a person entitled to the use of the Library;
4. A list of all books belonging to the Library known or found at the time of the inspection to be amissing, or seriously injured;
5. Any other matter which the Librarian may think it of importance to bring under the notice of the Senatus, or regarding which the Senatus may have directed him to report;

and the Senatus shall forward a copy of such Report to the University Court, with their remarks.

XIX. At the conclusion of the annual period of inspection, a list shall be made of all persons who may have failed to return by that time any books borrowed by them, or to pay any fines incurred, along with the names of the books so unreturned, and the amounts of the fines then due; and such list shall be exhibited in some conspicuous place in the Library; and no name shall be removed therefrom, until in each case the book or books be returned or replaced, or the fine or fines, which may have become due, be paid.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 6th August 1862.*

#### ORDINANCE No. 69.

[GENERAL—REGULATIONS FOR DEGREES—ADJOURNMENT OF EXAMINATIONS—SUSPENSION OR DEPRIVATION OF A BURSAR OR SCHOLAR—CONFERRING DEGREES IN ABSENCE OF CHANCELLOR AND VICE-CHANCELLOR.]

*At Edinburgh, the Twelfth Day of June Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, subject to the provisions thereof, to regulate by Ordinance the powers, jurisdictions, and privileges of Chancellors, Rectors, Assessors, Professors, and all other members or office-bearers in the said Universities, as also of the Senatus Academicus and the University Court; and to make rules for the management and ordering of the Universities, and for the granting of degrees, whether in Arts, Divinity, Law, or Medicine: The Commissioners declare and ordain, as follows:— Ordinance, No. 69.  
General, No. 7.

I. Nothing contained in Ordinance No. 14, General No. 3, of the twenty-sixth day of January eighteen hundred and sixty-one, shall be construed to interfere with the power of the Senatus Academicus of each University to regulate, as they may think expedient, the order of attendance on the several classes in the course of study in the Faculty of Arts: Provided always, that no regulations to be made by the Senatus of any University shall be inconsistent with the provisions of the said Ordinance.

II. It shall be in the power of the examiners at any of the examinations of students proceeding to the degree of Master of Arts, instead of rejecting a candidate as having failed to pass such examination, to adjourn his examination on the subject or subjects, on which he is then being examined, to a future occasion; and the candidate shall not be held, by reason of such adjournment, to have failed to pass the examination within the meaning of any Ordinance of the Commissioners relating to bursaries.

III. In every case in which, by any Ordinance of the Commissioners issued prior to the date of this Ordinance, a power given to the Senatus Academicus of any University, to suspend a student from, or to deprive him of, a bursary or scholarship on the ground of misconduct, has been made subject to the approval of the University Court, the power of suspension or deprivation shall be vested in, and belong to, the Senatus Academicus, and be exercised by that body alone; but shall be subject to an appeal to the University Court, if taken within eight days, which appeal shall be heard and disposed of by the University Court with all possible despatch: Provided always, that, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. In the event at any time of both the Chancellor and Vice-Chancellor being absent from any University meeting for conferring degrees, it shall be lawful for the Principal, or, in his absence, for the senior Professor present, to confer degrees in the same manner, and to the same effect, as the Chancellor or Vice-Chancellor, if present, might have done: Provided always, that, in the University of St Andrew's, degrees shall, in the absence of the Chancellor and Vice-Chancellor, be conferred by the senior Principal present, and, in the absence of both Principals, by the senior Professor present.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 30th August 1862.*

## ORDINANCE No. 70.

[GLASGOW—COMPENSATION TO PRESENT PROFESSOR OF NATURAL PHILOSOPHY FOR LOSS OF GRADUATION FEES.]

*At Edinburgh, the Twelfth Day of June Eighteen hundred and sixty-two Years.*

Ordinance, No. 70.

Glasgow, No. 13.

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to make such provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments of the several Universities and Colleges therein mentioned: And whereas, through the operation of Ordinance No. 22, Glasgow No. 4, relative to the administration and disposal of the property and revenues of the University of Glasgow, the Professor of Natural Philosophy in that University has been deprived of any share of graduation fees; and it appears to the Commissioners just and expedient that such compensation in respect thereof, as is hereinafter provided, should be made to the present Professor during his incumbency: The Commissioners statute and ordain, as follows:—

The present Professor of Natural Philosophy in the University of Glasgow shall be entitled, during his incumbency, to receive annually the sum of fifty pounds out of the General University Fund of the said University, instituted by the thirty-second section of the said recited Ordinance, anything contained in the said Ordinance to the contrary notwithstanding: Provided always, that nothing herein contained shall be construed to authorize any payment from graduation fees, or from the said General University Fund, to any future Professor of Natural Philosophy, in virtue of his office; and such payment, as is herein provided, shall cease with the incumbency of the present Professor.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, Chairman.

L. S.

*Approved by Order in Council, dated 30th August 1862.*

## ORDINANCE No. 71.

[EDINBURGH—REGULATIONS FOR BAYNE FOUNDATION.]

*At Edinburgh, the Fourteenth Day of June Eighteen hundred and sixty-two Years.*

Ordinance, No. 71.

Edinburgh, No. 8.

[Bayne Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh three bursaries in Divinity on the foundation of Bayne of Pitcairnie: And whereas the value of each of the said three bursaries is now very small: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The three bursaries on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive twenty-five pounds from the fund on which the said three bursaries are now chargeable.

II. No person shall be presented to the said one bursary, unless he be a Master of Arts of a Scottish University.

III. Each bursar shall be entitled to hold the said bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the University of Edinburgh; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of the holder of the said bursary, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court, with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. No appointment of a bursar on the said foundation shall be made, until the three existing bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

V. No person shall be entitled to hold the said bursary along with any other bursary, or with any scholarship in the University. Ordinance, No. 71.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University. Edinburgh, No. 8.

In witness whereof, these presents are sealed with the seal of the Commission. [Bayne Foundation.]

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 30th August 1862.*

## ORDINANCE No. 72.

[GLASGOW—REGULATIONS FOR BAXTER FOUNDATION.]

*At Edinburgh, the Twelfth Day of July Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed dated the fourteenth day of October seventeen hundred and seventy-six, as altered by a subsequent deed, dated the twenty-fourth day of February seventeen hundred and seventy-nine, Mr Daniel Baxter, bookseller in Glasgow, founded a bursary for a student in the University of Glasgow qualified by parentage, as by the said deeds is provided: And whereas difficulties are now experienced in obtaining candidates who are qualified by parentage in terms of the said deeds; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said foundation, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. It shall hereafter be lawful for the patrons to present any person to the said bursary, without restriction as to parentage.

II. Each person presented to the bursary shall be entitled to hold the same for five years as a student in the University of Glasgow, and no longer, subject to the conditions that he shall pass such entrance examination as may for the time be required by the University of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts, and that after obtaining the degree of Master of Arts he shall give regular attendance as a student of Theology in the University; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. Nothing herein contained shall extend to, or affect, the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 73.

[ST ANDREW'S—REGULATIONS FOR LAWSON FOUNDATION.]

*At Edinburgh, the Twelfth Day of July Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which Ordinance, No. 73.  
St Andrew's, No. 11.  
[Lawson Foundation.]

Ordinance, No. 73.  
St Andrew's, No. 11.  
[Lawson Founda-  
tion.]

has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there is now in the United College of St Salvator and St Leonard, in the University of St Andrew's, a bursary on the foundation of Mr John Lawson, which took effect more than fifty years before the date of the said recited Act: And whereas the said bursary is restricted to students of the surnames of Lawson and Gray, and difficulties are in consequence experienced in obtaining candidates who are qualified in terms of the foundation: And whereas it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the foundation, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. It shall hereafter be lawful for the Patrons to present any person to the said bursary without restriction as to name.

II. Each person presented to the bursary shall be entitled to hold the same for four years as a student in Arts in the United College, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said College, and shall pass the examinations required by the University of St Andrew's of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the College as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Principal and Professors of the United College to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the said Principal and Professors shall receive effect from its date.

III. It shall be the duty of the Principal and Professors of the United College, at some period between the first day of May and the first day of July in each year in which, to their knowledge, the said bursary will fall to be filled up before or at the commencement of the next ensuing winter session of the College, to intimate the same to the Patrons; and it shall also be the duty of the Principal and Professors, on the occurrence of any unexpected vacancy in the bursary, forthwith to intimate the same to the Patrons; and it shall be incumbent on the Patrons, on each occasion of a vacancy in the bursary, to present thereto without undue delay; and, in the event of the Patrons allowing, after such intimation as aforesaid, an entire winter session of the United College to elapse without presenting to the bursary, the right to present thereto shall, for that time, be transferred to and devolve upon the College, who shall have the power of appointing a bursar at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by the Patrons.

IV. Nothing herein contained shall extend to or affect the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 74.

##### [ABERDEEN—REGULATIONS FOR MURRAY FOUNDATION.]

*At Edinburgh, the Twelfth Day of July Eighteen hundred and sixty-two Years.*

Ordinance, No. 74.  
Aberdeen, No. 34.  
[Murray Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by his will, dated the sixth day of September seventeen hundred and ninety-three, the late Doctor Alexander Murray of Philadelphia, in the United States of America, gave and bequeathed certain property to the Principal and the four Regents and Professors of the King's College of Aberdeen, now united with Marischal College as the University of Aberdeen, for the encouragement of a clergyman to preach a course of lectures in the College Church on Sundays in the time of the winter sessions in the University, and for other purposes in the said will

mentioned; and he thereby desired the said Principal and Regents and Professors, as trustees of the said bequest, to pay the Lecturer three fourth parts of the net annual rents or proceeds of the foundation, and to apply the remaining fourth part to forward the education for three years of some ingenious youth of the surname of Murray, in such secular profession or trade, as his natural propensity should point to: And whereas, by an Act passed in the twenty-fifth and twenty-sixth years of the reign of Her present Majesty, intituled, 'An Act to alter and amend the Universities (Scotland) Act, in so far as relates to the Bequest of the late Doctor Alexander Murray in the University of Aberdeen,' proceeding on the preamble, that difficulties have arisen as to the powers of the Commissioners under the said first recited Act to alter or modify the conditions and directions affecting the said bequest, and on the farther preamble, that it is expedient that the powers of the said Commissioners in relation to the said bequest should be clearly defined, the said Commissioners are empowered, at any time prior to the first day of January one thousand eight hundred and sixty-three, to alter or modify the conditions and directions affecting the said bequest, notwithstanding that the same may not have taken effect more than fifty years before the date of the said first recited Act: And whereas it appears to the Commissioners expedient to alter or modify the conditions and directions affecting the bequest, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said bequest, as follows:—

I. From the commencement of the winter session in the University of Aberdeen next after the approval of this Ordinance by Her Majesty in Council, there shall be three Lectureships under the said bequest; and such three Lectureships shall be held respectively by the Professors of Systematic Theology, of Divinity and Church History, and of Divinity and Biblical Criticism in the said University, by whom the duties of lecturing in terms of the bequest shall be discharged; and each of the said three Lecturers shall receive yearly, in respect of his Lectureship, one fourth part of the net income of the foundation: Provided always, that it shall be lawful for the trustees in each year to deduct from the three fourth parts of the net income of the foundation, to be paid to the Lecturers, such sum, not exceeding one sixth of the said three fourth parts, as they may consider necessary, for incidental expenses in connection with the service in the University Chapel.

II. The Senatus Academicus shall have power, from time to time, to regulate the manner in which the duties of lecturing in terms of the bequest shall be discharged by the Lecturers.

III. The fourth part of the net income of the foundation directed by the founder to be applied in forwarding the education of an ingenious youth, shall hereafter, on every occurrence of a vacancy, be bestowed, under the name of the Murray Scholarship, on a graduate in Arts of the University of Aberdeen, for the purpose of forwarding his education in some liberal secular profession, as that of a lawyer, physician, civil engineer, architect, or some other such liberal secular profession; and the said scholarship shall be tenable for three years; and all persons, without restriction as to name, who have obtained the degree of Master of Arts in the University within three years prior to the occurrence of the vacancy in the scholarship, shall be eligible for appointment thereto; and the trustees shall appoint from among such persons the candidate who, after such examination or inquiry as they shall think fit, shall appear to them to be most deserving: Provided always, that, between candidates whose qualifications in other respects shall appear to the trustees to be equal, a preference shall be given to a candidate, if any, of the surname of Murray.

IV. Nothing herein contained shall extend to, or affect, the interests of the present holder of the bursary or scholarship on the said foundation.

V. The trustees of the said foundation shall be the members, for the time being, of the Senatus Academicus of the University of Aberdeen.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 75.

##### [GENERAL—REGULATIONS FOR DEGREES IN LAW.]

*At Edinburgh, the Twelfth Day of July Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered, *inter alia*, to make rules for the management and ordering of the several Universities of Scotland, and for the granting of degrees, whether in Arts, Divinity, Law, or Medicine; and to provide that, in so far as shall be practicable, and, in the opinion of the Commissioners, conducive to the well-being of the Universities, and to the advancement of learning, the course of study, the manner of examination, and the conditions under which degrees are to be conferred, shall be uniform in all the said Universities: The Commissioners statute and ordain, with reference to the granting of degrees in Law in each of the said Universities, as follows:—

I. No one shall hereafter be admitted as a candidate for the degree of Bachelor of Laws (LL.B.) in any of the said Universities, unless he be a graduate in Arts of one of the Universities of Scotland, or of England, or Ireland, or a graduate in Arts of a colonial or foreign University, whose degrees may, for this purpose, have been specially recognised by the University Court.

II. The course of study in Law necessary for the degree of Bachelor of Laws shall extend over three academical years, and shall include attendance on a distinct course in each of the six following departments, viz.:—

Ordinance, No. 74.

Aberdeen, No. 34.

[Murray Foundation.]

Ordinance, No. 75.

General, No. 8.

Ordinance, No. 75.

General, No. 8.

- |                                    |   |   |
|------------------------------------|---|---|
| 1. CIVIL LAW,                      | } | During Courses of not less than Eighty Lectures each. |
| 2. LAW OF SCOTLAND,                |   |   |
| 3. CONVEYANCING,                   |   |   |
| 4. PUBLIC LAW,                     | } | During Courses of not less than Forty Lectures each.  |
| 5. CONSTITUTIONAL LAW and HISTORY, |   |   |
| 6. MEDICAL JURISPRUDENCE,          |   |   |

III. No one shall hereafter be admitted to examination as a candidate for the degree of Bachelor of Laws, until he has completed the course of study above prescribed; and no one shall be admitted as a candidate in any University, unless two at least of the three academical years of his course of study in Law shall have been in such University.

IV. Candidates for the degree of Bachelor of Laws shall be examined both in writing and *visà voce* on each of the six departments of Law above specified.

V. Each candidate must satisfy the Examiners that he possesses a competent knowledge of Law in each of the said departments; and the Examiners shall further, in judging of the qualifications of candidates, have special regard to their acquirements in the two departments of Public Law and Constitutional Law and History.

VI. The Examiners for degrees in Law in each of the said Universities shall be six in number, and there shall always be one Examiner specially qualified for each one of the six departments above specified; and, where the Professors in the Faculty of Law in any University do not furnish the requisite number of Examiners duly qualified, the number shall be made up by the appointment of additional Examiners by the University Court: Provided always, that no person shall be appointed an additional Examiner in any University, unless he be a Professor in the Faculty of Law in a Scottish University, or shall have obtained the degree of Bachelor of Laws in accordance with the provisions of this Ordinance.

VII. In the University of Glasgow the Professor of Forensic Medicine shall be a Professor in the Faculty of Law, as well as a Professor in the Faculty of Medicine; and, in the University of Aberdeen, the Professor of Medical Logic and Medical Jurisprudence shall be a Professor in the Faculty of Law, as well as a Professor in the Faculty of Medicine.

VIII. Each person appointed an additional Examiner by the University Court under Section VI. shall, for each year in which he shall act as such Examiner, receive out of the fees to be paid by candidates for degrees in Law, such sum as may be fixed by the Senatus Academicus, with the approval of the University Court.

IX. Each candidate for the degree of Bachelor of Laws shall pay a fee of five guineas in respect of his examination for the degree.

X. The degree of Doctor of Laws (LL.D.) shall be conferred, as heretofore, *honoris causâ tantum*.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 76.

##### [EDINBURGH—REGULATIONS FOR EXCHEQUER BURSARIES.]

*At Edinburgh, the Sixth Day of November Eighteen hundred and sixty-two Years.*

Ordinance, No. 76.

Edinburgh, No. 9.

[Exchequer Bursaries.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of gift, dated the seventeenth day of December sixteen hundred and ninety-four, their late Majesties King William the Third and Queen Mary gave, granted, and mortified to and in favour of the Magistrates and Town Council of Edinburgh, as Patrons, Governors, and Faculty of the University of Edinburgh, the sum of three hundred pounds yearly of the rents and revenues of the Bishoprics of Scotland, for, among other purposes, the maintenance of twenty bursars of Divinity in the said University, at the rate of ten pounds each bursar per annum, and which bursars were to be presented by the Lords of the Treasury on a list of three to be given in to them for each bursary, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas for a long period there have been only five bursaries on the said foundation: And whereas, since the passing of the said recited Act, doubts have arisen as to the persons by whom such list of three as aforesaid should be given in to the Lords of the Treasury, and it appears to the Commissioners that, as the value of each of the said five bursaries is now small, the interests of religion and learning, and the main design of the donors, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

I. The said five bursaries on the said foundation shall hereafter be conjoined into two bursaries, each of the annual value of twenty-five pounds. Ordinance, No. 76.

II. Each of the said two bursaries shall be open for competition to all Masters of Arts of any of the Universities of Scotland who have attended for one session in the Faculty of Divinity in the University of Edinburgh, and have not attended for more than one session in the said Faculty in the said University: Provided that no person shall be a competitor for either of such bursaries, who has attended for one or more sessions in the said Faculty in any other of the Scottish Universities. Edinburgh, No. 9.  
[Exchequer Bursaries.]

III. The examinations in the competition for the said bursaries shall be conducted by the Professors in the Faculty of Divinity in the said University.

IV. Each bursar shall be entitled to hold his bursary for two years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University; but, if he shall discontinue his attendance as a student in Theology at the University, he shall forfeit his bursary: Provided always, that, whensoever the said two bursaries shall both be vacant at one time, one bursar shall be appointed for a period of two years, and another for a period of one year, so that, by the bursaries falling vacant in different years, the benefits of them may, as far as possible, be distributed among students of different years: Provided also, that, in case of any gross misconduct on the part of the holder of either of the said bursaries, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court, with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

V. No person shall be entitled to hold either of the said bursaries along with any other bursary, fellowship, or scholarship of any Scottish University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 77.

[EDINBURGH—REGULATIONS FOR PITT THEOLOGICAL SCHOLARSHIP.]

*At Edinburgh, the Sixth Day of November Eighteen hundred and sixty-two Years.*

WHEREAS, by deed of mortification, dated the twenty-eighth day of May and the fifth and twenty-eighth days of June eighteen hundred and sixty-two, the Most Honourable George Marquis of Tweeddale, the Right Honourable Henry Viscount Melville, and Allan Alexander Maconochie Welwood, of Meadowbank and Garvock, Esquire, therein described as the surviving and assumed members of a committee appointed by the Pitt Club of Scotland for carrying out an appropriation of a portion of the funds of the Club for the purpose of founding a prize, bursary, or scholarship, for a student of Divinity in the University of Edinburgh, have, for the considerations therein mentioned, given, granted, and mortified to and in favour of the University of Edinburgh, the sum of nine hundred and seventy pounds of the stock of the Bank of Scotland, being the amount of the funds in the hands of the members of the said Committee, for the foundation and endowment of a scholarship, under the name of the Pitt Theological Scholarship, in the said University, such scholarship to be in the gift and appointment of the Senatus Academicus, and to be open for competition to students in the Divinity Hall in the said University, who shall at the time be in the course of studying with the view of becoming clergymen of the Church of Scotland, as by law established, and to be tenable for a period not exceeding four years; and it is by the said deed declared, that the object of the said endowment is the encouragement and promotion of the study of Theology in the said University; and it is further provided and declared, that the same shall be subject to such conditions and regulations, as may be provided in that behalf by the Commissioners under the Act of the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen;' and it is thereby further provided and declared, that, until the first appointment to the scholarship, the interest and dividends or proceeds of the mortified fund shall be added to the capital, and that in any year, in which the said scholarship may be vacant, the interest and dividends or proceeds of the said mortified fund for that year shall be added to the capital, and that subject to the provisions of the said deed, and in conformity with any conditions and regulations to be made by the said Commissioners; and the Senatus Academicus of the said University are empowered to lay out and invest the said mortified fund, as in the said deed is provided; and it is thereby further provided and declared, that the stipend of the scholar shall be the free annual proceeds of the said mortified sum, or of the funds or security or securities in which the same shall be invested, after deduction of all necessary expenses: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The Pitt Theological Scholarship shall, in accordance with the provisions of the said deed, be in the gift of the Senatus Academicus of the University of Edinburgh, who shall, from time to time, appoint thereto the candidate who shall appear to be the best qualified on examination, as hereinafter provided.

II. The scholarship shall be open for competition to all Masters of Arts of any of the Universities of Scotland, who shall have given regular attendance as students in the Faculty of Divinity in the said University for not less than three complete sessions, and who, at the time of the competition, shall, as provided by the said deed, be in the course of studying with the view of becoming clergymen of the Church

Ordinance, No. 77.

Edinburgh, No. 10.

[Pitt Theological Scholarship.]

Ordinance, No. 77.

Edinburgh, No. 10.

[Pitt Theological  
Scholarship.]

of Scotland, as by law established: Provided always, that no person shall be admissible to the competition, who shall have been entered as a student in the Faculty of Divinity in any Scottish University at a date more than six years prior to the time of the competition.

III. Candidates for the scholarship shall be examined in the five following subjects, viz., (1) the Evidences of Revealed Religion, (2) Systematic Theology, (3) Hebrew, (4) Church History, and (5) Biblical Criticism, to each of which subjects the same relative importance in the examination shall be attached; and the examination shall be conducted by the Professors in the Faculty of Divinity in the University, who shall report to the Senatus Academicus the result of the examination in each of the said subjects.

IV. The first competition for the scholarship shall take place at a time to be hereafter fixed by the Senatus Academicus.

V. The scholarship shall be tenable for three years; and, whensoever it shall from any cause become vacant, it shall be again competed for under the same conditions, and at the same period of the year; and so on thereafter, as often as it shall become vacant.

VI. It shall not be competent for any person to hold the said scholarship along with any other scholarship, fellowship, or bursary of any Scottish University, or along with any parochial or pastoral charge, whether as minister or assistant.

VII. In case of any gross misconduct on the part of any scholar, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the scholarship, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

L. S.

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 78.

## [EDINBURGH—REGULATIONS FOR DUNDAS FOUNDATION.]

Ordinance, No. 78.

Edinburgh, No. 11.

[Dundas Founda-  
tion.]

*At Edinburgh, the Sixth Day of November Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now, in the University of Edinburgh, three bursaries in Arts on the foundation of Laurence Dundas, Professor of Humanity in the University of Edinburgh, which took effect more than fifty years before the date of the said recited Act: And whereas the value of each of the said three bursaries is now very small; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the foundation, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. There shall hereafter be two bursaries in all, and no more, on the said foundation; and the holder of each of such two bursaries shall annually, during his tenure thereof, receive one half of the net income of the foundation.

II. The patronage or right of presenting to the said two bursaries shall for the future be vested in James Dundas of Dundas, Esquire, and his heirs; Robert Dundas of Arniston, Esquire, and his heirs; and Joseph Dundas of Carron Hall, Esquire, and his heirs; and the said right shall be held as belonging to, and shall be exercised by, the said persons and their heirs by turns, in the following manner, that is to say, on the first occasion of an appointment to either of the said two bursaries, the right of presenting thereto shall be held as belonging to, and shall be exercised by, the said James Dundas of Dundas, or his heirs; on the second occasion of an appointment to either of the said two bursaries, the right of presenting thereto shall be held as belonging to, and shall be exercised by, the said Robert Dundas of Arniston, or his heirs; and, on the third occasion of an appointment to either of the said two bursaries, the right of presenting thereto shall be held as belonging to, and shall be exercised by, the said Joseph Dundas of Carron Hall, or his heirs; and so on in turn thereafter, as often as an appointment to either of the said bursaries shall fall to be made.

III. Each person presented to either of the said bursaries shall be entitled to hold the same for four years, as a student in Arts in the University of Edinburgh, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examina-

tions required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. With a view to reducing the number of bursaries on the said foundation to two, no appointment of a bursar on the foundation shall be made, until two of the present bursaries are vacant, when an appointment shall be made of one bursar in terms of this Ordinance; and, when the third of the present bursaries becomes vacant, an appointment shall be made of the other bursar in terms of this Ordinance; and thereafter appointments shall be made to the said two bursaries, as often as they shall become vacant.

V. It shall be the duty of the Senatus Academicus, at some period between the first day of May and the first day of July in each year in which, to their knowledge, either of the said bursaries will fall to be filled up before or at the commencement of the next ensuing winter session of the University, to intimate the same to the Patron, whose turn it is to present in terms of this Ordinance; and it shall also be the duty of the Senatus Academicus, on the occasion of any unexpected vacancy in either of the bursaries, forthwith to intimate the same to the Patron, whose turn it is to present as aforesaid; and it shall be incumbent on the Patron, to whom the occurrence of a vacancy has been so intimated, to present thereto without undue delay; and, in the event of such Patron allowing, after such intimation as aforesaid, an entire winter session of the University to elapse without presenting to the vacant bursary, the right to present thereto shall, for that time, be transferred to, and devolve upon, the Senatus Academicus, who shall have the power of appointing a bursar at the commencement of the immediately following winter session; and the bursar then appointed shall be entitled to hold the bursary for the like period, and subject to the same conditions, as if he had been presented by such Patron.

VI. No person shall be entitled to hold either of the said bursaries along with any other bursary in the University.

VII. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 79.

[EDINBURGH—REGULATIONS FOR BUCHANAN FOUNDATION.]

*At Edinburgh, the Fifteenth Day of November Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh three bursaries in Divinity on the foundation of Sir John Buchanan of that ilk, each of the annual value of six pounds eighteen shillings and tenpence eight twelfths of a penny: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The three bursaries now on the said foundation shall hereafter be conjoined into two bursaries, the holder of each of which shall annually, during his tenure thereof, receive ten pounds eight shillings and four pence from the fund on which the said three bursaries are now charged.

II. Each of the said two bursaries shall be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in the Faculty of Divinity in the University of Edinburgh: Provided always, that no person shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Divinity, in any one or more of the Scottish Universities.

III. Each bursar shall be entitled to hold his bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit his

Ordinance, No. 78.  
Edinburgh, No. 11.  
[Dundas Founda-  
tion.]

Ordinance, No. 79.  
Edinburgh, No. 12.  
[Buchanan Founda-  
tion.]

Ordinance, No. 79.  
Edinburgh, No. 12.  
[Buchanan Founda-  
tion.]

bursary: Provided always, that, if at any time it shall appear to the Senatus Academicus desirable, for the purpose of distributing the benefits of competition bursaries in Theology among students of different years, to fill up either of the said bursaries for a shorter period than three years, it shall be lawful for them for that purpose, but for that purpose only, to appoint a student to either bursary, in the manner hereinbefore provided, for a shorter period than three years: Provided also, that, in case of any gross misconduct on the part of any bursar, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. With a view to reducing the number of bursaries on the said foundation to two, no appointment of a bursar on the foundation shall be made, until two of the present bursaries are vacant, when an appointment shall be made of one bursar in terms of this Ordinance; and, when the third of the present bursaries becomes vacant, an appointment shall be made of the other bursar, in terms of this Ordinance; and thereafter appointments shall be made to the said two bursaries, as often as they shall become vacant.

V. No person shall be entitled to hold the said bursary along with any other bursary, fellowship, or scholarship of any Scottish University.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 80.

##### [EDINBURGH—REGULATIONS FOR STRUTHERS FOUNDATION.]

*At Edinburgh, the Fifteenth Day of November Eighteen hundred and sixty-two Years.*

Ordinance, No. 80.  
Edinburgh, No. 13.  
[Struthers Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh two bursaries in Divinity on the foundation of the Reverend William Struthers, Minister of Edinburgh, each of the annual value of six pounds eighteen shillings and ten pence eight twelfths of a penny: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive thirteen pounds seventeen shillings and nine-pence four twelfths of a penny from the fund on which the said two bursaries are now chargeable.

II. The said one bursary shall be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in the Faculty of Divinity in the University of Edinburgh: Provided always, that no person shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Divinity in any one or more of the Scottish Universities.

III. Each bursar shall be entitled to hold the said bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, if at any time it shall appear to the Senatus Academicus desirable, for the purpose of distributing the benefits of competition bursaries in Theology among students of different years, to fill up the said bursary for a shorter period than three years, it shall be lawful for them for that purpose, but for that purpose only, to appoint a student to the bursary, in the manner hereinbefore provided, for a shorter period than three years: Provided also, that, in case of any gross misconduct on the part of the holder of the said bursary, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. No appointment of a bursar on the said foundation shall be made, until both the present bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation, and so on, as often as the said one bursary shall thereafter become vacant.

V. No person shall be entitled to hold the said bursary along with any other bursary, fellowship, or scholarship of any Scottish University.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 81.

[EDINBURGH—REGULATIONS FOR RAMSAY FOUNDATION.]

*At Edinburgh, the Fifteenth day of November Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh four bursaries on the foundation of Sir Andrew Ramsay, of Abbotshall, of which two are bursaries in Divinity, each of the annual value of eight pounds six shillings and eight pence, and the other two bursaries in Arts, each of the annual value of five pounds eleven shillings and a penny four twelfths of a penny: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The said two bursaries in Divinity shall hereafter be conjoined into one bursary in Divinity, the holder of which shall annually, during his tenure thereof, receive sixteen pounds thirteen shillings and fourpence from the fund on which the said two bursaries are now chargeable.

II. The said one bursary in Divinity shall be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in the Faculty of Divinity in the University of Edinburgh: Provided always, that no person shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Divinity in any one or more of the Scottish Universities.

III. Each bursar shall be entitled to hold the said bursary in Divinity for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, if at any time it shall appear to the Senatus Academicus desirable, for the purpose of distributing the benefits of competition bursaries in Theology among students of different years, to fill up the said bursary for a shorter period than three years, it shall be lawful for them for that purpose, but for that purpose only, to appoint a student to the bursary, in the manner hereinbefore provided, for a shorter period than three years.

IV. No appointment of a bursar in Divinity on the said foundation shall be made, until the two present bursaries in Divinity are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, to the said one bursary in Divinity, and so on, as often as the said one bursary shall thereafter become vacant.

V. The said two bursaries in Arts shall hereafter be conjoined into one bursary in Arts, the holder of which shall annually, during his tenure thereof, receive eleven pounds two shillings and two pence eight twelfths of a penny from the fund on which the said two bursaries are now chargeable.

VI. Each bursar shall be entitled to hold the said one bursary in Arts for four years, and no longer, subject to the condition that he shall pass such entrance examination as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit the bursary.

VII. No appointment of a bursar in Arts on the said foundation shall be made, until the two present bursaries in Arts are vacant; and, upon the occurrence of that event, an appointment may be made of one bursar, and no more, to the said one bursary in Arts, and so on, as often as the said one bursary shall thereafter become vacant.

Ordinance, No. 80.

Edinburgh, No. 13.

[Struthers Foundation.]

Ordinance, No. 81.

Edinburgh, No. 14.

[Ramsay Foundation.]

Ordinance, No. 81.  
Edinburgh, No. 14.  
[Ramsay Founda-  
tion.]

VIII. No person shall be entitled to hold either of the said bursaries along with any other bursary, fellowship, or scholarship of any Scottish University.

IX. In case of any gross misconduct on the part of the holder of either of the said bursaries, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch: Provided always, that, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

X. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 82.

### [EDINBURGH—REGULATIONS FOR ROBERT JOHNSTON'S FOUNDATION.]

*At Edinburgh, the Fifteenth Day of November Eighteen hundred and sixty-two Years.*

Ordinance, No. 82.  
Edinburgh, No. 15.  
[Robert Johnston's  
Foundation.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make Provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh eight bursaries on the foundation of Mr Robert Johnston, of London, each of the annual value of six pounds five shillings: And whereas the right of presenting to four of the said bursaries has heretofore been exercised by John James Hope Johnstone of Annandale, Esquire, and his predecessors, and the patronage of the other four has heretofore been exercised by the Magistrates and Council of the city of Edinburgh: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The four bursaries on the said foundation, the right of presenting to which has heretofore been exercised by the said John James Hope Johnstone and his predecessors, as aforesaid, shall be conjoined into two bursaries, the holder of each of which shall annually, during his tenure thereof, receive twelve pounds ten shillings from the fund on which the said eight bursaries are now chargeable; and, with a view to reducing the number of such four bursaries to two, no appointment of a bursar under the said right of presentation shall be made, until two of such four bursaries are vacant, when an appointment shall be made of one bursar in terms of this Ordinance; and, when the remaining two of such four bursaries fall vacant, an appointment shall be made of one other bursar in terms of this Ordinance; and so on, as often as vacancies shall occur in the said two bursaries constituted by this Ordinance.

II. The remaining four of the said eight bursaries shall be conjoined into two bursaries, the holder of each of which shall annually, during his tenure thereof, receive twelve pounds ten shillings from the fund on which the said eight bursaries are now chargeable; and, with a view to reducing the number of the last mentioned four bursaries to two, no appointment in respect of any of such bursaries shall be made, until two of such four bursaries are vacant, when an appointment shall be made of one bursar in terms of this Ordinance; and, when the remaining two of such four bursaries become vacant, an appointment shall be made of one other bursar in terms of this Ordinance; and so on, as often as vacancies shall occur in the last mentioned two bursaries constituted by this Ordinance.

III. The holder of each of the four bursaries, constituted by this Ordinance, shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall pass such entrance examination, as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

IV. No person shall be entitled to hold any of the said bursaries along with any other bursary in the University.

V. It shall be lawful to appoint any person to a vacant bursary, without restriction as to name or place of education. Ordinance, No. 82.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University. Edinburgh, No. 15.

[Robert Johnston's Foundation.]

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

### ORDINANCE No. 83.

[EDINBURGH—REGULATIONS FOR FORD FOUNDATION.]

*At Edinburgh, the Fifteenth Day of November Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh six bursaries in Arts on the foundation of Hector Ford of Braxton, each of the annual value of five pounds eleven shillings and a penny four twelfths of a penny: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the foundation, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. There shall hereafter be three bursaries in all, and no more, on the said foundation; and the holder of each of such three bursaries shall annually, during his tenure thereof, receive eleven pounds two shillings and two pence eight twelfths of a penny from the fund on which the said six bursaries are now chargeable.

II. Each bursar shall be entitled to hold his bursary for four years, and no longer, subject to the condition that he shall pass such entrance examination, as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, his bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. With a view to reducing the number of bursaries on the said foundation to three, no appointment of a bursar on the foundation shall be made, until two of the present bursaries are vacant, when an appointment shall be made of one bursar in terms of this Ordinance; and, as others of the present bursaries become vacant, an appointment shall be made of one bursar for every two of the present bursaries that fall vacant, until appointments have been made of all the three bursars in terms of this Ordinance; and so on thereafter, as often as vacancies shall occur in the said three bursaries constituted by this Ordinance.

IV. No person shall be entitled to hold any of the said bursaries along with any other bursary in the University.

V. It shall be lawful to appoint any person to a vacant bursary, without restriction as to kindred, name, or place of birth or education.

VI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 84.

## [EDINBURGH—REGULATIONS FOR DALGLEISH FOUNDATION.]

*At Edinburgh, the Fifteenth Day of November Eighteen hundred and sixty-two Years.*

Ordinance, No. 84.  
Edinburgh, No. 17.  
[Dalglish Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh two bursaries on the foundation of James Dalglish, merchant in Edinburgh, each of the annual value of five pounds eleven shillings and a penny four twelfths of a penny: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries into one bursary, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The two bursaries now on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive eleven pounds two shillings and two pence eight twelfths of a penny from the fund on which the said two bursaries are now charged.

II. Each bursar shall be entitled to hold the bursary for four years, and no longer, subject to the condition that he shall pass such entrance examination, as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. No appointment of a bursar on the said foundation shall be made, until both the present bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, to the said one bursary; and so on, as often as the said bursary shall thereafter become vacant.

IV. No person shall be entitled to hold the said bursary along with any other bursary in the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 85.

## [EDINBURGH—REGULATIONS FOR LEIGHTON FOUNDATION.]

*At Edinburgh, the Twenty-second Day of November Eighteen hundred and sixty-two Years.*

Ordinance, No. 85.  
Edinburgh, No. 18.  
[Leighton Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions,

and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there is now in the University of Edinburgh a bursary in Divinity on the foundation of Archbishop Leighton: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act: And whereas certain of the conditions and directions attached to the said foundation are inapplicable to the altered state of circumstances; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of such conditions and directions, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The said bursary shall hereafter be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in the Faculty of Divinity in the University of Edinburgh: Provided always, that no person shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Divinity in any one or more of the Scottish Universities.

II. Each bursar shall be entitled to hold the said bursary for three years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in the said University; but, if he shall discontinue his attendance as a student in Theology, he shall forfeit the bursary: Provided always, that, if at any time it shall appear to the Senatus Academicus desirable, for the purpose of distributing the benefits of competition bursaries in Theology among students of different years, to fill up the said bursary for a shorter period than three years, it shall be lawful for them for that purpose, but for that purpose only, to appoint a student to the bursary, in the manner hereinbefore provided, for a shorter period than three years: Provided also, that, in case of any gross misconduct on the part of the holder of the said bursary, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. No person shall be entitled to hold the said bursary along with any other bursary, fellowship, or scholarship of any Scottish University.

IV. Nothing herein contained shall extend to, or affect, the interests of any bursar now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 86.

[EDINBURGH—REGULATIONS FOR ARCHIBALD JOHNSTONE'S FOUNDATION.]

*At Edinburgh, the Twenty-ninth Day of November Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intitled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of Edinburgh two bursaries in Arts on the foundation of Archibald Johnstone, merchant in Edinburgh, each of the annual value of five pounds eleven shillings and a penny four twelfths of a penny: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The two bursaries on the said foundation shall hereafter be conjoined into one bursary, the holder of which shall annually, during his tenure thereof, receive eleven pounds two shillings and two pence eight twelfths of a penny from the fund on which the said two bursaries are now chargeable.

II. Each bursar shall be entitled to hold the bursary for four years, and no longer, subject to the condition that he shall pass such entrance examination, as may for the time be required of presentation bursars, and shall proceed through the curriculum in Arts in the said University, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts; but, if he shall fail to pass any of such examinations as aforesaid, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be in the power of the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all

Ordinance, No. 85.  
Edinburgh, No. 18.  
[Leighton Founda-  
tion.]

Ordinance, No. 86.  
Edinburgh, No. 19.  
[Archibald John-  
stone's Founda-  
tion.]

Ordinance, No. 86.  
Edinburgh, No. 19.

[Archibald Johnstone's Foundation.]

possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

III. No appointment of a bursar on the said foundation shall be made, until both the present bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, to the said one bursary; and so on, as often as the said bursary shall thereafter become vacant.

IV. No person shall be entitled to hold the said bursary along with any other bursary in the University.

V. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 87.

[ST ANDREW'S—REGULATIONS FOR RAMSAY FOUNDATION, SUPPLEMENTARY TO ORDINANCE No. 10.]

*At Edinburgh, the Sixth Day of December Eighteen hundred and sixty-two Years.*

Ordinance, No. 87.

St Andrew's, No. 12.

[Ramsay Foundation.]

WHEREAS, on the twenty-fifth day of June eighteen hundred and sixty, the Commissioners under the Act of the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' issued an Ordinance, No. 10, St Andrew's, No. 2, relative to the foundation in the University of St Andrew's of Mr John Ramsay, minister of Markinch, whereby it was provided, *inter alia*, that there should be eight bursars and one fellow on the said foundation, and the said Ordinance thereafter received the approval of Her Majesty in Council: And whereas the Commissioners, after considering a representation on the subject of the said foundation from the United College of St Salvator and St Leonard in the said University, and also from the Patron of the bursaries on the foundation, are of opinion that it is expedient that the said Ordinance should be altered and amended in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. No appointment to the fellowship now on the said foundation shall hereafter be made; and, in place of the said fellowship, there shall in future be two scholarships on the foundation, to be called the Ramsay Scholarships, the holder of each of which shall annually, during his tenure thereof, receive two twelfth parts of the net annual rents and proceeds of the lands or other property included in the foundation.

II. Each scholarship shall be tenable for four years.

III. Each scholarship shall be awarded after a special competitive examination in the several branches of study, on which attendance is required of students proceeding to the degree of Master of Arts, as specified in the Ordinance of the Commissioners, No. 14, General, No. 3; and all persons who shall have obtained the said degree in the University in the year in which the competition takes place, and also all who shall have obtained the said degree in the preceding year, shall be admissible to the competition: Provided always, that, on the first occasion of an appointment of a scholar, all persons shall be admissible to the competition who shall, since the date of the appointment to the fellowship now on the foundation, have completed the course of study in Arts, and obtained the degree of Master of Arts, in the University.

IV. The examination for each of the said scholarships shall be conducted by the Principal of the United College, and by the Professors on whose classes attendance is, by the said Ordinance, No. 14, General, No. 3, required of students proceeding to the degree of Master of Arts.

V. As soon as the fellowship now on the foundation shall become vacant, an appointment shall be made to one of the said scholarships; and, at an interval of two years thereafter, an appointment shall be made to the other of the said scholarships; and thereafter an appointment shall be made to one of the said scholarships, but no more, in every alternate year.

VI. In the event of a vacancy occurring in either scholarship during the currency of the four years for which it is tenable, it shall be kept vacant for the remainder of such four years then unexpired.

VII. Any income arising from a vacancy in either scholarship shall be employed for the benefit of the foundation, in the manner provided regarding the income of vacant bursaries by the third section of the said recited Ordinance, No. 10, St Andrew's, No. 2.

VIII. It shall not be competent for any person to hold either of the said scholarships along with any other scholarship, fellowship, or bursary of any Scottish University.

IX. The term, 'students entering upon the first year of the curriculum in Arts,' as used in the third and fourth sections of the said recited Ordinance, No. 10, St Andrew's, No. 2, shall be held to include students admitted to the higher classes of Latin, Greek, and Mathematics, or any of them, without having previously attended the first or junior class or classes in the same department or departments, under the provisions of the said Ordinance, No. 14, General, No. 3; but the said term shall not be held to include persons who have previously been students in the Faculty of Arts, either in the University of St Andrew's or in any other Scottish University.

X. Any bursar on the said foundation, who shall complete his course of study for the degree of Master of Arts within three winter sessions instead of four, under the provisions of the said Ordinance, No. 14, General, No. 3, and who desires to proceed to St Mary's College as a bursar on the foundation, may remain as a student during a fourth session at the United College, before proceeding to St Mary's College, or may forthwith, on obtaining the degree of Master of Arts at the end of his third session, proceed to St Mary's College, as a bursar on the foundation, and hold his bursary during the remainder

of the period of eight years for which it is tenable, or such part thereof, as he shall continue to give regular attendance as a student of Theology in St Mary's College: Provided always, that in no case shall a bursar be entitled to hold his bursary in the United College for more than four years, and that a bursar, who shall complete his course of study in Arts in three winter sessions, as aforesaid, shall, if he remain as a student in the said College during a fourth session, be obliged to attend regularly not less than two classes in the College, as a condition of his retaining his bursary.

XI. In case of any gross misconduct on the part of any bursar or scholar, it shall be lawful for the Senatus Academicus of the University to suspend him from, or to deprive him of, his bursary or scholarship, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

XII. Nothing herein contained shall extend to or affect the interests of the present holder of the fellowship now on the foundation.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

#### ORDINANCE No. 88.

[ST ANDREW'S—REGULATIONS FOR EXCHEQUER BURSARIES.]

*At Edinburgh, the Sixth Day of December Eighteen hundred and sixty-two Years.*

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations, bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas there are now in the University of St Andrew's three bursaries in Divinity on the foundation of King William the Third, each of the annual value of ten pounds: And whereas the said foundation took effect more than fifty years prior to the date of the said recited Act; and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by conjoining the said bursaries, and by altering the conditions and directions affecting the same, in manner hereinafter provided: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The three bursaries on the said foundation shall hereafter be conjoined into one bursary, of the annual value of thirty pounds.

II. The said bursary shall be open for competition to all Masters of Arts of any of the Universities of Scotland, entering on their first or second session of attendance in St Mary's College in the University of St Andrew's: Provided always, that no person shall be admissible to the competition for the said bursary, who has, for more than one session, been a student in the Faculty of Divinity in any one or more of the Scottish Universities.

III. The examinations in the competition for the said bursary shall be conducted by the Principal and Professors of St Mary's College.

IV. Each bursar shall be entitled to hold the said bursary for four years, and no longer, subject to the condition that he shall, during that period, give regular attendance as a student in Theology in St Mary's College; but, if he shall discontinue his attendance as a regular student in Theology, he shall forfeit the bursary: Provided always, that, in case of any gross misconduct on the part of any bursar, it shall be lawful for the Senatus Academicus to suspend him from, or to deprive him of, the bursary, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the Senatus Academicus shall receive effect from its date.

V. No appointment of a bursar on the said foundation shall be made, until the three present bursaries are vacant; and, upon the occurrence of that event, an appointment shall be made of one bursar, and no more, on the said foundation; and so on, as often as the said one bursary shall thereafter become vacant.

VI. No person shall be entitled to hold the said bursary along with any other bursary, fellowship, or scholarship of any Scottish University.

VII. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation at the University.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 89.

[GENERAL—REGULATIONS FOR LIBRARIES, SUPPLEMENTARY TO ORDINANCE No. 68.]

*At Edinburgh, the Sixth Day of December Eighteen hundred and sixty-two Years.*

Ordinance, No. 89. WHEREAS, on the seventh day of June eighteen hundred and sixty-two, the Commissioners under the  
General, No. 9. Act of the twenty-first and twenty-second years of Her Majesty's reign, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' issued an Ordinance, No. 68, General, No. 6, for the better custody and management of the Libraries belonging to the Universities; and the said Ordinance thereafter received the approval of Her Majesty in Council: And whereas it appears to the Commissioners expedient that the said Ordinance should be explained and amended, in manner hereinafter provided: The Commissioners statute and ordain, as follows:—

I. The provisions of Sub-section 1 of Section XI. of the said recited Ordinance shall be held to be limited in its application to the use of the Library by students who are not Masters of Arts of the University; and, as regards such students, it shall be in the power of the Senatus Academicus, if they shall think it expedient, to fix a certain longer period than two weeks from the date of borrowing, as the period during which they shall be entitled to retain books, and that either generally, or as applicable to any particular portion of the year, as the Senatus may think expedient: Provided always, that such extended period, and also the portion of the year to which the same shall apply, shall be specified in the minute of the Senatus authorizing the same, and an extract of such minute shall be forthwith transmitted to the University Court.

II. Subject always to the regulations contained in the said recited Ordinance, and specially to the regulations in Sub-section 4 of Section X. thereof, and also to any regulations to be made by the Senatus Academicus under the authority of the said recited Ordinance, the following classes of persons shall be entitled to the use of the Library, to the extent and under the conditions hereinafter specified, that is to say:—

1. Every person who has retired, or who shall hereafter retire, from the office of Principal or Professor on a retiring allowance, and also, in the University of Aberdeen, every person who has been deprived of the office of Principal or Professor by reason of the union of King's and Marischal Colleges, shall be entitled to have in his possession at one time ten volumes, but not more.
2. Any assistant to a Professor, to whom the Senatus Academicus shall think it expedient to grant the privilege of the Library, shall be entitled to have in his possession at one time ten volumes, but not more.
3. The Librarian shall be entitled to have in his possession at one time ten volumes, but not more; and any Assistant Librarian, to whom the Senatus Academicus shall think it expedient to grant the privilege of the Library, shall be entitled to have in his possession at one time four volumes, but not more: Provided always, that all books borrowed by the Librarian, or by any such Assistant Librarian as aforesaid, shall be duly and regularly entered in the ordinary records of the Library as being so borrowed, in the same manner as books borrowed by other persons.
4. Any Master of Arts of the University, who, by reason either of being under the age of twenty-one years, or of being a student enrolled in any class of the University, is not qualified to be a member of the General Council, shall be entitled to have in his possession at one time four volumes, but not more: Provided always, that, if he be not a matriculated student of the University, he shall in each year pay a subscription to the Library of ten shillings and sixpence: Provided also, that nothing herein contained shall be construed to extend the privilege of the Library to persons qualified to become members of the General Council, but who have not paid the fees necessary to entitle them to act as such.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

*Approved by Order in Council, dated 20th March 1863.*

## ORDINANCE No. 90.

[EDINBURGH—REGULATIONS FOR MACKENZIE SCHOLARSHIP.]

*At Edinburgh, the Twentieth Day of December Eighteen hundred and sixty-two Years.*

Ordinance, No. 90. WHEREAS, by deed of mortification, dated the twentieth day of December eighteen hundred and sixty-  
Edinburgh, No. 20. two, Thomas Erskine of Linlathen, Esquire, Advocate, George Dundas, Esquire, Advocate, and William Smith, Esquire, one of the Vice-Presidents of the Philosophical Institution, Edinburgh, trustees of James Mackenzie, Esquire, Writer to the Signet, have, in pursuance of his desire to promote the well-being of the University of Edinburgh, given, granted, disposed, and mortified the sum of three thousand pounds, made over to them by the said James Mackenzie, for the foundation of a fellowship or scholarship in the said University, and invested or secured as in the said deed is more particularly mentioned, to and in favour of the University of Edinburgh, and of the Senatus Academicus thereof, for the foundation and endowment of a scholarship, to bear the name of 'The Mackenzie Scholarship,' in the said University; and the said trustees have thereby directed and appointed that such scholarship shall be in the

[Mackenzie Scholarship.]

gift and appointment of the *Senatus Academicus*, as Patrons thereof, and be open for competition, on each occasion of a vacancy, to all graduates in Arts of the said University of not more than three years' standing at the time of the competition, and be held and enjoyed by the same individual for a period not exceeding four years, the object of the said endowment being thereby declared to be the encouragement and promotion of the study of Classical Literature in the said University; and it is thereby provided and declared, that the said scholarship shall be subject to such conditions and regulations, as may be provided in that behalf by the Commissioners under the Act of the twenty-first and twenty-second years of the reign of Her Majesty Queen Victoria, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen;' and it is thereby further provided and declared, that the annual interest or proceeds of the said mortified capital sum shall be applicable for the above purpose from and after the term of Whitsunday in the year one thousand eight hundred and sixty-three, and that, until the first appointment to the scholarship, such interest or proceeds shall be added to the capital, and that, if in any year, or for any period, the said scholarship shall be vacant, the interest or proceeds for such vacant period shall in like manner be added to the capital, subject always to the provisions of the said deed, and to any conditions and regulations that may be made by the said Commissioners; and, after provisions relating to the transfer to the *Senatus Academicus* of the bonds or other securities on which the said sum is or may be invested, to be held by the *Senatus* in all time coming for the purposes aforesaid, it is thereby further directed and declared that the stipend or allowance to be paid to the scholar, who may from time to time be appointed as aforesaid, shall be the free annual proceeds of the said total mortified sum, or of the securities in which the same is now or may hereafter be invested: The Commissioners statute and ordain, with reference to the said foundation, as follows:—

I. The Mackenzie Scholarship shall, in accordance with the provisions of the recited deed, be in the gift of the *Senatus Academicus* of the University of Edinburgh, who shall, from time to time, appoint thereto the candidate who shall appear to be the best qualified on examination, as hereinafter provided.

II. The scholarship shall, on each occasion of an appointment thereto, be open for competition to all graduates in Arts of the said University of not more than three years' standing at the time of the competition.

III. Candidates for the scholarship shall be examined in Classical Literature, and in English Literature; and the examination shall be conducted by three or more Examiners to be selected by the *Senatus Academicus* from their own body.

IV. The first competition for the scholarship shall take place in the year eighteen hundred and sixty-three, at some time subsequent to the period of graduation in Arts in the said year, to be fixed and publicly intimated by the *Senatus Academicus*.

V. The scholarship shall be tenable for four years, during which period the holder shall be entitled to receive the free annual proceeds of the accumulated trust fund, consisting of the said sum of three thousand pounds, and of any surplus interest, which may have been added to the capital in terms of the recited deed.

VI. On each occasion of a vacancy, the scholarship shall be again competed for under the same conditions, and at the same period of the year, as is hereinbefore provided in regard to the first competition: Provided always, that, in the event at any time of a vacancy in the scholarship occurring before the expiration of the four years for which it is tenable, but in no other case, it shall be lawful for the *Senatus Academicus*, with the consent of the University Court, to appoint a person to the vacant scholarship, in the manner hereinbefore provided, for a shorter period than four years, but in no case for less than two years.

VII. In case of any gross misconduct on the part of any scholar, it shall be lawful for the *Senatus Academicus* to suspend him from, or to deprive him of, the scholarship, subject to an appeal to the University Court, if taken within eight days, and which appeal shall be heard and disposed of by the University Court with all possible despatch; but, in the meantime, the decision of the *Senatus Academicus* shall receive effect from its date.

VIII. It shall not be competent for any person to hold the said scholarship along with any other scholarship, fellowship, or bursary of any Scottish University.

IX. If it should at any time happen, that the person who is the successful candidate for the Mackenzie Scholarship is the holder of the Pitt Classical Scholarship, the Pitt Classical Scholarship shall thereby become vacant, and shall remain vacant for one year, and the proceeds of the Pitt Classical Scholarship for the year of such vacancy shall be added to, and accumulated with, the capital thereof.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman*.

(L. S.)

*Approved by Order in Council, dated 20th March 1863.*

Ordinance, No. 90.  
Edinburgh, No. 20.  
[Mackenzie Scholarship.]

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*Scholarships, Ramsay,* No. 87, altering No. 10.

*Senatus.* See **SENATUS ACADEMICUS.**

*Suspension and deprivation* of bursars and scholars. See Ordinances regulating particular foundations, referred to under **BURSARIES AND SCHOLARSHIPS.**

*University Court.* See **UNIVERSITY COURT.**

**ST MARY'S COLLEGE, ST ANDREW'S.** See **ST ANDREW'S UNIVERSITY.**

**SANSKRIT,** foundation of Professorship of, in Edinburgh, No. 25, sec. i.; emoluments, sec. ii.; patronage, sec. iii.

**SCHOLARSHIPS.** See **BURSARIES AND SCHOLARSHIPS.**

**SCOTS LAW—**

Provision for course of lectures on, in Aberdeen, No. 12, sec. iv.

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**SENATUS ACADEMICUS—**

Powers and duties of, in regard to Library, regulated by No. 68, secs. ii., iii., v.-xv., xviii.; No. 89, secs. i., ii.; use of Library by members of, No. 68, sec. x.; power to regulate order of attendance for degrees in Arts, No. 69, sec. i.; power to suspend a bursar or scholar for misconduct, subject to appeal to University Court, No. 69, sec. iii. As to this power, in case of particular foundations, see Ordinances regulating these, referred to under **BURSARIES AND SCHOLARSHIPS.**

To fix, subject to approval of University Court, remuneration of additional examiner in Natural Science, if appointed, No. 14, sec. xiv.; to fix, subject to the like approval, remuneration of additional examiners for degrees in Law, if appointed, No. 75, sec. viii.; in St Andrew's, to fix, subject to the like approval, the remuneration of examiners for degrees in Medicine, appointed by University Court, No. 19, sec. xvii.

*In Aberdeen,* place of meetings of, No. 6, sec. xiv.; regulation of precedence in, and meetings of, No. 13, sec. i., ii.; to intimate to Patrons vacancies in presentation bursaries, No. 28, sec. x.; no member of, to receive payments from graduation fees, No. 6, sec. iii.

*In Edinburgh,* no member of, in virtue of his office, to receive payment from General University Fund, No. 23, sec. xl.

*In Glasgow,* no member of, in virtue of his office, to

SENATUS ACADEMICUS—*continued.*

receive payment from General University Fund, No. 22, sec. xxxv.

*In St Andrew's*, no member of, in virtue of his office, to receive payment from the revenues of the University, No. 21, sec. xix.

**SURGEONS**, Royal College of, Edinburgh, regulation of privilege of Edinburgh University Library, No. 68, sec. x.

**SUSPENSION** of bursars and scholars, power of, in Senatus, but subject to appeal to University Court, No. 69, sec. iii.

**SYSTEMATIC THEOLOGY**, patronage of Professorship in Aberdeen, how to be exercised, No. 12, sec. x.

**TEACHERS** of Medicine, recognition of, by University Court. See **UNIVERSITY COURT**.

**UNION** of Colleges in Aberdeen, date for taking effect, No. 7.

**UNITED COLLEGE**, St Andrew's. See **ST ANDREW'S UNIVERSITY**.

**UNIVERSITY COURT**, regulation of meetings of, No. 11, sec. iv.; all appointments of Assessors to, to be in writing, No. 11, sec. viii.; expenses of meetings of, in Aberdeen, No. 27, sec. v.; in Edinburgh, No. 23, sec. xxxviii.; in Glasgow, No. 22, sec. xxxii.; in St Andrew's, No. 21, sec. xvii.; control over appointments of assistants to Professors, in Aberdeen, No. 6, sec. vi.; in Edinburgh, No. 23, sec. xli.; in Glasgow,

UNIVERSITY COURT—*continued.*

No. 22, sec. xxxvi.; appointment by, of examiners for degrees in Arts, No. 14, secs. ix., x.; may require of all candidates attendance on lectures of one of Professors of Natural Science, No. 18, sec. iv.; appointment by, of examiners for degrees in Law, No. 75, sec. vi.; of examiners for degrees in Medicine, in Aberdeen, No. 16, sec. xvi.; in Edinburgh, No. 8, sec. v.; in Glasgow, No. 15, sec. xvi.; in St Andrew's, No. 19, sec. xvii.; recognition by, of private teachers of Medicine, in Aberdeen, No. 16, sec. viii.; in Edinburgh, No. 8, sec. vi.; in Glasgow, No. 15, sec. viii.; in St Andrew's, No. 19, sec. ix.; application to, by a Professor desiring to retire on account of age or infirmity, No. 9; minutes of Senatus granting use of Library for purposes of literary research to be communicated to, No. 68, sec. xiii.; also annual report by Librarian, No. 68, sec. xviii.; also any minute of Senatus extending period for students retaining books, No. 89, sec. i.; regulation of power of appeal to, from suspension or deprivation of bursars or scholars by Senatus, No. 69, sec. iii. See also, on this subject, Ordinances regulating particular foundations, referred to under **BURSARIES AND SCHOLARSHIPS**.

*In Aberdeen*, place of meetings of, No. 6, sec. xiv.

**UNIVERSITY REVENUES**, Application of. See **ABERDEEN UNIVERSITY**, *Financial Arrangements*—**EDINBURGH UNIVERSITY**, *do.*—**GLASGOW UNIVERSITY**, *do.*—**ST ANDREW'S UNIVERSITY**, *do.*

## II. MINUTES.

*At Edinburgh, 27th August 1858.*

First Meeting.

*Present.*—The Duke of Argyll in the Chair; the Earl of Mansfield; the Lord Justice-Clerk; Sir W. Gibson Craig, Lord Ardmillan; the Dean of Faculty; Mr Hastie; Mr Dunlop.

On the motion of the Chairman, the Lord Justice-Clerk was unanimously elected permanent Chairman of the Commission.

It was agreed that a Minute-book should be kept, and a copy of the whole or any part of the Minute sent to each member of the Commission, when directed by the Chairman.

It was agreed that the meeting should adjourn to Tuesday, the 7th of September, at one o'clock.

ARGYLL.

*At Edinburgh, 7th September 1858.*

Second Meeting.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; Sir W. Gibson Craig; Mr Stirling; Mr Hastie.

The Chairman reported that chambers had been secured for the meetings of the Commission, and the transaction of their business, in the house No. 36, Moray Place; and that the Crown Agent and the Architect of the Board of Works were then making arrangements for the fitting up of the chambers.

\* [Remitted to the Chairman to make inquiries as to filling up the office of Secretary.]

JOHN INGLIS, *Chairman.*

*At Edinburgh, 27th September 1858.*

Third Meeting.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; the Dean of Faculty; Mr Stirling.

[Mr Robert Berry appointed Secretary.]

[Letter from Principal Campbell, of King's College, Aberdeen, relative to the repair and liquidation of the debt on the College buildings, considered.]

JOHN INGLIS, *Chairman.*

*At Edinburgh, 22d October 1858.*

Fourth Meeting.

The Commissioners met at one o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling; Mr Dunlop; Mr Hastie.

The minutes of the previous meeting were read and adjusted.

The course to be adopted in constituting the General Councils of the several Universities under the 6th section of the Universities Act, having been taken into consideration, it was agreed that the registration fee should be five shillings on the first enrolment of each member, and two shillings and sixpence in each subsequent year.

It was agreed that those persons whose claims to be members should fall to be considered by the Commissioners, should be invited to send in their claims by the 31st of December next.

Various other questions were discussed, bearing on the constitution of the several Universities, and the course of study and the system of examinations in the Faculty of Arts, more especially in reference to the University of Edinburgh.

The meeting adjourned at a quarter to four o'clock.

JOHN INGLIS, *Chairman.*

*At Edinburgh, 1st November 1858.*

Fifth Meeting.

The Commissioners met at half-past one o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling; Mr Hastie; Mr Dunlop.

[The Secretary authorized to apply to the Treasury for a sum of L.300, to meet the current expenses of the Commission.]

Form of notice as to constituting the General Councils in the several Universities agreed upon; and the Secretary directed to send copies to the several Universities, and to have the notice advertised in certain newspapers.]

The meeting resolved to take the opinion of the Senatus Academicus of each University, on the days to be fixed for the yearly meetings of the General Council, and for the election of Rector; and also, as to how the election of Rector ought to be conducted.

The Secretary was directed to request Professor Kelland to attend before certain of the Commissioners, on Friday, the 5th instant, to give evidence on various subjects, regarding which the Commissioners wished for information.

The meeting adjourned at ten minutes to four o'clock.

JOHN INGLIS, *Chairman.*

\* The passages printed within brackets are abstracts of the original minutes.

The Commissioners met at one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; The Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie; Mr Dunlop.

The minutes of the previous meeting having been read,

The Secretary read the following letter received by the Chairman from Earl Stanhope:—  
'Chevening, Sevenoaks, January 3d, 1859.—My Lord, I have been carefully considering the progress of business in the Scottish University Commission, and my own position upon it; and I think that I shall best discharge my duty by resigning the latter.'

'The position as regards myself has changed in one material respect, since the Government, through you, did me the honour to propose that I should be one of the Commissioners. You were then Lord Advocate. You had a seat in the House of Commons. It follows that any meetings held under your guidance or direction must have taken place in London for about half the year.'

'Since that time, and, indeed, before the Bill had finally passed, you have been promoted—and may I be excused in passing, if I say with how much of general satisfaction and applause that choice was made—to a high judicial office in Edinburgh. Hence, it is rarely possible that the meetings of the Commission should be held at any other place than that city, or some other near it.'

'I find also that the business of the Commission is transacted by conferences of the Commissioners, and not at all by correspondence between them.'

'In both these respects, I am of opinion that the present system will be the most eligible for the public service. I think Edinburgh, for this object, a better place of meeting than London, and I think oral communications more satisfactory than written ones. But, on the other hand, it is impossible for me, living to the south of Thames, and having other avocations in England, to proceed, not once or twice only, but many times in the year, as my duty might require, on journeys of more than 400 miles, to attend these meetings in Edinburgh, as may be done without difficulty by my colleagues residing near Perth or Stirling; and it is altogether repugnant, I hope I may say, to my course of conduct, to continue to hold my appointment without fulfilling the obligations which it imposes or implies.'

'I find also that my resignation will not cause the smallest difficulty or embarrassment to Her Majesty's Government, since they have the power, under the recent Act of Parliament, to fill up any vacancies that may arise.'

'But, in making this communication to your Lordship, as Chairman, I would beg you to accept for yourself, and to communicate to my other colleagues, the assurance of the high respect I entertain for you and them, and of the entire cordiality and satisfaction with which, had the distance allowed, I should have sought to co-operate with them towards our common object.—I have, etc., 'STANHOPE.'

It was ordered that this letter should be recorded in the minutes of the Commission; and the Chairman was requested to communicate to Earl Stanhope the regret of the Commissioners at his resignation, and to communicate the fact of his resignation to the Home Secretary.

The meeting took into consideration certain general questions with reference to claims for membership in the General Councils of the several Universities, and concluded,—

1. That the words, 'complete sessions,' in the sixth section of the Universities Act, mean 'complete winter sessions.'

2. That the clause, 'the attendance for at least two of such sessions having been on the course of study in the Faculty of Arts,' applies both to the case of four sessions' attendance at one University, and to that of three at one University and one at another.

3. That in the latter case, it is sufficient if one of the two Arts sessions has been spent at one of the Universities, and the other at the other.

4. That the words, 'two of such sessions having been on the course of study in the Faculty of Arts,' mean two such sessions as would make two of the four necessary for a degree in Arts; that the words, 'attendance on the course of study in the University for four complete sessions,' mean attendance on the prescribed course in some Faculty; and that, therefore, to constitute a valid claim on the ground of attendance alone, there must be two years of attendance on the curriculum in Arts, and two on the curriculum in the same or some other Faculty or Faculties.

5. That, if a person can satisfy the requisites of the statute at each of two Universities, he is in all cases entitled to be registered in both; and that, where he claims on the ground of attendance, it is no objection that one of the sessions, in respect of which he claims, forms part of his ground of claim in each University.

6. \* That a claim for the University of Aberdeen is not good, which is grounded on two sessions' attendance at King's College, and two at Marischal College.

7. That an honorary Master of Arts is entitled to membership in the General Council as such.

8. That regular attendance, as a private student merely, is not regular attendance within the sixth section.

9. That, where a claimant is in possession of his class or matriculation tickets, these must in all instances be sent to the Commissioners; and that it is not sufficient for a claimant to forward the attestation of a Justice of Peace, clergyman, or other person, that the tickets have been exhibited to him.

10. That written or printed copies of certificates will not be accepted, unless the originals have been lost.

11. That, there existing at Edinburgh complete matriculation lists from the year 1783 downwards, and class lists between 1810 and 1840 (although imperfect in some of the classes between 1830 and 1840), a claimant, in the absence of matriculation tickets or class tickets, as the case may be, may appeal to these lists, specifying the sessions of his matriculation or attendance; and the appearance of his name in the lists in such sessions will be taken as evidence of matriculation or attendance, as

\* See, as to this, the minutes of the twenty-first and twenty-second meetings.

the case may be; that matriculation must either be shown by a ticket or by the list, and that, where a claimant's class tickets are only admission tickets, his attendance may be proved by a declaration before a magistrate, that he has no written evidence of attendance which he can produce, and that he has given attendance, specifying the precise amount of attendance given.

12. That at Edinburgh matriculation in the Theological Album is matriculation within the sixth section.

13. That the appearance of a claimant's name in the prize lists will be regarded as sufficient evidence of attendance at the class for the session in which the prize was gained.

14. That at Glasgow, where lists have been kept of those who have matriculated in the Hall, and of those who since 1820 have matriculated in the Library, an appeal to these lists, where matriculation tickets are wanting, will be held sufficient in proof of matriculation, and that either kind of matriculation will be regarded as matriculation within the sixth section.

15. That in no case will matriculation be taken as proof of attendance, or attendance as proof of matriculation.

16. That at St Andrew's, there existing complete matriculation and attendance lists, these will dispense with any difficulty of proof of matriculation or attendance at that University, and that, in every case, both matriculation and attendance must appear.

17. That at King's College, Aberdeen, the matriculation lists which exist will furnish evidence, and, as no matriculation tickets have been given, the only evidence which will be accepted, of matriculation, and that matriculation will not be taken as evidence of attendance.

18. That at Marischal College, Aberdeen, the names of the students, down to session 1850-51 inclusive, having been entered by the Professors in the matriculation lists about the end of the session, and the names of those who did not continue to attend being either omitted or inserted *cum nota*, these lists down to 1850-51 will be taken as evidence both of matriculation and attendance; and that since 1851-52 inclusive, matriculation having taken place at the beginning of the session, the lists will furnish evidence of matriculation, and separate proof of attendance will be required.

It was resolved to remit to a Committee to consider whether any, and what steps, should be taken to make known, by advertising or otherwise, the kind of evidence which the Commissioners would accept as satisfactory in support of claims for membership in the several General Councils.

The Chairman read to the meeting a correspondence which, as Lord Rector of King's College, Aberdeen, he had had with the Treasury, relative to the issuing of the sum of L.6000 for the repair of the buildings of that College, which sum is referred to in the minutes of the third meeting of the Commission.

The Duke of Argyll read to the meeting a letter he had received from the Earl of Aberdeen, relative to the Chairs to be maintained in the Faculty of Arts in the University of Aberdeen.

A memorial from the Principal and Professors of Marischal College, Aberdeen, with reference to the expenditure of the above-mentioned sum of L.6000, was laid before the meeting; and memorials were presented from the Synod of Aberdeen, from a Committee of Citizens of Aberdeen appointed at certain Head Courts, and from the Landholders, Commissioners of Supply, and Justices of the Peace of the county of Aberdeen, relative to the manner in which the Act was to be carried out with reference to the University of Aberdeen, all of which, in connection with that subject, it was resolved to consider at a meeting to be held on Saturday, the 29th instant, at two o'clock.

[Memorials from Dr Mackenzie, Waltonian Lecturer on Ophthalmology in the University of Glasgow, relative to the erection of his lectureship into a professorship; from the Principal and thirteen of the Professors of the University of Glasgow, as to the operation of the 26th section of the Universities Act; from Principal Barclay, of the University of Glasgow, relative to the erection of a Chair of Biblical Criticism in that University; and from Principal Sir D. Brewster, as to increasing the emoluments of the Chair of Natural Philosophy in the United College, St Andrew's, laid before the meeting.]

A statement by Professor Alexander, as to the United College, St Andrew's, having agreed to feu a portion of the College lands, was laid before the meeting, and the Secretary was directed to communicate with the College on the subject, and to ask them if they were ready to give any explanation regarding it.

The meeting adjourned at five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 11th January 1859.*

Seventh Meeting.

The Commissioners met at three o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie; Mr Dunlop.

The minutes of the previous meeting were read and adjusted.

The Secretary was directed to inform each of the following bodies,—viz., King's and Marischal Colleges, the Synod of Aberdeen, the Committee of Citizens of Aberdeen appointed at certain Head Courts, the Landholders, Commissioners of Supply and Justices of the Peace of the County of Aberdeen, and the Lord Provost and Magistrates of Aberdeen (from which last body a communication had, since the preceding meeting, been received by the Chairman),—that the Commissioners intended to hold a meeting on the 29th instant, to consider the case of the University of Aberdeen, and that if, with reference to that subject, any of such bodies wished to add anything to what the Commissioners were already in possession of, the Commissioners would be obliged by their forwarding such in a printed form to the Secretary, not later than the 25th instant.

[Certain evidence collected as to the University of Edinburgh laid before the meeting, and referred to a Committee.]

Subject of claims for membership in the General Councils referred to a Committee.]

The answers received from the Senatus of each of the Universities of Edinburgh and Glasgow, with reference to the most convenient days for the two yearly meetings of the General Council, were laid before the meeting; and the Secretary was directed to request the Senatus of each University to state the reasons for selecting the days on which they had fixed.

## Seventh Meeting.

A communication from the Trustees of the Pitt Club Fund, as to devoting a sum of about L.1415, in their hands, to the foundation of one or more bursaries for Divinity students in the University of Edinburgh, was laid before the meeting, and the Secretary was directed to thank the Trustees, through their Chairman, for the communication, and to state that the subject of it would be considered by the Commissioners.

Sanction was given to the expenditure of the office, as estimated by the Secretary.

The meeting adjourned at five o'clock.

JOHN INGLIS, *Chairman.*

## Eighth Meeting.

*At Edinburgh, 29th January 1859.*

The Commissioners met at two o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie; Mr Dunlop.

The minutes of the previous meeting having been read,

The meeting, after considering the various communications transmitted to them in regard to the University of Aberdeen,

Resolved,—

1. That the statute 21 and 22 Vict., c. 83, which, by section 1, unites the University and King's College, Aberdeen, and Marischal College and University of Aberdeen, into one University and College, under the title of the University of Aberdeen, confers no power on this Commission to authorize the maintenance of two Faculties of Arts in the University of Aberdeen.

2. That the Commissioners hold it to be unnecessary that they should visit Aberdeen.

3. That it does not appear to the Commissioners that it is necessary or expedient to maintain more than one Chair in any one branch of instruction in the Faculty of Arts in the University of Aberdeen.—From this Resolution Mr Dunlop dissented, for reasons to be given in.

4. That the classes in the Faculties of Arts and Divinity in the University of Aberdeen shall assemble and be taught in the buildings of King's College, and those in the Faculties of Law and Medicine in the buildings of Marischal College.

5. That the General Library shall remain at King's College; but any Library now or hereafter to be appropriated to the Faculties of Law and Medicine shall be placed in Marischal College.

It was also resolved, that copies of Nos. 1, 3, 4, and 5 of the above Resolutions should be circulated among the Commissioners, prior to a meeting to be held on the 4th of February, for their final adjustment.

The Secretary was directed to request the attendance of Professor Thomson, Secretary of King's College, and of Mr Thomson of Banchory, Dean of Faculty of Marischal College, before a meeting of the Commissioners, to be held on Saturday, the 12th February, for the purpose of obtaining information on certain points in regard to the University of Aberdeen.

The meeting rose at ten minutes past four o'clock.

JOHN INGLIS, *Chairman.*

The following were the reasons subsequently given in by Mr Dunlop, for dissenting from the third of the above Resolutions:—

'I dissent from the Resolutions regarding the University of Aberdeen, adopted on the 29th January, in so far as it is thereby determined—contrary to the recommendation of the two Royal Commissions of 1836 and 1857—that no double Chairs shall be maintained in any one branch of instruction in the Faculty of Arts, and consequently that all teaching in that Faculty shall be withdrawn from the city of New Aberdeen, for the following reasons:—

I. In those branches, in which examination forms a main part of the means of instruction, the teaching would, in my opinion, be far more effectively carried on in two classes of moderate size than in a single class with double the number of students; while any disadvantages, which might in other circumstances result from maintaining two Chairs in the same branch, would be obviated, by the classes being taught in distinct buildings, situated in different localities, and at some distance from each other.

II. The labours of a single Professor, with an Assistant Professor, as has been suggested, will not afford an adequate substitute for those of two Professors, as the classes cannot in such case be divided, while the inferior office would not secure the services of men of equal eminence.

III. The withdrawal of all teaching in the Faculty of Arts from New Aberdeen will tend greatly and injuriously to discourage the practice, on the part of the inhabitants of that city, of giving their sons an University education.

IV. The rivalry, to which it is thought occasion would be given by the maintenance of double Chairs, so far from being of hurtful tendency, would be, as it has hitherto proved, advantageous; more especially since, by the union of King's and Marischal Colleges, all unbidding in regard to examination or qualification of students would be excluded.

V. It is not expedient, in a matter of this kind, to run so directly counter to the strong feelings of the district, on which the University must mainly depend for support.

VI. Under all circumstances, great caution should be observed in diverting endowments from the purposes to which these have been devoted by the donor; and in reference to the Universities of Scotland, which must be so largely dependent for their success, in raising the scholarship of the country to a more elevated standard, on the beneficence of private individuals, hitherto, comparatively speaking, so sparingly extended to them, it is particularly to be deprecated, that such signal discouragement should be given by the Commissioners to future beneficence, by the spectacle, about to be so strikingly exhibited by them, of the overthrow of the specific object of the most munificent private endowment ever made in Scotland in time past for University purposes, and the defeat of the wishes of the noble founder of Marischal College, and those who have subsequently added to its funds.

*London, February 11, 1859.*

'A. MURRAY DUNLOP.'

At Edinburgh, 4th February 1859.

Ninth Meeting.

The Commissioners met at four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty.

The minutes of the previous meeting having been read,

The Resolutions regarding the University of Aberdeen, which had been circulated among the Commissioners, as directed in the last minute, were finally adjusted in the following form:—

The Commissioners, having fully considered the provisions of the statute 21 and 22 Vict., c. 83 regarding the Universities and Colleges of Aberdeen, the Reports of former Commissions on the said Universities and Colleges, and the various communications transmitted to them in regard to the said Universities and Colleges,

Resolve,—

1. That, whereas the statute 21 and 22 Vict., c. 83, enacts that, from and after such period as may be fixed by the Commissioners, and approved by Her Majesty in Council, the University and King's College of Aberdeen, and Marischal College and University of Aberdeen, shall be united and incorporated into one University and College, under the title of the University of Aberdeen, it is the duty of the Commissioners to fix a date, as early as may be, from and after which such union and incorporation shall take effect.

2. That, whereas it is further enacted, by the said statute, that all the funds, properties, and revenues now pertaining or belonging in any way to either of these Colleges shall pertain and belong to the University of Aberdeen, therefore, so soon as this union and incorporation take effect, all such funds, properties, and revenues fall to be administered by the *Senatus Academicus* of the said united University and College, and all separate rights and interests necessarily come to an end, and the Colleges themselves cease to exist in all time coming.

3. That, acting under the said statute, the Commissioners have no power to authorize the maintenance of two Faculties of Arts in the University and College of Aberdeen.

4. That it does not appear to the Commissioners, that it is necessary or expedient to maintain more than one Professorship in any one branch of instruction in the Faculty of Arts in the University and College of Aberdeen.

5. That the classes in the Faculties of Arts and Divinity in the University of Aberdeen shall assemble and be taught in that portion of the University buildings hitherto belonging to and occupied by King's College, with any additions that may be made thereto; and those in the Faculties of Law and Medicine in that portion of the University buildings hitherto belonging to and occupied by Marischal College, with any additions that may be made thereto.

6. That the General Library shall be kept at that portion of the University buildings hitherto belonging to and occupied by King's College; but any Library or Libraries to be appropriated to the Faculties of Law and Medicine shall be placed in buildings convenient for those Faculties.

The meeting rose at a quarter past five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 12th February 1859.

Tenth Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie.

The minutes of the previous meeting were read.

Mr Thomson of Banchory, Dean of Faculty of Marischal College, and Professor Thomson, Secretary of King's College, Aberdeen, were in turn examined before the meeting on certain matters in regard to the University of Aberdeen; the Resolutions of the Commissioners with respect to that University, as set out in the immediately preceding minute, having in either case been read to them by the Chairman.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 19th February 1859.

Eleventh Meeting.

The Commissioners met at two o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan.

The minutes of the previous meeting having been read,

The Lord Justice-General presented a Report from the Committee appointed on 11th January 1859, to consider the claims for membership in the General Councils, stating that difficulty had arisen as to the claims of certain Doctors of Medicine of the University of Edinburgh, in consequence of the terms of resolution No. 1 of the meeting of 10th January 1859 appearing to exclude summer sessions altogether from account, in regard to the attendance necessary to be shown by such persons, and suggesting whether, as such attendance does not, under the statute, require to be established to the satisfaction of the Commissioners, the resolution should not be so far modified as to leave the matter to be dealt with by the party or parties, to whose satisfaction the claims of such persons require to be established. The same Report also stated that difficulty had arisen in regard to the claims of persons claiming on the ground of attendance alone, whose claims require to be established to the satisfaction of the Commissioners, from the first part of resolution No. 4, of 10th January 1859, appearing to imply that the attendance on the course of study in the Faculty of Arts must be such as, if continued, would complete the full course necessary for the degree of M.A. within the *minimum* period of four years; and the Report suggested that this resolution should be so far explained or modified, as to give effect to each session of attendance on a class in the course of study in the Faculty of Arts.

The meeting, before taking any steps in reference to these suggestions, directed the Secretary to communicate with those members of the Commission not then present, who had been present at the meeting of the 10th January.

## Eleventh Meeting.

The following communications were laid before the meeting, and considered:—

Answers from the Senatus of each of the Universities of Edinburgh and Glasgow as to their reasons for selecting the days named by them for the annual meetings of the General Councils;

Answer of the Senatus of the University of Glasgow as to the expediency of modifying in any manner the present mode of conducting the election of Rector;

Communication from the University of St Andrew's as to the days to be fixed for the annual meetings of the General Council, and for the election of Rector, and as to the mode in which that election should be conducted; in reference to which communication, the Secretary was directed to request the Senatus to furnish the Commissioners with their reasons for selecting the days named for the meetings of the General Council;

Resolution of the Faculty of Advocates, that copies of the Faculty's Report on Law, and Memorial to Government in reference thereto, should be laid before the Commissioners, copies of which report and memorial the Secretary was directed to circulate among the several members of the Commission;

Memorial from the Association of Graduates of St Andrew's as to the use of the University Library, and as to encouraging the foundation of fellowships;

Memorials from the Edinburgh Highland Society, the Glasgow Celtic Society, and the Perth Highland Friendly Society, as to the institution of professorships of Gaelic in the several Universities.

The meeting rose at ten minutes to five o'clock.

JOHN INGLIS, *Chairman*.

## Twelfth Meeting.

*At Edinburgh, 5th March 1859.*

The Commissioners met at two o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan.

The minutes of the preceding meeting having been read,

The meeting approved of the Report of the Committee on claims for membership in the General Councils, laid before the preceding meeting, so far as the same related to the question of attendance on the course of study in the Faculty of Arts, as involved in the claims of persons claiming on the ground of attendance alone; and it was resolved that resolution No. 4, of 10th January 1859, should be considered, and treated as modified, in accordance with the suggestion contained in such Report.

With regard to the suggestion, contained in the same Report, as to the effect of resolution No. 1, of 10th January 1859, on the question of summer sessions in the case of persons claiming as Doctors of Medicine, the meeting did not consider it necessary to make any modification of that resolution, it appearing to them, that the question was, as it stood, left open for the consideration of the parties to whose satisfaction the claims of such persons require to be established.

Various matters were considered in reference to bringing the Universities Act into operation at the Universities of Edinburgh and Aberdeen.

The meeting rose at a quarter to five o'clock.

JOHN INGLIS, *Chairman*.

## Thirteenth Meeting.

*At Edinburgh, 12th March 1859.*

The Commissioners met at two o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie.

The minutes of the preceding meeting having been read,

The following Ordinance with reference to the University of Edinburgh was agreed to, signed by the Commissioners present, and sealed with the common seal of the Commissioners:—

[*Ordinance No. 1, Edinburgh No. 1, set out.*]

The following Ordinance with reference to the Universities and Colleges of Aberdeen was agreed to, signed by the Commissioners present, and sealed with the common seal of the Commissioners:—

[*Ordinance No. 2, Aberdeen No. 1, set out.*]

[Letters from a committee of the Edinburgh Senatus with reference to the application of part of the revenues of the Deanery of the Chapel Royal to the support of certain Professorships in the University; from the St Andrew's Senatus as to the most convenient days for the meetings of the General Council; and from the Secretary of Marischal College as to returns relative to certain bursaries, were considered.]

The meeting rose at a quarter to five o'clock.

JOHN INGLIS, *Chairman*.

## Fourteenth Meeting.

*At Edinburgh, 2d April 1859.*

The Commissioners met at two o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Lord Ardmillan.

The minutes of the previous meeting having been read,

There were laid before the meeting two letters from Mr Dunlop, dated the 22d and 25th March 1859, suggesting that, in case of Ordinances being proposed for adoption, drafts should be sent to absent Commissioners, before they are formally passed; in reference to which, the Secretary was directed to reply that, so far as practicable, the suggestion would be complied with; but that, as alterations might frequently occur to the meeting by which proposed Ordinances were passed, it must be understood that such drafts as might be sent were subject to alteration.

Various matters in connection with the financial position of the University of Aberdeen, as united under the statute, were considered, and the Secretary was directed, before next meeting, to prepare a scheme of the financial position of the several Faculties, taking into account the income from class fees and from endowment (exclusive of Parliamentary grant), in the respective Faculties in the two existing Colleges.

[The mode of election of Rector in the Universities of St Andrew's, Glasgow, and Aberdeen, considered; and certain communications directed to be made to the Universities in reference thereto.]

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 9th April 1859.

Fifteenth Meeting.

The Commissioners met at two o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Hastie.

The minutes of the previous meeting having been read,

The meeting took into consideration the position of the several Professorships in the Faculty of Arts in the University of Aberdeen, after the coming into operation of the Universities Act.

With the view of obtaining information bearing on the constitution of the Faculty of Medicine in the University of Aberdeen, the Secretary was directed to request the attendance, before a meeting of the Commissioners on the 16th instant, of two of the following gentlemen:—Dr Pirrie, Professor of Surgery in Marischal College; Dr Redfern, Lecturer on Anatomy and Physiology in King's College; Professor Christison, of the University of Edinburgh; and Professor Allen Thomson, of the University of Glasgow.

A memorial, signed by six Professors of Marischal College, dated 5th April 1859, was laid before the meeting, praying the Commissioners to alter or modify their fifth and sixth resolutions of 4th February 1859.

The meeting rose at twenty minutes to six o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 16th April 1859.

Sixteenth Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie.

The minutes of the previous meeting having been read,

Dr Pirrie, Professor of Surgery in Marischal College, and Dr Redfern, Lecturer on Anatomy and Physiology in King's College, were in turn examined before the Commissioners on certain matters bearing on the constitution of the Faculty of Medicine in the University of Aberdeen.

The meeting rose at twenty minutes to six o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 23d April 1859.

Seventeenth Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; Sir W. Gibson Craig; Lord Ardmillan; Mr Hastie; Mr Dunlop.

The minutes of the previous meeting having been read,

There were laid before the meeting a representation by the Trustees of the Hunterian Museum, in the University of Glasgow, with reference to the museum, and a memorial, dated 20th April 1859, on the same subject from Professor Rogers, of that University; in regard to which subject, the following minute was agreed to, which the Secretary was directed to communicate to the Trustees:—

The Commissioners, having under their consideration a representation by the Trustees of the Hunterian Museum in the University of Glasgow, calling the attention of the Commissioners to the present condition of the Museum, and to the urgent necessity, owing to the deaths of the late Curator and Under-keeper, and from other causes, of provision being made for the custody and management of the Museum, and also having under consideration a memorial on the same subject from Dr Rogers, Professor of Natural History, and Keeper of the Museum of Natural Curiosities in the University of Glasgow, resolve to recommend to the Trustees, that a temporary arrangement as to the appointment and remuneration of a Curator and Under-keeper be made for the custody of the Museum, as nearly as possible the same as prevailed before the deaths of the late Curator and Under-keeper; but that it must be understood by the Trustees, that the arrangement so made shall be merely temporary, and that the Curator and Under-keeper respectively shall not, when a permanent arrangement with reference to the custody and administration of the Museum shall come to be made, have any claim to be continued in their offices, or to receive compensation in respect of the cessation thereof.

Various matters were considered in reference to the election of Rector, and the meetings of the General Council in the University of Aberdeen, and as to bringing the Universities Act into operation with reference to the Universities of Glasgow and St Andrew's.

Two letters from the Secretary of King's College, dated respectively the 21st and 26th March 1859, inquiring as to the expediency of issuing, as usual, to the students of King's College, a programme of subjects of examination in Arts for session 1859–60, were considered by the meeting, and the Secretary was directed to reply, that it seemed to the Commissioners the most expedient course, that the programme should be issued, with the following explanation appended to it:—‘This programme is issued as usual; but it is, of course, subject to such arrangements as may be made by the Universities Commissioners, with a view to the Act 21 and 22 Vict., c. 83 coming into operation at Aberdeen on the 15th of October next.’

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 2d May 1859.

Eighteenth Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty; Mr Hastie; Mr Dunlop.

The minutes of the previous meeting having been read,

Dr Allen Thomson, Professor of Anatomy in the University of Glasgow, and Dr Christison, Professor of Materia Medica in the University of Edinburgh, were in turn examined before the Commissioners, on certain matters bearing on the constitution of the Faculty of Medicine in the University of Aberdeen.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

## Nineteenth Meeting.

At Edinburgh, 4th May 1859.

The Commissioners met at one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling; the Dean of Faculty; Mr Dunlop.

The minutes of the previous meeting having been read,

The following Ordinance, with reference to the University of Glasgow, was agreed to; and it was ordered that the seal of the Commission should be attached to it, and that copies should be sent to the absent Commissioners, to ascertain whether they would authorize their signatures to be appended to it:—

[*Ordinance, No. 3, Glasgow, No. 1, set out.*]

The following Ordinance, with reference to the University of St Andrew's, was agreed to; and it was ordered that the seal of the Commission should be attached to it, and that copies should be sent to the absent Commissioners, to ascertain whether they would authorize their signatures to be appended to it:—

[*Ordinance, No. 4, St Andrew's, No. 1, set out.*]

The following Ordinance, with reference to the University of Aberdeen, was agreed to; but it was resolved that the seal of the Commission should not be attached to it in the meantime:—

[*Clauses with preamble set out, afterwards embodied as last six clauses of Ordinance No. 6, Aberdeen, No. 2, with preamble thereto.*]

The attention of the Commissioners having been drawn to a charge of L.57, 0s. 6d., made by the Edinburgh Gazette for advertising the two Ordinances of the Commissioners of 12th March 1859, the Secretary was directed to make an application to the Treasury, to order that the Ordinances of the Commissioners should, from the 1st April 1859 inclusive, or for the future, be published in the Gazette without charge.

It was resolved that each Ordinance of the Commissioners shall in future be signed by all members of the Commission, whether present at the meeting adopting the Ordinances or not, provided they shall approve of the same; and that the Secretary be instructed, as soon as an Ordinance has been approved of at a meeting of the Commission, to send a printed copy to each of the absent Commissioners, with a request that he may authorize his signature to be appended to it in the printed copies to be sent to the Edinburgh Gazette, and laid before Parliament.\*

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman.*

## Twentieth Meeting.

At Edinburgh, 5th May 1859.

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; Lord Ardmillan; Mr Stirling; the Dean of Faculty; Mr Dunlop.

The minutes of the previous meeting having been read,

The Commissioners took into consideration an extract from the minutes of the Senatus Academicus of the University of Edinburgh, of 18th December 1858, as to the best mode of carrying out the election of Rector by general poll; and in reference thereto, the Secretary was directed to intimate to the Senatus, that the Commissioners approved of the rules therein proposed, and that they left to the Senatus to make such arrangements for carrying them out as might seem expedient.

There was laid before the meeting a memorial from the University of St Andrew's, praying that, in the event of any new plan of arrangement or distribution of the Deaneries of the Chapel Royal, or any new appointment to them, the claims of St Mary's College might be taken into favourable consideration.

The Chairman was requested to call the attention of the Home Secretary to the position of the Deanery of the Chapel Royal, which was held by the late Principal Lee, and respectfully to express the desire of the Commissioners to have an opportunity of considering and reporting on the Theological endowments in the Universities of Scotland, before an appointment to the Deanery is made.

The meeting took into consideration the position of the several Professorships in the Faculties of Arts, Divinity, Law, and Medicine, in the University of Aberdeen, after the coming into operation of the Universities Act.

The Secretary was directed to correspond with Principal Campbell, of King's College, and Dr Pirie, Professor of Divinity in Marischal College, as to a convenient time for their attending before the Commissioners, to give information bearing on the constitution of the Faculty of Divinity in the University of Aberdeen.

The meeting rose at a quarter past four o'clock.

JOHN INGLIS, *Chairman.*

## Twenty-first Meeting.

At Edinburgh, 9th May 1859.

The Commissioners met at one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling.

The minutes of the previous meeting having been read,

The Commissioners proceeded to adjust schemes of the Faculties of Arts, Medicine, and Law, in the University of Aberdeen.

[The following subjects were considered, viz.:—a memorial from Dr Clark, Professor of Chemistry in Marischal College, applying to be allowed to retire on the ground of ill health; a memorial from Dr Lizars, Professor of Anatomy in the same College, with reference to his retirement on a similar ground; and the future publication of Ordinances in the Edinburgh Gazette.]

The Committee on claims for membership in the General Councils called the attention of the meeting to the terms of resolution No. 6, of 10th January 1859, as to claims for the University of

\* See, as to this, minutes of forty-third meeting.

Aberdeen, founded on two sessions' attendance at King's College, and two at Marischal College, and recommended that such claims should be allowed, as within the scope of the sixth section of the Universities Act. Twenty-first Meeting.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 14th May 1859.*

Twenty-second Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling; the Dean of Faculty; Mr Dunlop.

The minutes of the previous meeting having been read,

[A letter from Dr Clark, of Marischal College, on the subject of his proposed retirement, considered.]

The meeting approved of and adopted the recommendation of the Committee on claims for membership in the General Councils, as to allowing claims for the University of Aberdeen, founded on two sessions' attendance at King's College, and two at Marischal College.

The Commissioners took into consideration the position of the Faculties of Divinity in the several Universities.

The meeting rose at a quarter past four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 20th May 1859.*

Twenty-third Meeting.

The Commissioners met at four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling.

The minutes of the previous meeting having been read,

Principal Campbell, of King's College, was examined before the Commissioners on certain matters bearing on the constitution of the Faculty of Divinity in the University of Aberdeen.

The meeting rose at half-past six o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 27th May 1859.*

Twenty-fourth Meeting.

The Commissioners met at four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling.

The minutes of the previous meeting having been read,

The Chairman reported to the meeting that Dr Pirie, Professor of Divinity in Marischal College, had been examined by the Chairman, the Lord Justice-General, and Lord Ardmillan, on the 21st instant, when a quorum of the Commissioners did not assemble.

Mr Inglis, agent and factor for the Deans of the Chapel Royal, was examined with reference to the present and prospective value of the Deaneries.

A letter from Mr Sinclair, conjunct town-clerk of Edinburgh, dated the 26th May 1859, and inquiring on behalf of the College Committee of the Town Council, whether the Commissioners had come to any resolution as to an increase of the endowments of the Principalship in the University of Edinburgh, rendered vacant by the death of the late Dr Lee, was laid before the Commissioners; and the Secretary was directed to state in reply, that the subject had been under the consideration of the Commissioners, but that, on account of its own importance and its connection with other matters which had yet to be considered, they had not come to any resolution regarding it.

To a similar letter as to the Professorship of Divinity, rendered vacant by the death of Dr Lee, the Secretary was directed to send a similar answer.

In answer to a letter, dated 18th May 1859, from Professor Weir, clerk of Senate of the University of Glasgow, calling the attention of the Commissioners to certain points regarding the Ordinance of the 4th May, with reference to that University, the Secretary was directed to state, first, that it followed from the fourth clause of the Ordinance, that a Nation equally divided at an election lost its voice for that election; and, secondly, in reference to the fifth clause, that the Commissioners authorized and recommended the Senate to appropriate to the purposes of the Theological Library, seven shillings and sixpence of the matriculation fee of ten shillings, to be paid by each student attending the Divinity Hall, in place of the fee hitherto paid directly by such students to the Theological Library; and that the Commissioners did not intend that there should be any exemption from payment of the matriculation fee, after its payment for four winter sessions.

The Commissioners resumed the consideration of the position of the Faculties of Divinity in the several Universities.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 28th May 1859.*

Twenty-fifth Meeting.

The Commissioners met at two o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Stirling; the Dean of Faculty.

The minutes of the previous meeting having been read,

[Arrangement made as to the remuneration of a clerk in the office.]

The Commissioners resumed the consideration of the position of the Faculties of Divinity in the several Universities.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

Twenty-sixth  
Meeting.

*At Edinburgh, 1st June 1859.*

The Commissioners met at four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan.

The minutes of the previous meeting having been read,

A letter from the Home Secretary, dated the 31st May 1859, was laid before the meeting, transmitting, in pursuance of Her Majesty's commands, for the consideration of the Commissioners, a petition from the University of Glasgow, praying inquiry into the present state of the University by the Commissioners, and also a copy of a former petition from the University, in which assistance from the Government was prayed for.

Dr Macpherson, Professor of Divinity in King's College, was examined on certain matters bearing on the constitution of the Faculty of Divinity in the University of Aberdeen.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Twenty-seventh  
Meeting.

*At Edinburgh, 15th June 1859.*

The Commissioners met at a quarter past four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan.

The minutes of the previous meeting having been read,

The Chairman reported to the meeting, that, on the 11th instant, when only three Commissioners met (the Chairman, the Lord Justice-General, and Lord Ardmillan), and a quorum was not formed, a letter from the Town Clerk of Edinburgh, dated the 7th instant, along with a copy of a report, proposed to be laid before the Town Council, by the College Committee, with reference to the emoluments of the Principalship and Professorship of Divinity in the University, was laid before them, of which they directed the Secretary to acknowledge receipt; and that on the same day they had revised a draft Report on the Faculties of Divinity in the several Universities, with a view to its being further considered by the Commissioners.

The meeting took into consideration the draft Report on the Faculties of Divinity, so revised, and directed that certain alterations should be made therein.

The meeting considered certain matters with reference to the financial position of the University of Aberdeen, with a view to a report thereon being prepared for submission to the Treasury.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Twenty-eighth  
Meeting.

*At Edinburgh, 18th June 1859.*

The Commissioners met at two o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty.

The minutes of the previous meeting having been read,

There was laid before the meeting an Order of Her Majesty in Council, dated the 11th instant, referring to the Commissioners the Petitions of (1.) the Dean of Faculty and Principal and Professors of the Marischal College and University of Aberdeen; (2.) the Provost, Magistrates, and Council of the City of Aberdeen; (3.) the Landholders, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen, in general meeting assembled; (4.) the Convener Court of the seven Incorporated Trades of Aberdeen; (5.) the very Reverend the Moderator, Ministers, and Elders of the Synod of Aberdeen, in Synod assembled; (6.) the Moderator and Members of the Presbytery of Garioch, in Presbytery assembled; (7.) the Moderator and remanent Members of the Presbytery of Alford; and, (8.) the Presbytery of Strathbogie, for the withholding of Her Majesty's approbation from the Ordinance of 12th March 1859, with reference to the Universities and Colleges of Aberdeen; and further directing the Commissioners to hear the petitioners, or such of them as should be desirous thereof, by Counsel, and to report specially to Her Majesty in Council on the matter of the said petitions.

The Commissioners fixed Monday, the 27th instant, at eleven A.M., for the hearing of Counsel; and directed the Secretary to give notice of the appointment to the petitioners.

The Commissioners further considered the draft Report on the Faculties of Divinity, and made certain alterations therein.

It was resolved, in reference to the case of such Professors of King's College in occupation of manses, as might be deprived of their Professorships by the carrying out of the union, that they should continue to occupy their manses, if they pleased.

A letter, dated 13th June 1859, from Professor Kelland, enclosing, by direction of the Senatus of the University of Edinburgh, proposed statutes of that University, relative to graduation in Medicine, with the view of the statutes being authorized by the Commissioners, for presentation to the Medical Council on the 3d August next, was laid before the meeting, and ordered to lie on the table.

With reference to claims for membership in the General Councils, it was resolved, that, in all cases where a claim has to be established to the satisfaction of the Commissioners, the claim and evidence must be laid before the Commissioners; and that it is not sufficient that the claimant should prove the necessary attendance to the satisfaction of the Registrar.

For the information of graduates desirous of being registered as members of the General Councils, it was ordered that the appointment of registrars for the several Universities should be advertised by the Commissioners.

It was resolved that, for the present, it was not advisable to provide that at elections by, or other meetings of the General Councils, a system of voting by proxy or by voting papers should be allowed.

It was resolved that attendance on a class in the course of study in the Faculty of Arts, without taking part in the examinations, but where such attendance would be sufficient by the rules of the

University to qualify for coming forward as a candidate for a degree in Arts, is sufficient attendance on which to rest a claim for membership in the General Council. Twenty-eighth Meeting.

A letter from Mr Alexander Smith, Registrar for the University of Edinburgh, dated the 17th instant, was laid before the meeting, in which he stated that several Doctors of Medicine, claiming to be registered on the ground of attendance for three winter and two summer sessions, had laid before him letters from the Secretary, to the effect that the Commissioners were not called on to decide in reference to such persons, whether one or more summer sessions were a complete session, within the meaning of the Act. Mr Smith also stated that, having requested the guidance of the Senatus in the matter, he had been referred by them to the Commissioners. In answer to this letter, the Secretary was directed to state, that the Commissioners remained of opinion that they were not called upon to decide the matter.

The Secretary was directed to intimate to the Town Council of Edinburgh, that Her Majesty in Council had approved of the Ordinance by the Commissioners of 12th March 1859, with reference to the University of Edinburgh.

The Commissioners had under consideration the expediency of provision being made, that Professors should keep lists of the students attending their classes, which should be sent to the University Secretary at the close of each session, for preservation; and it was resolved that the subject should be again considered when the several University Courts were established, with the view of their attention being directed to the matter.

An extract from the minutes of the University of St Andrew's, of 4th June 1859, calling the attention of the Commissioners to the existence of an accumulated fund of the University of above L.8500, chiefly arising from medical graduation fees, and asking for directions as to the disposal of the interest, was laid before the meeting, and the Secretary was directed to ask for a full explanation of the investment of the money, and the present application of the interest.

[The following communications were laid on the table, viz.:—a petition by Henry Kilgour, for the foundation of Chairs of Psycho-Physiology in the several Universities; a letter from N. R. McLeod, of Hatfield Hall, Durham, asking whether the Commissioners would restore hoods to the Scotch Universities, as indicating different degrees; a letter from Thomas Diver, Doctor of Medicine of St Andrew's, inquiring as to the kind of gown which should be worn by Doctors of Medicine of the University; and a memorial by the Presbytery of Abertarff, praying that steps may be taken for the institution and endowment of Professorships of Gaelic.]

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman.*

*At Edinburgh, 22d June 1859.*

*Twenty-ninth Meeting.*

The Commissioners met at a quarter past four o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Dean of Faculty.

The minutes of the previous meeting having been read,

Mr A. R. Clark, Counsel for (1) the Dean of Faculty, and Principal and Professors of the Marischal College and University of Aberdeen; (2) the Provost, Magistrates, and Council of the City of Aberdeen; (3) the Landholders, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen, in general meeting assembled; (4) the Convener Court of the Seven Incorporated Trades of Aberdeen; and (5) the very Reverend the Moderator, Ministers, and Elders of the Synod of Aberdeen, in Synod assembled, petitioners against the Ordinance of the Commissioners, of 12th March 1859, with reference to the Universities and Colleges of Aberdeen, applied on behalf of the said petitioners, for a postponement in the hearing of their case, from Monday the 27th instant, as fixed by the Commissioners.

The Commissioners granted a postponement to Monday the 4th July, at 11 A.M., and intimated the same to the Counsel for the said petitioners.

The Secretary was directed to intimate the postponement to those petitioners who were not represented in the application.

The meeting rose at a quarter past five o'clock.

JOHN INGLIS, *Chairman.*

*At Edinburgh, 25th June 1859.*

*Thirtieth Meeting.*

The Commissioners met at two o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Lord Advocate (the Dean of Faculty).

The minutes of the previous meeting having been read,

The Commissioners authorized the affixing of the seal of the Commission to the report on the Faculties of Divinity, as adjusted at the meeting of 18th June; and it was resolved, that the original should be forwarded to the First Lord of the Treasury, and copies to the Home Secretary, the Chancellor of the Exchequer, and the Lord Advocate.

A statement by the Senatus Academicus of the University of Edinburgh, relative to the bursaries connected with the University, and the revenues of the University, was laid before the meeting, and ordered to lie on the table.

Dr Douglas MacLagan, Lecturer on Materia Medica and Dietetics in the Medical School, Surgeons' Hall, Edinburgh, was examined with reference to the proposed statutes of the University of Edinburgh, relative to graduation in Medicine, mentioned in the minute of 18th June, and also as to the requirements of the Chairs of Chemistry, Materia Medica, and Medical Jurisprudence, in the University of Aberdeen.

The Secretary was directed to intimate to the Council of the Royal College of Physicians of Edinburgh, that the Commissioners would be glad to receive and consider any observations, which the Council might desire to make in reference to the proposed statutes of the University of Edinburgh, relative to graduation in Medicine, and that the Commissioners would be obliged by the Council forwarding any such observations to them in writing.

Thirtieth Meeting.

The Secretary was directed to make similar intimations to the Council of the Royal College of Surgeons of Edinburgh, and to the School of Medical Lecturers, Surgeons' Hall, Edinburgh, from the Secretary of which last body the Commissioners had received a request, that the Lecturers might have an opportunity of stating their views, before the sanction of the Commissioners should be given to the proposed statutes.

The meeting rose at twenty minutes past four o'clock.

JOHN INGLIS, *Chairman*.

Thirty-first Meeting.

*At Edinburgh, 4th July 1859.*

The Commissioners met at eleven o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Earl of Haddington; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; the Lord Advocate; Mr Stirling; Mr Hastie.

The minutes of the previous meeting having been read,

The Solicitor-General (Mr Maitland), Mr A. R. Clark, and Mr A. B. Shand, Advocates, appeared as Counsel for the several parties, whose petitions against the Ordinance of 12th March 1859, with reference to the Universities and Colleges of Aberdeen, had, by an Order of Her Majesty in Council, been referred to the Commissioners, as mentioned in the minute of 18th June 1859. The Solicitor-General and Mr Clark were heard on behalf of the petitioners, and maintained the propriety of establishing two complete sets of Professorships in the Faculty of Arts in the University of Aberdeen—one in the buildings of King's College, and the other in those of Marischal College.

Counsel having withdrawn, the Commissioners remained for some time in deliberation, and ultimately resolved that, before coming to a final conclusion, a draft report on the matter of the petitions should be prepared and circulated among the Commissioners.

The attention of the Commissioners having been called to the report of the College Committee of the Town Council of Edinburgh as to the endowments of the vacant office of Principal and Professor of Divinity in the University of Edinburgh, mentioned in the minute of 15th June 1859, and to the recommendation in that report, that three several sums, amounting together to L.125 a-year, should be withdrawn from the support of those offices, and appropriated to purposes unconnected with the University, the Secretary was directed to intimate to the College Committee of the Town Council, that the Commissioners could not acquiesce in the report, in so far as that recommendation was concerned; and to communicate to the Secretary of the Treasury, that the Commissioners hoped that the Treasury would not, under the City Agreement Act, 1 and 2 Victoria, chapter 55, sanction such a withdrawal and appropriation, until the Commissioners had had an opportunity of reporting on the emoluments of the offices in question.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

Thirty-second Meeting.

*At Edinburgh, 18th July 1859.*

The Commissioners met at one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; Lord Ardmillan; Mr Hastie.

The minutes of the previous meeting having been read,

A copy of a Treasury minute, of 24th July 1839, as to the appropriation under the Act 1 and 2 Victoria, chapter 55, of a sum of L.2500 from the revenues of Leith Harbour to the support of the College and Schools of Edinburgh, and a letter, dated 9th July 1859, of the Secretary of the Treasury in reference thereto, and showing changes in the appropriation since the date of the minute, were laid before the meeting.

Also a letter, dated 13th July 1859, from the Secretary of the Treasury, stating, in answer to a communication in pursuance of the minute of 4th July, that their Lordships would communicate with the Commissioners before deciding on any proposal from the Town Council of Edinburgh, with reference to the endowment of the vacant offices of Principal and Professor of Divinity in the University of Edinburgh.

The Commissioners took into consideration a draft Report on the matter of the petitions against the Ordinance of 12th March 1859, with reference to the Universities and Colleges of Aberdeen, and revised and altered the draft.

A letter from Mr Leslie, W.S., agent for the Aberdeen petitioners, requesting, should the Commissioners think it right, that a communication with reference to the report might be made to him for the information of his clients, was laid before the meeting, and the Secretary was directed to state in reply, that, it being the duty of the Commissioners to report specially to Her Majesty, it was not consistent with their duty to allow any such communication to be made before the report had been presented.

The Commissioners authorized the affixing of the seal of the Commission to a report to the Treasury on the financial arrangements of the University of Aberdeen.

There were laid before the meeting,—

A copy of a letter (dated 14th July 1859) from the Secretary of the Treasury to the First Commissioner of Works, stating that their Lordships had struck out of the Estimates, Class I., an item for the repairs of King's College buildings, having resolved to suspend proceedings in reference thereto, until the Privy Council had decided on the appeal against the Ordinance of the Commissioners; returns from the University of St Andrew's, dated respectively the 29th June and 13th July 1859, showing the amount (L.8045) of the accumulated capital fund of the University, its investment and application; also the number of medical graduates for the last seven years, the amount (average L.1920) derived for the same period from graduation fees, and the regulations for medical degrees.

The meeting rose at a quarter past four o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 22d July 1859.

Thirty-third Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; Lord Ardmillan; Mr Hastie.

The minutes of the previous meeting having been read,

The Commissioners finally adjusted a report to Her Majesty in Council, on the petitions against the Ordinance of 12th March 1859, with reference to the Universities and Colleges of Aberdeen, and authorized the affixing of the seal of the Commission to the report, as so adjusted.

The Commissioners present signed the report, and directed the Secretary to take steps to obtain the signatures of such of the other Commissioners as should be disposed to sign it.

There were submitted to the Commissioners, proposed statutes of the University of Edinburgh, relative to graduation in medicine; observations thereon by the Council of the College of Physicians of Edinburgh, the College of Surgeons of Edinburgh, and the School of Medical Lecturers, Surgeons' Hall, Edinburgh; reply to the observations of these several bodies by the Medical Faculty of the University; also dissent from certain of the proposed statutes, by Professor Laycock, of the University.

The Commissioners, after considering these several documents, revised and made certain alterations in the proposed statutes, which the Secretary was directed to communicate to the Medical Faculty in the University, prior to their being embodied in an Ordinance.

The meeting rose at twenty minutes to four o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 6th August 1859.

Thirty-fourth Meeting.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Advocate; Lord Ardmillan; Mr Hastie.

The minutes of the last meeting having been read,

The following letter, from the Clerk of the Privy Council to the Secretary, was laid before the meeting:—

*' Council Office, Whitehall, 2d August 1859.*

*' SIR,—The Lords of Her Majesty's Council having had under their consideration the Report of the Scottish Universities Commissioners, in the matter of certain petitions against their Ordinance of the 12th March 1859, with reference to the Universities and Colleges of Aberdeen, together with such petitions, I am directed to request that you will inform the Commissioners, that their Lordships have agreed to hear the petitioners, by their Counsel, in support of the allegations contained in the petitions in question; and I am also to request that you will state to me, as soon as you are able, whether the Commissioners also wish to appear by Counsel in support of their Ordinance, and if so, what is the earliest day on which they will be prepared so to appear.*

*' The Lords of the Council are very desirous that the hearing should take place within eight or nine days from the present time, or earlier if possible.—I am, etc.,*

*' WM. L. BATHURST.'*

In answer to this letter, the Commissioners directed the Secretary to reply in the following terms:—

*' Scottish Universities Commission, 36, Moray Place, Edinburgh, 6th August 1859.*

*' SIR,—The Scottish Universities Commissioners have had under consideration your letter of the 2d instant, in which, by direction of the Lords of Her Majesty's Council, you state that their Lordships have agreed to hear, by Counsel, the petitioners against the Ordinance of the Commissioners of 12th March 1859, and you request to be informed whether the Commissioners also wish to appear by Counsel in support of that Ordinance, and if so, what is the earliest day on which they will be prepared so to appear.*

*' The Commissioners direct me to say, that they are somewhat at a loss how to reply to your letter; because they are unable to understand what is the course of proceeding contemplated, and by what section of the Act 21 and 22 Vict., c. 83, it is authorized. The 15th section of the Act provides, that "it shall be lawful for any University, or any College, and for the trustees or patron of any foundation, mortification, bursary, or endowment, or for any other person directly affected by any such rule, statute, or Ordinance, within one month after the last publication thereof in the Gazette, to petition Her Majesty in Council to withhold her approbation of the whole or any part thereof, and it shall be lawful for Her Majesty in Council to refer such petition to the Commissioners, and to direct that they shall hear the petitioner or petitioners by Counsel, and report specially to Her Majesty in Council on the matter of the said petition, and it shall be lawful for Her Majesty in Council either to declare her approbation of any such rule, statute, or Ordinance, in whole or in part, or to signify her disapproval thereof in whole or in part; and in case of such disapproval, the Commissioners may proceed to frame other statutes or Ordinances in that behalf, subject to the like provisions and conditions as are hereinbefore enacted."*

*' The Commissioners have already made their special report, and their functions in reference to this particular Ordinance have been performed, and their powers are at an end. As statutory Commissioners, they apprehend they cannot, consistently with their position and duties, appear by Counsel before the Privy Council, or any Committee of the Privy Council, to defend the Ordinance.*

*' They desire me further to call your attention to the special terms of the 15th section of the Act of Parliament, and to the absence of any provision such as occurs in the Acts relating to the Universities of Oxford and Cambridge, 17 and 18 Vict., c. 81, § 35, and 19 and 20 Vict., c. 88, § 39, empowering Her Majesty to take the advice of a special Committee of the Privy Council, and authorizing that Committee to hear Counsel. Instead of such provisions, the Act appointing the Commissioners provides, that Her Majesty may refer the petitions against the Ordinances of the Commissioners to the Commissioners themselves, and direct them to hear Counsel and report specially. This course has, in the*

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'present case been followed, and all that remains is that Her Majesty shall, by Order in Council, signify Her approval or disapproval of the Ordinance in whole or in part.—I am, etc.,

'ROBERT BERRY, *Secretary.*'

In reference to the above matter, the Lord Advocate declined to express any opinion.

A letter, dated the 5th instant, from Mr James Valentine, on behalf of the Aberdeen Journal, requesting that a copy of the Report on the Aberdeen petitions might be furnished to that paper, was laid before the meeting, and the Secretary was directed to reply, that, the duty of the Commissioners having been to report specially to Her Majesty in Council, it did not rest with the Commissioners to make the Report public.

The following Ordinance, with reference to graduation in Medicine in the University of Edinburgh, was agreed to, and it was ordered that the seal of the Commission should be attached to it:—

[*Ordinance No. 5, Edinburgh No. 2, set out.*]

The Commissioners, understanding that Parliament was to be prorogued on Saturday the 13th instant, directed the Secretary to forward on Wednesday the 10th, to the Home Secretary, copies of the above Ordinance, to be laid before both Houses of Parliament, with the signatures of the Commissioners who were present at the meeting, and also of those who could be communicated with before that time, and who should express a wish to have their names attached to the Ordinance.

A draft Ordinance as to the University of Aberdeen was laid before the meeting; but consideration of it was postponed in respect of the proceedings, which, as stated in the letter above set out, the Privy Council had resolved to adopt, rendering it impossible for the details of the union of the Colleges to be laid before Parliament during the present session.

A letter, dated the 26th July 1859, from George Arthur Humble, of Mount Pleasant, Bideford, Devon, a graduate of St Andrew's, calling the attention of the Commissioners to the importance of reviving a distinctive dress for graduates in the Universities of Scotland, was laid before the meeting, and ordered to lie on the table.

The meeting rose at a quarter-past three o'clock.

JOHN INGLIS, *Chairman.*

Thirty-fifth  
Meeting.

*At Edinburgh, 25th October 1859.*

The Commissioners met at one o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of the previous meeting having been read,

[An Order of Her Majesty in Council laid before the meeting, disallowing a clause in the Ordinance No. 2, by which the 15th of October 1859 was fixed as the date from which the provisions of the Act should come into operation in the University of Aberdeen.]

A communication, dated the 24th instant, from Professor Christison, as Convener of a Committee of the Senatus Academicus of the University of Edinburgh, to take charge of the arrangements for the meeting of the General Council on the 28th instant, having been laid before the meeting, the following minute was agreed to with reference to that subject:—

The Commissioners, having had under consideration an advertisement, recently issued by the Senatus Academicus of the University of Edinburgh, with the approval of the Commissioners, with regard to the arrangements for the meeting of the General Council of the University on the 28th instant, and having also had under consideration certain questions which may arise in the conduct of the business at the meeting,

*Resolve,*—

1. That the President of the General Council is the Chancellor, and, in his absence the Rector, and, in the absence of both, the Principal, and, in the absence of all three, the senior Professor present;

2. That, in the event of more than one person being proposed for the office of Chancellor, or Assessor for the General Council, the votes of the members be taken by calling the roll once only for each election, and the person for whom the greatest number of votes shall be given shall be immediately declared by the President to be duly elected.

And the Commissioners direct an extract of this minute to be transmitted to the Senatus Academicus for their guidance.

The following minute was agreed to with reference to the meeting of the General Council of the University of Glasgow on the 28th instant:—

The Commissioners, having had under consideration an advertisement recently issued by the Senatus Academicus of the University of Glasgow with regard to the arrangements for the meeting of the General Council on the 28th instant, and having also had under consideration certain questions which may arise in the conduct of the business at the meeting,

*Resolve,*—

1. That the President of the General Council is the Chancellor, and, in his absence, the Rector, and, in the absence of both, the Principal, and, in the absence of all three, the senior Professor present at the meeting;

2. That, in the event of more than one person being proposed for the office of Assessor for the General Council, the votes of the members be taken by calling the roll once only, and the person for whom the greatest number of votes shall be given shall be immediately declared by the President to be duly elected.

And the Commissioners direct an extract of this minute to be transmitted to the Senatus Academicus for their guidance.

There was laid before the meeting a letter, dated 6th September 1859, from the Clerk of Council to the Chairman, to the effect that, the Ordinance of 6th August 1859, with reference to graduation in Medicine in the University of Edinburgh, having been laid before Parliament during last session only a day before the prorogation, the Lord President of the Council doubted whether, under 21 and 22 Vict., c. 83, sec. 15, the Ordinance should not be again laid before Parliament in the next session before being submitted to Her Majesty for approval; also the answer of the Chairman, dated 7th September;

and, in reply thereto, a letter from the Clerk of Council of 21st September, intimating that, under the advice of the Law Officers of the Crown, the Privy Council would not recommend Her Majesty to approve of the Ordinance, until it had been upon the table of both Houses of Parliament for the period of four weeks during their session.

[Certain details arranged as to the expenses of the Commission.]

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman.*

Thirty-fifth Meeting.

*At Edinburgh, 31st October 1859.*

Thirty-sixth Meeting.

The Commissioners met at twelve o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Earl of Mansfield; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

A communication from the University of St Andrew's, requesting that the Senatus might be informed, whether the meeting of the General Council for the election of an Assessor was to be understood as fixed for the 24th of November, was laid before the meeting; in reference to which the Secretary was directed to intimate, that the election was to take place on that day, and also to communicate, for the guidance of the Senatus, the following minute in regard to the conduct of the business at the meeting:—

The Commissioners, having under consideration certain questions which may arise in the conduct of the business at the meeting of the General Council of the University of St Andrew's on the 24th November next,

Resolve,—

1. That the President of the General Council of the University of St Andrew's is the Chancellor; in his absence, the Rector; in the absence of both, the senior Principal; in the absence of all three, the junior Principal; and, in the absence of all four, the senior Professor present at the meeting.

2. That, in the event of more than one person being proposed for the office of Assessor to represent the General Council in the University Court, the votes of the members be taken by calling the roll once only; and the person, for whom the greatest number of votes shall be given, shall be immediately declared by the President to be duly elected.

The Commissioners, having had under consideration the provisions of the Act 21 and 22 Vict., c. 83, relating to the meetings of the University Court of each of the Universities of St Andrew's, Edinburgh, and Glasgow, and having also had under consideration certain questions which may arise in the conduct of the business at these meetings,

Resolve,—

That, in the absence of the Rector at any meeting of the University Court of any of the said Universities, the member present who is first mentioned in the enumeration of members in the section of the Act applicable to the University shall preside with a deliberative vote only; and that, in the event of an equality of votes at such meeting, the consideration of the matter before the University Court shall be adjourned to a day, of which due notice shall be given to the Rector; and, if on that day the Rector, after due notice, cannot attend, the member presiding at such subsequent meeting shall have both a deliberative and a casting vote.

The Commissioners further resolve, that, in case of any extraordinary vacancy in the office of Assessor for the General Council, the General Council shall proceed, at their next ordinary meeting, to elect a new Assessor before entering on any other business.

The Commissioners, in regard to the registration fee payable by members of the General Council of each of the Universities of St Andrew's, Glasgow, and Edinburgh, with reference to which the provisions of the Universities Act were brought into operation on the 15th October last, resolve, that the second payment for each member shall fall due on the 15th October following his enrolment; and that a similar rule shall prevail in the University of Aberdeen, when the Act is brought into operation in that University.

The Commissioners further resolve, that any member of the General Council, after the first payment of five shillings, and of all subsequent annual fees of two shillings and sixpence, which may have become payable by him, shall be allowed to compound for all future payments of two shillings and sixpence by a single payment of one pound.

The Commissioners took into consideration the expediency of supplementing their Ordinance of 6th August 1859, with reference to graduation in Medicine in the University of Edinburgh; and, in reference thereto, a statement on the subject, drawn up under instructions from the Senatus by Professors Christison and Syme, the former of whom attended, at the request of the Commissioners, to give explanations on certain points. The Commissioners, before coming to any determination, directed the Secretary to intimate to the Councils of the Royal Colleges of Physicians and Surgeons, that they were ready to consider any observations which either Council might wish to offer on the subject in addition to those previously furnished by them. The Secretary was also directed to request the Faculty of Physicians and Surgeons of Glasgow to state, if they had any objections to the granting of the degrees of Bachelor of Medicine and Master of Surgery, as proposed by certain of the Universities.

A memorial of the University of Glasgow, dated the 24th October, was laid before the Commissioners, requesting that, before an Ordinance should be issued as to Medical graduation in that University, the Commissioners would communicate their views to the Senate, and take into consideration the remarks which the Senate might have to offer thereon; in reference to which the Secretary was directed to state, that, before issuing such an Ordinance, the Commissioners would communicate with the Senate.

A Committee, consisting of Sir W. Gibson Craig, Mr Dunlop, and (should he consent) the Lord Advocate, was appointed to consider the following subjects, and to report thereon to the Commissioners, viz.—the control of the Town Council of Edinburgh over the income of the University arising from the revenues of the Harbour of Leith, the steps to be taken to carry out the transference of the endow-

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ment of the Chair of Divinity to the Chair of Ecclesiastical History in the University of Edinburgh, as recommended in the Report of the Commissioners on the Faculties of Divinity in the several Universities, and, connected therewith, a correspondence between the Lord Provost of Edinburgh and the Secretary of the Treasury, as to a reduction proposed by the Town Council of the salaries payable out of the above-mentioned revenues to the Principal and Professor of Divinity in the University.

The draft of an Ordinance, embodying the details of the union of the Aberdeen Colleges, was referred to a Committee, consisting of the Chairman, the Lord Justice-General, and Lord Ardmillan.

A correspondence between Professor Weir, as Clerk of Faculty and Senate of the University of Glasgow, and the Secretary, with reference to the propriety of preserving the distinction between meetings of Faculty and meetings of Senate after the coming into operation of the Universities Act, was laid before the meeting; and the Secretary was directed to intimate to the Senate, that the Commissioners concurred in and adopted the answer given by him under the instructions of the Chairman on 6th October, to the effect that the distinction between meetings of Faculty, as a body having the administration of the revenue of the College, and meetings of the Senate, was one that could not be maintained.

There were laid before the meeting a memorial of persons residing in St Andrew's, as to the scale of fees and other matters connected with the University of St Andrew's; and a memorial of the Synod of Argyll, praying for the institution and endowment of a Professorship of Gaelic and Celtic Literature in one or more of the Scottish Universities.

[Certain details arranged as to the expenses of the Commission.]

The meeting rose at a quarter to four o'clock.

JOHN INGLIS, *Chairman.*

Thirty-seventh  
Meeting.

*At Edinburgh, 12th December 1859.*

The Commissioners met at two o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read and adjusted,

[Certain details arranged as to the expenses of the Commission.]

The Commissioners, having had under consideration a communication from the Senatus Academicus of the University of St Andrew's, and a memorial of certain students of the same University, intimating that Colonel Mure has declined the office of Rector, and seeing that in consequence it is necessary that a new election of Rector should take place without delay,

*Resolve,*—

That the election of Rector shall take place on Tuesday the 20th instant, the hour and place to be fixed by the Senatus, and intimated to the students without delay; and the Commissioners direct the Secretary to transmit an extract of this minute to the Senatus Academicus.

The Commissioners, having under consideration the expediency of supplementing their Ordinance of 6th August 1859, with reference to graduation in Medicine in the University of Edinburgh, and, in reference thereto, communications from the Senatus Academicus of the University, from the Royal Colleges of Physicians and Surgeons of Edinburgh, and from the Faculty of Physicians and Surgeons of Glasgow,

*Resolve,*—

That the degrees of Bachelor of Medicine and Master of Surgery shall be granted by the University on the conditions:—

(1) That in the examinations for degrees the Professors shall not be the only examiners, but that other persons shall be associated with them as examiners; and,

(2) That additional qualifications shall be required for the higher degree of Doctor of Medicine.

And the Commissioners refer to a Committee to frame an Ordinance in accordance with this resolution, containing provisions as to the degrees to be conferred by the University, and the conditions under which these shall be granted; the Committee to consider, to what extent it may be advisable to recognise the teaching of extra-academical Medical Lecturers as qualifying for University degrees, the necessity of providing endowments for the Medical Chairs in the University, should the present recognition be extended, the regulations to be made as to students who commenced their medical studies before the 15th of October 1859, and such other matters as it may be expedient to consider in connection with the Ordinance; the Committee to consist of the Lord Justice-General, Sir W. Gibson Craig, Mr Hastie, and Mr Dunlop.

[A letter, dated 9th December 1859, from Principal Barclay, Professor Ramsay, and Mr Bannatyne, members of the University Court of the University of Glasgow, requesting information on certain points in relation to the transaction of business by the University Court, considered, and the Secretary directed to reply thereto.]

The Commissioners, having under consideration, that in the University of Edinburgh students of Divinity, on matriculating in the Divinity Hall, pay only a fee of ten shillings instead of the ordinary fee of one pound, and that students of the class of Technology, if not attending other classes, and not desirous of having the use of the University Library, pay a fee of five shillings,

*Resolve,*—

That hereafter students of Divinity shall pay the same matriculation fee as other students, and on payment of such fee shall have the privilege both of the Divinity Hall Library, and of the General Library, and that ten shillings of such fee be appropriated for the support of the Divinity Hall Library;

That students of the class of Technology, if not matriculated, be entered in a register separate from that of the matriculated students, on payment of a fee of five shillings.

The Commissioners took into consideration the relations between the University of Edinburgh and the Town Council, as to the funds heretofore administered by the Town Council for the benefit of the University, and, in reference thereto, a memorial on the subject from the Senatus Academicus.

The meeting rose at a quarter past five o'clock.

JOHN INGLIS, *Chairman.*

At Edinburgh, 13th December 1859.

Thirty-eighth Meeting.

The Commissioners met at four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in Chair; the Duke of Argyll; the Earl of Haddington; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

The Commissioners resumed consideration of the relations between the University of Edinburgh and the Town Council as to property; and remitted the matter again to the Committee appointed on the 31st October 1859, for the purposes of further inquiry, and of reporting generally to the Commissioners.

The Committee, appointed on the 31st of October 1859 to adjust the draft of an Ordinance embodying the details of the union of the Aberdeen Colleges, submitted to the meeting an adjusted draft, which was considered and approved of.

The meeting rose at twenty minutes past six.

JOHN INGLIS, *Chairman*.

At Edinburgh, 14th December 1859.

Thirty-ninth Meeting.

The Commissioners met at four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Lord Justice-General; the Lord Advocate; Sir W. Gibson Craig; Mr Stirling; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

The Lord Advocate laid before the Commissioners a correspondence which had passed between his Lordship and the Town Council of Aberdeen, with reference to a proposition on the part of the Town Council, to contribute towards the erection of additional buildings at Marischal College, should the Commissioners be induced to direct, that the Arts Classes in the united University should assemble there instead of in the buildings of King's College.

The Committee, appointed on the 31st of October 1859 to adjust the terms of an Ordinance embodying the details of the union of the Aberdeen Colleges, was reappointed for the purpose of considering such farther steps as might be necessary in connection with the publication of the Ordinance, and amongst others, to prepare the terms of an Ordinance, fixing the 15th of September 1860 as the date from which the union should take effect; and also to prepare an answer to a petition to the Commissioners, by Sir James Burnett, of Leys, with reference to the payments to be made to the Leys Bursars in King's College.

The Commissioners, considering the emoluments which ought to be provided for the Principals in the several Universities, resolved, that in the Universities of Glasgow and Edinburgh, the emoluments should be fixed at £700 a year; in Aberdeen at £600; and in the United College, St Andrew's, at £550.

The Commissioners considered the letter of the Home Secretary, mentioned in the minute of 1st June 1859, referring, by Her Majesty's commands, to the Commissioners, a petition from the University of Glasgow, praying inquiry into the state of the University; and the following Committee was appointed to visit Glasgow, and to report to the Commissioners in reference thereto:—the Duke of Argyll, the Earl of Haddington, the Earl of Mansfield, Mr Stirling, and Mr Hastie; Mr Stirling to be convener.

There was laid before the meeting a communication from the Senatus of the University of Edinburgh with reference to the Chair of Technology, recently vacated by the death of Professor George Wilson, and to the Technological Museum, the consideration of which was postponed.

The Secretary submitted an estimate of the expenditure of the Commission for the ensuing financial year, which was approved of.

The Secretary was directed to communicate to the Treasury the additional sums, which the Commissioners recommended to be obtained from Parliament for the Universities during the ensuing year.

The Secretary was directed to request the Department of Works in Scotland to insert in their estimates for the ensuing year the sum of £6000, remaining moiety of the sum of £12,000, formerly destined by the Treasury for the repair of the buildings of King's College, Aberdeen, and of which one moiety was voted in the present year.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 9th January 1860.

Fortieth Meeting

The Commissioners met at two o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

The Commissioners directed that the seal of the Commission should be affixed to Ordinance No. 6, Aberdeen No. 2.

A letter of the Town Clerk of Edinburgh, dated the 14th of December 1859, was laid before the Commissioners, forwarding, by direction of the Town Council, copies of a case and opinion of the Solicitor-General, with reference to the control of the Town Council over the property of the University, and stating the desire of the Town Council to administer, as heretofore, the property under their charge for the benefit of the University.

The Commissioners took into consideration the emoluments of the Professors in the University of Edinburgh.

The meeting rose at ten minutes past six o'clock.

JOHN INGLIS, *Chairman*.

Forty-first Meeting.

At Edinburgh, 10th January 1860.

The Commissioners met at four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Dunlop.

The minutes of the last meeting having been read,

The Commissioners directed that the seal of the Commission should be affixed to Ordinance No. 7, Aberdeen No. 3.

The Committee appointed on the 14th of December to visit the University of Glasgow, and report to the Commissioners in reference to the buildings of that University, presented a Report, of this date, which having been read to the meeting and considered, the Committee was reappointed to make farther inquiries in reference to the same subject.

The Commissioners resumed consideration of the emoluments of the Professors in the University of Edinburgh.

The expediency of converting the Chair of Universal History in that University into one of Constitutional Law, and of reviving the Chair of Public Law, was considered in connection with a Report, adopted on 29th June 1855 by the Faculty of Advocates, with reference to University instruction in Law, and a Memorial to the Government on the same subject by the Dean and Faculty; copies of which Report and Memorial were transmitted to the Commission, under a resolution of the Faculty of the 12th of January 1859.

The Chairman, the Lord Justice-General, Lord Ardmillan, and Sir William Gibson Craig, were appointed a Committee to consider and report on the emoluments and requirements of the several Professorships in the University of Edinburgh.

The meeting rose at a quarter past six o'clock.

JOHN INGLIS, *Chairman*.

Forty-second Meeting.

At Edinburgh, 15th February 1860.

The Commissioners met at four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There were laid before the Commissioners and considered,—

With reference to the University of Aberdeen,—a memorial of Dr Redfern, Lecturer on Anatomy in King's College, as to his position under the Ordinance of 9th January, and a representation from the Senatus of King's College on the same subject; a memorial of Professor Maclure, as to a disparity in the estimates, in the same Ordinance, of the fees of the Professors of Humanity and Greek in the united University; a memorial of Professors Maclure, Fuller, and Geddes, as to the endowments of their Chairs under the same Ordinance; a memorial of Professor Fyfe, as to his inability to perform the duties of the Chair of Chemistry in the united University, to which the same Ordinance appoints him; a letter from Messrs Murray and Garden of Aberdeen, the agents of Dr Henderson, the founder of the Chair of Medical Logic and Medical Jurisprudence in Marischal College, inquiring whether the Professor of Medical Jurisprudence in the united University, to whom Dr Henderson's endowment is transferred by the same Ordinance, is not to be under an obligation to include Medical Logic in his course; a letter from the Senatus of King's College, requesting authority from the Commissioners to pay to Principal Campbell certain arrears to him as Lecturer under the Murray Bequest, under the circumstances detailed in the letter;

With regard to the University of St Andrew's,—an application from the United College for an Ordinance to be issued, altering the conditions of the Ramsay Bursaries before next session; and in connection therewith, a request from a Committee of the Presbytery of St Andrew's, to be informed of any proposed alteration before it is determined on by the Commissioners; also a memorial of Professor Macdonald, praying an alteration in his Chair from Civil to Natural History, and for other matters;

With regard to the University of Glasgow,—a report of the Senatus on the granting of diplomas in Civil Engineering and Mechanics.

There were also considered by the Commissioners,

A letter from Mr Hope, Deputy Keeper of the Signet, as to the unfavourable position, under the Universities Act, of students of Law, in regard to qualifying by graduation for membership in the General Councils; and a memorial of the Educational Institute of Scotland, as to the establishment of Chairs of Pædæutics in the Universities.

The meeting rose at ten minutes past six o'clock.

JOHN INGLIS, *Chairman*.

Forty-third Meeting.

At Edinburgh, 19th March 1860.

The Commissioners met at three o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

A letter of the Clerk of Council, dated the 13th March 1860, with reference to the form of submitting Ordinances for the approval of Her Majesty having been considered, it was resolved,—

That henceforth the form, in which all Ordinances shall be authenticated, shall be by the seal of the Commission being affixed to them, and by the Chairman attaching his signature, as evidence that the seal has been affixed duly, and by the authority of a quorum of the Commissioners.

The terms of Ordinance No. 8, Edinburgh No. 3, were considered and adjusted; and it was ordered that the seal of the Commission should be affixed to it.

The terms of a report as to the emoluments of the Principal and Professor of Divinity in the University of Edinburgh, and as to the appropriation of the annuity of L.2500 from the revenues of Leith harbour, for the support of the College and schools of Edinburgh, were considered and adjusted; and it was ordered that the seal of the Commission should be affixed to the report.

A memorial of Dr Kerr, Lecturer on Surgery in King's College, Aberdeen, as to the non-provision of compensation to him by Ordinance No. 6, Aberdeen No. 2, having been considered, the Secretary was directed to inform Dr Kerr, that the Commissioners considered that the Universities Act did not authorize them to award him compensation. Forty-third Meeting.

The Commissioners directed the Secretary to intimate to the Senatus Academicus of the University of Edinburgh, that they had learned with some surprise, that alterations in that part of the University buildings, recently occupied as a house by the late Principal Lee, were contemplated, or had been commenced, without the Commissioners being consulted in the matter; that the Commissioners desired to be informed, by whose authority the alterations in question were proposed to be carried out, what was the nature of the alterations, and out of what fund the expenses were to be defrayed; and that they requested, that in the meantime no steps should be taken towards commencing the operations, or towards their continuance, should they have been already commenced.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman.*

*At Edinburgh, 9th April 1860.*

Forty-fourth Meeting.

The Commissioners met at twelve o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

A memorial, signed by the Duke of Sutherland, the Marquis of Stafford, the Earl of Caithness, Lord Saltoun, the Earl of Fyfe, the Earl of Cawdor, the Earl of Seafield, Mr Cumming Bruce, M.P., Sir A. P. Gordon Cumming, Bart., Mr J. E. Baillie, Colonel Hugh D. Baillie, Mr Evan Baillie, of Dochfour, Sir George S. Abercromby, Bart., of Forglen, Vice-Chancellor Sir John Stuart, Mr Brodie, of Brodie, Mr H. J. Baillie, M.P., Sir James Clark, Bart., and Sir James H. Burnett, Bart., was laid before the Commissioners, praying the Commissioners to adhere to the Ordinances they have promulgated in reference to the University of Aberdeen, and to use all the means in their power that the same may be carried into effect without farther delay.

An Order of Her Majesty in Council, dated the 26th March, was laid before the Commissioners, referring to them the following petitions, copies of which were annexed to the said Order, directing the Commissioners to hear the petitioners (or such of them as might be desirous thereof) by Counsel, and to report specially to Her Majesty in Council on the matter of the said petitions, viz. :—

1. Petition of the Dean of Faculty, and Principal and Professors of the Marischal College and University of Aberdeen, praying that Her Majesty in Council would be pleased to withhold Her approbation of the three Ordinances of the Commissioners with reference to the Universities and Colleges of Aberdeen, made on the 12th day of March 1859, and 9th and 10th days of January 1860 respectively; and also praying that Her Majesty would be pleased to refer the said petition (together with a former petition against the first of the said Ordinances) to the Commissioners, and to direct that they should hear the said petitioners by Counsel, and to report specially to Her Majesty in Council on the matter of the said petitions;

2. Petition of the Provost, Magistrates and Council of the city of Aberdeen, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances of the 12th day of March 1859, and of the 9th and 10th days of January 1860; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid;

3. Petition of the Convener Court of the seven Incorporated Trades of the city of Aberdeen, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners aforesaid;

4. Petition of the Landholders, Commissioners of Supply, and Justices of the Peace of the county of Aberdeen, in general meeting assembled, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid;

5. Petition of the very Reverend the Moderator, Ministers, and Elders of the Synod of Aberdeen, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid;

6. Petition of the Moderator and Members of the Presbytery of Alford, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid;

7. Petition of the Moderator and Members of the Presbytery of Garioch, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid;

8. Petition of the Moderator and Members of the Presbytery of Strathbogie, praying that Her Majesty in Council would be pleased to withhold Her approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid;

9. Petition of David Kerr, Doctor of Medicine, Lecturer on Surgery in the University and King's College, Aberdeen, praying Her Majesty in Council to withhold Her approbation of the said Ordinances of the 9th and 10th days of January 1860, in so far as they omit to make provision for securing compensation to the petitioner for the loss of emoluments belonging and payable to him, as holder of certain offices in the said University; and also praying that the said petition might be referred to, and directed to be reported upon by the Commissioners in manner aforesaid.

Another Order of Her Majesty in Council, also dated the 26th March, was laid before the Commis-

Forty-fourth  
Meeting.

sioners, whereby the petition of certain graduates of the University and King's College, Aberdeen, concerning the said Ordinances, and praying the disapproval of certain of the provisions of the second, third, and fourteenth articles of the said Ordinance of the 9th January 1860, a copy of which petition was annexed to the said Order, was referred to the Commissioners; and the Commissioners were directed to hear such petitioners by Counsel, and to report specially to Her Majesty in Council on the matter of the said petition.

Under these Orders in Council, the following Counsel were now heard for the above-mentioned petitioners, viz.:—

The Solicitor-General (Maitland) and Mr A. R. Clark, for the eight petitioners first mentioned in the former Order in Council;

Mr Young and Mr Macpherson, for the petitioners mentioned in the latter Order in Council; and Mr D. Mackenzie (with whom was Mr Birnie) for Dr Kerr.

Counsel having withdrawn, the Commissioners considered the several petitions and the arguments of Counsel.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Forty-fifth Meeting.

*At Edinburgh, 10th April 1860.*

The Commissioners met at twelve o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Mansfield; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

A memorial from the Senatus of King's College, Aberdeen, praying the Commissioners to appear by Counsel before the Privy Council in support of their Ordinances, having been considered, the Secretary was directed to intimate that the Commissioners must refuse the prayer of the memorial.

The subject of the curriculum in Arts, and the scale of fees to be adopted in the united University of Aberdeen, was referred to a Committee, consisting of the Chairman, Lord Ardmillan, and Sir W. Gibson Craig, the Committee to communicate on the subject, if necessary, with King's and Marischal Colleges.

Letters, dated respectively the 2d, 12th, and 22d March, from Messrs Murray and Garden, on behalf of Dr Henderson, founder of the Chair of Medical Logic and Medical Jurisprudence in Marischal College, with reference to continuing the title of Medical Logic to the Chair in the united University, having been considered, the Secretary was directed to intimate to Dr Henderson, that the Commissioners would, in a future Ordinance, endeavour to give effect to his wishes.

[There were laid before the Commissioners a memorial by Mr G. B. Bothwell, for the foundation of Chairs of English Literature and General History, a second Chair of Law, and Chairs of Clinical Medicine, Clinical Surgery, and Pathology, in the University of Aberdeen; letters from the Principal and the Librarian of the University of Edinburgh, on the subject of the proposed alterations in the University buildings; from Dr Crawford, Professor of Divinity in the University of Edinburgh, on the subject of the matriculation fee to be paid by Divinity students;]

Also a correspondence between the Senatus of the University of Edinburgh and the department of Science and Art, with reference to the means of communication to be provided between the University and the proposed new Industrial Museum; and an intimation from the Board of Works to the Commissioners, that they would be allowed to see the plans of the Museum when completed, in reference to which the Secretary was directed to state to the Board of Works the decided opinion of the Commissioners, that, in order to secure to the University the proper use of the Museum for purposes of instruction, it was absolutely necessary that a covered communication should be constructed between the two buildings.

A letter, dated the 4th instant, from the President of the College of Surgeons of Edinburgh, with reference to the privilege of the University Library enjoyed by members of the College, was laid before the Commissioners.

A letter, dated the 29th March, from Mr Bannatyne, Assessor for the General Council in the University Court of the University of Glasgow, having been laid before the meeting, the following minute in reference thereto was adopted:—

The Commissioners, having had under consideration a letter of Mr Bannatyne, the Assessor for the General Council in the University Court of the University of Glasgow, with reference to the power of the General Council to adjourn and to appoint a committee for maturing business,

Resolve,—

1. That the General Council, being by the Universities Act limited to two statutory annual meetings, has no power to adjourn its meetings from day to day; but that a suspension of the proceedings of a meeting from one hour to a later hour of the same day is not an adjournment, and is within the power of the General Council;

2. That the General Council has the power to appoint a Committee at one meeting to arrange or prepare business for the next meeting, but has no power to delegate any of its functions to a Committee, or to act in any respect by means of a Committee; and the Secretary is directed to communicate a copy of this minute, for the information of the General Council of each of the Universities of St Andrew's, Glasgow, and Edinburgh.

An application from Mr Connell, Professor of Chemistry in the United College, St Andrew's, to be allowed to retire on account of ill health; a representation on the same subject, from the Earl of Leven and Melville, Patron of the Chair, and for an increase of the endowment of the Chair; and a minute of the University Court of the University on the same subject, and on the position of the Chair of Humanity, were laid before the meeting and considered.

In answer to an application from St Mary's College, St Andrew's, to be furnished with a copy of the Report on the Faculties of Divinity in the several Universities, the Secretary was directed to state that the Report was one of a confidential nature to the Government, and that the Commissioners could not comply with the request of the College.

In answer to a request from the Rev. G. A. Humble, to be informed what is his proper hood as a graduate of St Andrew's, the Secretary was directed to state that the Commissioners were not at present prepared to consider the subject; and that they thought it a fitter subject of consideration for the Senatus of the University.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman.*

*At Edinburgh, 8th May 1860.*

Forty-fifth Meeting.

The Commissioners met at twelve o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

The Commissioners considered a draft Report to Her Majesty in Council, on the matter of the petitions as to the Aberdeen Ordinances referred to the Commissioners, as mentioned in the minutes of 9th April 1860.

The Commissioners considered the curriculum in the Faculty of Arts, and the class, matriculation, and graduation fees, to be adopted in the University of Aberdeen on the union taking effect.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman.*

*At Edinburgh, 9th May 1860.*

Forty-seventh Meeting.

The Commissioners met at twelve o'clock.

*Present.*—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

The Commissioners finally adjusted the terms of a Report to Her Majesty in Council, on the petitions with reference to the Aberdeen Ordinances mentioned in the minutes of last meeting, and ordered that the seal of the Commission should be attached to the Report so adjusted.

A letter from Professor Kelland, dated the 13th April, asking, on the part of the Senatus of the University of Edinburgh, the sanction of the Commissioners for the payment of certain sums out of the Reid and Straton Funds, and inquiring whether the accounts and estimate of the Reid Fund are hereafter to be rendered to the Magistrates and Council of Edinburgh, as heretofore, under the interlocutor of the Court of Session of the 7th July 1855, was laid before the Commissioners; and the Secretary was directed, in answer, to intimate the sanction of the Commissioners to the payment, out of the Reid and Straton Funds, of the several sums specified in the statement accompanying Professor Kelland's letter, and amounting in all, as shown thereby, to L.539, 16s. 9d., subject to the diminution of an item for statement of bursaries; to inform the Senatus that a scheme of finance to regulate the management and application of the University funds generally, including the Reid and Straton Funds, would shortly be embodied in an Ordinance; that the Commissioners, in reference to the administration of the Reid Fund, concurred in the view expressed in the memorial of the Senatus to the Commissioners, of the 9th December last, to the effect that the right of control in regard to that fund no longer belonged to the Magistrates and Council, but was now transferred to the University Court, and that there was therefore no longer any reason, why the accounts and estimate should be furnished to the Magistrates and Council as formerly; that, it being provided that the University Court should exercise their powers in subordination to those of the Commissioners, the Commissioners requested that during the subsistence of their powers the Senatus would render their accounts to them, but that in the meantime the Senatus might postpone the preparation of their estimate for next year, until the Commissioners had settled the terms of their Ordinance.

A letter, dated the 4th April, from the President of the College of Surgeons of Edinburgh, with reference to the privilege of the University Library enjoyed by members of the College, having been considered, the Secretary was directed to state in reply, that it was impossible that the Commissioners could recognise the legality of such an agreement as that under which the privilege was enjoyed; that they were, however, unwilling to be reduced to the necessity of considering the subject on the mere ground of legality or illegality; and that they still hope to be favoured with a proposal from the College, which might form the basis of a reasonable arrangement, at once fair for the interests of the University and convenient for the members of the College; and further, that the Commissioners were previously fully aware of the whole history of the transaction, and that there was no reason to suppose that the Royal Commissioners of 1826 were labouring under any misunderstanding, when they expressed the opinions to which the President had referred in his letter.

There were laid before the meeting, and considered, a minute of the Senatus of the University of Edinburgh, of date the 21st April, with reference to the recognition, in Ordinance No. 8, of Extra-academical Lecturers in Edinburgh, and reasons of dissent therefrom on the part of Professor Syme.

A letter, dated the 14th April, from Mr Bannatyne, member of the University Court of the University of Glasgow, inquiring how the expense of a clerk and of stationery for the Court was to be met, was ordered to lie on the table.

A letter, dated the 23d April, from Professor Weir, Clerk of Senate of the University of Glasgow, inquiring as to the authority (whether that of the General Council or of the Senatus) by which the salary of the Registrar of Council is fixed, and the Registration Fees expended, having been considered, the Secretary was directed to state in reply, that the authority in such matters belonged to the Senatus, who had the power of fixing the salary of the Registrar, and of administering the fund arising from the Registration Fees, subject to the control of the University Court, and that the General Council had no powers of administration.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman.*

Forty-eighth  
Meeting.

*At Edinburgh, 10th May 1860.*

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

The Commissioners considered the financial arrangements to be made for the University of Edinburgh.

The Commissioners also considered the subject of an alteration in the conditions of the Ramsay bursaries in the University of St Andrew's.

The meeting rose at a quarter to five o'clock.

JOHN INGLIS, *Chairman*.

Forty-ninth  
Meeting.

*At Edinburgh, 14th May 1860.*

The Commissioners met at two o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

The Commissioners considered the subject of retiring allowances for aged and infirm Principals and Professors, and the steps to be taken by such persons with the view of retiring, in the case of their not being required to retire by the University Court under s. XII. 5 of the Universities Act.

A letter, dated the 1st of May, from Professors Fischer and Day of the United College, St Andrew's, bringing to the notice of the Commissioners a proposition, on the part of the United College and of the University, to alter the requirements for Degrees in Arts from the beginning of next session, having been considered, the Secretary was directed to intimate to the United College, through Principal Forbes, and to request him to communicate the information to the Senatus of the University, that the whole subject of the curriculum in Arts was at present engaging the attention of the Commissioners; and in view of this circumstance, they thought it was not desirable, that any change in the present system should be introduced next session.

In answer to a letter, dated the 11th May, from Professor Arnott, Professor of Botany in Glasgow, inquiring as to the meaning of Article *Quinto* of the Ordinance of 4th May 1859, regarding the University of Glasgow, the Secretary was directed to state, that it was thereby intended that students should pay distinct fees of ten shillings and five shillings for the winter and summer sessions respectively, and that private students as well as others should pay the matriculation fees.

In answer to a letter, dated the 11th instant, from Principal Forbes, inquiring his proper course in handing over to his successor in the Chair of Natural Philosophy in Edinburgh the collections, for which he has heretofore been responsible to the Town Council, the Secretary was directed to intimate that his proper course was to hand them over to his successor through the Senatus Academicus.

The Commissioners considered the course to be hereafter adopted in conducting elections by the General Councils.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

Fiftieth Meeting.

*At Edinburgh, 21st May 1860.*

The Commissioners met at two o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered a letter of Principal Forbes of the 19th instant, expressing a hope, that their resolution as to the undesirableness of introducing changes at present in the requirements for Degrees in Arts in the University of St Andrew's, communicated to him under the directions contained in last minute, would not be held to upset the programme of subjects of examination for session 1860-1, which had been announced before the close of last session, in reference to which the Commissioners directed that intimation should be made to Principal Forbes, that, in coming to the resolution in question, their attention had not been directed to the subjects of examination for 1860-1, and that the resolution did not apply to them.

The Commissioners considered the mode of voting to be adopted at elections by the General Councils; and in connection therewith a letter, dated the 10th April, from Dr Woodford, Procurator of the Mar Nation of King's College, bringing under the notice of the Commissioners the existence of a general desire, on the part of the graduates of that College, of having continued to them the practice of voting by letter in the election of University officers.

The Commissioners considered the terms of a draft Ordinance as to the curriculum in Arts, fees, and other matters in the University of Aberdeen.

The meeting rose at a quarter before six o'clock.

JOHN INGLIS, *Chairman*.

Fifty-first Meeting.

*At Edinburgh, 28th May 1860.*

The Commissioners met at half-past twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; Lord Ardmillan, Sir W. Gibson Craig; Mr Stirling; Mr Hastie.

The minutes of the last meeting having been read,

There was laid before the meeting an answer of the Senatus of the University of Edinburgh to reasons of dissent by Professor Syme from the minute of Senatus, as to the recognition of Extra-academical Lecturers in Edinburgh, mentioned in the minutes of 9th May 1860.

The Commissioners further considered the terms of a draft Ordinance as to the curriculum in Arts, fees, and other matters in the University of Aberdeen.

The Commissioners also considered the terms of a draft Report on the buildings of Glasgow University. Fifty-first Meeting.

The meeting rose at a quarter past four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 11th June 1860.*

Fifty-second Meeting.

The Commissioners met at half-past twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The terms of a report on the buildings of Glasgow University were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the report.

The Commissioners also considered the terms of a draft report on retiring allowances to aged and infirm Principals and Professors;

Also, the terms of a draft Ordinance as to Principals and Professors applying to be allowed to retire on retiring allowances;

Also, the terms of a draft Ordinance as to the Ramsay Bursaries in the University of St Andrew's.

The meeting rose at a quarter past four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 22d June 1860.*

Fifty-third Meeting.

The Commissioners met at a quarter past four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners finally adjusted the terms of a report on retiring allowances for aged and infirm Principals and Professors, and ordered that the seal of the Commission should be affixed to the report.

The Commissioners finally adjusted the terms of Ordinance No. 9, General, No. 1, as to Principals and Professors applying to be allowed to retire on retiring allowances, and ordered that the seal of the Commission should be affixed to the Ordinance.

A letter, dated the 31st May, from the President of the College of Surgeons of Edinburgh, on the subject of the privilege of the University Library, at present enjoyed by members of the College, having been considered, the Secretary was directed, in reply thereto, to remind the College that, in their previous letter, they had not merely guarded themselves against an admission that the agreement under which the privilege was enjoyed was not legal, but had stated that they would consent to re-consider the conditions of the privilege, only upon the understanding that their legal rights, under the agreement, were distinctly recognised by the Commissioners; that the Commissioners, in reply, so far from intimating a wish that the College should make any admission of the illegality of the agreement, had stated that, while it was impossible for them to recognise its legality, they were unwilling to be reduced to consider the subject on the mere ground of legality or illegality, and hoped still to be favoured with proposals from the College, which might lead to a satisfactory arrangement; that, under these circumstances, with the assurance of the absence of any intention on the part of the Commissioners to seek for an admission of the illegality of the agreement, the Commissioners hoped that the College might be disposed to favour them with proposals, on the understanding that these should be made apart from all considerations of legality or illegality.

There were laid before the Commissioners, a letter, dated the 12th instant, from the Secretary of the Treasury, as to providing for the additional sums recommended by the Commissioners to be paid to the Principals of the United College, St Andrew's, and of the Universities of Glasgow and Edinburgh; a report, dated the 8th instant, to the Senatus Academicus of the University of Edinburgh, by their Committee on Buildings, etc., as to the operations at the Librarian's house, carried on under the authority of the Town Council; and a petition of the Scots Law Society of the University of Edinburgh, praying for the institution of Degrees in Law in the University.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 25th June 1860.*

Fifty-fourth Meeting.

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners finally considered the terms of Ordinance No. 10, St Andrew's No. 2, as to the Ramsay bursaries in the University of St Andrew's, and ordered that the seal of the Commission should be affixed to the Ordinance.

The Commissioners considered the terms of a draft Ordinance as to meetings of the General Councils and the University Courts.

The meeting rose at a quarter past two o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 2d July 1860.*

Fifty-fifth Meeting.

The Commissioners met at half-past eleven o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

It was ordered that the seal of the Commission should be affixed to Ordinance No. 11, General No. 2; and also to Ordinance No. 12, Aberdeen No. 4.

An Order of Her Majesty in Council, dated the 9th day of June 1860, was laid before the Com-

Fifty-fifth Meeting. missioners, referring to them the following petitions, copies of which accompanied the said Order, and directing the Commissioners to hear the petitioners (or such of them as might be desirous thereof) by Counsel, and to report specially to Her Majesty in Council on the matter of the said petitions, viz. :—

1. Petition of the Royal College of Physicians of Edinburgh;
2. Petition of the Royal College of Surgeons of Edinburgh;
3. Petition of the Faculty of Physicians and Surgeons of Glasgow;
4. Petition of the Royal College of Surgeons of England;

severally praying that Her Majesty would be pleased to withhold Her approval of the Ordinances framed by the Commissioners on the 6th August 1859 and 19th March 1860, with reference to conferring Degrees in Medicine and Surgery in the University of Edinburgh.

Under the said Order, Counsel now appeared, and were heard for the said several petitioners, viz. :—

For the Royal College of Physicians of Edinburgh, the Solicitor-General (Maitland) and Mr Alexander Robertson;

For the Royal College of Surgeons of Edinburgh, Mr Young and Mr Dove Wilson;

For the Faculty of Physicians and Surgeons of Glasgow, Mr Gifford; and

For the Royal College of Surgeons of England, Mr Lee.

Mr Macfarlane and Mr Millar were also heard as Counsel for the Senatus Academicus of the University.

Opportunity was afforded to the Counsel for the several petitioners to reply to the Counsel for the Senatus Academicus, but they declined to avail themselves of it.

The meeting rose at a quarter before six o'clock,

JOHN INGLIS, *Chairman*.

Fifty-sixth Meeting.

*At Edinburgh, 6th July 1860.*

The Commissioners met at a quarter past four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners adjusted letters to be sent to the Treasury, the Board of Works, and the Home Secretary, with a view to the necessary arrangements being made for the coming into operation of the union of the Aberdeen Colleges on the 15th of September next.

A letter, dated the 30th May, from Professor Playfair, stating the desirableness of the University of Edinburgh being allowed to take steps to carry out, next session, their scheme for granting Certificates in Arts, and the distinction of Associate in Arts, as contained in the report of the Senatus on that subject, transmitted to the Commissioners on the 21st March, having been considered, the Commissioners adjusted the terms of a letter to be addressed to the Senatus on that subject.

A letter, dated the 29th May, from Mr Bannatyne, Assessor for the General Council in the Glasgow University Court, calling the attention of the Commissioners to a minute of the General Council of the 27th April, requesting the opinion of the Commissioners, as to whether students who had not finished their curriculum were eligible as members of the General Council, was considered; and the Secretary was directed, in reply, to refer to the provision of the 6th section of the Universities Act on that subject, and to state that the Commissioners did not intend at present to pass an Ordinance regarding it, and that they did not feel called on to express an opinion regarding the interpretation of the statute.

A memorial from the Tusculan Society, praying for the institution of Degrees in Law in the Universities, was laid before the Commissioners.

A letter, dated the 5th July, from Mr Grace, Secretary of St Andrew's University Court, inquiring, on behalf of the Court, whether they could obtain copies of all Ordinances or documents issued by the Commissioners, having been considered, the Secretary was directed hereafter to forward copies of all Ordinances to the Principal of each University (in St Andrew's to the senior Principal), to be deposited in the Library for the use of the University; and further, to intimate to Mr Grace that this would be done, but that copies of Ordinances only, and not of any other documents, could be so furnished.

The meeting rose at half-past five o'clock,

JOHN INGLIS, *Chairman*.

Fifty-seventh Meeting.

*At Edinburgh, 9th July 1860.*

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the petitions to Her Majesty in Council against their Ordinances relating to graduation in Medicine in the University of Edinburgh, referred to them by Order in Council, as mentioned in the minutes of 2d July; and also the arguments of Counsel in reference thereto.

There was laid before the Commissioners a memorial of the Medical Lecturers, Surgeons' Hall, Edinburgh, dated the 7th July, with reference to the amount of professional study allowed by the Ordinance of 19th March to be taken with Extra-academical Teachers; and also as to the provision in the same Ordinance, requiring candidates, not students of the University, availing themselves of the permission to attend the lectures of Extra-academical Teachers in Edinburgh, to enrol their names in a different book from the ordinary matriculation book of the University.

A memorial, dated the 6th July, from Professor Fyfe of King's College, as to his inability to discharge the duties of Professor of Chemistry in the united University of Aberdeen, having been considered, the Commissioners directed the Secretary to intimate, in reply, that they had no power to interfere, but that, on the University Court being constituted, Professor Fyfe's proper course would be to make application to that body.

The meeting rose at a quarter before three o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 18th July 1860.*

Fifty-eighth  
Meeting.

The Commissioners met at a quarter past four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered and adjusted the terms of a report to Her Majesty in Council, on the matter of the petitions against their Ordinances relating to graduation in Medicine in the University of Edinburgh, and ordered that the seal of the Commission should be affixed to the Report.

The meeting rose at a quarter before six o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 26th October 1860.*

Fifty-ninth  
Meeting.

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of last meeting having been read,

Mr Matheson, of the Board of Works, attended to explain a revised series of plans for an alteration and extension of the buildings at King's College, Aberdeen, and their adaptation to the requirements of the united University; and the Commissioners, having considered these, agreed to the following minute in reference thereto:—

The Commissioners, having had under consideration a revised series of plans prepared by Mr Matheson, the Surveyor for Scotland of the office of Her Majesty's Works, etc., for the extension and repair of the buildings at King's College, Aberdeen, and their adaptation to the requirements of the united University, and also Mr Matheson's letter of the 24th instant, referring thereto, resolve to approve of the said plans, and direct that the plans be forwarded to the First Commissioner of Her Majesty's Works, etc., with an intimation of their approval by the Commissioners.

The Commissioners also approve generally of the terms of Mr Matheson's letter. They cannot, however, concur in the expediency of postponing the erection of the new Library to a future period. The use now made of part of the Chapel as the University Library is productive of much inconvenience; and the erection of a new Library is further rendered indispensable, in order that the University may be provided with a suitable room in which the examinations in the Faculty of Arts may be conducted.

The Commissioners also desire, that an intimation may be made to the First Commissioner of their sense of the extreme inadequacy of the existing accommodation for the purposes of the united University, and of the importance of estimates being obtained and other necessary steps being taken to carry out the proposed alterations without delay. They desire to express their entire approval of the temporary arrangements, which have been made under Mr Matheson's superintendence; but these are in many respects quite unsuitable for the permanent accommodation of the united classes, which are now to assemble in these buildings.

In connection with the alteration and extension of the University buildings, to which these plans relate, the Commissioners have had their attention drawn to the circumstance, that a new system of drainage for the town of Old Aberdeen is projected by the inhabitants; and that overtures have been made to the University authorities to take the benefit of the new system, and bear a part of the expense. The Commissioners understand that the drainage of the University property admits of much improvement; and desire, that it may be intimated to the First Commissioner, that, if the projected system of drainage be approved of, it would, in their opinion, be fair and reasonable that the University, whose property within the burgh of Old Aberdeen constitutes a considerable part of the area of the burgh territory, should contribute something like a corresponding part of the necessary expense.

There was laid before the Commissioners a letter from Mr Matheson, dated the 24th instant, with reference to the condition of the manses occupied by the Principal and certain Professors in the University of Aberdeen; in answer to which the Commissioners directed it to be stated, that they were aware that the manses now occupied by the Principal and by Professor Macpherson, to which the letter particularly referred, were quite unsuitable as residences, and that they had become so dilapidated as to be unworthy of repair; that the Commissioners concurred in the ultimate expediency of the course mentioned by Mr Matheson, of altering and improving the house now occupied by Professor Fyfe (supposing he were to retire from office), with a view to its forming the residence of the Principal, but that it was uncertain whether Professor Fyfe might retire or not, and that it was therefore impossible at present to take any steps to carry out the plan referred to; that the Commissioners entirely approved of the suggestion mentioned by Mr Matheson, as having been made by the First Commissioner of Works, etc., with reference to erecting a new manse in place of that now occupied by Professor Macpherson, supposing that the additional piece of garden ground referred to by Mr Matheson could be obtained at a reasonable cost; and they requested, therefore, that the sanction of the Board of Works might be obtained to the insertion, in its estimates for the ensuing year, of a sum to meet the expenditure which might be required.

In answer to a letter from Principal Campbell to the Chairman, dated the 28th September, on the subject of fees payable by persons graduating in Medicine in the University of Aberdeen, who had commenced their studies in either of the late Colleges before the coming into operation of the union, the Secretary was directed to state that it was the intention of the Commissioners, by Ordinance No. 12, Aberdeen, No. 4, article vii., to provide that the fees therein specified should hereafter be payable by all graduating students, whether they had commenced their Medical studies before the operation of the union or not; and that the Commissioners could not now interfere to make any other arrangement.

The Commissioners considered the disallowance of Her Majesty, by Order in Council, of date the 30th June 1860, of the provision in Ordinance No. 6, Aberdeen No. 2, as originally issued by the Commissioners, regarding the bequest of the late Dr Alexander Murray, of Philadelphia; and, in reference thereto, directed that a case should be laid before the Lord Advocate and the Attorney-General of England, for their opinion as to the powers of the Commissioners in reference to this bequest.

Sir W. Gibson Craig and Mr Dunlop were re-appointed a Committee, to consider and report with

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reference to the control of the Town Council of Edinburgh over the income of the University, arising from the revenues of the Harbour of Leith, in terms of the minute of 31st October 1859.

A letter from the Secretary of the Treasury, of date the 23d July 1860, in answer to the report of the Commissioners on retiring allowances for aged and infirm Principals and Professors, was laid before the Commissioners.

Also a letter, dated the 23d August 1860, from the Clerk of Council, expressing regret, on the part of the Lords of the Council, that, in consequence of an application for delay on behalf of the Medical Corporations, it is impossible to obtain Her Majesty's decision on the Ordinances relating to graduation in Medicine in the University of Edinburgh, before the commencement of the ensuing University session.

Consideration of these letters was postponed.

The meeting rose at a quarter past three o'clock.

JOHN INGLIS, *Chairman*.

Sixtieth Meeting.

*At Edinburgh, 30th October 1860.*

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Mr Stirling; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

The Commissioners resumed consideration of the letter of the Secretary of the Treasury of the 23d July, with reference to retiring allowances to Professors, and requested the Chairman to write to the Chancellor of the Exchequer, stating that the Commissioners were desirous of having an opportunity of explaining their views to him personally, and asking him to say whether he could receive a Committee of their number, and when it would be convenient to receive them.

The Commissioners resumed consideration of the letter of the Clerk of Council of the 23d August, with reference to the delay in obtaining a decision on the Ordinances relating to graduation in Medicine in the University of Edinburgh, and directed the Secretary to write in reply, that the Commissioners shared in the regret expressed by the Lords of Council at this delay, which was causing much embarrassment to the University, that the Commissioners had been informed that their Lordships had had in view to proceed with the consideration of the subject in the course of the ensuing month of November, and that the Commissioners entertained a strong conviction, that it was most desirable for the interests of the University that a delay should not take place beyond that period.

There were laid before the Commissioners a memorial of the Senatus Academicus of the University of Aberdeen, dated the 25th October, with reference to the order of precedence to be observed among members of the Senatus; a memorial of the same date, and on the same subject, from the Reverend Doctor Macpherson, Professor of Systematic Theology; and a memorial on the same subject from Professor Thomson, who had held the office of Sub-Principal in King's College at the time of the union. The Commissioners, having considered these several memorials, resolved to intimate as their opinion to the Senatus, that it is expedient that the order of precedence among the several Professors, whether in respect of the right to preside at meetings of Senatus in the absence of the Principal, or in any other respect, should be regulated according to seniority of appointment as Professor either in King's College or in Marischal College, or in the University of Aberdeen; and that, in case of two or more appointments being of the same date, the precedence with reference to Professors holding such appointments should be regulated according to the order in which their Professorships are named in section XVIII. 1, of the Universities Act. The Commissioners also resolved to intimate, as their clear opinion, that the office of Sub-Principal of King's College was abolished by the operation of the union, and that it no longer exists in the University of Aberdeen.

A letter from Professor Kelland, Secretary of the Senatus of the University of Edinburgh, dated the 26th October, asking the approbation of the Commissioners to certain votes for this year from the Straton Fund, specified in an accompanying minute of Senatus of the 24th October, was considered, and the Commissioners directed that their sanction to the votes proposed should be intimated to the Senatus.

A letter, dated the 30th October, from Mr Dempster, Assessor in the St Andrew's University Court, inquiring as to the position of any arrangements regarding the retirement of Professors incapacitated from ill health, was considered; and the Commissioners directed that in reply it should be intimated to Mr Dempster, that the Commissioners, after giving the most careful consideration to the subject of retiring allowances for aged and infirm Principals and Professors in the several Universities, and to the special cases in the University of St Andrew's, brought under their notice by the University Court, had presented to the Treasury in June last a report embodying their recommendations and suggestions; but that, as yet, no definite arrangement had been obtained.

The Commissioners considered the subject of financial arrangements for the University of Glasgow.

The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

Sixty-first Meeting.

*At Edinburgh, 7th November 1860.*

The Commissioners met at a quarter past twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; Sir W. Gibson Craig; Mr Stirling; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

A letter of the City Clerk of Edinburgh, dated the 30th October, intimating that he and the City Accountant were ready to attend before the Commissioners for the purpose expressed in the Secretary's letter of the 11th May, was laid before the Commissioners, when it was resolved that those gentlemen should be requested to attend before the Committee reappointed on the 26th October, to inquire into the control of the Town Council over part of the revenues of the University. It was also resolved to request Lord Ardmillan to allow his name to be added to this Committee.

There was laid before the Commissioners a memorial, dated the 31st October, from a Committee of the Senatus of the University of Edinburgh, on the subject of an amalgamation of the Theological Library with the General Library of the University. This memorial, after referring to certain inconveniences, which have been found to result from the present constitution and management of the Theological Library, recommends, on the part of the Senatus, 'that the books of the Theological Library should be removed from the place where they are now kept to other rooms adjoining the General Library, and in which there is sufficient space both for the books and for a consulting and reading-room for the use of Theological students; moreover, that the Theological Library be amalgamated with the General Library, so far as to be under the same management, and to permit all persons having the use of either Library to enjoy the advantages of both.' The memorial concludes with a request that the Commissioners will give early attention to these proposed changes, because, (1st) the space now occupied by the Theological Library is urgently needed for other important purposes; and (2dly) because, from the peculiar constitution of that Library, the Senatus conceive that they have not the right to effect the changes suggested, without the express sanction of the Commissioners. The Commissioners having considered this memorial, resolve to express their sanction to the removal of the Theological Library from its present position to other rooms adjoining the General Library, and to the amalgamation of the Theological with the General Library, so as to be under the same management, and to permit all persons having right to the use of either Library to enjoy the advantages of both, but subject always to any regulations or conditions, which the Commissioners may hereafter consider it expedient to make in reference thereto.

A memorial, dated the 1st November, from Dr Robert Beveridge, lately Lecturer on Botany in Marischal College, requesting a declaration whether his office of Lecturer on Botany is to be continued or suppressed, and, in the event of its being suppressed, a declaration that it is an office of which the holder is entitled to full compensation in terms of the Act, was considered; and, in answer, the Secretary was directed to refer Dr Beveridge to what had taken place in regard to the petition against the Ordinance of 9th January 1860 by Dr Kerr, Lecturer on Surgery in King's College, and to state that the circumstances of Dr Beveridge's position seemed to be very similar to those of Dr Kerr, and that the Commissioners were unable to see, in the statements which his memorial contained, any ground for supposing that he was the holder of an office within the provision of the Act to which he referred.

The Commissioners expressed their approval of an estimate submitted by the Secretary of the sums to be required for the expenses of the Commission for the year ending 31st March 1862, amounting in all to L.2102, to be furnished to the Queen's Remembrancer in answer to a letter from him of the 2d November.

Letters, dated respectively the 7th April and 18th May 1860, from Mr Charles Gray, father of a bursar on Dr Guild's foundation, for the benefit of students in Marischal College, alleging mal-administration by the Trustees, the Incorporated Trades of Aberdeen, and asking the Commissioners to call for a statement of the manner in which the Trustees had disposed of the bursaries, and especially for copies of their minutes since 1st October 1859, were laid before the meeting. Consideration of this subject was postponed.

The subject of examinations and degrees in the Faculty of Arts was referred to a Committee, consisting of the Chairman, the Earl of Haddington, the Earl of Mansfield, the Lord Justice-General, Lord Ardmillan, Sir W. Gibson Craig, and Mr Hastie.

The Commissioners resumed consideration of financial arrangements for the University of Glasgow, and in connection therewith, the expediency of establishing any new Chairs in addition to the existing Chairs, and the means of obtaining support for such new Chairs.

The meeting rose at a quarter past four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 15th November 1860.*

Sixty-second Meeting.

The Commissioners met at four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners resumed consideration of financial arrangements for the University of Glasgow.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 7th December 1860.*

Sixty-third Meeting.

The Commissioners met at a quarter past four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Dunlop.

The minutes of the last meeting having been read,

A letter, dated the 20th November, from Sir George Clerk, on the part of the Trustees of the Pitt Club Fund, and a minute of the Trustees, of the 13th November, therewith enclosed, with reference to the appropriation of the fund for the establishment of a Fellowship or Scholarship in the University of Edinburgh, to be called the Pitt Fellowship or Scholarship, were considered.

[A communication from the Glasgow University Court with reference to the days of meeting of the General Council, the expediency of having new University buildings erected in a more suitable locality, and certain resolutions of the General Council, considered, and a reply directed to be sent thereto.]

The Commissioners, having considered a minute of the Edinburgh Senatus, dated the 24th November, requesting the approval of the Commissioners to the continuance for the year 1860-1 of a grant of L.400 to the Library from the Reid Fund, as in former years, directed the Secretary to intimate their approval of such continuance.

In answer to a memorial, dated the 22d November, from Dr Pirrie, Professor of Surgery in Aber-

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deen, expressing a hope that the Commissioners would, in some future Ordinance, make provision for an expenditure of L.100 a year, for the purposes of his class, the Secretary was directed to intimate that the Commissioners did not consider that they had, in the meantime at all events, any funds at their disposal for such expenditure, and that Dr Pirrie's proper course seemed to be, to submit, for the consideration of the Senatus Academicus, a claim for an allowance for the purpose from the General University Fund, and that it would then be for the Senatus to deal with the application in such manner as they might think proper, taking into consideration the various claims which might exist on that fund.

There was laid before the Commissioners a letter, dated the 30th November, from Principal Forbes, on behalf of the United College, St Andrew's, requesting the Commissioners, by deciding the terms on which the Glendee bursary is to be held, to put an end to the state of abeyance in which it has been for some years, owing to a difference between the College and Mr Morrison, who claims to be the patron, as to the interpretation of the deed of mortification, and, in answer, the Commissioners directed it to be intimated, that they thought it better to postpone the consideration of the question relating to this bursary, until they should be in a position to deal with the subject of the bursaries in the United College generally.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Sixty-fourth  
Meeting.

*At Edinburgh, 12th January 1861.*

The Commissioners met at a quarter past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Mr Stirling; Mr Dunlop.

The minutes of the last meeting were read.

The Commissioners, having had under consideration designs for the proposed Industrial Museum in Edinburgh, prepared jointly by Mr Matheson of the Office of Her Majesty's Works, etc., and Captain Fowke, of the Department of Science and Art, and now submitted to the Commissioners by Mr Matheson, under instructions from the First Commissioner of Works, approve of these designs, and in particular of the manner in which it is proposed to connect the Museum with the buildings of the University; and direct this minute to be intimated to the First Commissioner of Works.

The Commissioners considered the terms of a draft Ordinance as to order of precedence in the Senatus Academicus of the University of Aberdeen, and ordered the seal of the Commission to be affixed to the Ordinance (Ordinance No. 13, Aberdeen No 5).

The Commissioners considered the terms of a draft Ordinance as to graduation in Arts.

[The Commissioners considered the report of a Committee of the Senatus Academicus of the University of Edinburgh with reference to examinations for certificates in Arts, and the distinction of Associate in Arts, transmitted to the Commissioners by the Senatus on the 21st March 1860, and also a Report of the same Committee, dated the 19th November, again bringing the subject under the notice of the Commissioners; and in reference thereto the Secretary was directed to intimate, that the Commissioners could not sanction the proposal, that the distinction of 'Associate in Arts' should be conferred on persons who had completed a part of the course of study in Arts in the University, and that, the proposal as to granting scholars' certificates to persons who had not been students in the University having no necessary bearing on the regulation of the system of graduation in the University, the Commissioners were not called upon, or entitled, to express any opinion with reference to it.]

The Commissioners further considered the subject of a Pitt Fellowship or Scholarship, to be instituted in the University of Edinburgh, as mentioned in the minutes of 7th December last.

The Commissioners, having considered a memorial of the Senatus Academicus of the University of Edinburgh with reference to the privilege of the University Library, enjoyed by members of the College of Surgeons, and also a letter of the President of the College of Surgeons, dated the 27th December, on the same subject, requesting a conference for two members of the Council of the College with some of the Commissioners, directed intimation to be made to the President of their readiness that a conference should take place on the subject of a modification of the privilege in question.

[A letter, dated the 26th December 1860, from the Lord Provost of Edinburgh to the Chairman, on the subject of a permanent appropriation, between the University and other educational purposes, of funds at present in the hands of the Town Council, was considered; and a reply, to be made by the Chairman, was adjusted.]

Extracts from the minutes of the Senatus Academicus of the University of Edinburgh of the 21st December, requesting the authority of the Commissioners for the payment, out of the Straton Fund, of L.10 for Professor Syme's expenses as a deputation to London in March last, and for the purchase out of the same fund of the three Bayne Bursaries from the representatives of the late Principal Lee, having been considered, the Commissioners resolved to sanction the former payment, but to intimate that they could not give their authority for the purchase of the bursaries.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

Sixty-fifth Meeting.

*At Edinburgh, 26th January 1861.*

The Commissioners met at a quarter past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Dunlop.

The minutes of the last meeting having been read,

Dr MacLagan, President of the College of Surgeons of Edinburgh, and Dr Andrew Wood, member of the Council of the College, were admitted as a deputation from the Council to a conference on the subject of a modification of the privilege of the University Library, now enjoyed by members of the College.

Minutes of the Glasgow University Court, of dates the 14th and 17th instant, with reference to including in the course of study in Arts the subjects of Political Economy and of Intellectual Philosophy or Metaphysics, were laid before the Commissioners, and considered.

The terms of an Ordinance regarding graduation in Arts were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 14, General No. 3).  
The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

Sixty-fifth Meeting.

*At Edinburgh, 2d February 1861.*

Sixty-sixth Meeting.

The Commissioners met at a quarter past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the financial arrangements for the University of St Andrew's, in connection with memorials from the United College and from St Mary's College on the subject, and on the financial affairs of the respective Colleges.

The Commissioners considered the subject of graduation in Medicine in the Universities of St Andrew's, Glasgow, and Aberdeen.

A communication from Mr Hunter, factor of the University of Aberdeen, with reference to a capital sum of L.500, and a feu-duty of L.19 a year, heretofore applied to the insurance of Marischal College buildings, was referred to a Committee, consisting of the Chairman and Lord Ardmillan.

The Commissioners, having considered the expediency of instituting a Professorship of Conveyancing in the University of Glasgow, and it appearing to them that, while the institution of such a Chair would be attended with public benefit generally, it would certainly be of the greatest advantage to the Faculty of Procurators in Glasgow, as it would in combination with the existing Professorship of Law afford more ample provision within the University for the instruction of students intending to enter the legal profession in Glasgow, directed that this view of the Commissioners should be intimated to the Faculty of Procurators through Mr Bannatyne, the Dean; and further, that, it having been suggested that the Faculty might be disposed to aid in the institution of such a Professorship in Glasgow, in a manner similar to the course adopted in regard to the University of Edinburgh by the Society of Writers to the Signet, the Commissioners were, in the event of the Faculty undertaking to provide an endowment of L.105 per annum for the Professor, prepared by Ordinance to institute a Professorship of Conveyancing in the University of Glasgow, and to vest the patronage of the Professorship in the governing body of the Faculty.

The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 9th February 1861.*

Sixty-seventh Meeting.

The Commissioners met at a quarter past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

There was laid before the Commissioners an Order of Her Majesty in Council, dated the 4th of February, approving Ordinance No. 5, Edinburgh No. 2, and Ordinance No. 8, Edinburgh No. 3, with reference to graduation in Medicine in the University of Edinburgh.

The Commissioners considered the subject of graduation in Medicine in the Universities of Glasgow, Aberdeen, and St Andrew's.

A letter, dated the 4th of February, from Professor Kelland, as Secretary of the Senatus of the University of Edinburgh, communicating certain resolutions adopted by the Senatus on the 2d of February, with reference to Ordinance No. 14, General No. 3, regarding graduation in Arts in the several Universities, was laid before the Commissioners and considered.

The Commissioners, having considered an extract from the minutes of the Senatus Academicus of the University of Aberdeen of the 2d February, with reference to the site of the classes in the Faculty of Arts in the University, directed it to be stated, in answer to a request therein made, that the Commissioners should issue an Ordinance directing a transference of those classes from their present site, that the Commissioners remained of opinion that the arrangements made by their Ordinances were the best calculated to promote the interests of the University, and that they therefore declined to comply with the request, that they should interfere by Ordinances to disturb those arrangements.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 16th February 1861.*

Sixty-eighth Meeting.

The Commissioners met at a quarter past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

There was laid before the Commissioners a letter, dated the 11th February, from the Lord Provost of Edinburgh to the Chairman, stating, on behalf of a Committee of Town Council, to whom had been referred the subject of arrangements regarding the University funds, that they could not approve of the terms suggested by the Commissioners. This letter, and the steps to be taken thereon, were referred to a Committee, consisting of the Chairman, the Lord Justice-General, and Lord Ardmillan.

A memorial, dated the 11th February, from the Senatus Academicus of the University of Aberdeen, calling the attention of the Commissioners to the desirableness of provision being made for a Botanic garden at Aberdeen, with the view of furnishing proper means of illustration for the Chair of Botany, having been considered, the Commissioners directed it to be intimated in reply, that they were fully aware of the importance of the subject to which the memorial referred, but that no powers in reference to it had been given to them by the Universities Act.

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A letter, dated the 15th February, from Professor Goodsir, Professor of Anatomy in the University of Edinburgh, as to the desirableness of a recognition being given to his senior Demonstrator, by the allocation to him of a salary supplementary to the sum of £250 a year, now allowed him by the Professor, was laid before the meeting, and ordered to lie on the table.

The Commissioners considered the draft of an Ordinance regarding graduation in Medicine in the University of Glasgow.

The meeting rose at a quarter before five o'clock.

JOHN INGLIS, *Chairman*.

Sixty-ninth  
Meeting.

*At Edinburgh, 23d February 1861.*

The Commissioners met at a quarter past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered a letter, dated the 19th February, from the Dean of the Faculty of Medicine in the University of Aberdeen, with suggestions from the Faculty and Senatus as to regulations regarding graduation in Medicine in that University.

Dr Macrobine, Professor of the Practice of Medicine, and Dr Pirrie, Professor of Surgery, in the University, were admitted as a deputation from the Senatus, to explain their reasons for such suggestions.

A report of the Senatus of the University of Aberdeen, with reference to Ordinance No. 14, General No. 3, regarding graduation in Arts, was laid before the Commissioners, and ordered to lie on the table.

The Committee appointed at last meeting to consider the steps to be taken regarding the funds of the University of Edinburgh, over which the Town Council claim control, laid before the meeting the draft of a bill for the final settlement of the matter, which they recommended should be transmitted to the Treasury, with a request, that, if the Treasury approved of its terms, it should be introduced into Parliament without delay. The meeting approved of the recommendation, and directed the draft bill to be transmitted to the Treasury accordingly.

The same Committee reported that, since last meeting, it having been represented to them in reference to the letter of Professor Goodsir, mentioned in the minutes of that meeting, that it was extremely urgent that an intimation should be made to his senior Demonstrator, Mr Turner, that there was a probability of a salary being allocated to him by the Commissioners, the Committee had caused it to be intimated to Mr Turner, that the Committee charged with the financial arrangements for Edinburgh would recommend the allocation of such a salary. The Commissioners approved of the course adopted by the Committee.

The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

Seventieth Meeting.

*At Edinburgh, 2d March 1861.*

The Commissioners met at a quarter past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan.

The minutes of the last meeting having been read,

The Commissioners took into consideration a statement by the Senatus Academicus of the University of Edinburgh, of date the 25th February, in which certain points were brought to the attention of the Commissioners with reference to the Ordinances regarding graduation in Medicine, recently sanctioned by Her Majesty in Council; and in answer thereto, directed it to be intimated to the Senatus, with reference to the first portion of the statement, which related to the functions of the Board of Medical Examiners, that the Commissioners did not anticipate that any difficulty would arise in regard to the conduct of the examination, so far as related to the constitution of the Board; that the Board consisted of fifteen members, of whom twelve were Professors, and three were to be appointed by the University Court; that there was no distinction between the members as regarded their functions, and it was obvious that the duties of the examination must be divided among the Examiners, by arrangement among themselves; and that the Board, as a collective body, had, as in all such cases, the power of admitting or rejecting a candidate, according to the opinion which they, or a majority of them, might entertain as to his qualifications; and with reference to the second and third branches of the statement of the Senatus, representing the desirableness of a complete equality of fees being established between the lectures of Extra-Academical Teachers, whether attended with a view to graduation or not, and the lectures of the Professors, and also of those Teachers being placed under the same control and discipline as the Professors, 'so that they should not be permitted, by combination, duration of teaching, or otherwise, to offer to students advantages which were not in possession of the Professors,' that, under the Ordinance of the Commissioners, as the Senatus were aware, the fees for attendance on the lectures of Extra-Academical Teachers in Edinburgh, with a view to graduation, must be of the same amount as the fees exigible by the Medical Professors of the University; and there was, further, a provision enabling the University Court, if they should see cause at any time, to withdraw or suspend the recognition of any Teacher or Teachers; and that beyond this the Commissioners did not consider that it would be expedient, even if it were possible, for them to interfere.

The Commissioners further considered the terms of a draft Ordinance regarding graduation in Medicine in the University of Glasgow.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 9th March 1861.*Seventy-first  
Meeting.

The Commissioners met at a quarter past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There was laid before the Commissioners a letter from Mr Bannatyne, Dean of the Faculty of Procurators in Glasgow, communicating to the Commissioners resolutions adopted by the Faculty, at a meeting held on the 4th March, in reference to the institution of a Professorship of Conveyancing in the University of Glasgow, and in which the Faculty agreed to provide L.105 a year towards the endowment of such a Chair. The Commissioners directed it to be intimated, in reply to Mr Bannatyne's letter, that they had no intention to limit the choice of the Dean and Council to any particular portion of the legal profession, in the exercise of the patronage which it was proposed to vest in them; that the support which would be furnished to the Chair by the endowment to be provided by the Faculty, and by the fees of the students who might be expected to attend the class, would, in the opinion of the Commissioners, be sufficient to secure a high class of candidates for the office, and that the Commissioners did not intend to apply for any additional endowment for the Chair from the public funds, and that they quite understood that the endowment of L.105 was to be furnished out of the corporate funds of the Faculty, and that the individual members were not to be regarded as coming under any personal guarantee.

The Commissioners further considered the terms of a draft Ordinance regarding graduation in Medicine in the University of Glasgow.

The Commissioners also considered the terms of a draft Ordinance regarding graduation in Medicine in the University of Aberdeen.

The meeting rose at twenty minutes past four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 16th March 1861.*Seventy-second  
Meeting.

The Commissioners met at a quarter past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered an application, dated the 26th February, from Professor Kelland, as Secretary of the Senatus Academicus of the University of Edinburgh, requesting the sanction of the Commissioners (1.) to the allocation of the usual sum of L.100 out of the Straton Fund, for prizes in the Faculties of Arts and Law; (2.) to the payment out of the Reid Fund of L.250 to Professor Tait, for the purchase of apparatus for the class of Natural Philosophy; and (3.) to the payment from the University funds of the expenses of one or two members of Senatus, as a deputation to advocate the representation of the University in Parliament. The Commissioners, having considered this application, together with explanations subsequently given by Professor Kelland, regarding the proposed payment of L.250 for apparatus, directed it to be intimated to the Senatus, that they gave their sanction to the allocation of the L.100 from the Straton Fund, and the payment of the L.250 from the Reid Fund, as requested; but that they could not sanction the appropriation of the University funds to the payment of the expenses of a deputation to advocate the representation of the University in Parliament.

The Commissioners, in reference to a letter, dated the 11th March, from Professor Skene, Professor of Law in the University of Glasgow, as to the effect on the emoluments of his Chair of the institution of a separate Chair of Conveyancing, directed it to be intimated to Professor Skene, that the subject of his letter would be taken into consideration by the Commissioners, in adjusting the financial arrangements for the University of Glasgow.

A memorial from Professor Nicol, of Aberdeen, dated the 12th March, with reference to the Chair of Natural History in that University, was ordered to lie on the table.

There was laid before the Commissioners a letter, dated the 24th February, from Lord Herbert, the Secretary of State for War, to Professor Syme of the University of Edinburgh, with reference to the regulations for admission to the medical service of the Army. The Commissioners, in consideration of the importance of this subject to the University of Edinburgh, and to other Universities in Scotland, and also of the circumstance, that it appeared from Lord Herbert's letter, that a representation regarding their Ordinances had been made, calculated to produce an erroneous impression on his mind with reference to them, requested the Chairman to address his Lordship on the subject, and to explain to him the views of the Commissioners, as well as the true state of facts regarding their proceedings.

In answer to an application, dated the 12th March, from the Senatus Academicus of the University of Aberdeen, requesting the Commissioners, as soon as possible, to undertake the subject of the bursaries in that University, the Commissioners directed it to be intimated to the Senatus, that they were about to undertake the consideration of the subject; and that they would be glad to receive any statement in reference to it, which the Senatus might be disposed to submit to them in writing.

The terms of an Ordinance regarding graduation in Medicine in the University of Glasgow were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 15, Glasgow No. 2).

The terms of an Ordinance regarding graduation in Medicine in the University of Aberdeen were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 16, Aberdeen No. 6).

The Commissioners considered the subject of graduation in Medicine in the University of St Andrew's.

The meeting rose at ten minutes past four o'clock.

JOHN INGLIS, *Chairman*.

Seventy-third  
Meeting.

At Edinburgh, 30th March 1861.

The Commissioners met at three o'clock.

*Present*,—The Lord Justice-Clerk, Chairman; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Dunlop.

The Lord Justice-Clerk not being present at the commencement of the meeting, the Lord Justice-General took the Chair, until his Lordship came in.

The minutes of the last meeting having been read,

A letter, dated the 25th March, from the Secretary of the Treasury, requesting, in reference to a scheme for retiring allowances, that the Commissioners would obtain for the Treasury a statement, certified by the Principals of the Universities, of the ages of the Principals and Professors now holding office, and the dates of their appointments, was considered; and it was directed that such a statement should be obtained accordingly for transmission to the Treasury.

A memorial, dated the 22d March, from Dr Dewar, late Principal and Professor of Church History in Marischal College, praying the Commissioners to fix, by Ordinance, that he is entitled to L.108 a year as compensation for his loss of emoluments as Professor of Church History, was laid before the meeting, and ordered to lie on the table.

[A letter, dated the 23d March, from Principal Barclay, on behalf of the Senatus Academicus of the University of Glasgow, making certain inquiries with reference to the Ordinance No. 14, General No. 3 of 26th January 1861, for the regulation of degrees in Arts, was considered, and a reply thereto was adjusted.]

A letter, dated the 23d March, from Professor Ogilvie, Secretary to the Faculty of Medicine in the University of Aberdeen, inquiring whether section xxi. of Ordinance No. 16, Aberdeen No. 6, may be so interpreted as to warrant the fees for Medical Degrees being charged to candidates, who began their studies in either of the late Colleges before the union, according to the scale in such College, was considered; and it was directed that it should be intimated to Professor Ogilvie, in reply, that that section had no reference to fees, but referred entirely to the system of regulations established by the preceding sections of the Ordinance, and to the system of regulations of a similar character heretofore in force.

[A letter, dated the 26th March, from Mr Bannatyne, on behalf of the Council of the Faculty of Procurators in Glasgow, with reference to the intimation of the intention of the Commissioners not to apply for an endowment from the public funds in addition to the salary of L.105 to be provided by the Faculty, for a Chair of Conveyancing in Glasgow, was considered, and a reply thereto was adjusted.]

The Commissioners further considered the subject of graduation in Medicine in the University of St Andrew's.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

Seventy-fourth  
Meeting.

At Edinburgh, 6th April 1861.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Dunlop.

The minutes of the last meeting having been read,

[An extract from the minutes of the St Andrew's University Court, of 28th March 1861, bringing under the notice of the Commissioners the position of the Professorships of Chemistry and Civil History in the University, and also the state of the emoluments of the senior Principal, was considered; and a communication, to be made to the University Court in reference thereto, was adjusted.]

A letter, dated the 4th April, from Dr Clark, late Professor of Chemistry in Marischal College, with reference to the amount of his compensation allowance, and the memorial on a similar subject from Dr Dewar, mentioned in the minutes of last meeting, having been considered, the subject of these compensation allowances, and, if necessary, the making of any communication to the Treasury of the views of the Commissioners thereon, were referred to a Committee, consisting of the Chairman and Lord Ardmillan.

The following communications were laid before the meeting, and ordered to lie on the table, viz.:—

A letter from Principal Campbell, dated the 2d April, forwarding a correspondence with the Office of Works in Edinburgh, with reference to fitting up a room for the collections of *Materia Medica* and Botany in the University of Aberdeen; and

A letter from Professor Balfour, dated 2d April, stating the nature and extent of the duties which devolve on the Dean of the Medical Faculty in Edinburgh.

The Commissioners further considered the subject of graduation in Medicine in the University of St Andrew's.

The meeting rose at half-past three o'clock.

JOHN INGLIS, *Chairman*.

Seventy-fifth  
Meeting.

At Edinburgh, 13th May 1861.

The Commissioners met at one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

A letter from the Home Secretary, dated the 16th April, requesting the Commissioners to express to him their opinion on an offer by Mr John Muir of Edinburgh, to contribute to the endowment of a Chair of Sanskrit in the University of Edinburgh, was laid before the Commissioners. It was directed that intimation should be made to Mr Muir, that the Commissioners were about to take his proposal into consideration, and that, should he desire to make any farther communication to them on the subject, they would be glad to receive it, and to give it every consideration.

A letter, dated the 29th April, from the Secretary of the Treasury, communicating the decision of

their Lordships on the amount of the compensations payable to the several Professors deprived of their offices in Aberdeen, excepting Mr Clerk Maxwell, was considered; and it was directed that intimation of their Lordships' decision should be made to the several gentlemen interested, as requested by the Treasury; that it should further be intimated to Dr Dewar, in reference to his memorial on the subject of compensation for his emoluments as Professor of Church History, that, even had the Commissioners been of opinion that his claim was a just one, it would have been impossible for them to accede to the prayer of his memorial, that the Commissioners should fix by Ordinance that he was entitled to such compensation, seeing that the ultimate decision rested with the Lords of the Treasury, and not with the Commissioners; and that besides, the Commissioners, looking to the terms of his appointment to the Chair of Church History, were quite unable to agree with him in the conclusion that there had been no suppression or abolition of his Professorship within the meaning of the condition attached to his appointment; and that under these circumstances, the course, which the Commissioners had adopted, had been to forward to the Treasury, along with an expression of their own opinion, a copy of his memorial, so that their Lordships might have both views presented to them in deciding on the case. The Commissioners further, in compliance with the request of the Treasury, directed intimation to be made to Mr Clerk Maxwell, of the desire of their Lordships, before deciding on his case, to be furnished with information as to his present appointment, and the amount of emolument derived from it.

Seventy-fifth  
Meeting.

There were laid before the meeting Orders of Her Majesty in Council, dated the 30th April, confirming respectively Ordinance No. 13, Aberdeen No. 5, and Ordinance No. 14, General No. 3, regarding graduation in Arts. Also communications as to the latter Ordinance from Professors Ramsay of Glasgow, Balfour of Edinburgh, and Geddes of Aberdeen. It was ordered that the several communications on the subject of this Ordinance, received from the Universities and from individual Professors, should be printed.

A report of the Senatus of the University of Glasgow, dated the 10th April, recommending certain alterations in the present college buildings, at an estimated cost of L.768, and that a sum of L.850 should be appropriated for their execution, was considered; in reference to which, the Commissioners directed it to be intimated, that it was, in their opinion, expedient that the alterations detailed in the statement should be carried out as proposed by the Senatus.

The minutes of a meeting of the Glasgow University Court, held on the 3d instant, were laid before the meeting, and ordered to lie on the table.

A minute of the Senatus of the University of Edinburgh, of the 6th April, asking the sanction of the Commissioners to a grant of L.75 from the Reid Fund, for the expenses of the class of Natural Philosophy, on certain terms, was considered; and it was directed that the sanction of the Commissioners to the grant on the terms specified in the minute should be intimated to the Senatus.

A memorial of the Senatus of the University of Aberdeen, dated the 17th April, with reference to the provision of assistance to the classes of English, Logic, and Moral Philosophy, was considered, and ordered to lie on the table.

A statement, dated 23d April, of the same Senatus, on the subject of bursaries in the University, was laid before the meeting, and ordered to be printed.

A communication from the Scots Law Society in Edinburgh, on the subject of graduation in Law, was ordered to lie on the table.

Also a communication from Dr Bennett, Professor of the Institutes of Medicine in the University of Edinburgh, as to an alleged interference of the Chair of Anatomy with his Chair.

It was ordered that the sanction of the Commissioners to the time (next October) fixed by the United College of St Andrew's, for the first competition for the Ramsay Fellowship, should be intimated to the College.

The Commissioners considered the state of business before them, and the expediency of communicating with the Privy Council regarding the continuance of the Commission for a year after 1st January next, under section 14 of the Universities Act.

There was laid before the meeting a copy of a deed of mortification by the surviving members of a Committee of the Pitt Club in Scotland, dated the 19th and 22d April, mortifying to the University of Edinburgh a sum of L.1480 for the endowment of a Scholarship therein, under the name of the Pitt Scholarship. The Commissioners considered the terms of an Ordinance in furtherance of the deed of mortification, and ordered the seal of the Commission to be affixed to the Ordinance (Ordinance No. 17, Edinburgh No. 4).

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 20th May 1861.*

Seventy-sixth  
Meeting.

The Commissioners met at half-past twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Hastie.

The minutes of the last meeting having been read,

A letter from the Secretary for War to the Chairman, dated the 17th May, was laid before the Commissioners, intimating, in reference to a letter addressed to him by the Chairman on the 8th April, as requested in the minutes of 16th March, on the subject of the regulations for admission to the medical service of the Army, that the Secretary for War had determined so far to modify the existing regulations, as to admit to examination for Commissions all persons of suitable age and moral character, who are borne on the Medical Register as licensed to practise Medicine and Surgery. It was directed that the terms of this letter should be communicated to each of the Universities.

The Commissioners considered the draft of an Ordinance regarding graduation in Medicine in the University of St Andrew's.

The consideration of the several communications relative to Ordinance No. 14, General No. 3, as to graduation in Arts, was referred to a Committee, consisting of the Chairman, the Lord Justice-General, Lord Ardmillan, and Sir W. Gibson Craig.

The meeting rose at a quarter past three o'clock.

JOHN INGLIS, *Chairman*.

Seventy-seventh  
Meeting.

*At Edinburgh, 25th May 1861.*

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Lord Ardmillan.

The minutes of last meeting having been read,

The Commissioners further considered the draft of an Ordinance regarding graduation in Medicine in the University of St Andrew's.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

Seventy-eighth  
Meeting.

*At Edinburgh, 3d June 1861.*

The Commissioners met at half-past twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners further considered the draft of an Ordinance regarding graduation in Medicine in the University of St Andrew's.

The Commissioners considered and adopted the following Report to Her Majesty in Council, on the duration of their powers under the 14th section of the Universities Act, and ordered that the seal of the Commission should be affixed to the Report, viz.:—

‘Unto the Queen's Most Excellent Majesty in Council,

‘THE REPORT of the Commissioners under the Universities (Scotland) Act, 21 and 22 Vict.,

‘c. 83, intituled, “An Act to make provision for the better government and discipline of

‘the Universities of Scotland, and improving and regulating the course of study therein;

‘and for the union of the two Universities and Colleges of Aberdeen.”

‘May it please Your Majesty,

‘The Commissioners desire humbly to lay before Your Majesty the following statement with reference to the duration of the powers of the Commissioners under section 14 of the above mentioned Act.

‘By that section it is provided, “that the powers of the Commissioners shall be in force until the

‘1st day of January 1862,” and that “it shall be lawful to Her Majesty, by and with the advice of Her

‘Privy Council, to continue the same until the 1st day of January 1863, and no longer.”

‘The powers of the Commissioners have now been in force for about two years and ten months.

‘During that period the Commissioners have been much occupied in carrying out the provisions of the Act regarding the union of the Aberdeen Universities. The appropriation and disposal of the revenues of the late Universities for the purposes of the new University have necessarily been the cause of lengthened deliberations on the part of the Commissioners, and much delay has been occasioned by certain opposition, which was experienced in the course of their proceedings in connection with this subject.

‘In the other three Universities, the provisions of the Act have been brought into operation without opposition; but the introduction of a new system into these Universities has not been unattended with difficulties, and has engaged much of the attention of the Commissioners.

‘It has been one of the duties of the Commissioners to investigate the claims of above 2900 persons for admission to the General Councils of the Universities, under the provisions of section 6 of the Act.

‘Regarding the course of study in the Universities, and the system of graduation in Arts, the Commissioners have introduced, by Ordinance, a series of regulations, which will establish a uniform and high standard of qualification in all the Universities.

‘For graduation in Medicine, the Commissioners, in August 1859, embodied in an Ordinance new regulations for the University of Edinburgh, which were supplemented by a second Ordinance, issued in March 1860. In consequence, however, of opposition to these Ordinances, on the part of certain of the Medical and Surgical Corporations, both in Scotland and in England, it was only in February last that they received the sanction of Your Majesty.

‘The Commissioners have since issued similar Ordinances for the regulation of degrees in Medicine in the Universities of Glasgow and of Aberdeen, and these have been submitted for the consideration of Your Majesty in Council. They have also now under consideration an Ordinance for the regulation of degrees in Medicine in the University of St Andrew's.

‘The Commissioners have also reported to the departments of Your Majesty's Government, on several matters affecting the Universities, as on the means of supporting the Professorships in the Faculty of Divinity, the retirement of Professors on retiring allowances, the control still left in the hands of the Town Council of Edinburgh over a considerable portion of the University funds, and the condition of the buildings of the University of Glasgow.

‘There remain, however, many subjects, which the interests of the Universities require to be arranged, and which the Commissioners find it will be impossible for them to overtake in the remainder of the present year.

‘Among these may be mentioned the financial affairs of the Universities of St Andrew's, Glasgow, and Edinburgh, regarding which the Commissioners have as yet been unable to issue any Ordinances. The Commissioners have, indeed, made some progress in the consideration of the financial arrangements for these Universities; and, in regard to Edinburgh, they were in hopes that by this time they would have been enabled to issue an Ordinance on the subject. The intervention, however, of unexpected delays, owing mainly to the control still remaining with the Town Council over the University funds, and the impossibility of obtaining a settlement with the Town Council, except by legislation, has as yet rendered it impossible for them to do so. The embarrassment thus caused was brought by the Commissioners to the attention of the Lords of Your Majesty's Treasury at an early period of last year, and they have again, in the course of the present year, asked the attention of their Lordships to the necessity of legislative interference on the subject. Until a settlement has been thus obtained, it is quite uncertain on how much of the property and funds of the University the Commissioners can with safety rely, and on what basis, therefore, they are to proceed in regulating its financial affairs. An

‘Ordinance for the arrangement of these will be necessary, when the existing embarrassment has been removed.’ Seventy-eighth Meeting.

‘Ordinances, likewise, must be issued for the regulation of the financial affairs of the Universities of St Andrew’s and Glasgow.’

‘The subject of bursary foundations, in the several Universities, is one which the Commissioners have as yet hardly been able to consider; and it is a subject of great importance, and one specially pointed out by the Act, as requiring regulation by the Commissioners. In Aberdeen, in particular, such foundations are very numerous.’

‘The Commissioners are convinced, that it would be undesirable that their powers should be allowed to expire, without their having an opportunity of disposing of these various subjects, many of which are of great importance to the Universities, and which they have, for the reasons explained, as yet been unable to overtake.’

‘The Commissioners, therefore, desire humbly to report, that it would, in their opinion, be expedient that their powers should be continued until the 1st of January 1863, in terms of the 14th section of the Act.’

The Commissioners also considered the draft of an Ordinance regarding graduation in Arts, prepared in accordance with the recommendations of the Committee appointed on the 20th May.

A statement by the members of the Faculty of Divinity in the University of Aberdeen, on the subject of the bursaries in that University, was laid before the Commissioners, and ordered to lie on the table.

The meeting rose at four o’clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 10th June 1861.*

*Seventy-ninth Meeting.*

The Commissioners met at half-past twelve o’clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

An opinion of the Lord Advocate and the Attorney-General of England, on a case as to the Murray Bequest in the University of Aberdeen, was laid before the Commissioners; and it was ordered that the opinion should be communicated to the Principal of the University, for the information of his colleagues in the trust, and of the Senatus Academicus.

A letter, dated the 3d June, from Mr John Muir, asking the attention of the Commissioners to a passage in the last Report of the Civil Service Commissioners, as to the increasing importance of the study of Sanskrit, was ordered to lie on the table.

The Commissioners considered a letter from the Secretary of the Treasury, dated the 6th June, along with letters therewith enclosed, on the subject of the amount of compensation to be paid to Mr Clerk Maxwell, late Professor of Natural Philosophy in Marischal College, Aberdeen, and resolved, in reference thereto, to recommend that the amount should be an annuity during his life, equal to the average income derived by him, both from endowment and from fees, at the time when he was deprived of his office in Aberdeen.

On a consideration of the present condition of the Professorship of Medical Jurisprudence in the University of Edinburgh, it was directed that the urgency of the case, as bearing on the importance of establishing a system of retiring allowances without delay, should be represented to the Lords of the Treasury.

A letter, dated the 8th June, from Mr Bannatyne, Dean of the Faculty of Procurators in Glasgow, intimating that the Faculty, while regretting that the Commissioners took a different view from them as to the endowment of the proposed Chair of Conveyancing in the University of Glasgow, would not throw any difficulty in the way of the establishment of such a Chair, was considered in connection with the expediency of issuing an Ordinance for the foundation of such a Chair.

The terms of an Ordinance, regarding graduation in Arts, were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 18, General No. 4).

The terms of an Ordinance regarding graduation in Medicine in the University of St Andrew’s, were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 19, St Andrew’s No. 3).

The meeting rose at a quarter before four o’clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 15th June 1861.*

*Eightieth Meeting.*

The Commissioners met at half-past one o’clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The terms of an Ordinance, for the foundation of a Professorship of Conveyancing in the University of Glasgow, were adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 20, Glasgow No. 3).

The Commissioners considered the subject of the financial arrangements for the University of St Andrew’s.

The meeting rose at five o’clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 1st July 1861.*

*Eighty-first Meeting.*

The Commissioners met at half-past twelve o’clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

Eighty-first  
Meeting.

There were laid before the Commissioners three Orders of Her Majesty in Council, dated the 26th June, the first continuing the powers of the Commissioners until the 1st January 1863; the second confirming Ordinance No. 15, Glasgow No. 2, with reference to graduation in Medicine in the University of Glasgow; and the third confirming Ordinance No. 16, Aberdeen No. 6, with reference to graduation in Medicine in the University of Aberdeen.

The Commissioners considered the subject of the financial arrangements for the University of St Andrew's, and the draft of an Ordinance with reference thereto.

The Commissioners also considered the subject of the financial arrangements for the University of Glasgow, and the draft of an Ordinance with reference thereto.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

Eighty-second  
Meeting.

*At Edinburgh, 15th July 1861.*

The Commissioners met at half-past twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Lord Provost of Edinburgh and Bailie Johnston, with Mr Adam, the City Accountant, were admitted to an interview with the Commissioners, with reference to the property and revenues of the University of Edinburgh.

A minute of the Senatus Academicus of the University of St Andrew's, of date the 11th July 1861, with a letter from Principal Tulloch, of the 12th, forwarding the minute, on the subject of the Ordinance of 10th June 1861 for the regulation of Medical Degrees in the University of St Andrew's, was laid before the meeting, and ordered to lie on the table.

With reference to the expiration, on the 2d of August next, of the time for the allowance by the Commissioners of claims for membership in the General Councils of the Universities, on the ground of attendance, the Commissioners directed that all claims should be allowed, in support of which complete evidence should be lodged in the Commission office, not later than that day; and that, as the lodging of complete evidence was in effect the satisfying the Commissioners of the attendance of the person lodging it, it should not be necessarily an objection to the allowance of the claim, that there might be a defect in the form in which, by the 2d of August, it had been submitted, and that therefore such a defect in form might be corrected after that day. The Commissioners, however, directed that no claim should be allowed, in support of which complete evidence was not lodged by the 2d of August.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

Eighty-third  
Meeting.

*At Edinburgh, 25th October 1861.*

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the cases of certain claimants for membership in the General Councils, on the ground of attendance, standing over from the 2d August.

In reply to an inquiry contained in a letter, dated 7th August 1861, from Professor Weir, clerk of the Senatus of Glasgow University, as to the effect of Ordinance No. 14, General No. 3, on the Blackstone examination in that University, the Commissioners directed it to be intimated, that the examinations provided by that Ordinance practically superseded the Blackstone examination, and rendered it unnecessary that it should be continued.

The Commissioners considered a report of the Senatus of Glasgow University, brought to their attention by a letter from Professor Weir, dated 16th August 1861, with regard to a proposal to establish a diploma in Civil Engineering; and directed it to be intimated to the Senatus in reference thereto, that, if by a diploma was meant anything else than a degree, the Commissioners did not think there should be any University distinction except a degree; and that they did not consider Civil Engineering a proper department, in which a degree should be conferred.

The Commissioners, in reference to a communication from Mr Hunter, factor of the University of Aberdeen, furnished by direction of the Principal, on the subject of the insurance of the University buildings in New Aberdeen, directed it to be intimated to the University, that, in the opinion of the Commissioners, the insurance ought to be continued as heretofore.

The Commissioners considered a representation from the Senatus of Aberdeen University, contained in a letter from Professor Thomson of 26th September 1861, with reference to the inadequacy of the existing accommodation in the University buildings in Old Aberdeen for the examinations in the Faculty of Arts; and, in reference thereto, directed it to be intimated to the Senatus, that during the progress of the buildings in Old Aberdeen, and until these were completed, it seemed to the Commissioners the best arrangement, that the examinations in Arts should be held in the University buildings in the New Town.

The Commissioners considered an inquiry contained in a letter, dated 12th October 1861, from Professor Thomson, Secretary of Aberdeen University, as to whether, under Ordinance No. 14, General No. 3, a student might, at the commencement of his second session, show his fitness to attend the higher class of Mathematics without having previously attended the junior class, or whether this could be done only at the commencement of his first session in the University; and, in reference thereto, the Commissioners directed it to be intimated, that, the study of Mathematics, according to the course pursued in Aberdeen, not being commenced until a student's second session in the University, it appeared to the Commissioners competent, under the Ordinance, for a student to show his fitness to enter the higher class of Mathematics at the commencement of that session.

The Commissioners considered a letter, dated 6th August 1861, from Dr Leitch, Principal of the University of Kingston, in Canada, representing the expediency of the Commissioners making such alterations in their Ordinances as should extend to students in Arts of the University of Kingston, the privilege of being admitted *ad eundem statum* and *ad eundem gradum* in the Universities of Scotland, in reply to which, the Commissioners directed it to be intimated, that they could not entertain the proposal.

Eighty-third Meeting.

There were laid before the Commissioners three Orders of Her Majesty in Council, of 11th October 1861, (1.) referring to the Commissioners petitions against Ordinance No. 19, St Andrew's No. 3, as to graduation in Medicine in St Andrew's, from Middlesex, Guy's, St Thomas', and St Bartholomew's Hospitals, in London; (2.) approving Ordinance No. 18, General No. 4, as to graduation in Arts; and, (3.) approving Ordinance No. 20, Glasgow No. 3, for the foundation of a Professorship of Conveyancing in the University of Glasgow.

There were also laid before the Commissioners,

A memorial from the Presbytery of Paisley, as to provision being made in the Universities for instruction in English Language and Literature, and in Elocution;

Extract minutes of the Aberdeen Senatus of the 4th and 21st October 1861, with reference to the issuing, by the Commissioners, of regulations for the management of the University Libraries; and

Letter, dated 17th July 1861, from the President of the College of Surgeons of Edinburgh, as to the privilege of the Edinburgh University Library enjoyed by members of the College. In answer to this letter, the Commissioners directed it to be intimated, that they could not accept, as satisfactory, the proposals therein contained, and that they concluded that the only course, which now remained to them, was to deal with the subject by Ordinance.

The meeting rose at a quarter past three o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 29th October 1861.*

Eighty-fourth Meeting.

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the subject of the financial arrangements for the University of Edinburgh, and the draft of an Ordinance with reference thereto.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 8th November 1861.*

Eighty-fifth Meeting.

The Commissioners met at half-past three o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Duke of Argyll; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered the subject of the petitions against Ordinance No. 19, St Andrew's No. 3, as to graduation in Medicine in St Andrew's, referred to them by Her Majesty's Order in Council of the 11th October 1861.

The Commissioners considered an amended draft of an Ordinance with reference to the financial arrangements of the University and Colleges of St Andrew's.

The Commissioners also considered the draft of an Ordinance as to the day of election of the Rector in St Andrew's.

The Commissioners sanctioned an estimate, submitted by the Secretary, of the sums to be required for the expenses of the Commission for the year ending 31st March 1863, amounting in all to L.1330, to be furnished to the Queen's Remembrancer, in answer to a letter from him of the 2d November.

An extract minute of the Aberdeen University Court, of date the 4th November, was laid before the Commissioners, requesting them to say whether, under section 4 of Ordinance No. 18, General No. 4, the Court could adopt a resolution, that all candidates for the degree of Master of Arts in Aberdeen should attend the class of Natural History, as taught by the Professor of Natural History in the University, or whether the Court must select one only of the branches in Natural Science named in the Ordinance, that is, either Geology, Zoology, Chemistry, or Botany, supposing the Court to resolve not to leave the option to the student himself. In reply to this request, the Commissioners directed it to be intimated, that they regarded it as competent for the Court to require attendance on the class of Natural History, as taught by the Professor of Natural History in the University, he being 'one of the Professors' whose branches of study are included in the department of Honours in Natural Science,' within the terms of the Ordinance.

A letter from Professor Ramsay of Glasgow, dated the 5th November, was laid before the Commissioners, inquiring, with reference to Ordinance No. 14, General No. 3, whether it was the intention of the Commissioners that candidates for graduation in Arts should be required to attend the prescribed classes in any particular order, or, on the other hand, that the order of attendance should be left entirely to the discretion and convenience of each individual student. In reply, the Commissioners directed it to be intimated, that they saw no reason to interfere with the free action of the Universities themselves with reference to the regulation of the order of attendance, and that it rested with the Senatus Academicus of each University to take such steps in regard to it as they might consider expedient.

The Commissioners directed a return to be obtained from each University, as to the persons entitled to the use of the Library under existing regulations, and the conditions and extent of the privilege enjoyed by different classes of persons.

The meeting rose at twenty minutes past five o'clock.

JOHN INGLIS, *Chairman*.

Eighty-sixth  
Meeting.

*At Edinburgh, 23d November 1861.*

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Solicitor-General (Mr Clark with him) was admitted and heard as Counsel for the Governors of Middlesex, Guy's, St Thomas', and St Bartholomew's Hospitals in London, the petitioners named in Her Majesty's Order in Council of 11th October 1861, with reference to Ordinance No. 19, St Andrew's No. 3.

Counsel having retired, the Commissioners remained for some time in deliberation on the petitions and the address of Counsel.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

Eighty-seventh  
Meeting.

*At Edinburgh, 25th November 1861.*

The Commissioners met at twelve o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The terms of an Ordinance for the regulation of the financial affairs of the University and Colleges of St Andrew's were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 21, St Andrew's No. 4).

The terms of an Ordinance for the regulation of the financial affairs of the University of Glasgow were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 22, Glasgow No. 4).

The terms of an Ordinance for the regulation of the financial affairs of the University of Edinburgh were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 23, Edinburgh No. 5).

The terms of an Ordinance as to the time of election of Rector in the University of St Andrew's were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 24, St Andrew's No. 5).

A copy of the minutes of a meeting of the Glasgow University Court, held on the 7th instant, was laid before the Commissioners. In answer to inquiries therein made, as to the effect of certain clauses of Ordinance No. 15, Glasgow No. 2, for the regulation of graduation in Medicine, the Secretary was desired, under direction of the Chairman, to state to the University Court the effect of those clauses. The Commissioners also considered a request, made by the Court in the same minutes, in reference to clause viii. of that Ordinance, and to the case of applications being made under it for recognition by the lecturers in the institution styled 'Anderson's University,' in Glasgow, that the Court might be informed whether, assuming that title to be abandoned by the Trustees, although the institution were in other respects kept up, it would be consistent with the general views of the Commissioners, in passing the Ordinance, that the Court should recognise the several courses of each of a large body of lecturers, appointed to be Professors in a rival school of Medicine, affording a complete curriculum of medical instruction to students, and placed under the direction and control of a Board of Trustees and Managers, who superintend the school. In answer to this request, the Commissioners directed it to be stated, that they observed, that the first resolution contained in the minutes of the Court, in regard to the application which had been already made on behalf of the teachers in Anderson's Institution, embodied a correct interpretation of the Ordinance in this respect, that it did not admit of recognition being granted to a number of private teachers as a body, and that it was intended that the Court should deal only with individual applications; but that, where such applications were made by individual teachers, whether teachers in Anderson's Institution or others, the Ordinance had, under certain conditions, vested the Court with a discretion to concede or to withhold recognition, and that it belonged to the Court alone to exercise the discretion so vested in it, in regard to each individual case.

There were laid before the Commissioners a memorial from the Trustees of Dr Murray's bequest in the University of Aberdeen, and a minute of Senatus approving of the memorial, requesting the Commissioners to apply to Parliament for powers to deal with the trust.

The Commissioners considered a letter, dated the 23d instant, from Mr M'Bean, Clerk of the Senatus of the University of St Andrew's, communicating a resolution of Senatus, in which it was recommended to the Commissioners, that, out of the revenues of the University, there should be paid annually to Principal Tulloch, until farther provision should be made for his office, a sum of L.100, in consideration of the duties imposed on him as Senior Principal; and further, requesting the sanction of the Commissioners to the sum of L.100 being now paid to him as from May 1860 to May 1861. The Commissioners also considered the representation made by the Senatus, of date the 5th January 1861, of the propriety of a permanent allowance being paid out of the University revenues to the Senior Principal. In reference to this matter, the Commissioners directed the attention of the Senatus to be called to the provisions of Ordinance No. 21, St Andrew's No. 4, passed of this date, which, with certain specified temporary exceptions, forbids any payment from the revenues of the University to a member of the Senatus Academicus in virtue of his office, while it provides specially for the allowance of remuneration being paid by the Senatus, with the sanction of the University Court, in cases where any special service may have been rendered by a Principal or Professor. And the Commissioners directed it to be intimated, that they were of opinion that it would be quite inconsistent with the provisions of that clause, that a burden on the revenues of the University should be created for the remuneration of services attached by Act of Parliament to the office of Senior Principal. The Commissioners further directed it to be stated, that they regretted exceedingly that the provision for the Principal of St Mary's College should be so inadequate as it is, while the arrangements contemplated in the Ordinance with reference to that College were in abeyance; but that they were of opinion, that the condition of the University estate

and revenues was not such as would justify the application of any portion of them, even temporarily, to supplement his insufficient emoluments; and they therefore felt constrained to decline to sanction the proposal which had been made by the Senatus.

The meeting rose at half-past three o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 30th November 1861.*

Eighty-seventh Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

Two extracts from the minutes of a meeting of the St Andrew's University Court, held on the 27th instant, were laid before the Commissioners—one recommending to their favourable consideration the proposal of the Senatus Academicus, mentioned in the minutes of last meeting, that an allowance of L.100 a year should be made to Principal Tulloch from the revenues of the University; the other relating to the present position of the Chair of Civil History. In reference to the former minute, the Commissioners directed, that there should be made to the University Court an intimation, in similar terms to that directed to be made to the Senatus under the minutes of last meeting, of the opinion of the Commissioners, that the proposal was inconsistent with the provisions of the 19th section of Ordinance No. 21, St Andrew's No. 4, and of their regret, that the condition of the University estate and revenues was not such as would justify the application of any portion of them, even temporarily, to supplement Principal Tulloch's insufficient emoluments.

There was laid before the Commissioners a letter, dated the 25th instant, from the Secretary of the Treasury, on the subject of retiring allowances to Professors.

There were laid before the Commissioners returns from the Universities with reference to the existing regulations of the Libraries. The Commissioners considered the subject of the Libraries in connection with these returns.

The meeting rose at a quarter before five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 7th December 1861.*

Eighty-ninth Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered a representation from Professor W. Thomson, Professor of Natural Philosophy in Glasgow, requesting an allowance of L.100 a year for a laboratory assistant, in addition to the provision made for an assistant and class expenses for his Chair by Ordinance No. 22, Glasgow No. 4, with the view of enabling him to continue the system of laboratory instruction introduced by him in his class, and stating, that, unless such additional allowance were granted, he should claim a continuance of his share of graduation fees as formerly, or a compensation for them. In reply to this representation, the Commissioners directed it to be intimated, that they could not grant the additional allowance which he asked, nor could they recognise his claim to a continuance of his share of graduation fees, or a compensation for them, as it appeared that, for the proper conduct of his class, he had been obliged to spend more than the amount of them on purposes connected with it, of which expenditure he would be relieved by the Ordinance.

The Commissioners considered a letter from Professor Bennett, Professor of the Institutes of Medicine in Edinburgh, submitting, on behalf of the Senatus, to the Commissioners, plans of a new classroom for him, the estimated expense of which amounted to L.200, or, including certain additional items, to L.300. The Commissioners directed it to be intimated to Dr Bennett for the Senatus, that they approved of the plans, and consented to the Senatus proceeding to have them carried out, provided the total expense did not exceed L.300.

Mr Muir had an interview with the Commissioners, with reference to his proposal to contribute towards the endowment of a Professorship of Sanskrit in the University of Edinburgh.

The Commissioners considered the subject of bursaries in the University of Aberdeen.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 14th December 1861.*

Ninetieth Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered the position of the foundation under the Murray bequest in the University of Aberdeen, and the means of placing it on a more satisfactory footing.

The Commissioners considered the draft of a deed, submitted to them by Mr Muir, for a mortification by him towards the endowment of a Professorship of Sanskrit in the University of Edinburgh.

The Commissioners considered the draft of a Special Report to Her Majesty in Council, on the matter of the petitions against Ordinance No. 19, St Andrew's No. 3, referred to the Commissioners by Order of Her Majesty in Council, of the 11th October 1861.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 20th December 1861.*

Ninety-first Meeting.

The Commissioners met at a quarter past four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

Ninety-first  
Meeting.

The terms of a Special Report to Her Majesty in Council, on the matter of the petitions against Ordinance No. 19, St Andrew's No. 3, referred to the Commissioners by Order of Her Majesty in Council, of the 11th October 1861, were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the Report.

A minute of the Faculty of Divinity of the University of Aberdeen, of date the 14th instant, on the subject of the granting of degrees in Divinity, was laid before the Commissioners, with reference to which it was directed that the Faculty should be informed, that the subject was under the consideration of the Commissioners, who would be glad to be favoured with the views of the Faculty respecting it.

There was laid before the Commissioners a copy of the minutes of a meeting of the Glasgow University Court, held on the 11th instant.

The meeting rose at a quarter before six o'clock.

JOHN INGLIS, *Chairman*.

Ninety-second  
Meeting.

*At Edinburgh, 11th January 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Dunlop.

The minutes of the last meeting having been read,

The Commissioners considered a second memorial, dated the 23d December 1861, from Professor W. Thomson, Professor of Natural Philosophy in Glasgow, requesting additional provision to that made for his Chair by Ordinance No. 22, Glasgow No. 4, in order to enable him to continue a system of laboratory instruction, and, in the event of this request being refused, applying for compensation in respect of his being deprived of graduation fees. The Commissioners directed it to be intimated to Professor Thomson, that they could not accede to his request for additional provision to the Chair, but that they were willing to consider any personal claim which he might have for compensation, and, with that view, they directed farther information on the subject to be obtained from him.

The Commissioners considered the subject of retiring allowances to Professors, in connection with two letters from the Duke of Argyll to the Secretary, of dates the 25th and 30th December 1861.

The Commissioners considered a memorial, dated the 20th December 1861, from Dr Cook, Professor of Ecclesiastical History in St Mary's College, St Andrew's, as to the position of that Chair under Ordinance No. 21, St Andrew's No. 4, and directed it to be intimated to him in reply, that the result, whereby the Professor would be in a position of an administrator of funds, in which he had no share of interest, was found to be inseparable from any arrangement for making the revenue of the Deanery available to increase the incomes of the members of the College, and that it appeared to be in itself not undesirable; and further, regarding the revenue of the Deanery, that the Commissioners had good reason to believe, that the prospect of any diminution of revenue from augmentations of stipend was exceedingly distant.

There was laid before the meeting a letter, dated the 31st December 1861, from Mr Grace, Secretary to St Mary's College, St Andrew's, transmitting a state of the income and expenditure of that College, and objecting to the estimate inserted in the schedule to the last mentioned Ordinance, as being too large. The Commissioners directed it to be explained, that they had endeavoured, as far as they could from the materials in their possession, to secure that their estimate should be a fair one; and further, that the objections stated by the College applied not to any of the provisions of the Ordinance, but merely to the schedule attached to it, which was without any directly operative effect.

There were laid before the Commissioners extracts from the minutes of the Edinburgh Senatus of the 7th and 12th December 1861, and 4th January 1862, with reference to Ordinance No. 23, Edinburgh No. 5, and a report by the Finance Committee of the Senatus on the General University Fund, referred to in the minutes of the last mentioned date.

The Commissioners considered two resolutions, adopted by the Edinburgh Senatus on the 4th January, with reference to the rate of class fees. Regarding the first of these resolutions, which memorialized the Commissioners to fix the fee of all the winter classes in the University of Edinburgh at four guineas for each student, it was directed to be intimated to the Senatus, that the Commissioners, in framing the provisions of their recent Ordinance regarding the emoluments of the Professors, had had special reference to the scale of fees as at present existing in the University, and that they were not now prepared to alter the scale; and with regard to the second, which memorialized the Commissioners to consider the expediency of now equalizing all the class fees in all the Universities of Scotland, that the Commissioners did not think it desirable, that an absolute uniformity in fees should be established throughout the Universities.

The Commissioners further considered the draft of a deed submitted to them by Mr Muir, for a mortification by him towards the endowment of a Professorship of Sanskrit in the University of Edinburgh, and, in connection therewith, the draft of an Ordinance to be issued, on the deed being executed by Mr Muir.

The Commissioners considered the draft of an Ordinance with reference to fees, and the appropriation of the manses in the University of Aberdeen.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

Ninety-third  
Meeting.

*At Edinburgh, 18th January 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Dunlop.

The minutes of the last meeting were read.

The Commissioners, having had their attention directed to the possibility of the revenues derived by the Deanery of the Chapel Royal from teinds being exposed to diminution, through augmentation of stipends in the parishes from which the teinds are drawn, resolve, that it would be highly desirable that

means should be taken by legislation to protect the revenues against such diminution, so long as they shall be applied to the support of Theological Professorships in the Universities; and also, that, the prospect of any such diminution being now distant, the present is a most favourable time for the necessary steps being taken. The Commissioners direct a copy of this minute to be sent to the Lord Advocate.

The terms of an Ordinance for the foundation of a Professorship of Sanskrit in the University of Edinburgh, were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 25, Edinburgh No. 6).

A report by the Senatus Academicus of the University of Glasgow, as to the establishment of a system of graduation in Divinity, was laid before the Commissioners.

Two letters, dated the 15th and 16th instant, from Professor W. Thomson of Glasgow, with regard to his claim to compensation for loss of payments from graduation fees, having been considered, the Commissioners directed it to be intimated to Professor Thomson, that, after an Ordinance has been issued, the Commissioners have no power to make any alteration in its terms, and that it is only after it has been disposed of by Her Majesty in Council, that they will consider the expediency of amending its provisions, by means of a supplementary Ordinance; that the Commissioners remained of opinion, that it would not be expedient to add to the provision which had been made for the Chair of Natural Philosophy by the Ordinance, and they would not be prepared to reconsider the amount of that provision; but that any personal claim, which he might have to compensation for the loss of payments from graduation fees, would receive every fair consideration from them at the proper time; but that claim could not be considered or disposed of until the Ordinance had been confirmed by Her Majesty, as indeed it could not arise, except in the event of those provisions which related to his Chair, and to the disposal of the graduation fees, being so confirmed.

The Commissioners considered the subject of the manse debts and the bursaries in the University of Aberdeen.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 25th January 1862.*

Ninety-fourth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

There were laid before the Commissioners, in connection with the subject of graduation in Divinity, a letter, dated the 22d instant, from Professor Weir, Secretary to the University of Glasgow, with reference to the former usage of the Universities, and a copy of resolutions, adopted by the Faculty of Divinity of the University of Aberdeen on the 21st instant, on the subject of graduation in Divinity.

There were also laid before the Commissioners,—

A letter, dated the 8th instant, from Mr D. W. Logie, Secretary of the Scots Law Society, again bringing under the notice of the Commissioners the memorial of the Society, of June 1860, on the subject of graduation in Law; and

A memorial, dated the 21st instant, from Professor Mitchell, of St Mary's College, St Andrew's, with reference to the financial arrangements of that College.

The Commissioners considered the subject of the bursaries in the University of Aberdeen, and the draft of an Ordinance relative to the Redhyth foundation, in that University.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 1st February 1862.*

Ninety-fifth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Dunlop.

The minutes of the last meeting having been read,

The Commissioners further considered the draft of an Ordinance relative to the Redhyth foundation, in the University of Aberdeen.

The Commissioners also considered the position of certain other bursary foundations in that University, including the Adam, Fullerton, and Moir foundations.

The meeting rose at twenty minutes past five o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 8th February 1862.*

Ninety-sixth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling; Mr Dunlop.

The minutes of the last meeting having been read,

The terms of an Ordinance, regarding the scale and conditions of retiring allowances for Principals and Professors in the Universities, were adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 26, General No. 5).

The Commissioners further considered the draft of an Ordinance relative to the Redhyth foundation, in the University of Aberdeen.

The Commissioners also considered the position of other bursary foundations in that University.

The meeting rose at twenty minutes before six o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 15th February 1862.*

Ninety-seventh Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Mr Dunlop.

Ninety-seventh  
Meeting.

The minutes of the last meeting having been read,  
There was laid before the Commissioners a minute of the Senatus Academicus of the University of St Andrew's, of date the 8th instant, with reference to graduation in Divinity.  
The Commissioners considered the position of several of the bursary foundations in the University of Aberdeen, and, in particular, drafts of Ordinances relative to the Fraser, Elphinston, and Leys bursaries.

The meeting rose at a quarter before five o'clock.

JOHN INGLIS, *Chairman*.

Ninety-eighth  
Meeting.

*At Edinburgh, 18th February 1862.*

The Commissioners met at half-past four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Dunlop.

The minutes of the last meeting having been read,

A Committee of the Highland and Agricultural Society of Scotland, with Mr Hall Maxwell, the Secretary of the Society, were admitted to an audience, with reference to the Chair of Agriculture in the University of Edinburgh.

The meeting rose at a quarter before six o'clock.

JOHN INGLIS, *Chairman*.

Ninety-ninth  
Meeting.

*At Edinburgh, 22d February 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered the position of several of the bursary foundations in the University of Aberdeen, and, in particular, drafts of Ordinances relative to the Fraser, Elphinston, Leys, Adam, William Lorimer, John Lorimer, Gray, Simpson, and Boxill foundations.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

Hundredth Meeting.

*At Edinburgh, 1st March 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There was laid before the Commissioners a minute of the Senatus Academicus of the University of Edinburgh, of date the 22d February, with reference to graduation in Divinity.

There was also laid before the Commissioners a memorial, dated the 24th February, from the Medical Faculty of the University of Aberdeen, representing the propriety of establishing bursaries or scholarships in Medicine; and, in connection therewith, a letter, dated the 27th February, from Professor Thomson, stating, on the part of the Faculty of Arts in the University, that they did not concur in many of the statements contained in the memorial of the Medical Faculty.

The Commissioners considered the position of several of the bursary foundations in the University of Aberdeen, and, in particular, drafts of Ordinances relative to the Elphinston, Fraser, Adam, Gray, Simpson and Boxill, Watt, Melvill, Park, Watson, Glenfarquhar, Udny Duff, Johnston, Adam and Davidson, Galloway and Garden, Forbes and Smith, and Redhyth foundations.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Hundred and first  
Meeting.

*At Edinburgh, 8th March 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered the position of several of the bursary foundations in the University of Aberdeen, and, in particular, drafts of Ordinances relative to the Gray, Simpson and Boxill, Watt, Melvill, Redhyth, Fullerton and Moir, and Coll foundations.

The Commissioners also considered the draft of an Ordinance as to the bursaries in the University generally.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

Hundred and second  
Meeting.

*At Edinburgh, 15th March 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered the position of several of the bursary foundations in the University of Aberdeen, and, in particular, drafts of Ordinances relative to the Fullerton and Moir, Redhyth, and Gray, Simpson and Boxill foundations.

The Commissioners also further considered the draft of an Ordinance as to the bursaries in the University generally.

The Commissioners also further considered the draft of an Ordinance with reference to fees, and the appropriation of the manes in the University of Aberdeen.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 22d March 1862.

Hundred and third Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There was laid before the Commissioners a memorial of the Faculty of Divinity in the University of Aberdeen, dated the 18th instant, with regard to the disposal of the surplus bursary funds in the University.

Also a letter, dated the 17th instant, from Mr William Porteous, Secretary to the Curators of the Theological Library in the University of Edinburgh, enclosing copies of a petition to the Senatus Academicus on the subject of an amalgamation of that Library with the General Library of the University.

The terms of an Ordinance with reference to fees in the University of Aberdeen were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance on the 31st instant (Ordinance No. 27, Aberdeen No 7).

The Commissioners further considered the draft of an Ordinance as to the bursaries in the University of Aberdeen generally.

The Commissioners also further considered drafts of Ordinances relative to certain of the bursary foundations in the University.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 11th April 1862.

Hundred and fourth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There were laid before the Commissioners six Orders of Her Majesty in Council, dated the 21st March 1862, approving respectively,—

- (1) Ordinance No. 19, St Andrew's No. 3 (with certain alterations);
- (2) Ordinance No. 21, St Andrew's No. 4;
- (3) Ordinance No. 22, Glasgow No. 4;
- (4) Ordinance No. 23, Edinburgh No. 5;
- (5) Ordinance No. 24, St Andrew's No. 5;
- (6) Ordinance No. 25, Edinburgh No. 6.

The terms of the following Ordinances, with reference to bursaries in the University of Aberdeen, were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz. :—

- Ordinance No. 28, Aberdeen No. 8;
- Ordinance No. 29, Aberdeen No. 9 [Elphinston Foundation];
- Ordinance No. 30, Aberdeen No. 10 [Watt Foundation];
- Ordinance No. 31, Aberdeen No. 11 [Melvill Foundation];
- Ordinance No. 32, Aberdeen No. 12 [Park Foundation];
- Ordinance No. 33, Aberdeen No. 13 [Adam Foundation];
- Ordinance No. 34, Aberdeen No. 14 [Watson Foundation];
- Ordinance No. 35, Aberdeen No. 15 [Rev. James Johnston's Foundation];
- Ordinance No. 36, Aberdeen No. 16 [Adam and Davidson Foundations];
- Ordinance No. 37, Aberdeen No. 17 [Galloway and Garden Foundations];
- Ordinance No. 38, Aberdeen No. 18 [Smith and Forbes Foundations];
- Ordinance No. 39, Aberdeen No. 19 [Simpson and Boxill Foundations];
- Ordinance No. 40, Aberdeen No. 20 [Fraser Foundation];
- Ordinance No. 41, Aberdeen No. 21 [Dr William Lorimer's Foundation];
- Ordinance No. 42, Aberdeen No. 22 [Dr John Lorimer's Foundation];
- Ordinance No. 43, Aberdeen No. 23 [Coll Foundation];
- Ordinance No. 44, Aberdeen No. 24 [Leys Foundation];
- Ordinance No. 45, Aberdeen No. 25 [Glenfarquhar Foundation];
- Ordinance No. 46, Aberdeen No. 26 [Udny Duff Foundation];
- Ordinance No. 47, Aberdeen No. 27 [Fullerton, Moir, and Gray Foundations];
- Ordinance No. 48, Aberdeen No. 28 [Cargill Foundation];
- Ordinance No. 49, Aberdeen No. 29 [Liddell Foundation];
- Ordinance No. 50, Aberdeen No. 30 [Rev. David Ogilvy's Foundation];
- Ordinance No. 51, Aberdeen No. 31 [Turner Foundation];
- Ordinance No. 52, Aberdeen No. 32 [Redhyth Foundation].

The terms of an Ordinance, with reference to the occupation of the manse belonging to the University of Aberdeen, were also finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance (Ordinance No. 53, Aberdeen No. 33).

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 19th April 1862.

Hundred and fifth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; Mr Stirling; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the position of the Exchequer Divinity bursaries in the University of Edinburgh, in connection with a minute of a Committee of Senatus, dated the 4th February 1862,

Hundred and fifth Meeting.

and accompanying statement with reference to the bursaries, transmitted by Professor Crawford, as Convener of the Committee.

The Commissioners considered the position of several of the bursary foundations in the United College, St Andrew's, in connection with a report submitted to them by the College on the subject of the bursaries.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 26th April 1862.*

Hundred and sixth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

A report by the Law Faculty of the University of Edinburgh to the Senatus, and approved by the Senatus, embodying proposed regulations for carrying out the provisions of Ordinance No. 23, Edinburgh No. 5, in regard to the Faculty of Law, was laid before the Commissioners. The Commissioners considered that part of the proposed regulations which was submitted for their approval, and which related to the fees to be exacted in the several classes. In these it was proposed:—

1. That the course of lectures on Criminal Law, to be delivered between the 12th of May and 31st of July yearly by the Professor of Scots Law, and the similar summer course, to be delivered by the Professor of Civil Law, should be considered as supplementary to the usual winter courses of the said Professors respectively, and should be covered by the same fee; that this fee should be L.5, 5s.; but that this regulation should be subject to the following conditions:—(1.) that a student who had paid the fee for the winter course of lectures might attend the summer course during any year most convenient to himself; and (2.) that a student enrolling himself a second time for the double course should pay a fee of L.3, 3s. only;

2. That the fee in each of the two classes of Constitutional Law and International Law should be L.3, 3s.

The Commissioners approved of these regulations, and directed intimation of their approval to be made to the Senatus Academicus.

A memorial, dated the 15th instant, from the Professor of Astronomy in the University of Glasgow, representing the expediency of provision being made for an assistant, and for current expenses at the Observatory of the University, and a memorial of the Senatus, and minute of the University Court, in support of the memorial of the Professor, in so far as it related to a provision for an assistant, having been considered by the Commissioners, they directed it to be explained, that, the allowance asked not being for purposes of instruction in the University, the Commissioners considered they would be overstepping their functions under the Universities Act, were they to recommend provision to be made for it from the public funds, and that they must therefore decline to do so.

The Commissioners considered the subject of the bursary foundations in the University of Glasgow. The Commissioners considered the draft of an Ordinance relative to the Exchequer Divinity bursaries in the University of Edinburgh.

The meeting rose at half-past three o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 10th May 1862.*

Hundred and seventh Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie;—Sir W. Gibson Craig in the Chair.

The minutes of the last meeting having been read,

There was laid before the Commissioners an Order of Her Majesty in Council, dated the 26th April 1862, approving Ordinance No. 26, General No. 5, with reference to retiring allowances to Principals and Professors.

The Commissioners considered the subject of the bursary foundations in the University of Glasgow, in connection with a report of the Senatus Academicus on the subject. The Commissioners considered, in particular, drafts of Ordinances relative to the Wilson, Struthers, Boyd, and Armagh foundations.

The meeting rose at ten minutes past four o'clock.

W. GIBSON CRAIG.

*At Edinburgh, 17th May 1862.*

Hundred and eighth Meeting.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the subject of the bursary foundations in the University of Glasgow.

The terms of the following Ordinances, regarding bursaries in that University, were finally adjusted; and it was ordered that the seal of the Commission should be affixed to them, viz.:—

- Ordinance No. 54, Glasgow No. 5 [Wilson Foundation];
- Ordinance No. 55, Glasgow No. 6 [Struthers Foundation];
- Ordinance No. 56, Glasgow No. 7 [Boyd Foundation];
- Ordinance No. 57, Glasgow No. 8 [Armagh Foundation].

The Commissioners also considered the subject of the bursary foundations in the University of St Andrew's; and, the terms of the following Ordinances, regarding bursaries in that University, having been finally adjusted, it was ordered that the seal of the Commission should be affixed to them, viz.:—

- Ordinance No. 58, St Andrew's No. 6 [Grant Foundation];
- Ordinance No. 59, St Andrew's No. 7 [Guild Foundation];
- Ordinance No. 60, St Andrew's No. 8 [Malcolm Foundation];
- Ordinance No. 61, St Andrew's No. 9 [Glendee Foundation].

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 21st May 1862.

Hundred and ninth Meeting.

The Commissioners met at half-past four o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners adjusted the terms of an Ordinance for the future regulation of the Wilkie Bursary Foundation in the United College, St Andrew's, and ordered that the seal of the Commission should be affixed to the Ordinance—Ordinance No. 62, St Andrew's No. 10 [Wilkie Foundation].

The meeting rose at a quarter before six o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 24th May 1862.

Hundred and tenth Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the subject of the bursary foundations in the University of Edinburgh, in connection with a statement furnished to them, on the part of the Magistrates and Council of the City, respecting the bursaries chargeable on the annuity of L.2500 from the revenues of Leith Harbour, under the Acts 1 and 2 Vict., c. 55, and 24 and 25 Vict., c. 90; and also an opinion of Counsel as to the bursaries chargeable on the said annuity.

The Commissioners, having fully deliberated on the subject, are of opinion—

(1.) That the portion of the annuity (L.2170) assigned to the University by the Act 24 and 25 Vict., c. 90, is liable for the payment of such bursaries only, as before the date of the Act were chargeable on the annuity of L.2500.

(2.) That the bursaries chargeable on the said annuity of L.2500 under the Act 1 and 2 Vict., c. 55, were such bursaries only, as were included in the College debt of L.13,119, discharged by the said Act. These bursaries are:—

Bursaries.	Principal Sums.	Annual charge as stated in Returns to Royal Commission of 1826.
	L. s. d.	L. s. d.
1. Bursaries comprised in Bond of Corroboration granted by the City on 18th March 1741, . . . . .	6452 3 4	322 12 2
2. Thomas Fraser's Foundation, . . . . .	800 0 0	32 0 0
3. Rev. John Penman's Foundation (including small sum for bursaries in High School), . . . . .	387 15 6 <sup>c</sup>	17 9 0
4. Rev. James Miller and Spouse's Foundation, . . . . .	480 0 0	24 0 0
Totals, . . . . .	8119 18 10 <sup>c</sup>	396 1 2

(3.) That the following bursaries, comprised in the statement transmitted on the part of the Magistrates and Council, were not included in the debt discharged by 1 and 2 Vict., c. 55, and were therefore not chargeable on the said annuity of L.2500, and are not now payable out of the portion of the annuity (L.2170) assigned to the University:—

Founders' Names.	Principal Sums.	Annual Sums at 5 per cent.
	L. s. d.	L. s. d.
1. Mansie Weir, . . . . .	55 11 1 <sup>d</sup>	} 5 11 1 <sup>d</sup>
2. David or Richard Jenkins, . . . . .	55 11 1 <sup>d</sup>	
3. John M'Morran, . . . . .	55 11 1 <sup>d</sup>	
4. Rev. James Stuart, . . . . .	603 0 0	30 3 0
5. John Penman, Bailie, (additional sum added to capital of bursary included in debt of L.13,119), . . . . .	195 0 0	9 15 0
Totals, . . . . .	964 13 4	48 4 8

(4.) That the Senatus Academicus are neither bound nor entitled to pay any sums on account of the last mentioned bursaries out of the portion of the annuity (L.2170) assigned to the University.

(5.) That the Magistrates and Council were under obligation to grant bonds of annuity corresponding to the several sums composing the said principal sum of L.964, 13s. 4d., in terms of s. 41 of the Act 1 and 2 Vict., c. 55, and are still bound to grant such bonds, unless that has been already done.

The Commissioners directed extracts of this minute to be transmitted to the Senatus Academicus and to the Magistrates and Council of the City.

The Commissioners considered the position of the Forfar and Hastie Bursary Foundations in the University of Glasgow, in connection with returns regarding the same furnished by the University.

The Commissioners considered the subject of Library regulations for the Universities.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
eleventh Meeting.

*At Edinburgh, 28th May 1862.*

The Commissioners met at half-past four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read and adjusted,

The Commissioners considered the subject of the bursary foundations in the University of Edinburgh. The Commissioners also considered the subject of Dr Murray's bequest in the University of Aberdeen.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
twelfth Meeting.

*At Edinburgh, 31st May 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered a memorial, dated 31st March, from Professor W. Thomson, Professor of Natural Philosophy in the University of Glasgow, urging his right to compensation for loss of graduation fees under the provisions of Ordinance No. 22, Glasgow No. 4; in reference to which, it was resolved, that an annual allowance of L.50 should be provided from the General University Fund to Professor Thomson, to continue during his incumbency, but to cease therewith, and that an Ordinance to carry out such an arrangement should be prepared.

The terms of two Ordinances for the future regulation of the Forfar and Hastie Bursary Foundations in the University of Glasgow were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them:—

Ordinance No. 63, Glasgow No. 9 [Forfar Foundation];

Ordinance No. 64, Glasgow No. 10 [Hastie Foundation].

The Commissioners further considered the subject of the bursary foundations in the University of Edinburgh.

The Commissioners considered the draft of an Ordinance for the regulation of the University Libraries.

The meeting rose at a quarter before six o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
thirteenth Meeting.

*At Edinburgh, 7th June 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The terms of the following Ordinances were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz.:—

Ordinance No. 65, Glasgow No. 11 [Crawford Foundation];

Ordinance No. 66, Glasgow No. 12 [Foundation Bursaries];

Ordinance No. 67, Edinburgh No. 7 [Nairne Foundation]; and

Ordinance No. 68, General No. 6, for the regulation of the Libraries of the Universities.

The Commissioners also considered drafts of Ordinances relative to the Buchanan, Struthers, Brown, Ramsay, Dalgleish and Chrystie, Robert Johnston, and Ford Foundations in the University of Edinburgh.

The meeting rose at a quarter before five o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
fourteenth Meeting.

*At Edinburgh, 12th June 1862.*

The Commissioners met at half-past four o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There was laid before the Commissioners an Order of Her Majesty in Council, dated the 7th instant, approving Ordinance No. 27, Aberdeen No. 7, with reference to fees in the University of Aberdeen.

The terms of the two following Ordinances were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz.:—

Ordinance No. 69, General No. 7, relative to the power of the Senatus Academicus to regulate the order of attendance on classes in the course of study in the Faculty of Arts, the adjournment of the examinations of candidates for Degrees in Arts, the suspending or depriving students of bursaries on the ground of misconduct, and the conferring of Degrees in the absence of the Chancellor and Vice-Chancellor; and

Ordinance No. 70, Glasgow No. 13, providing compensation to the present Professor of Natural Philosophy in Glasgow for loss of graduation fees.

The meeting rose at six o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
fifteenth Meeting.

*At Edinburgh, 14th June 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The terms of an Ordinance with reference to the foundation of Bayne of Pitcairrie, in the Uni-

versity of Edinburgh, were finally adjusted; and it was ordered that the seal of the Commission should be affixed to it—Ordinance No. 71, Edinburgh No. 8 [Bayne Foundation].

The Commissioners considered the subject of graduation in Law, in connection with reports on the subject from the Faculty of Advocates, the Society of Solicitors in the Supreme Courts, and the Society of Advocates in Aberdeen.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 21st June 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Hastie.

The minutes of the last meeting having been read,

The Commissioners considered the subject of the bursaries in the University of Edinburgh, in connection with copies of documents, relating to certain of the bursaries, furnished by the Magistrates and Council of Edinburgh.

There was laid before the Commissioners an Order of Her Majesty in Council, dated the 7th instant, referring to the Commissioners,

I. The following forty-four petitions against Ordinances Nos. 28 to 52, Aberdeen Nos. 8 to 32, viz. :—

1. From the Kirk-Session of the parish of Lochbroom and county of Ross; 2. from the Kirk-Session of the parish of Belhelvie; 3. from the Kirk-Session of Knockando, the Honourable George Henry Essex Grant, and the Honourable Lewis Alexander Grant; 4. from the Minister, Elders, and others, parishioners of Abernethy, Strathspey; 5. from the Kirk-Session of the parish of Dallas, in the county of Moray; 6. from the Kirk-Session of the parish of Oyne, in the Presbytery of Garioch and Synod of Aberdeen; 7. from the Kirk-Session of the parish of Cabrach; 8. from the Kirk-Session of the parish of Alvie; 9. from the Kirk-Session of the parish of Mortlach, in the county of Banff; 10. from the Kirk-Session and inhabitants of Boharm; 11. from the Kirk-Session and others of the parish of Aboyne; 12. from the Kirk-Session and others in the parish of Premnay; 13. from the Kirk-Session and parishioners of Inveraven parish; 14. from the Ministers, Elders, and others, inhabitants of the parish of Cairney; 15. from the Minister, Elders, and others of the parish of Boyndie, in the county of Banff; 16. from the Minister, Elders, and others, inhabitants of the parish of Glass; 17. from the Minister, Elders, and others in the parish of Auchindoir, Aberdeenshire; 18. from the inhabitants of Birnie; 19. from the inhabitants of the town of Grantown, in the united parish of Cromdale and Inverallan, county of Inverness; 20. from the inhabitants of the village of Portessie, Banffshire; 21. from the inhabitants of the village of Findochty, Banffshire; 22. from the inhabitants of the village of Portknockie, parish of Rathven; 23. from the inhabitants of the burgh and parish of Cullen, in the county of Banff; 24. from the inhabitants of the town of Whitehills, county of Banff; 25. from the inhabitants of the parish of Banff; 26. from certain of the inhabitants of the parish of Urquhart, in the county of Elgin; 27. from the inhabitants of the parish of Marnoch, in the county of Banff; 28. from the Ministers and inhabitants of Buckie and surrounding district; 29. from the Minister and others of the parish of Deskford; 30. from the Minister and inhabitants of the parish of Fordyce; 31. from the Ministers, feuars, and other inhabitants of Portsoy; 32. from the parishioners of the parish of Rothes, Morayshire; 33. from the parishioners of Kirkmichael, Banffshire; 34. from the parishioners of Drainie, near Elgin, and others; 35. from the Heritors, Ministers, and others of the united parishes of Urquhart and Glenmoriston; 36. from the Heritor, Minister, Elders, and others of the parish of Duncansburgh (Fort-William), within the county of Inverness; 37. from the Heritors, Ministers, and others of the parish of Kilmonivaig, Inverness-shire; 38. from the Provost, Magistrates, and Town Council of the royal burgh of Banff, in Council assembled; 39. from the Presbytery of Fordyce; 40. from Messrs Robert Maclure and W. D. Geddes, Professors of Classics in the University of Aberdeen; 41. from the Provost, Magistrates, and Council of the city and royal burgh of Elgin, in Council assembled; 42. from the Heritors, Ministers, and others within the parish of Old Deer; 43. from Heritors, Ministers, and others of the parish of Bellie; and, 44. from the Landholders, Commissioners of Supply, and Justices of the Peace of the county of Aberdeen, in general meeting assembled:

II. The following six petitions against Ordinance No. 52, Aberdeen No. 32 [Redhyth Foundation], viz. :—

1. From the Earl of Seafield; 2. from the Minister and Elders of the Kirk-Session of the parish of Banff; 3. from certain Trustees under the deed of mortification of Walter Ogilvie of Redhyth; 4. from Landed Proprietors, Justices of the Peace, Ministers, Elders, and gentlemen residing in the parish of Keith and county of Banff; 5. from the Minister, Elders, and other inhabitants of the parish of Cromdale, Strathspey; and, 6. from the inhabitants of the parish of Grange:

III. Petition of the Provost and Bailies of the burgh of Old Aberdeen against Ordinance No. 30, Aberdeen No. 10 [Watt Foundation]:

IV. Petition of the Provost, Magistrates, and Council of the city of Aberdeen, against Ordinance No. 28, Aberdeen No. 8; Ordinance No. 49, Aberdeen No. 29 [Liddell Foundation]; and Ordinance No. 48, Aberdeen No. 28 [Cargill Foundation]:

V. Petition of the Moderator and Kirk-Session of the parish of Mortlach against Ordinance No. 42, Aberdeen No. 22 [Dr John Lorimer's Foundation].

Also a letter, dated the 17th instant, from the Clerk of the Council, stating that eleven other petitions on the same subject would be laid before Her Majesty at the next Council, for reference to the Commissioners.

The Commissioners farther considered the subject of graduation in Law, in connection with a report on the subject from the Society of Writers to the Signet. The Commissioners also considered the draft of an Ordinance on the subject.

The meeting rose at five o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
fifteenth Meeting.

Hundred and  
sixteenth Meeting.

Hundred and seven-  
teenth Meeting.

At Edinburgh, 12th July 1862.

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The Commissioners considered the subject of the bursaries in the University of Edinburgh, in connection with a letter from the Town Clerk, dated the 7th instant, with regard to the bursaries stated to be in the gift of the Magistrates and Council, and a report of the Education Committee of the Council therewith transmitted.

The terms of the four following Ordinances were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz. :—

Ordinance No. 72, Glasgow No. 14 [Baxter Foundation], relative to the bursary in the University of Glasgow, on the foundation of Mr Daniel Baxter, bookseller;

Ordinance No. 73, St Andrew's No. 11 [Lawson Foundation], relative to the bursary in the United College, St Andrew's, on the foundation of Mr John Lawson;

Ordinance No. 74, Aberdeen No. 34 [Murray Foundation], relative to the bequest in the University of Aberdeen of the late Dr Alexander Murray, of Philadelphia, in the United States of America; and

Ordinance No. 75, General No. 8, relative to the granting of degrees in Law in the several Universities.

The Commissioners considered the subject of graduation in Divinity.

The meeting rose at twenty minutes past three o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
eighteenth Meeting.

At Edinburgh, 21st July 1862.

The Commissioners met at eleven o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Dunlop; Mr Stirling.

The minutes of the last meeting having been read,

There was laid before the Commissioners an Order of Her Majesty in Council, dated the 19th instant, referring to the Commissioners,—I. The following ten petitions against Ordinances Nos. 28 to 52, Aberdeen Nos. 8 to 32, viz. :—1. From the Kirk-Session of Alvah; 2. from the Kirk-Session of Turriff; 3. from the Kirk-Session of Monquhitter; 4. from the Kirk-Session of Gartly; 5. from the Kirk-Session of Speymouth; 6. from the parishioners of Fyvie; 7. from the parishioners of Ordiquhill; 8. from the Commissioners of Supply of Banffshire; 9. from Ministers and others of Duthil; and, 10. from Heritors, Ministers, and others of Daviot and Dunlichity: II. The petition of the Reverend James Allan, Minister of Grange, against Ordinances Nos. 41 and 42, Aberdeen Nos. 21 and 22 (Lorimer Foundations),—these eleven petitions being the petitions referred to in the letter of the Clerk of the Council, of 17th June, mentioned in the minutes of 21st June last.

Notice having been given to the several petitioners named in the Order, as well as to the several petitioners against Ordinances relating to bursaries in Aberdeen, whose petitions had been referred to the Commissioners by Her Majesty's previous Order of the 7th of June, that the Commissioners had appointed this day for hearing by Counsel such of the petitioners as should be desirous to be so heard, the following Counsel were now heard for certain of the petitioners named in the Order of the 7th of June, viz. :—Mr Patton, for the Landholders, Commissioners of Supply, and Justices of the Peace of the county of Aberdeen; Mr Gordon (with whom was Mr Brown), for the Earl of Seafield, for certain of the Trustees under the deed of mortification of Walter Ogilvie of Redyth, and for the Minister and inhabitants of the parish of Fordyce; and Mr Macpherson, for the Provost and Bailies of the burgh of Old Aberdeen.

No Counsel appeared in support of any of the other petitions referred by the said Order of the 7th of June, or in support of any of the petitions referred by the Order of the 19th of July.

Counsel having retired, the Commissioners remained for some time in deliberation on the petitions and the addresses of Counsel.

The meeting rose at ten minutes before five o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
nineteenth Meeting.

At Edinburgh, 21st October 1862.

The Commissioners met at twelve o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

There were laid before the Commissioners two Orders of Her Majesty in Council, dated respectively the 6th and 30th August 1862; the first approving the following sixteen Ordinances, viz. :—

Ordinance No. 53, Aberdeen No. 33, regarding the occupation of manse belonging to Aberdeen University;

Ordinance No. 54, Glasgow No. 5 [Wilson Foundation];

Ordinance No. 55, Glasgow No. 6 [Struthers Foundation];

Ordinance No. 56, Glasgow No. 7 [Boyd Foundation];

Ordinance No. 57, Glasgow No. 8 [Armagh Foundation];

Ordinance No. 58, St Andrew's No. 6 [Grant Foundation];

Ordinance No. 59, St Andrew's No. 7 [Guild Foundation];

Ordinance No. 60, St Andrew's No. 8 [Malcolm Foundation];

Ordinance No. 61, St Andrew's No. 9 [Glendee Foundation];

Ordinance No. 62, St Andrew's No. 10 [Wilkie Foundation];

Ordinance No. 63, Glasgow No. 9 [Forfar Foundation];

Ordinance No. 64, Glasgow No. 10 [Hastie Foundation];

Ordinance No. 65, Glasgow No. 11 [Crawford Foundation];  
 Ordinance No. 66, Glasgow No. 12 [Foundation Bursaries];  
 Ordinance No. 67, Edinburgh No. 7 [Nairne Foundation];  
 Ordinance No. 68, General No. 6, relating to the custody and management of the Libraries in the Universities;

Hundred and  
 nineteenth Meeting.

and the second approving the following three Ordinances, viz. :—

Ordinance No. 69, General No. 7, relating to the granting of degrees in the Universities;  
 Ordinance No. 70, Glasgow No. 13, providing compensation to the present Professor of Natural Philosophy in Glasgow for loss of graduation fees;  
 Ordinance No. 71, Edinburgh No. 8 [Bayne Foundation].

The Commissioners had before them a letter, dated the 13th of August 1862, and previous letters, from the Clerk to Robert Gordon's Hospital, in Aberdeen, bringing under their notice minutes of agreement between the Governors of the Hospital and the Senatus Academicus of Marischal College in 1781, whereby, in consideration of a contribution of fifty guineas by the Governors towards the purchase of astronomical instruments for the College, the Senatus agreed that four boys from the Hospital should be yearly, in all time coming, received into the classes of Mathematics and Natural Philosophy, or either of them, as the Governors should desire, and instructed in these branches, on the same footing as the other students in the College, without paying any fees. It was now requested, on the part of the Hospital, that the privilege which this agreement purported to confer in Marischal College, should be recognised or conceded by the Commissioners in the University of Aberdeen.

The Commissioners, having fully considered the subject of the said agreement, are of opinion, that the same was beyond the power of the Senatus of Marischal College, and was not binding on the College, and is not now binding on the University of Aberdeen. The Commissioners further see no grounds for taking steps to confer on the Hospital a privilege in the University of Aberdeen, similar to that which the agreement purported to confer in Marischal College.

The Commissioners directed extracts of this minute to be transmitted to the Governors of Gordon's Hospital, and to the Senatus Academicus of the University of Aberdeen.

There was laid before the Commissioners a minute of the St Andrew's University Court, of date the 24th of July last, recommending to the consideration of the Commissioners a resolution of the General Council of the University, in favour of the institution of regulations for conferring the degree of Bachelor of Divinity.

The Commissioners considered the draft of a special report to Her Majesty in Council, on the matter of the petitions against Ordinances relating to bursaries in the University of Aberdeen, referred to the Commissioners by Her Majesty's Orders in Council of the 7th of June and 19th of July 1862.

The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 28th October 1862.*

Hundred and  
 twentieth Meeting.

The Commissioners met at twelve o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; Sir W. Gibson Craig; Mr Hastie; Mr Dunlop.

The minutes of the last meeting having been read,

The terms of a special report to Her Majesty in Council, on the matter of the petitions against Ordinances relating to bursaries in the University of Aberdeen, referred to the Commissioners by Her Majesty's Orders in Council of the 7th of June and 19th of July 1862, were finally adjusted; and it was ordered that the seal of the Commission should be affixed to the report.

There was laid before the Commissioners a copy of a deed of mortification, dated the 28th of May and 5th and 28th of June 1862, for the endowment of a scholarship in the University of Edinburgh, under the name of the Pitt Theological Scholarship, by the surviving and assumed members of a Committee appointed in 1835 by the Pitt Club of Scotland, and trustees for the same, for carrying out an appropriation of a portion of the funds of the Club for the purpose of founding a prize, bursary, or scholarship, for a student of Divinity in the University of Edinburgh. The Commissioners considered the subject of an Ordinance to be issued, in furtherance of the deed, for the regulation of the endowment.

The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

*At Edinburgh, 6th November 1862.*

Hundred and  
 twenty-first  
 Meeting.

The Commissioners met at a quarter past three o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

The terms of the three following Ordinances were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz. :—

Ordinance No. 76, Edinburgh No. 9 [Exchequer Bursaries], relative to the bursaries in Divinity in the University of Edinburgh, on the foundation of King William the Third and Queen Mary;

Ordinance No. 77, Edinburgh No. 10 [Pitt Theological Scholarship], relative to the foundation of a Theological scholarship in the same University by the members of a Committee of the Pitt Club of Scotland, mentioned in the minutes of last meeting; and

Ordinance No. 78, Edinburgh No. 11 [Dundas Foundation], relative to the bursaries in the same University, on the foundation of Lawrence Dundas, formerly Professor of Humanity in the University.

The Commissioners considered the subject of certain of the bursaries in the University of Edinburgh chargeable on the annuity of L.2170 from the revenues of Leith Harbour.

The meeting rose at half-past five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 15th November 1862.

Hundred and  
twenty-second  
Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

The terms of the six following Ordinances relative to bursaries in the University of Edinburgh were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz. :—

- Ordinance No. 79, Edinburgh No. 12 [Buchanan Foundation];
- Ordinance No. 80, Edinburgh No. 13 [Struthers Foundation];
- Ordinance No. 81, Edinburgh No. 14 [Ramsay Foundation];
- Ordinance No. 82, Edinburgh No. 15 [Robert Johnston's Foundation];
- Ordinance No. 83, Edinburgh No. 16 [Ford Foundation]; and
- Ordinance No. 84, Edinburgh No. 17 [Dalglish Foundation].

The meeting rose at a quarter before five o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 22d November 1862.

Hundred and  
twenty-third  
Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Lord Justice-General; the Lord Advocate; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of the last meeting having been read,

The terms of an Ordinance relative to the bursary in Divinity in the University of Edinburgh, on the foundation of Archbishop Leighton, were finally adjusted, and it was ordered that the seal of the Commission should be affixed to it—Ordinance No. 85, Edinburgh No. 18 [Leighton Foundation].

The Commissioners considered the subject of the Ramsay Foundation in the University of St Andrew's, in connection with letters from the Principal of the United College, and from Sir Alexander Ramsay, patron of the bursaries on the foundation, representing the expediency of dividing the present fellowship on the foundation into two.

The Commissioners resumed consideration of the subject of graduation in Divinity, in connection with representations from the Universities of the desirableness of instituting regulations for conferring the degree of Bachelor of Divinity. After mature deliberation, the Commissioners, considering the peculiar difficulties with which the subject is surrounded, and the free action which will still be left to the Universities themselves, resolved, that it is not expedient that they should interfere by Ordinance with reference to it.

There was laid before the Commissioners an extract of a minute of the Glasgow University Court, of date the 5th instant, bringing to the attention of the Commissioners a resolution of the General Council, approving of the conclusions of a report of a Committee of the Council on the subject of instituting summer sessions in the Faculty of Arts.

The meeting rose at a quarter before four o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 29th November 1862.

Hundred and  
twenty-fourth  
Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; the Earl of Haddington; the Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig; Mr Stirling.

The minutes of last meeting having been read,

The terms of an Ordinance relative to the bursaries in the University of Edinburgh, on the foundation of Archibald Johnstone, merchant in Edinburgh, were finally adjusted, and it was ordered that the seal of the Commission should be affixed to the Ordinance—Ordinance No. 86, Edinburgh No. 19 [Archibald Johnstone's Foundation].

The Commissioners considered the terms of a draft Ordinance relative to the Ramsay Foundation in the University of St Andrew's.

The Commissioners also considered the terms of a draft Ordinance relative to the bursaries in Divinity in the University of St Andrew's, on the foundation of King William the Third.

The Commissioners resumed consideration of the subject of the University Libraries, in connection with certain suggestions submitted to them as to the expediency of issuing a supplementary Ordinance on the subject.

The meeting rose at half-past four o'clock.

JOHN INGLIS, *Chairman*.

At Edinburgh, 6th December 1862.

Hundred and  
twenty-fifth  
Meeting.

The Commissioners met at half-past one o'clock.

*Present*.—The Lord Justice-Clerk, Chairman, in the Chair; The Lord Justice-General; Lord Ardmillan; Sir W. Gibson Craig.

The minutes of the last meeting having been read,

There were laid before the Commissioners communications from the University Court and the Senatus Academicus of the University of St Andrew's; from the Chancellor, the University Court, and the Senatus Academicus of the University of Glasgow; from the Chancellor, the University Court, and the Senatus Academicus of the University of Aberdeen; and from the University Court and the Senatus Academicus of the University of Edinburgh, in answer to a request of the Commissioners to be favoured with their views as to the expediency of founding a National University for Scotland, regarding which the Commissioners are, by s. xv. 10 of the Universities Act, directed to inquire and report to Her Majesty.

The terms of the three following Ordinances were finally adjusted, and it was ordered that the seal of the Commission should be affixed to them, viz. :—

Ordinance No. 87, St Andrew's No. 12 [Ramsay Foundation], relative to the foundation in the University of St Andrew's of Mr John Ramsay, minister of Markinch ;

Ordinance No. 88, St Andrew's No. 13 [Exchequer Bursaries], relative to the bursaries in Divinity in the same University on the foundation of King William the Third ; and

Ordinance No. 89, General No. 9, supplementary to Ordinance No. 68, General No. 6, for the better custody and management of the Libraries belonging to the Universities.

The meeting rose at twenty minutes before four o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
twenty-fifth  
Meeting.

*At Edinburgh, 20th December 1862.*

The Commissioners met at half-past one o'clock.

*Present*,—The Lord Justice-Clerk, Chairman, in the Chair ; the Earl of Haddington ; the Lord Justice-General ; the Lord Advocate ; Lord Ardmillan ; Sir W. Gibson Craig ; Mr Stirling ; Mr Hastie.

The minutes of last meeting having been read,

There was laid before the Commissioners a deed of mortification, dated the 20th instant, by Thomas Erskine of Linlathen, Esquire, advocate, George Dundas, Esquire, advocate, and William Smith, Esq., one of the Vice-Presidents of the Philosophical Institution, Edinburgh, trustees of James Mackenzie, Esq., writer to the signet, of a sum of L.3000, placed by him in the hands of the said trustees for the endowment of a scholarship in the University of Edinburgh. The Commissioners adjusted the terms of an Ordinance, in furtherance of the deed, for the regulation of the endowment, and ordered that the seal of the Commission should be affixed thereto—Ordinance No. 90, Edinburgh No. 20 [Mackenzie Scholarship].

Returns from the Universities of the number of degrees granted, the number of students, and other matters, were laid before the Commissioners.

The Commissioners resolved, that it is their duty, on the expiration of their powers, to present to Her Majesty a general and detailed Report of their proceedings, and of the bearing and effect of their Ordinances as approved by Her Majesty. They therefore directed the Secretary to collect the necessary materials, and to prepare the draft of a Report for their consideration.

Lord Ardmillan proposed that the cordial thanks of the Commissioners should be tendered to the Lord Justice-Clerk for his unremitting attention, as Chairman, to the business of the Commission from its commencement to its close.

The motion was seconded by Mr Hastie, and was unanimously agreed to.

The meeting rose at four o'clock.

JOHN INGLIS, *Chairman*.

Hundred and  
twenty-sixth  
Meeting.

### III. REPORTS, ETC.

#### 1. REPORT ON FACULTIES OF DIVINITY.

Report on Faculties  
of Divinity.

THE Commissioners under the Universities (Scotland) Act, 21 and 22 Vict., c. 83, in submitting for the consideration of Her Majesty's Government, a Report upon the condition of the Chairs in the Faculties of Divinity in the several Universities of Scotland, feel that it is unnecessary for them to press upon the Government the importance of the subject both to the Universities and the Church. They would, however, at the outset, urge as their reason for requesting the attention of the Government to the position and requirements of these Faculties apart from the other Faculties in the Universities, the difficulty, which unquestionably exists, of obtaining grants of public money for the support of Theological Professorships. There are circumstances, also, which render it peculiarly important that the subject should be brought under the notice of the Government at the present time. A vacancy in the Chair of Divinity in the University of Edinburgh, through the death of Dr John Lee, who was also Principal of the University, and one of the Deans of the Chapel Royal, requires now to be filled up, and the insufficiency of the emoluments of the Chair, to attract, as candidates, competent persons who have not other means of support, has been made strongly apparent to the Commissioners. Provision also requires to be made without delay for the endowment of a new Chair of Biblical Criticism in the University of Aberdeen, the institution of such a Chair being rendered imperative by 21 and 22 Vict., c. 83, sec. 18.

In the following report upon the Faculties of Divinity, the Commissioners will, in the first place, present a short statement of the endowments and emoluments in each of these Faculties, as it at present exists; and will afterwards indicate the manner in which, amid the difficulties which surround the subject, the pecuniary assistance which is indispensably requisite can best be obtained.

#### PRESENT POSITION OF FACULTIES OF DIVINITY.

N.B.—In stating sums of money, shillings and pence will for the most part be omitted, unless it be in the case of Government Grants, with a view to identification.

I. Edinburgh.

I. In the Faculty of Divinity in the University of Edinburgh, there are at present four Professorships, viz:—

1. A Professorship of Divinity;
2. A Professorship of Divinity and Ecclesiastical History;
3. A Professorship of Biblical Criticism and Biblical Antiquities;
4. A Professorship of Hebrew and other Oriental Languages.

1. The emoluments of the Professorship of Divinity are:—

Salary from Town Council of Edinburgh,	L.196	0	0
Fees (average),	190	0	0
Total emoluments,	L.386	0	0

The patronage of this Chair is, by 21 and 22 Vict., c. 83, transferred from the Town Council of Edinburgh to the body of Curators appointed under sec. 13 of that Act.

2. The Professorship of Ecclesiastical History was founded by William III., and endowed by him with a salary of L.200 a-year; one moiety of which the incumbent receives through the Commissioner in charge of the Land Revenues of the Crown in Scotland; while the other moiety, which was formerly chargeable on the hereditary Revenues of the Crown, is now provided for annually by Parliamentary vote, and is paid through the Exchequer. The emoluments of the Professorship are:—

Moiety of salary through the Commissioner in charge of the Land Revenues,	L.100	0	0
Moiety of salary through the Exchequer,	100	0	0
Fees (average),	94	0	0
Total emoluments,	L.294	0	0

The patronage of this Chair is in the Crown.

3. The Professorship of Biblical Criticism and Biblical Antiquities was instituted by the Crown in 1846; and the first incumbent, Dr Robert Lee, who is still Professor, was appointed one of the three Deans of the Chapel Royal, the terms of the gift being, 'so long as he shall hold the office of Professor of Biblical Criticism and Biblical Antiquities in the University of Edinburgh, and to his successors in office.' The patronage of the Chair is in the Crown.

With regard to the emoluments of the Chair, the present Professor (who is also minister of Old Greyfriars in Edinburgh) has not hitherto charged any fee for attendance on his class; although, like the other Divinity Professors in Edinburgh, he is authorized to charge a fee of two guineas. Until about three years ago, attendance on this class was not required by the laws of the Church; but students are now required to attend for two sessions. It is probable that, when fees are charged, they will amount to about the same sum as in the class of Ecclesiastical History. The emoluments of the Professorship from the Deanery of the Chapel Royal are, on an average of the last seven years, L.672.

4. The emoluments of the Professorship of Oriental Languages are:—

Salary from Town Council,	L.85	0	0
Salary from the Exchequer,	30	0	0
Fees (average),	98	0	0
Total emoluments,	L.213	0	0

Report by Select  
Committee of House  
of Commons, in  
1851, on Annuity  
Tax (Edinburgh),  
p. 505.

The salary of L.30 from the Exchequer, which appears annually in the Parliamentary votes, is in discharge of the share appropriated to this Chair, of a grant by Queen Anne, of L.210 per annum, equally among seven Professors in the University of Edinburgh, and their successors in office.

The patronage of the Chair is, by 21 and 22 Vict., c. 83, transferred from the Town Council to the body of Curators appointed under sec. 13 of that Act.

II. The Faculty of Divinity in the University of Glasgow consists at present of three Professors, viz. :—

1. A Professor of Divinity.
2. A Professor of Ecclesiastical History.
3. A Professor of Oriental Languages.

1. The emoluments of the Professorship of Divinity are :—

From College Revenues (average),	L.408	6	8
Salary from the Archbishopric of Glasgow, under grant from George I.,	16	13	4
Fees (average),	175	0	0
Total income,	L.600	0	0

Along with a house in College.

The patronage of the Chair is, by 21 and 22 Vict., c. 83, transferred from the College to the University Court.

2. The emoluments of the Professorship of Ecclesiastical History are :—

From College Revenues,	L.222	15	7
Salary from the Archbishopric of Glasgow, under grant from George I.,	100	0	0
Fees (average),	81	0	0
Total income,	L.403	15	7

Along with a house in College.

The patronage of the Chair belongs to the Crown.

3. The emoluments of the Professorship of Oriental Languages are :—

From College Revenues,	L.264	8	11
Salary from the Archbishopric of Glasgow, under grant from George I.,	15	11	1
Salary from the Exchequer,	20	0	0
Fees (average),	130	0	0
Total income,	L.430	0	0

Along with a house in College.

The salary from the Exchequer is voted annually by Parliament, but it is in discharge of the share belonging to the Professorship, of a grant by Queen Anne to the College, of an annual sum of L.210, as appropriated by George II. in 1729.

The patronage of this Chair is, by the Act, transferred from the College to the University Court.

III. In St Mary's College, St Andrew's, which is exclusively a Theological College, there are the following Professors :—

1. Principal and Primarius Professor of Divinity.
2. Second Master and Professor of Divinity.
3. Professor of Church History.
4. Professor of Hebrew.

1. The emoluments of the Principalship and Primarius Professorship of Divinity are :—

From College sources (average),	L.205	0	0
Salary from Exchequer,	93	0	0
Fees (probable average),	47	0	0
Total income,	L.345	0	0

Along with a house in College.

The salary from the Exchequer is voted in one sum annually by Parliament, but it is intended as in discharge of two distinct grants. The first of these grants was one by Queen Anne of L.52, 3s. (the proportion belonging to St Mary's College of an annual sum of L.200 given to the University of St Andrew's), which has been thus divided :—

Principal and Primarius Professor,	L.18	0	0
Professor of Divinity,	12	0	0
Professor of Church History,	11	1	8
Professor of Hebrew,	11	1	8
	L.52	3	4

The other grant was one in 1832, of L.800 to the University of St Andrew's, of which L.300—i.e., L.75 to each Professor—was assigned to St Mary's College. This grant was made by way of part compensation for the heavy loss, which the two Colleges in the University of St Andrew's had suffered in the loss of teinds for the augmentation of the stipends of the parochial clergy, under Acts of Parliament passed subsequent to the date at which the teinds were bestowed on the Colleges. In 1823, it appears from a memorial of the University to the Treasury, and a report thereon by the Barons of the Exchequer of Scotland, that the loss to St Mary's College from this cause amounted, at that time, to L.530 a year, while the loss to the United College of St Salvador and St Leonard was between L.700 and L.800 a year. The grant was therefore far from being an adequate compensation for the losses which the Colleges had suffered.

The patronage of the Principalship belongs to the Crown.

Report on Faculties of Divinity.

Evidence of Commission of 1826, p. 50.

II. Glasgow.

Printed Schedule furnished by the College.

III. St Mary's College, St Andrew's.

Evidence of Commission of 1826, p. 372.

Evidence of Commission of 1826, pp. 240-250. Appendix, No. 1, to Report of St Andrew's Commission of 1840, pp. 2, 30.

Report on Faculties of Divinity.

2. The emoluments of the Second Mastership and Professorship of Divinity are :—

From College sources (average), . . . . .	L.204	0	0
Salary from Exchequer, . . . . .	87	0	0
Fees (average), . . . . .	40	0	0

Total emoluments, . . . . . L.331 0 0

The salary from the Exchequer is voted in one sum annually by Parliament; but it represents, as explained in the Principal's case, L.12 from Queen Anne's grant, and L.75 from the grant of 1832 to the College in compensation for loss of teinds.

The patronage of the Chair belongs to the Crown.

3. The emoluments of the Professorship of Church History are :—

From College sources (average), . . . . .	L.106	0	0
Salary from Exchequer, . . . . .	86	1	8
Salary from Commissioners of Woods and Forests, . . . . .	150	0	0
Fees (average), . . . . .	29	0	0

Total emoluments, . . . . . L.371 1 8

The salary from the Exchequer is voted in one sum annually by Parliament; but it represents, as explained in the Principal's case, L.11, 1s. 8d. from Queen Anne's grant, and L.75 from the grant of 1832 to the College in compensation for loss of teinds. The sum of L.150, payable through the Woods and Forests, is the portion appropriated to this Chair of a mortification out of the Bishops' Rents of L.300 a year to the University by William III.

The patronage of the Chair belongs to the Crown.

4. The following are the emoluments of the Hebrew Chair :—

From College sources (average), . . . . .	L.157	0	0
Salary from Exchequer, . . . . .	86	1	8
Salary from Commissioners of Woods and Forests, . . . . .	25	0	0
Fees (average), . . . . .	30	0	0

Total emoluments, . . . . . L.298 1 8

The salary of L.86, 1s. 8d. from the Exchequer, although voted in one sum, consists of L.11, 1s. 8d. and L.75, as mentioned in the case of the Chair of Church History. The sum of L.25, payable through the Woods and Forests, is the portion appropriated to the Chair of the mortification of L.300 out of the Bishops' Rents, also mentioned under the head of the Chair of Church History.

The patronage of the Chair belongs to the Crown.

IV. Of the two existing Universities of Aberdeen, the Faculty of Divinity in King's College consists, besides the Principal (who, as such, is Primarius Professor of Theology, but who does not at present lecture), of a Professor of Divinity, and a Professor of Oriental Languages. In Marischal College there are three Chairs—one of Church History, at present held by the Principal; one of Divinity; and one of Oriental Languages. The students of Divinity in the two Colleges, who are on the average about 92 in number, attend the lectures both of the Professor of Divinity in King's College and of the Professor of Divinity in Marischal College, the former lecturing for three days in the week, and the latter lecturing for the other three days. In King's College no fee is charged by the Professor of Divinity; while in Marischal College the fee is a guinea. The fee of the class of Church History in Marischal College is a guinea and a half, which is also the amount of the fee in either class of Oriental Languages. The patronage of each of the Chairs in the united University will be determined by the Commissioners.

1. The emoluments of the Principalship of King's College are :—

From College sources (average), . . . . .	L.203	0	0
Share of Queen Anne's Bounty, . . . . .	20	0	0
Share of George III.'s Grant to the College of L.700, . . . . .	70	0	0
Share of Grant by William III. out of the Bishops' Rents, . . . . .	20	0	0

Total income, . . . . . L.313 0 0

Along with a house in College.

The L.20, share of Queen Anne's Bounty, is voted annually by Parliament in discharge of a sum of that amount granted to the Principalship by Queen Anne. In the same grant, L.12 a year is given to the Professor of Divinity in King's College. The L.700 mentioned above, of which the Principal and the nine Professors of King's College receive each a tenth, was granted to the College in 1808 by George III., in consideration, as the grant recites, that 'the revenues of the University had been much reduced by the tithes being found liable to be appropriated to augment the stipends of the clergy.' The sum of L.700 is now annually voted by Parliament, in one sum, as 'additional allowance to the Principal and Professors.' The sum of L.20, which the Principal receives of the grant from the Bishops' Rents, and which is payable through the Woods and Forests, was not originally appropriated to the office by the grant; but it appears to have been subsequently so appropriated by authority of Queen Anne.

2. The emoluments of the Chair of Divinity in King's College are :—

From College sources (average), . . . . .	L.176	0	0
Share of Queen Anne's Bounty, . . . . .	12	0	0
Share of George III.'s Grant to the College of L.700, . . . . .	70	0	0
Additional Grant to the Chair, . . . . .	150	0	0
Share of Grant by William III. out of the Bishops' Rents, . . . . .	33	6	8

Total income, . . . . . L.441 6 8

Along with a house in College.

The present Professor receives also L.50 a year, as Lecturer on Practical Religion, from the trustees of the late John Gordon of Murtle; but this is dependent on the will of the trustees.

Evidence of Commission of 1826, p. 372.

Evidence of Commission of 1826, p. 372.

IV. Aberdeen.

Evidence of Commission of 1826, p. 165.

Second Report of Aberdeen Commission, 1839, p. 271.

Explanation furnished by King's College.

The Royal grants of L.12 and L.700 are explained under the head of the Principalship. The grant of L.150 was originally given in 1817 by George III. to Dr Mearns, the present incumbent's predecessor, on his appointment to the Chair, and was limited to his incumbency. In 1852, on the appointment of the present Professor, an equal sum was, by Treasury minute, made payable to him so long as the Parliamentary vote for the amount is continued; power, however, being reserved to the Treasury to reconsider the matter if a junction of the Colleges should take place. The share of the grant from the Bishops' Rents is as authorized by William III.

3. The emoluments of the Professorship of Oriental Languages in King's College are:—

From College sources (average),	L.65	0	0
Share of George III.'s Grant to the College of L.700,	70	0	0
Share of Grant by William III. out of the Bishops' Rents,	66	13	4
Fees (average),	36	0	0

Total income, L.237 13 4

The Professor occupies two or three rooms in College, of which it is expected he will be deprived when the contemplated alterations are made in the buildings. The grant of L.700 has been already explained. The share which the Professor receives of the grant from the Bishops' Rents is as authorized by William III.

4. The emoluments of the Professorship of Church History in Marischal College (apart from the income of the present Professor as Principal) are:—

Salary from the Exchequer,	L.50	0	0
Fees (average),	58	0	0

Total emoluments, L.108 0 0

This Chair was instituted by the Crown in 1833, when the present incumbent was appointed Professor for the term of his life, or 'till the suppression of such Professorship by any Act of Parliament, to be hereafter passed.' The salary of L.50 is voted annually by Parliament.

5. The emoluments of the Chair of Divinity in Marischal College are:—

Endowment in the hands of the Town Council of Aberdeen (average),	L.61	0	0
Salary from Exchequer,	53	0	0
Fees (average),	92	0	0

Total emoluments, L.206 0 0

The present Professor receives also L.50 a year from the trustees of the late John Gordon of Murtle; but this is dependent on their will.

The salary of L.53 from the Exchequer, although voted in one sum by Parliament, represents in reality two Royal grants,—one of L.20, by Queen Anne, in 1712; and the other by George III., of L.33, in 1812.

6. The emoluments of the Chair of Oriental Languages in Marischal College are:—

Endowment in the hands of Sir A. Ramsay (average),	L.37	0	0
Salary from the Exchequer,	33	0	0
Fees (average),	30	0	0

Total emoluments, L.100 0 0

The salary of L.33 from the Exchequer, which is voted annually by Parliament, represents a grant of that amount to the Chair by George III. in 1812.

The position of the several Faculties of Divinity, as explained above, may be conveniently seen from the following Table. The sums stated are the nearest sums in pounds to the actual sums. The letter H in the extreme right hand column denotes that a house is attached to the Chair.

	CHAIR.	Endowment.	Royal Grant not dependent on Parliamentary Vote.	Grant in consideration of Loss of Teinds.	Royal Grant dependent on Parliamentary Vote.	Conditional Grant.	Fees.	Total.
EDINBURGH.	Divinity, . . .	L. 196	...	...	...	...	L. 190	L. 386
	Ecclesiastical History,	...	100	...	100	...	94	294
	Biblical Criticism, .	672	...	...	...	...	...	672
	Hebrew, . . .	85	...	...	30	...	98	213
GLASGOW.	Divinity, . . .	408	17	...	...	...	175	600 H
	Ecclesiastical History,	223	100	...	...	...	81	404 H
	Oriental Languages, .	264	16	...	20	...	130	430 H

Report on Faculties of Divinity.

Second Report of Aberdeen Commission, 1839, p. 273.

Grant, 1st March 1698.

Evidence of Commission of 1826, p. 164.

Second Report of Aberdeen Commission, 1839, p. 131.

Evidence of Commission of 1826, p. 165.

Second Report of Aberdeen Commission, 1839, p. 272.

Second Report of Aberdeen Commission, 1839, p. 272.

Report on Faculties  
of Divinity.

TABLE—continued.

	CHAIR.	Endowment.	Royal Grant not dependent on Parliamentary Vote.	Grant in consideration of Loss of Teinds.	Royal Grant dependent on Parliamentary Vote.	Conditional Grant.	Fees.	Total.
ST MARY'S COLLEGE, ST ANDREW'S.	Principal and First Divinity, . . . }	L. 205	L. ...	L. 75	L. 18	L. ...	L. 47	L. 345 H
	Second Divinity, . . .	204	...	75	12	...	40	331
	Ecclesiastical History, . . .	106	150	75	11	...	29	371
	Hebrew, . . . . .	157	25	75	11	...	30	298
ABERDEEN.	Principal of King's College, . . . }	203	20	70	20	...	...	313 H
	Divinity, King's College, . . .	176	33	70	12	150	...	441 H
	Oriental Languages, } King's College, . . . }	65	67	70	...	...	36	238
	Ecclesiastical History, } Marischal College, . . . }	...	...	...	...	50	58	108
	Divinity, Marischal } College, . . . . . }	61	...	...	53	...	92	206
	Oriental Languages, } Marischal College, . . . }	37	...	...	33	...	30	100

It is evident, from the view which has been given of the pecuniary position of the Chairs in the Faculties of Divinity in the several Universities, that the emoluments of the great majority of these Chairs are utterly inadequate. Indeed, with the exception of the Chair of Biblical Criticism in the University of Edinburgh, the occupant of which enjoys a considerable income as one of the Deans of the Chapel Royal, of the three Professorships in the Faculty of Divinity in the University of Glasgow, and of the Professorship of Divinity in King's College, Aberdeen, the present emoluments of which are eked out by a somewhat precarious grant of L.150, there is none of the Professorships of which the emoluments reach the moderate amount of L.400 a year. With the view, therefore, of securing the services of men of learning and eminence for the existing Chairs, it is obvious that additional means of support must be provided.

But, further, the Commissioners would call the attention of Government to the question of the number of Chairs which ought to be provided for in the Faculty of Divinity in each of the four Universities of Scotland, regarding the union of the two Universities of Aberdeen as having been carried into effect. In considering this question, the Commissioners, in the exercise of their powers, as directed by sec. 23 of the Universities Act, have had special regard to the recommendations contained in the Report of the Royal Commission of 1826, which, alone of the Commissions mentioned in that section, reports generally as to all the Universities of Scotland. In the General Report of that Commission, p. 47, the result of its deliberations, regarding the Professorships which ought to exist in the Faculty of Divinity in each of the Universities, is thus stated:—‘It has appeared to us that a uniform arrangement as to the mode of teaching should be introduced; and we are of opinion that, in order to afford a complete instruction in Divinity, there should be the following Professorships in each of the Universities:—

- ‘A Professorship of Divinity, or Systematic Theology,
- ‘A Professorship of Oriental Languages,
- ‘A Professorship of Church History, and
- ‘A Professorship of Biblical Criticism.’

What the Commission of 1826 recommends as to all the Universities, the Act 21 and 22 Vict., c. 83, renders imperative as to the University of Aberdeen; for by the 18th section it is enacted, that in the Faculty of Divinity in that University ‘there shall be Professors of Systematic Theology, of Oriental Languages, of Church History, and of Biblical Criticism.’

It appears to the Commissioners most important that arrangements should be made for carrying out the recommendations of the Commission of 1826; and they would now urge upon the Government the expediency of making provision for the establishment of the same Chairs in the Faculty of Divinity in each of the Universities.

It will have appeared from the view which has been given of the several Faculties of Divinity as they now exist, that at present the University of Edinburgh is the only University, in which the Faculty is constituted as the Commission of 1826 recommends, and contains a distinct Professorship of Biblical Criticism. That Chair was instituted in 1846, probably in consequence of the recommendation of that Commission, and was endowed by the Crown with a third of the revenues of the Deanery of the Chapel Royal.

In the University of Glasgow, there being at present only three Professorships in the Faculty of Divinity, it becomes necessary in the view of the Commissioners, that a Professorship of Biblical Criticism should be established, and an endowment provided for it.

In St Mary's College, St Andrew's, there are, including the Principalship, four Theological Professors, two of these being called Professors of Divinity; but it being understood that the second Professor of Divinity should direct his attention to the department of Biblical Criticism. The Commissioners intend to provide, that for the future the title also of the Professor shall be associated with that subject. The number, however, of the Chairs in this College does not require to be increased.

In the University of Aberdeen, as has been stated, the Universities Act makes it imperative that there shall be four Professors in the Faculty of Divinity. In the two existing Universities, there are at present, including the Principal of King's College, six Professors in that Faculty. After, however, the Universities Act shall have come into operation, the office of Principal will be disjoined from the Faculty of Divinity; but, as the emoluments of the Principal of King's College have been hitherto attached to the Faculty of Divinity, and have been enjoyed by the Principal as a Teacher of Theology, the Commissioners consider that they will only be carrying out the intentions of the statute, if they give that Faculty the benefit of these emoluments, while they provide for the Principal of the united University from other sources.

The funds now appropriated to the Chairs in the several Faculties of Divinity being manifestly inadequate for the proper support of these Faculties, the Commissioners have made diligent inquiry as to the means by which these funds may be supplemented; and in doing so, they have carefully considered the possibility of diverting to that object endowments belonging to the Universities, and now used for other purposes, for which less difficulty might be found in procuring support, as well as the means which might be afforded by an increase of the present class fees. Through the former expedient they have not seen their way to effecting much, except to a certain extent at Aberdeen, where it appears to the Commissioners, that by the restoration to the Faculty of Divinity of an estate originally destined for the benefit of the Professorship of Divinity, at a time when that was the only Chair in the Faculty, in King's College, but which was subsequently diverted to the general purposes of the College, and also by taking advantage of a bequest for the purpose of providing lecturers on religion to the students of that College, the pecuniary position of the Faculty in the united University may legitimately be improved. In regard to fees, the Commissioners are of opinion, that in Edinburgh, Glasgow, and St Andrew's, it would not be expedient to increase the amount at which they are at present fixed. The authorized fee for each class in either of the two former Universities is L.2, 2s., the amount recommended by the Royal Commission of 1826. In St Andrew's, where, as also in Aberdeen, it is stated to the Commissioners that the students are generally poorer than in Edinburgh or Glasgow, no fee was charged by the Divinity Professors until about four years ago, when a fee of a guinea and a half was fixed for each class; and, seeing that the imposition of this fee seems to have had the effect of diminishing considerably the number of students, the Commissioners do not think that they would be justified at present in increasing its amount, while, at the same time, they do not intend to direct that it shall be lowered. In the two Universities of Aberdeen, the highest fee for any of the classes has been a guinea and a half, while for others it has been a guinea, and in some no fee has been charged. In the united University, the Commissioners intend to provide that the fee shall be, as in St Andrew's, a guinea and a half for each class.

After a careful estimate has in this manner been made of the amount which is likely to be derived from existing endowments and from class fees, a deficiency is seen to exist, to supply which other means of support must be provided. In considering whence such means can be obtained, the Commissioners cannot conceal from themselves, that there are difficulties in the way of any application for fresh grants of money from Parliament for the support of Chairs of Theology. With regard to existing grants, by much the greater proportion of them are in continuance of Royal grants formerly payable out of the hereditary revenues of the Crown, and some of them have been given expressly in compensation for losses, which have been suffered through the operation of Acts of Parliament. The Commissioners feel that any interference with these would be so unjust, that they cannot think that, even if attempted, it would be successful, and they have therefore determined to calculate on all grants so situated continuing as they are. They are of opinion, however, that the position of the two grants classed as conditional grants in the above table, is not so secure as to place them beyond an apprehension for their permanence; and these, therefore, they leave out of their present estimate for remuneration of Theological Professors, whatever other object they may hereafter be applied to. The two grants, to which they refer, are the additional salary of L.150 to the Professor of Divinity in King's College, Aberdeen, which is a continuance to the present Professor of a Royal grant made in 1817 to his predecessor for the term of his incumbency, and the grant of L.50 made to the Professorship of Church History in Marischal College on its foundation in 1833.

In the case of Professorships of Oriental Languages, which are not Chairs of Theology, and which may be held by laymen, the Commissioners hope that, where it may appear to be requisite, no difficulty will be found in obtaining assistance from Parliament; but on fresh grants of public money to Theological Professorships they are aware that it would be unsafe to reckon.

#### SUGGESTIONS BY THE COMMISSIONERS.\*

In view, then, of the difficulty of obtaining farther grants of public money for the support of the Theological Chairs in the Faculties of Divinity, the attention of the Commissioners has been directed to a source which has already partly been made use of for the object in question. That source is the income of the Deanery of the Chapel Royal. This Deanery, which, before the abolition of Episcopacy in Scotland, had been attached to the see of Dunblane, fell on that event to the Crown, and the revenues have since been bestowed by grants on three of the Crown Chaplains, who are commonly called Deans of the Chapel Royal, and who divide the revenues equally among them. The practice which is now followed is, that, when one of the three Deans dies, a new gift is made out in favour of the two surviving Deans

\* The Commissioners, in their Ordinances, were subsequently enabled to give effect to the main principle on which these suggestions proceeded; although, in carrying them out, they saw occasion to introduce alterations as to some of the details. The emoluments of the Chairs in the several Universities are now regulated by the Ordinances Nos. 6, 21, 22, 23, and 74.

Report on Faculties of Divinity.

Report by Select Committee of House of Commons in 1851, on Annuity Tax (Edinburgh), p. 517.

and the new Dean. The last gift was on 11th December 1846, 'in favour of Dr John Lee, so long as he shall hold the office of Principal of the University of Edinburgh, of Dr Norman McLeod during our pleasure, and of Dr Robert Lee, so long as he shall hold the office of Professor of Biblical Criticism and Biblical Antiquities in the University of Edinburgh, and to his successors in office, and to each of them as aforesaid, equally.' The gift to Dr Robert Lee attaches one-third of the revenues of the Deanery to the Chair in the University of Edinburgh, now held by him; and the Commissioners would respectfully submit, that, were the principle extended to the remaining two-thirds of the revenues, with the view of benefiting the Faculties of Divinity in the several Universities of Scotland generally, than which a more fitting object for this Royal bounty could not be found, a gracious act would be done to the Church and the Universities, and the Government would be saved the difficulty of seeking public money for the purpose. The Commissioners are fully sensible of the delicacy of making such a suggestion regarding a matter involving Crown patronage, and it is only with the greatest deference that they venture to bring it forward. As, however, it appears to them that the revenues of the Deanery could not be devoted to a more appropriate object than the encouragement of religious learning in the Universities, by the establishment of the Theological Professorships on a satisfactory and independent footing, and seeing that, under the scheme which will be proposed, the whole of its present patronage, with a very slight exception, would be preserved to the Crown, to which would be given as compensation the patronage of two additional Chairs in the Universities, the Commissioners cannot but express a hope that their suggestion will receive a favourable consideration.

The manner, in which it seems to the Commissioners that the portion of the revenues of the Deanery to which they refer could with the greatest advantage be used for the benefit of the Theological Chairs in the Universities, is as follows. The present average amount of the whole divisible revenues of the Deanery, which vary to a certain extent from year to year, but which are now not likely permanently to alter much in value, is £2018 a year. The Commissioners propose that, leaving out of view the one-third now attached to the Chair of Biblical Criticism in the University of Edinburgh, each of the remaining two-thirds of the revenues should, as it becomes vacant, be divided into two, and each of the sixth parts so obtained (£336 a year on the average) should be given to one of four Deans, who should be certain Theological Professors in the four Universities, and that this scheme should be carried out in the following order, viz.,—there being now one-third vacant by the death of the late Dr John Lee, Principal of the University of Edinburgh, one-half of this to be given to the person who shall be appointed Professor of Divinity in that University, the person so appointed giving up the amount of the present endowment of his Chair, to increase the income of the Chair of Ecclesiastical History in the same University, and the other half to be given to found a Chair of Biblical Criticism in the University of Aberdeen; and, on the remaining third becoming vacant by the death of Dr McLeod, one half to be given as an endowment for a Chair of Biblical Criticism in the University of Glasgow, and the other half to be attached to the Chair of Church History in St Mary's College, St Andrew's, the salary from the Woods and Forests of that Chair (£150) being then given as an assistance to the Principal, and the College endowment of the same Chair (£106) being added to the Chair of Biblical Criticism, now the second Professorship of Divinity in that College.

With regard to the one-third of the revenues of the Deanery, at present attached to the Chair of Biblical Criticism in the University of Edinburgh, it will be for Her Majesty to consider, when it becomes vacant, whether it may be advisable that the whole should continue attached to that Chair, so as to provide an independent endowment to the Professor, irrespective of class fees, or whether it may be advantageous and practicable that part of it should be applied for the benefit of the other Theological Chairs in that University, or in the Universities generally.

According to the scheme above indicated, the Faculties of Divinity, as ultimately established, would be constituted as follows:—

#### I. Edinburgh.

#### I.—UNIVERSITY OF EDINBURGH.

##### 1. Professorship of Divinity.

*Patrons.*—The Curators appointed under 21 and 22 Vict., c. 83, sec. 13.

##### *Emoluments.*

Deanery,*	.	.	.	.	.	.	.	L.336	0	0
Estimated Fees,	.	.	.	.	.	.	.	190	0	0
Total,								L.526	0	0

##### 2. Professorship of Ecclesiastical History.

*Patron.*—The Crown.

##### *Emoluments.*

Salary from the Land Revenue, . . . . .	L.100	0	0
Salary from the Exchequer, . . . . .	100	0	0
Endowment of the Chair of Divinity, transferred to this Chair, . . . . .	196	0	0
Estimated Fees, . . . . .	94	0	0
Total, . . . . .	L.490	0	0

##### 3. Professorship of Biblical Criticism.

*Patron.*—The Crown.

##### *Emoluments.*

<i>Enclosures.</i>									
Deanery as at present,†	.	.	.	.	.	.	.	L.672	0 0
Probable Fees,	.	.	.	.	.	.	.	100	0 0
								<hr/>	
Total,	.	.	.	.	.	.	.	L.772	0 0

\* For sake of convenience, the share of each of the proposed four Deans is called a Deanery.

† Subject to the above remarks, as to the course which may ultimately be thought advisable, with reference to the share of the Deanery funds now attached to this Chair.

## 4. Professorship of Oriental Languages.

*Patrons.*—The Curators appointed under 21 and 22 Vict., c. 83, sec. 13.Report on Faculties  
of Divinity.

<i>Emoluments.</i>		
Present Endowment, . . . . .	L.85	0 0
Salary from Exchequer, . . . . .	30	0 0
Estimated Fees, . . . . .	98	0 0
Total, . . . . .	L.213	0 0

For this Chair, being a lay Chair, it is hoped that no difficulty will be found in obtaining the necessary assistance from Parliament.

## II.—UNIVERSITY OF GLASGOW.

II. Glasgow.

## 1. Professorship of Divinity.

*Patrons.*—The University Court.

<i>Emoluments.</i>		
From College Revenues, . . . . .	L.408	6 8
Salary from the Archbishoprick of Glasgow, . . . . .	16	13 4
Estimated Fees, . . . . .	175	0 0
Total, . . . . .	L.600	0 0

With a house in College.

## 2. Professorship of Ecclesiastical History.

*Patron.*—The Crown.

<i>Emoluments.</i>		
From College Revenues, . . . . .	L.222	15 7
Salary from the Archbishoprick of Glasgow, . . . . .	100	0 0
Estimated Fees, . . . . .	81	0 0
Total, . . . . .	L.403	15 7

With a house in College.

## 3. Professorship of Oriental Languages.

*Patrons.*—The University Court.

<i>Emoluments.</i>		
From College Revenues, . . . . .	L.264	8 11
Salary from the Archbishoprick of Glasgow, . . . . .	15	11 1
Salary from the Exchequer, . . . . .	20	0 0
Estimated Fees, . . . . .	130	0 0
Total, . . . . .	L.430	0 0

With a house in College.

## 4. Professorship of Biblical Criticism.

*Proposed Patron.*—The Crown.

<i>Emoluments.</i>		
Deanery, . . . . .	L.336	0 0
Probable Fees, . . . . .	90	0 0
Total, . . . . .	L.426	0 0

## III.—ST MARY'S COLLEGE, ST ANDREW'S.

III. St Mary's Col-  
lege, St Andrew's.

## 1. Principalship and Primarius Professorship of Divinity.

*Patron.*—The Crown.

<i>Emoluments.</i>		
Present College Endowment, . . . . .	L.205	0 0
Salary from Woods and Forests of Chair of Church History transferred to this Chair, . . . . .	150	0 0
Salary from Exchequer, . . . . .	93	0 0
Estimated Fees, . . . . .	47	0 0
Total, . . . . .	L.495	0 0

With a house in College.

## 2. Professorship of Biblical Criticism.

*Patron.*—The Crown.

<i>Emoluments.</i>		
Present College Endowment, . . . . .	L.204	0 0
Salary from Exchequer, . . . . .	87	0 0
College Endowment of Church History Chair transferred to this Chair, . . . . .	106	0 0
Estimated Fees, . . . . .	40	0 0
Total, . . . . .	L.437	0 0

## 3. Professorship of Church History.

*Patron.*—The Crown.*Emoluments.*

Deanery, . . . . .	L.336	0	0
Salary from Exchequer, . . . . .	86	1	8
Estimated Fees, . . . . .	29	0	0
Total, . . . . .	L.451	1	8

## 4. Professorship of Oriental Languages.

*Patron.*—The Crown.*Emoluments.*

College Endowment, . . . . .	L.157	0	0
Salary from Exchequer, . . . . .	86	1	8
Salary from Woods and Forests, . . . . .	25	0	0
Estimated Fees, . . . . .	30	0	0
Total, . . . . .	L.298	1	8

For this Chair, being a lay Chair, it is hoped that no difficulty will be found in obtaining the necessary assistance from Parliament.

## IV. Aberdeen.

## IV.—UNIVERSITY OF ABERDEEN.

In the University of Aberdeen, the Commissioners, in endeavouring to administer the endowments of the two Colleges in the manner most beneficial for the interests of the united University, have, as they are directed by sec. 18 of the Universities Act, had regard as far as practicable to the main design of such endowments. It appears to them, in regard to the Faculty of Divinity, that the endowments, over which they have power, are either such as may with propriety be used for the benefit of the Faculty generally, or such as, in consideration of the terms of the respective gifts, ought to be appropriated to the Chairs in the united University, corresponding to those to which they have been hitherto devoted. In this manner the Commissioners, without entering too minutely into detail, will content themselves with saying, that by making use of the estate belonging to King's College, to which they have already adverted, as properly applicable to the purposes of the Theological Faculty, and by taking advantage of the present endowments of the Principalship and of the Chair of Oriental Languages, and a portion of those of the Chair of Divinity in that College, which appear to be in a similar position, a fund is obtained of about L.700 a year, which may with propriety be used for the benefit of the Chairs in this Faculty generally. This fund is made up as follows:—

Rent of Estate referred to (average), . . . . .	L.472	0	0
Other College Endowments (average), . . . . .	125	0	0
Grant out of Bishops' Rents to Principal, . . . . .	20	0	0
Do. to Chair of Divinity, . . . . .	33	6	8
Do. to Chair of Oriental Languages, . . . . .	66	13	4
	L.717	0	0

or, in round numbers, L.700 a year. Of this general fund the Commissioners propose to give four-fifteenths to the Chair of Divinity or Systematic Theology, six-fifteenths to the Chair of Church History, and five-fifteenths to the Chair of Oriental Languages.

On the other hand, it appears to the Commissioners that, consistently with the main design of the respective endowments, there ought to be assigned to the Chair of Divinity in the united University the income of L.61, now belonging to the corresponding Chair in Marischal College, and two small sums, amounting together to about L.17, now attached to the same Chair in King's College, the aggregate of the peculiar funds of the Divinity Chair being thus L.78; and the Commissioners would also continue to this Chair the shares of the Royal grants now enjoyed by the corresponding Chairs in the two existing Colleges, leaving out of view the conditional grant of L.150 already mentioned. The grants so to be continued are L.12 and L.70 in King's College, and L.53 in Marischal College, or together L.135.

To the Chair of Oriental Languages there falls in like manner to be appropriated the sum of L.37, the endowment of the corresponding Chair in Marischal College, together with the Royal grants of L.70, now enjoyed by the Chair in King's College, and of L.33 by that in Marischal College.

To the Chair of Church History, the present grant of L.50 being regarded as precarious, no peculiar fund is attached; but it is proposed to assign to it L.70, the Principal's share of the grant by George III. to King's College.

The probable fees of the three Chairs of Divinity, Church History, and Oriental Languages would, on the establishment of a uniform fee of a guinea and a half, amount respectively to L.130 for the Divinity Chair, and about L.60 for each of the other two Chairs.

To the Chair of Biblical Criticism the Commissioners propose, as already mentioned, that one of the Deaneries of L.336 should be given; and they would add the sum of L.20, now voted annually in discharge of Queen Anne's grant of that amount to the Principal of King's College. The fees of this Chair would probably amount to about L.60.

To assist the incomes of the three Chairs of Divinity, or Systematic Theology, Church History, and Biblical Criticism, which must be held by clergymen of the Church, the Commissioners are of opinion that they may legitimately employ the funds, now amounting to about L.150 a year, of the bequest already mentioned for the purpose of providing Lecturers on Religion to the students of King's College. The Commissioners would divide this fund equally between the three Professors, and provide that each of them should be appointed a Lecturer under the above-mentioned bequest.

In this manner the Faculty of Divinity in the united University would be constituted as follows:—

## 1. Professorship of Divinity or Systematic Theology.

*Proposed Patrons.*—The Synod of Aberdeen.*Emoluments.*

Four-fifteenths of General Fund, . . . . .	L.186 0 0
Peculiar Funds attached to Chair, as shown above, . . . . .	78 0 0
Royal Grants, . . . . .	135 0 0
Lectureship on Religion, . . . . .	50 0 0
Probable Fees, . . . . .	130 0 0
Total, . . . . .	L.579 0 0

With a house in College.

## 2. Professorship of Church History.

*Proposed Patron.*—The Crown.*Emoluments.*

Six-fifteenths of General Fund, . . . . .	L.280 0 0
Grant by George III. to Principal of King's College, . . . . .	70 0 0
Lectureship on Religion, . . . . .	50 0 0
Probable Fees, . . . . .	60 0 0
Total, . . . . .	L.460 0 0

## 3. Professorship of Biblical Criticism.

*Proposed Patron.*—The Crown.*Emoluments.*

Deanery, . . . . .	L.336 0 0
Queen Anne's Grant to Principal of King's College, . . . . .	20 0 0
Lectureship on Religion, . . . . .	50 0 0
Probable Fees, . . . . .	60 0 0
Total, . . . . .	L.466 0 0

## 4. Professorship of Oriental Languages.

*Proposed Patron.*—The Crown.*Emoluments.*

Five-fifteenths of General Fund, . . . . .	L.233 0 0
Marischal College Endowment, . . . . .	37 0 0
Grant by George III. to King's College, . . . . .	70 0 0
Do. to Marischal College, . . . . .	33 0 0
Probable Fees, . . . . .	60 0 0
Total, . . . . .	L.433 0 0

## CONCLUSION.

By means of this scheme, the Faculty of Divinity in each of the four Universities would be provided with the Chairs recommended by the Royal Commission of 1826, and a respectable income would be attached to each of the Theological Professorships, without any application being made to Parliament for the purpose. The only Professorships in the Faculties of Divinity which would then be left to Parliamentary assistance are the Chairs of Oriental Languages, of which those in Edinburgh and St Andrew's, with the respective incomes of L.213 and L.298 a year, evidently require additional endowment. But with regard to these, as the Commissioners have said, they hope that no difficulty will be found in procuring the necessary assistance from Parliament.

The Commissioners would earnestly press upon the attention of Her Majesty's Government the importance of taking advantage of the very favourable opportunity, now afforded by the vacancy existing among the Deans of the Chapel Royal, for commencing to carry out the scheme which has been suggested. While it is evident that assistance must be ultimately obtained for the Theological Professorships in each of the Universities, it is absolutely necessary that funds be immediately found for the endowment of a Chair of Biblical Criticism in the University of Aberdeen; and, unless it be from the revenues of the Deanery, it is difficult to see whence the money is to be obtained. With regard to the objection that the scheme involves an interference with the patronage of the Crown, the Commissioners, fully alive to the objection, would yet, as in some measure obviating its effect, call the attention of the Government to the circumstance, that, of the four Professorships to which it is now proposed that a portion of the incomes of the Deanery should be attached, the patronage of three would belong to the Crown,—two of these (those of Biblical Criticism in the Universities of Glasgow and Aberdeen) being Chairs newly created, and therefore forming so far an addition to the patronage which the Crown now possesses; while the present College endowment of the fourth Professorship, that of Divinity in the University of Edinburgh, would be added to the Chair of Ecclesiastical History in the same University, of which the Crown is now patron.

It is not to be forgotten that an intention to devote the revenues of the Deanery to the purposes, for which the Commissioners now urge their application, seems already to have existed on the part of the Crown. One-third of these revenues is now attached to the Chair of Biblical Criticism in the University of Edinburgh; and the third, which is now vacant, was conferred on the late Dr John Lee during his tenure of the Principalship of the same University, when that office was at the head of the Faculty of Divinity. Finally, seeing that the destination of the revenues of the Deanery to the establishment of the Professorships of Theology on a satisfactory footing would be a most appropriate one, and that important benefits would thereby be conferred on the Universities and the Church, the Commissioners are en-

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couraged to entertain a confident hope that the scheme, which they now respectfully submit, will meet with a favourable consideration from Her Majesty's Government.

Given under the seal of the Commission, at Edinburgh, this twenty-fifth day of June eighteen hundred and fifty-nine years.

## 2. REPORT ON PETITIONS AGAINST ORDINANCE No. 2, RELATIVE TO THE UNION OF THE TWO UNIVERSITIES OF ABERDEEN.

*Sealed the 22d day of July 1859.*

UNTO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL,

Report on Petitions  
against Ordinance  
No. 2, as to union  
of Aberdeen Uni-  
versities.

THE REPORT of the Commissioners appointed by and acting under the Statute passed in the 21st and 22d years of Her Majesty's reign, chapter 83, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the two Universities and Colleges of Aberdeen.'

May it please Your Majesty,

By an Order in Council, dated the 11th day of June last 1859, Your Majesty was graciously pleased, in pursuance of the provisions of the above-cited statute (§ 15), to refer to the Commissioners certain petitions, viz.:—

1. 'Petition of the Dean of Faculty, and Principal and Professors of the Marischal College and University of Aberdeen, under their common seal, praying that Her Majesty in Council will be pleased to withhold Her approbation of the whole of an Ordinance with reference to the Universities and Colleges of Aberdeen, made on the 12th day of March 1859, by the said Commissioners, and also, praying that Her Majesty in Council will be pleased to refer the said petition to the said Commissioners, and to direct that they should hear the said petitioners by Counsel, and report specially to Her Majesty in Council on the matter of the said petition;

2. 'Petition of the Provost, Magistrates, and Council of the City of Aberdeen, praying that Her Majesty in Council will be pleased to withhold Her approbation of the aforesaid Ordinance; and also praying that the petition may be referred to and reported upon by the said Commissioners;

3. 'Petition of the Landholders, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen, in general meeting assembled, praying that Her Majesty in Council will be pleased to withhold Her approbation of the aforesaid Ordinance; and also praying that the petition may be referred to and reported upon by the said Commissioners;

4. 'Petition of the Convener Court of the Seven Incorporated Trades of the City of Aberdeen, praying that Her Majesty in Council will be pleased to withhold Her approbation of the aforesaid Ordinance; and also praying that the petition may be referred to and reported upon by the said Commissioners;

5. 'Petition of the Very Reverend the Moderator, Ministers, and Elders of the Synod of Aberdeen, in Synod assembled, praying that Her Majesty in Council will be pleased to withhold Her approbation of the aforesaid Ordinance; and also praying that the petition may be referred to and reported upon by the said Commissioners;

6. 'Petition of the Moderator and Members of the Presbytery of Garioch, in Presbytery assembled, praying that Her Majesty in Council will refuse to sanction the aforesaid Ordinance suppressing Marischal College, Aberdeen, as a School of Arts;

7. 'Memorial of the Moderator and remanent Members of the Presbytery of Alford, in Presbytery assembled, praying that Her Majesty will withhold Her Royal sanction from the aforesaid Ordinance, suppressing one of the ancient Colleges at Aberdeen; and

8. 'Petition of the Presbytery of Strathbogie, in Presbytery assembled, praying Her Majesty in Council to prevent the aforesaid Ordinance from being carried into effect, and to direct the maintenance, as heretofore, of a full Faculty of Arts in each of the Aberdeen Colleges.'

And Your Majesty was further pleased to direct that the Commissioners should hear the petitioners, or such of them as might be desirous thereof, by Counsel, and should report specially to Your Majesty in Council on the matter of the said several petitions.

On receipt of this order, on the 18th June, the Commissioners proceeded forthwith to consider the allegations and prayers of the several petitions; and they also appointed that the petitioners, or such of them as should be desirous, should appear and be heard by Counsel before the Commissioners, on the 27th day of June then next ensuing. This appointment was intimated to all the petitioners on the 18th of June.

Thereafter, on the urgent application of some of the petitioners, the hearing of Counsel was postponed till the 4th day of July current. The Commissioners did not consider themselves entitled to allow any farther extension of the time (though desired by some of the petitioners), considering the important arrangements which still remain to be made before the 15th October, when the Act will come into operation in Aberdeen, if Your Majesty shall be pleased to approve of the Ordinance of which the petitioners complain, and considering also the great difficulty which would probably be experienced in assembling a full meeting of the Commissioners, who are occupied with other important public duties, after the session of Parliament should be farther advanced.

At the meeting of the Commissioners, on the 4th July, all the Commissioners were present, with the exception of two; and all the petitioners appeared by the same Counsel, who addressed to the Commissioners a very able and elaborate argument in support of the prayers of the several petitions.

The Commissioners, having fully considered the several petitions, with the arguments of Counsel in support of them, have now humbly to submit to Your Majesty their special Report on the matter of the said petitions.

The Ordinance of the Commissioners, of which the petitioners complain, was passed on the 12th March 1859, and was published in the Gazette, laid before both Houses of Parliament, and thereafter submitted to Your Majesty for approval, all in terms of the 15th and 18th sections of the Act of Parliament.

Before considering in detail the objections which have been urged by the petitioners against the several provisions of this Ordinance, and stating the grounds on which the Commissioners have proceeded in adopting the resolutions which the Ordinance embodies, they think it is both convenient and necessary, that they should explain what they conceive to be the limits of their own powers, in dealing with the questions in which the petitioners take so warm an interest. That much misconception prevails on this subject, both in Aberdeen and elsewhere, is shown by the allegations and demands of the petitioners, and by other evidence, which has been laid before the Commissioners.

The first section of the statute enacts, that 'from and after such date as may be fixed by the Commissioners hereinafter appointed, by special Ordinance, approved by Her Majesty in Council, the "University and King's College of Aberdeen," and "Marischal College and University of Aberdeen," shall be united and incorporated into one University and College, in all time coming thereafter, under the style and title of the "University of Aberdeen;" and the said united University shall take rank among the Universities of Scotland as from the date of erection of King's College and University, viz. the year 1494, and all the funds, properties, and revenues, now pertaining or belonging in any manner of way to the "University and King's College," or to "Marischal College and University," shall in time coming thereafter pertain and belong to the "University of Aberdeen."

The statute, therefore, has conclusively determined that, when its provisions come into operation, there shall be a complete union and amalgamation of the two Colleges, as well as of the two Universities; that there shall be for the future one University and one College, one corporation, one corporate estate and purse, and one governing and administrative body. The two existing corporations of King's College and Marischal College are thereby completely extinguished as separate corporations, and merged in the united University and College of Aberdeen.

The 18th section of the statute provides for the minimum number of Professors in the different Faculties in the united College, which stand thus:—

	Professor of Greek.
	Humanity.
	Logic.
Faculty of Arts; 7.	Mathematics.
	Moral Philosophy.
	Natural Philosophy.
	Natural History.
	Systematic Theology.
Faculty of Divinity; 4.	Oriental Languages.
	Church History.
	Biblical Criticism.
Faculty of Law; 1.	Law.
	Institutes of Medicine.
	Practice of Medicine.
	Chemistry.
	Anatomy.
Faculty of Medicine; 9.	Surgery.
	Materia Medica.
	Midwifery.
	Medical Jurisprudence.
	Botany.

Under the combined operation of the 15th and 18th sections, the Commissioners are empowered (1) to found other Professorships, (2) to provide Assistants to such Professors as, from the nature and duties of their Professorships, require assistance, (3) to abolish such Professorships as are rendered unnecessary by the union of the two Colleges, or (4) to conjoin two or more of such Professorships.

As regards the Professorships in the Faculty of Arts, an important discretion is left to the Commissioners; and, as the chief complaint of the petitioners relates to the manner in which the Commissioners have exercised that discretion, it may be right to quote at length the clause by which it is conferred:—

By section 18, sub-section 1, the Commissioners are empowered 'to make Ordinances in order to determine the number of Professors, and to prescribe and regulate the course of study in the several Faculties of Arts, Divinity, Law, and Medicine: Provided that in the Faculty of Arts there shall be a Professor of Greek, a Professor of Humanity, a Professor of Logic, a Professor of Mathematics, a Professor of Moral Philosophy, a Professor of Natural Philosophy, and a Professor of Natural History; or, in the discretion of the Commissioners, two Professors in any one or more of such branches of instruction in the Faculty of Arts, if it shall appear to be necessary or expedient, with power to the said Commissioners to determine where the classes of each of the said Professors shall assemble: in the Faculty of Divinity there shall be Professors of Systematic Theology, of Oriental Languages, of Church History, and of Biblical Criticism: in the Faculty of Law, a Professor of Law: and in the Faculty of Medicine, Professors of the Institutes of Medicine, of the Practice of Medicine, of Chemistry, of Anatomy, of Surgery, of Materia Medica, of Midwifery, of Medical Jurisprudence, of Botany; and such other Professorships in each of the said Faculties as the said Commissioners shall think to be expedient.'

The Commissioners think the construction of this enactment is free from all doubt. There is to be in the Faculty of Arts a Professor in each of the departments of Latin, Greek, Logic, Mathematics, Moral Philosophy, Natural Philosophy, and Natural History. And if the Commissioners think there is a necessity or an expediency in having two Professors in any one or more of such branches of instruction, they are to provide for such double or second Professorship or Professorships.

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Before proceeding to exercise the powers committed to them in regard to the University of Aberdeen, the Commissioners invited all persons interested to lay before them, in writing, any statements or evidence which they thought it material the Commissioners should consider. Accordingly, petitions or memorials were presented to the Commissioners by the citizens of Aberdeen, by the Magistrates and Town Council of Aberdeen, by six of the fourteen Professors of Marischal College, by the Landowners, Commissioners of Supply, and Justices of the Peace of the county of Aberdeen, and by some other persons, all expressing an anxious desire that the Commissioners should exercise their powers in such a way as would clearly have amounted to an excess of power. These persons, all or most of them, required that King's College and Marischal College should be kept up as distinct institutions, so far as concerns the Faculty of Arts; some of them demanding that there should be two Colleges, others that there should be two separate and distinct Faculties of Arts. The citizens of Aberdeen desired the 'upholding at King's and Marischal Colleges of Aberdeen two fully equipped Faculties or teaching bodies in Arts, each fitted to qualify students to obtain a degree in Arts.' The gentlemen of the county of Aberdeen advocated 'the absolute necessity of maintaining two separate Colleges within the united University, each establishment perfect and complete in itself, and in every way sufficient to qualify students for taking a degree in Arts.'

It was, of course, sufficiently obvious to the Commissioners, that they had no power to grant such petitions, or to comply with such demands as these; and, therefore, in the Ordinance which they subsequently passed, they endeavoured, by the preamble, to make it clear that they had not considered, and would not consider, the propriety of maintaining the two Colleges to any effect; the words of the Act of Parliament, abolishing these as separate institutions, being clear, explicit, and imperative.

The erection of two Faculties of Arts in the united College appeared to the Commissioners to be an academical anomaly, which they had just as little power to entertain as the proposal to keep up the two Colleges. The Commissioners are aware that, in the progress of the discussions on this subject, both in Parliament and in Aberdeen and its neighbourhood, the existence of a double set of Professors in the same College, and in the same Faculty of Arts, has sometimes been in a popular sense described as the creation or maintenance of two Faculties of Arts. But the petitions and memorials, to which they now refer, speak of the erection or maintenance of two Faculties in the proper sense of the term, as separate and independent bodies, and able each of itself to qualify and present students for graduation. This very proposal was the subject of an amendment moved by the honourable member for Aberdeen, in the Committee on the Bill of 1858, in the House of Commons, on the 5th of July last year. The amendment was to add this clause to the Bill, 'that a Faculty of Arts, being such as shall afford a course of education to qualify students to be examined for degrees in Arts, shall be maintained in each of the said King's College and Marischal College.' This amendment was negatived by a majority of 142 to 47, and the Bill became law without any such clause.

The Ordinance complained of bears in its preamble,—'Considering that it is by the said statute enacted, that from and after such date as may be fixed by the said Commissioners, and approved by Her Majesty in Council, the University and King's College of Aberdeen, and Marischal College and University of Aberdeen, shall be united and incorporated into one University and College, under the style and title of the "University of Aberdeen";'

'And whereas it is by the said statute further enacted, that all the funds, properties, and revenues now pertaining or belonging in any way to either of the said Colleges, shall pertain and belong to the University of Aberdeen; and whereas, under the operation of this enactment, from the date that the said union and incorporation take effect, all such funds, properties, and revenues will thereafter be administered by the Senatus Academicus of the said united University and College, and all separate rights and interests of the Colleges come to an end, and the said Colleges themselves cease to exist;

'And whereas, under the said statute, the said Commissioners are directed to consider and determine, whether it is necessary or expedient that there should be two Professors in any one or more branches of instruction in the Faculty of Arts, and also to determine where each of the classes in the said Faculty shall assemble; and whereas the Commissioners are thus empowered, if they shall see cause, to provide that there shall be two Professors in each branch of instruction in the Faculty of Arts, but are not empowered to authorize the maintenance of two separate Faculties of Arts within the said University and College; and whereas it is not necessary or expedient to maintain two separate Professorships in each of the branches of instruction in the Faculty of Arts, either as two separate Faculties or as one Faculty; and whereas it is not necessary or expedient to maintain two separate Professorships in any one branch of instruction in the Faculty of Arts.'

The object of this preamble was to show as distinctly as possible, that, by the Act of Parliament, the existing Colleges, as separate institutions, have been abolished; that the whole property and revenues of King's and Marischal Colleges have been transferred to the now united institution; that the Commissioners have no power to maintain the two Colleges, or either of them; that the Commissioners have no power to authorize the erection or maintenance of two Faculties of Arts; but are empowered only to consider and determine, whether it is necessary or expedient that there should be two Professors in any one or more branches of instruction in the Faculty of Arts; that the Commissioners had accordingly confined their attention to the question, which they had the power of determining, viz., whether in the united University and College, to which the whole property and revenues of King's College and Marischal College had been by the Act transferred, and in which they had both been merged and lost all separate existence, it is or is not necessary or expedient, that there should be either two Professors in each of the branches of instruction in the Faculty of Arts, or two Professors in any one of such branches of instruction.

The Commissioners regret to observe, that the misconception hitherto prevailing as to the provisions of the Act of Parliament, and the powers of the Commissioners, is by no means removed. For in the petitions, which have been referred by Your Majesty for the consideration of the Commissioners, though the language of the former petitions is avoided, the same ideas are again expressed in other language, and the same demands are repeated in a different form. The Ordinance of the Commissioners is represented as suppressing Marischal College, and transferring its funds to King's College, and this is

represented as an act of spoliation, which, though within the powers of the Commissioners, is in the circumstances quite unjustifiable. But the plain answer is, that the Commissioners have no power to suppress Marischal College, because it has been suppressed already by the Act of Parliament; and have just as little power to transfer its funds to King's College, seeing that King's College has been itself suppressed in the same way as Marischal College, and the funds of both have been transferred to the new 'University of Aberdeen.'

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The same misconception was more or less distinctly involved in the argument of Counsel. Thus, much stress was laid on the origin of the bursary and other funds appertaining to the two Colleges; on the vitality exhibited by these institutions in the continuous stream of private benefaction which, through a long series of years, has been flowing to them; and on the injury which would be inflicted by any measure tending to destroy the peculiar regard, which different classes of the community entertain towards the two Colleges, which is the great source whence such benefactions arise. But the whole of this argument is directed against that which is an essential portion of the Act of Parliament, with which the Commissioners have no power to deal. Under the law as it now stands, no private benefaction in favour of one College as distinct from the other could take effect, because no such separate bodies are any longer recognised as existing.

With these preliminary explanations as to the limits of the Commissioners' powers and duties in regard to the subject matter of the Ordinance complained of, which seem necessary to prevent farther misconception, they now proceed to consider specially the provisions of the Ordinance itself, which are expressed as follows:—

'1. That the provisions of the said statute shall, as regards the Universities and Colleges of Aberdeen, come into operation and receive effect from and after the 15th day of October in this present year; and that from and after that date the University and King's College of Aberdeen, and Marischal College and University of Aberdeen, shall be united and incorporated into one University and College, under the style and title of the "University of Aberdeen."

'2. That there shall not be more than one Professorship in any one branch of instruction in the Faculty of Arts in the University of Aberdeen.

'3. That the classes in the Faculty of Arts, with the exception of the class of Natural History, and the classes in the Faculty of Divinity, in the University of Aberdeen, shall assemble and be taught in that portion of the University buildings hitherto belonging to and occupied by King's College, with any additions that may be made thereto; and those in the Faculties of Law and Medicine, and also the class of Natural History, shall assemble and be taught in that portion of the University buildings hitherto belonging to and occupied by Marischal College, with any additions that may be made thereto.

'4. That the general Library of the University shall be kept at that portion of the University buildings hitherto belonging to and occupied by King's College; but any library or libraries to be appropriated to the Faculties of Law and Medicine shall be placed in buildings convenient for the use of these Faculties.'

The petitions, which have been referred to the Commissioners by Your Majesty, contain objections to each of the four heads of the Ordinance. But, as the argument of Counsel was directed exclusively against the second and third heads, and as it appears from the petitions also that it is of these two provisions that the petitioners more especially complain, the Commissioners will deal with these in the first place, reserving the first and fourth heads for after consideration.

I. The provision, 'that there shall not be more than one Professorship in any one branch of instruction in the Faculty of Arts in the University of Aberdeen,' seems to the Commissioners to be justified by a consideration of the duty which each of these Professors will be called upon to discharge.

The Faculty of Arts, as already stated, will, in the University of Aberdeen, consist of seven Professors, viz., of Latin, Greek, Mathematics, Logic, Moral Philosophy, Natural Philosophy, and Natural History.

In King's College at present there are five Professors in the Faculty of Arts, Logic and Natural History being unrepresented as separate Professorships, though in practice the Professor of Moral Philosophy has given his students some instruction in Logic, and the College have employed a Lecturer on Natural History.

In Marischal College there are six Professors of the Faculty of Arts, Logic being combined with Moral Philosophy. But it is remarkable, that till 1840 there was not in this College any Professorship of Latin.

The Commissioners, keeping in view the direction of the statute, to consider whether it is necessary or expedient that there should be two Professors 'in any one or more of such branches of instruction,' felt that they were bound to consider the probable future requirements of each branch of instruction in the Faculty of Arts separately.

In the department of Natural History they find, that the attendance in Marischal College on the Professor was, on an average of seven years, as given in the Report of the last Commission of Inquiry in 1858, 58 students, and the attendance on the Lecturer in King's College was 6,\* making a total of 64 students.

In the department of Natural Philosophy, the average attendance at King's College for seven years, as given in the same Report, is 49 students, and in Marischal College 44 students, making in all 93 students. In King's College there is a senior or more advanced class taught by the Professor and attended by 23 students.

In Moral Philosophy the attendance at King's College for the same period was 43 students, at Marischal College 27, or in all 70.

In Logic there is no experience to appeal to; but it may be safely assumed, that the attendance on the Professor of Logic in the new University will be equal, and not more than equal, to the attendance on the Professor of Moral Philosophy, both Logic and Moral Philosophy being part of the ordinary

\* This number is on an average of five years.

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curriculum required in the Scottish Universities to qualify for graduation. But, even assuming that the Logic might stand to Moral Philosophy in the proportion of three to two, as has occurred in Edinburgh and Glasgow, the numbers in the Logic class would not exceed 105.

The numbers attending these four classes will, therefore, probably stand as follows:—

Natural History,	64
Natural Philosophy,	93
Senior "	23
Moral Philosophy,	70
Logic,	105

With these figures before them, the Commissioners thought they were bound in the next place to consider, what proportion they bore to the number of students under the charge of single Professors in the same branches of instruction in other Scottish Universities; because, if they should decide, on the ground of excess of numbers only, that more than one Professor was necessary to conduct the studies of such a number of students in any of these branches in Aberdeen, they could not but anticipate that proposals might be made to extend the principle to the other Universities of Scotland, which the Commissioners would find it very difficult to resist.

It is unnecessary to take St Andrew's into account, because the number of its students in all departments is much smaller than in any other of the Universities.

But in Edinburgh the average attendance for the last five years, as appearing from returns made to the Commissioners, is as follows:—

Natural History,*	153
Natural Philosophy,	134
Moral Philosophy,	100
Logic,	155

In Glasgow, by returns forwarded to the Commissioners, it appears that, on an average of the last five years, the attendance has been—

Natural History,†	17
Natural Philosophy,	78
Moral Philosophy,	99
Logic,	151

As regards four of the seven branches of instruction in the Faculty of Arts in the new University of Aberdeen, it thus appears that, except in comparison with the class of Natural Philosophy in the University of Glasgow, and the class of Natural History in the same University, which is at present in an anomalous position, the numbers of students that may reasonably be expected to attend are greatly inferior to those which are found in the corresponding classes in Edinburgh and Glasgow. And, if the requirements of these classes in respect to numbers merely were to guide the deliberations of the Commissioners, they could not determine that it is either necessary or expedient to have two Professors in Aberdeen in the departments of Logic, of Moral Philosophy, of Natural Philosophy, and of Natural History.

The Commissioners considered with great anxiety the requirements, in the University of Aberdeen, of the branches of Latin, Greek, and Mathematics; and they were naturally very much influenced by the recommendation of the Royal Commissioners appointed by Your Majesty in 1857, as contained in their Report presented in 1858. These Commissioners recommended that, in the united University, 'there should be only one Faculty of Arts' (as of Theology, Law, and Medicine), 'but that in this Faculty separate classes of Latin, Greek, and Mathematics respectively, should continue to be taught in each College;' the Colleges remaining, according to the scheme of union recommended by these Commissioners, separate institutions, and not united, as under the Act of last session of Parliament. But the Commissioners of 1857 explain in that Report, that their own opinion is in favour of a complete union, without any duplicate Professorships, and that they are induced to recommend duplicate Professorships in Greek, Latin, and Mathematics, and some other provisions also suggested in the Report, in place of that complete union which their own judgment preferred, in consequence of 'the opposition which it encountered on the part of the great mass of the community for whose benefit it was intended,'—an opposition which they characterize as 'more creditable to the feelings than to the judgment of the opposing parties.'

Even with the recorded judgment of the distinguished gentlemen composing this Commission, in opposition to their own recommendation, the present Commissioners were naturally disposed to treat the recommendation with great respect.

But they found that the views of those who are represented by the present petitioners were irreconcilably hostile to this recommendation, and that, so far from considering the maintenance of three duplicate Chairs a benefit or a concession, they preferred that there should be no duplicate Chairs at all. In the memorial of the citizens of Aberdeen, presented to the Commissioners on 14th December 1858, the memorialists thus express themselves:—'Your memorialists deem it proper here to advert for a moment to the proposed compromise of three duplicate Chairs in Arts, one College to have a full school of Arts, and the other merely classes for Latin, Greek, and Mathematics. This scheme, however well intended, both in its original conception and in its adoption by the last Royal Commission, has, by almost universal consent, been condemned as more unworkable than complete fusion; and the public generally saw, from the very first, as clearly as some among the supporters of the scheme, that the mutilation of the School of Arts in either College was only a first step to its entire suppression. The three classes would soon come to be regarded as an excrescence on the system, and be cut off, if, indeed, they had not previously fallen off from want of students, there being almost a certainty that parents would not enter their sons at a fragmentary institution, if they had an entire one to send them to.'

\* This average is for the first three years of the present Professor.

† This is the number during session 1858-9, the first in which the present Professor, who was appointed in 1857, has lectured. The lectures are not included in any curriculum of the University of Glasgow, nor is attendance upon them obligatory on the candidates for any degree.

The Commissioners, being convinced that there was no reasonable ground on which they could recommend the foundation of double Professorships in any one of the branches of Natural History, Natural Philosophy, Moral Philosophy, and Logic, were thus made aware that a proposal to provide two Professors in all or any of the branches of Latin, Greek, and Mathematics, would meet with determined opposition. Still, if they had come to the conclusion that such a measure was, in the language of the Act of Parliament, 'necessary or expedient,' or conducive to the welfare of the University, they would not have been deterred from acting on their convictions. But they are bound to say, that the fullest consideration of this question has led them to concur in the result of the opinion expressed in the memorial for the citizens of Aberdeen; and they will now, as shortly as possible, state the grounds of that opinion.

The attendance on the Professors of Latin, on an average of seven years, as in evidence before the Commission of 1857, was, in King's College 79, and in Marischal College 60, making together 139 as the probable attendance of students of Latin of the first year. Students of Latin of the second year, in like manner, are ascertained to be, in King's College 42, in Marischal College 42; total, 84.

The attendance on the Professors of Greek, in like manner, is ascertained to be—students of the first year in King's College 78, in Marischal College 59; total, 137. Students of the second year in King's College 62, in Marischal College 48; total, 110. Students of the third year, King's College 17, Marischal College 17; total, 34.

The attendance on the Professors of Mathematics, in like manner, is ascertained to be—students of the first year in King's College 63, in Marischal College 60; total, 123. Students of the second year in King's College 47, in Marischal 36; total, 83.

The classes in the united University may therefore be expected to stand as follows:—

First Latin, . . . . .	139
Second Latin, . . . . .	84
First Greek, . . . . .	137
Second Greek, . . . . .	110
Third Greek, . . . . .	34
First Mathematics, . . . . .	123
Second Mathematics, . . . . .	83

Some of these are comparatively large classes, and the Commissioners do not hesitate to say that such numbers as 139 in Latin, 137 in Greek, and 123 in Mathematics, might be divided between two Professors, and afford full employment for both.

Still, it must be remembered, that some classes much larger, some quite as large, and others nearly so, are to be found in the same branches of instruction in the Universities of Edinburgh and Glasgow, on an average of the last five years. Thus in Glasgow the first Latin is 163, the Second Greek 125, the first Mathematics 94. In Edinburgh the second Latin is 86, the Second Greek 93, the First Mathematics 101; while, as already shown, in the department of Logic, Edinburgh numbers 155 students, and Glasgow 151.

The Commissioners therefore have felt that, whatever may be the difficulty of dealing with large classes, it is a difficulty not confined to the case of Aberdeen, but one which must be met in the other Universities also. It seemed to them therefore to be their duty to form a judgment, after full deliberation, on the large and important question, how the teaching of such a number of students in any one branch of instruction within the same College could be most efficiently and successfully conducted, whether by increasing the number of Professors or by other means.

In the Latin, Greek, and Mathematical classes, the duty of the Professors is not to lecture, but to teach, in the more practical sense of the term, by examinations and exercises. In Logic, Moral Philosophy, and Natural Philosophy, lectures necessarily form a part of the business of the class; but there must also be a considerable portion of the time of the class devoted to exercises and examination. It is obvious that in a very large class, in a class at all approaching to 100 students, the business of examination cannot be efficiently conducted by one man, in the situation of a Professor.

But the difficulty arising from large numbers is much aggravated by the great variety, which exists among the students of the same class, in respect of their previous progress and acquirements in the subject which they are brought together to study. Subdivision, therefore, becomes necessary or desirable, not merely for the purpose of reducing the numbers to be instructed at one time, but also for the purpose of classifying the students, so that the progress of the more advanced may not be retarded by those who are less advanced. This is attained in some degree by the division of the students already existing, into students of the first and second, or first, second, and third years. But it is extremely desirable—in the opinion of the Commissioners indispensable—that the system of classification should be carried further, and that within the classes of the first, second, and third years, there should be that power of subdivision, which shall prevent the backward student from acting, so much as he does at present, as a drag on the more advanced, and also prevent the more advanced from monopolizing, as he is apt to do, too much of the time and attention of the Professor, and so depriving the backward of his fair share of attention.

But, if two Professors of Latin, Greek, or Mathematics were appointed in one College, such as the united College of Aberdeen will be, there are but three ways in which the students could be divided among them, and to all of these there are serious objections. Either an equal number of all the students who matriculate may be assigned to each without discrimination; or one Professor may be appointed to teach the senior class, and the other the junior; or, thirdly, the students may be allowed to choose between the two Professors for themselves.

In the case first supposed, there is the advantage of diminished numbers, but without the power of classification within these diminished numbers, while there still remains all the same perplexing variety in the progress and attainments of students in the same class.

In the second case the existing evil is not abated at all, for the senior and junior Latin, and the senior and junior Greek, approach very near to one another in numbers, and therefore this proposal would only limit each Professor to a smaller amount of time occupied in teaching during each day, but

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would give him a class to teach, quite as unmanageable in respect of numbers and variety of progress as before.

In the third case, the inevitable result would be, that, when the existence of separate bursary funds, and other circumstances, which at present tend to equalize the numbers, cease to have influence, one of the two Professors would attract a far larger proportion of the students than the other; and so the evil intended to be remedied would probably be reproduced in another form. All experience shows that no two men can be found to perform the same duties, who shall give precisely equal satisfaction, or appear in the eyes of the public equally well qualified. And, though the two Professors of the same branch of instruction in the same College were the two best qualified men in the kingdom, if it be left to the choice of the students, or their parents and guardians, they will discover some greater attraction in one, some real or fancied superiority of the one over the other, which will make him the favourite, and range the great mass of the students under his tuition and charge.

The Commissioners, therefore, reject these proposals as quite inadequate to meet the real difficulties of the question. The question is one of great importance and delicacy; and it is only after much and anxious deliberation, that the Commissioners have arrived at a definite conclusion.

The Commissioners are of opinion that, in each College in the Scottish Universities, there should be but one Professor in each branch of instruction in the Faculty of Arts, however large the number of students in that branch of instruction may be; that this Professor should be answerable, not merely for the general character of the teaching, but for the whole details of the instruction given in his department of learning; but that he should receive assistance in the performance of the duties of teaching, by having associated with him one or more duly qualified assistant Professors, with competent salaries, who should be under his superintendence and control.

This plan has already been tried experimentally, though with insufficient means, both in Edinburgh and Glasgow, and the experiment has been attended with the best results. When the system is properly matured, and the Professors are in this way sufficiently reinforced, the Commissioners believe that all the evils arising from too numerous classes will be avoided; while opportunity will be afforded to subdivide the students in a discriminating way, so as to associate together, in the routine and details of every-day instruction, those students who are most nearly on a par, as regards their progress and acquirements. By making the one Professor responsible for all the teaching in his own department, great efficiency will be ensured; because the Professor will feel himself impelled, both by a sense of duty and a regard for his own reputation, to exercise a careful supervision over his assistants, and because greater unity of system in the conduct of the teaching in the particular department will necessarily result from the same spirit and the same principles being thus made to pervade the whole work of the classes in that department.

The Commissioners have thought it necessary to lay before Your Majesty this exposition of their opinion regarding the existing evils of professorial teaching and their remedy, because they found it impossible to come to any satisfactory conclusion on the questions affecting the University of Aberdeen, which the statute left them to determine, without maturing their views on the bearing of these questions on the whole University system, with which they are appointed to deal. They now, however, return to the special question raised by the petitions referred to them by Your Majesty.

The apprehension that the classes will be of unmanageable size has always been one of the great objections, stated against such an union of the two Universities and Colleges as the Act of last year has at length accomplished. But the Commissioners appointed in 1826 considered this objection untenable, although, at the date of their Report in 1830, an average of the then last seven years gave larger numbers of students, than the averages presented in the Report of the recent Commission in 1858. In 1830 such an average stood thus:—

First Greek, . . . . .	137
Second Greek, . . . . .	188
First Latin, . . . . .	132
Second Latin, . . . . .	185
First Mathematics, . . . . .	131

Yet, with these facts and figures before them, the Commissioners of 1826, after expressing a strong opinion in favour of a complete union of the two Universities and Colleges, added, ‘some apprehensions have been expressed by the Professors, that by the union the number of the students in the several classes would become inconveniently great, but we are satisfied that there is no real foundation for these apprehensions. For, although we believe that the University when thus constituted might be rendered a complete seminary of instruction for the inhabitants of the northern parts of Scotland, we see no ground for expecting that the number of students attending any of the classes would ever become so great, as to present any obstacle to the most efficient system of education.’

The ground, on which the Commissioners of 1826 formed this opinion, seems to be, that they also had it in contemplation to strengthen the hands of each Professor in the Faculty of Arts, who was charged with the management and instruction of a large class, by appointing one or more assistants to act under his direction and control.

There is one expression in the Report of the Commissioners of 1826 connected with the subject, which the Marischal College petitioners have altogether misapplied. In their petition they say, ‘that, if the two sets of classes in Arts be united, the classes would be far too numerous, and the evil would arise, which the University Commissioners of 1826 pointed out, when they reported in the following terms:—“We decidedly think that under one teacher such numerous classes cannot be adequately taught.”’ The passage here quoted is to be found on p. 30 of the General Report of the Commissioners of 1826, and applies not to the case of Aberdeen, nor to such classes as ever will exist in the united College, but to the classes of Greek and Latin as they then stood in Edinburgh and Glasgow. It was in evidence before those Commissioners that, on an average of seven years before 1830, there were in the Second Latin in Edinburgh 234 students, while in the session 1822–23 the numbers reached 280. In the Second Greek the average of the returns for the same period gives 214, and in session 1820–21 there were 261 students; this number meeting together at the same hour, while there were different hours of

examination for two divisions of the class. In the University of Glasgow, in the public Latin class, the number on an average for a similar period was 295, and in one year it had reached 335; and the Professor stated that, in consequence of these large numbers, he had been obliged to adopt the expedient of separating the class into two divisions, meeting at different hours. This compelled him reluctantly to abandon a private class, which had numbered as many as 200. The return of the students of Greek in the same University gives an average of 408 in the public, and 89 in the private class. Of the former number, it appears, from the evidence of Professor Sandford, that about one-half belonged to the senior class and the other half to the two divisions of the junior. The whole passage, from which the petitioners have selected a single line, stands as follows:—'In Edinburgh and Glasgow great difficulties in conducting the Greek and Latin classes arise from the number of students attending them; and, after taking fully into account the utmost effects of the methods devised by the zeal and talents of the present Professors for overcoming such difficulties, we decidedly think that under one teacher such numerous classes cannot be adequately taught. We recommend, therefore, that in these Universities the Professors of Latin and Greek hereafter appointed should each have an assistant, that the assistant should receive such remuneration from the emoluments of the Professor as may be settled by the University Court, and that the Professor should frame regulations specifying the duties to be performed by himself and his assistant respectively, subject to the revision of the Senatus Academicus.'

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The present Commissioners, as has been seen, recognise as fully as those of 1826 the evils of too numerous classes, and have resolved to adopt the same remedy as was suggested in the valuable and instructive Report of 1830.

It was suggested to the Commissioners of 1857, that the double Professors in Latin, Greek, and Mathematics might usefully be employed by one set of them teaching in the buildings of King's College, and the other in the buildings of Marischal College; and the Commissioners, by their Report, as has been already seen, gave some countenance to this suggestion. But, if this scheme was objectionable while the Colleges remained separate institutions, as the Commissioners of 1857 proposed,—and the scheme does seem open to great objection even on that footing,—it becomes much more seriously objectionable after the complete union now effected by the Act of Parliament.

If one set of Professors of Greek, Latin, and Mathematics were to teach in the buildings formerly belonging to King's College, and the other set in the buildings formerly belonging to Marischal College, it would be necessary, in the next place, to consider where the single Professors of Logic, Moral Philosophy, Natural Philosophy, and Natural History, are to teach. It seemed to be the opinion of those who advocated this scheme, and of the Commissioners of 1857, that these should all teach in one place. There would thus be in one place a complete set of Professors in the branches of instruction composing the Faculty of Arts, and in the other place only three Professors, that is, of Latin, Greek, and Mathematics. But this would obviously produce great inconvenience; for the students attending the latter set of Professors in Latin, Greek, and Mathematics must resort to the other part of the University for instruction in the other branches; and, as the arrangements of the curriculum in Arts require a student to study some of those other branches, while he is studying Greek and Mathematics, he would find the classes which he had to attend, probably at immediately consecutive hours, separated from each other by a quarter of an hour's walk.

Very little of the argument addressed to the Commissioners by Counsel, and very little of the statement and reasoning contained in the petitions, deals with the question left to be settled, according to the discretion of the Commissioners, by the 18th section of the statute, in the practical way in which the Commissioners think they are bound to consider it.

The whole case of the petitioners has throughout resolved itself into a demand, that there shall be a full set of Professors in the Faculty of Arts at each of the old Colleges. This proposal the Commissioners have been constrained to reject, both because they consider a great proportion of the arguments adduced in its support to be inconsistent with the principle of the union effected by the Act of Parliament, and because they consider it in itself an inexpedient measure, involving a needless expenditure of public money.

The Legislature were induced to give their sanction to the union of the two Colleges, because it was more for the public interest that there should be one complete and sufficiently endowed University and College in Aberdeen, than that there should continue to be, as heretofore, two incomplete institutions, with such poor and inadequate endowments as belonged to King's College and Marischal College respectively. These considerations are applicable to the Faculty of Arts as well as to the other Faculties. The average emoluments of a Professor in the Faculty of Arts, including class fees and assistance from Parliament, is in King's College £409, and in Marischal College £363, without any provision for assistants, philosophical apparatus, or any other class expenses. The Commissioners have no hesitation in saying, that such endowments are quite inadequate, and cannot be expected for the future to secure the services of efficient and well-qualified Professors, considering the superior endowments and attractions which are to be found elsewhere. And in neither College, as already observed, is there any provision for a Professor of Logic.

If Your Majesty shall be pleased to confirm the present Ordinance, the Commissioners are prepared to submit, in the form of an additional Ordinance, a scheme according to which, by a judicious use of the combined endowments of the two Colleges, a complete Faculty of Arts will be established, in which seven Professors will enjoy incomes varying in amount according to the nature of their duties, and to the extent of their labours, but averaging £540 per annum; while adequate provision is at the same time made for assistants in the large classes, apparatus, and other expenses.

All this the Commissioners can accomplish without asking Parliament to make any additional grant. The only additional vote, which they for the present contemplate asking in connection with the University of Aberdeen, is for the Medical Faculty, which, they anticipate, will not much exceed £1000 per annum.

But, if it should be Your Majesty's pleasure to disapprove of the Ordinance now under consideration, and to require the Commissioners to provide for two sets of Professors in the Faculty of Arts, one of two

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results must necessarily follow,—either that the Faculty of Arts must be left on its present footing, with an incomplete set of Professors at each place most inadequately endowed, or that a large grant of public money will be required to put the Faculty, with its duplicate Chairs, in an efficient and satisfactory state. To provide two sets of Professors in the Faculty, with the same incomes which the Commissioners propose to give to the single set of Professors, viz., the average income of £540, and deducting the cost of assistants, who might then be considered unnecessary, would, in addition to the funds now at the disposal of the Commissioners, cost the country, on a moderate calculation, not less than from £3000 to £3500 a year for the Faculty of Arts alone.

The object to be gained does not, in the opinion of the Commissioners, justify such expenditure. On the contrary, the project seems open to very serious objections, apart from the mere financial aspect of the question. The existence of two sets of Professors in the Faculty of Arts,—one in the buildings of King's College, and one in the buildings of Marischal College,—would tend to perpetuate that feeling of hostile rivalry, and those jealousies and dissensions, which constitute one of the great evils attending the separate existence of the two Colleges; while the two sets of Professors, being members of the same *Senatus Academicus*, would introduce discord into the administration of the University affairs, and seriously prejudice the general interests of the University.

The Commissioners have not as yet been dealing with the question where the classes in the Faculty of Arts are to be taught, if there is to be only one set of Professors, but with the question, whether there is any necessity or expediency in having two sets of Professors in the Faculty, one teaching at King's College, and the other at Marischal College. The Commissioners are of opinion, that such an arrangement is both unnecessary and inexpedient.

II. The Commissioners now proceed to consider the third head of the Ordinance, and the objections which have been urged against it by the petitioners.

It seems to be universally admitted, that the location of the Faculties of Law and Medicine in the buildings hitherto belonging to Marischal College, and of the Faculty of Theology in the buildings hitherto belonging to King's College, is a satisfactory arrangement.

The hospital being situated in the New Town, and the Professors of the Medical Faculty being many of them engaged in professional practice there, the buildings of Marischal College seemed clearly the most convenient situation for the Medical classes to assemble. The Commissioners have appointed the class of Natural History also to be taught in Marischal College buildings, because, though nominally attached to the Faculty of Arts, it is in practice chiefly attended by medical students. But they reserve for future consideration, whether the Professor of Natural History should not deliver two courses of lectures, one at Marischal College adapted to students of Medicine, and the other at King's College for students of Arts.

In like manner, the students of Law being almost exclusively the apprentices or clerks of law agents practising in Aberdeen, whose places of business are in the New Town, Marischal College buildings are the most convenient place for these students to receive their instruction.

But, for the Faculties of Theology and Arts, it appeared to the Commissioners that King's College buildings were in many respects the best adapted. They are placed in an open and airy situation, while those of Marischal College are in the centre of New Aberdeen, closely surrounded on all sides by buildings of various kinds, and in the immediate vicinity of the worst part of the population. As a general rule, the Commissioners think it must be conceded, that the heart of a large town is not a favourable situation for academical buildings; and there seems nothing in the case of Aberdeen to exclude the application of the rule, except in so far as the students of Medicine and Law are concerned.

It has been represented to the Commissioners, that the great distance of King's College buildings from the New Town of Aberdeen, where most of the students reside, forms an insuperable objection to placing the classes of Arts in those buildings. The same objection is repeated in the petitions now under consideration, though it does not occupy so prominent a place as formerly.

Very conflicting statements having been made to the Commissioners as to the actual distance between the two Colleges, and between King's College and the centre of the New Town, the Commissioners directed a surveyor to make measurements of these distances, and find that the distance between King's College and Marischal College is, by the nearest route, 1886½ yards; and the distance between King's College and the centre of New Aberdeen, being the junction of Castle Street and King Street, near the upper end of Union Street, is 2231½ yards. The proper approach to King's College from New Aberdeen is by a direct line, consisting partly of King Street, one of the best streets in the town, and partly of a broad, open, and level turnpike road. The Commissioners were informed by some of the petitioners, and the statement was repeated by Counsel at the hearing, that the access to King's College from New Aberdeen lay through the lowest and worst part of the town. But they have ascertained, that the direct line of communication is that which they have just described.

As to the mere distance, the Commissioners cannot believe that any one seriously regards it as an evil. Of the students who attended King's College in the session 1856–57, it was proved to the Commissioners of 1857 that upwards of 59 per cent. resided in New Aberdeen. And it is notorious, that in Edinburgh and Glasgow the majority of the students walk greater distances to College, than will be required of the students attending the classes at King's College buildings, without any complaint ever having been made on the subject.

Many proofs occur in the former negotiations for a union of the two Colleges, that the distance of King's College from New Aberdeen is not seriously regarded as an obstacle to classes in the Faculty of Arts being placed there. As an example, it may be sufficient to select the proposal contained in a memorial of the Provost, Magistrates, and Council of Aberdeen, dated 9th December 1854, in which the memorialists 'agree to the union both of the Colleges and of the Universities,' and state that they think it right to 'provide for the continuance of two Professorships in each of the branches of Latin, Greek, and Mathematics, one to be taught in Aberdeen, and the other in Old Aberdeen.' They suggest that 'the Chairs (single) of Mental Science, and the more advanced branches of literature, such as the new Professorships of Rhetoric and English Literature, of Logic, and of the Philosophy of History, will be most suitably placed in Old Aberdeen; but they are decidedly of opinion, that the classes of Natural Philo-

'sophy, of Natural History, and of Chemistry, ought to be taught' at Marischal College. The division of the classes in the Faculty of Arts, between the buildings of King's College and those of Marischal College, is plainly inconsistent with the idea that a walk from the one to the other is an obstruction or a hardship in the daily life of a student in the University.

It has been suggested to the Commissioners, and was strongly urged by Counsel, as an important consideration in support of the objection of the distance of King's College buildings, that a considerable proportion of the students attending Marischal College are engaged in mercantile pursuits in New Aberdeen, and are intended for merchants. But a return, furnished by Marischal College to the Commission of 1857, directly disproves the assertion; for it appears that the total number of students in the fourth year of the curriculum in Arts (by which time the profession of a young man is generally chosen), for four years preceding 1857, gave a percentage of 39 to the Church, and 25 to Medicine, while less than 2 per cent. represented those who were intended for a mercantile life.

But it has also been stated, that there exists at Marischal College ample accommodation for the classes in the Faculty of Arts, while at King's College it will be necessary to build new class-rooms for their accommodation, and that the proposal to place these classes at King's College is therefore objectionable on the score of economy.

The Commissioners considered this to be a most important objection, if well founded, and they therefore procured accurate and complete information as to the size, capabilities, and condition of the whole University buildings.

At present in Marischal College the classes in the Faculties of Arts and Theology are well accommodated, but the accommodation for the Medical teaching is imperfect and inconvenient.

By the Act of Parliament, the Commissioners are directed to found four new Professorships in the Faculty of Medicine, and otherwise to provide for the improvement and greater efficiency of the School of Medicine in the University.

The Faculty of Medicine, therefore, will for the future consist of at least nine Professors, the minimum provided by the Act, while the Commissioners have been strongly urged to exercise the powers vested in them, to the effect of founding two or three other Professorships in this Faculty.

In these circumstances, the Commissioners are satisfied that the buildings of Marischal College, as they stand, will be sufficient, but certainly not more than sufficient, for the accommodation of the Medical School, which all parties are agreed should be placed there, with the addition of the Professors of Natural History and Law, whom, as already explained, the Commissioners have also placed in these buildings.

To provide accommodation for the classes in the Faculty of Arts of the united College at Marischal College buildings, would require a very considerable addition to the existing buildings, which could be provided only at a great cost, there being no unoccupied ground belonging to the College, and the neighbouring property being all built upon, and of great value from its central situation.

If two sets of Professors in the Faculty of Arts were kept up, and one set appointed to teach at Marischal College, as desired by the petitioners, it would still be necessary to add to the buildings at Marischal College, and at great cost, though not to the same extent, as if the united classes in Arts were appointed to be taught there.

At King's College a portion of the buildings has been for some time in a very dilapidated state; and, previous to the present union being proposed, the Lords Commissioners of Your Majesty's Treasury had resolved to apply a sum of £12,750 to the restoration of these buildings, under the condition that a certain amount of debt, which had been contracted by the College, should be defrayed by subscription. A sum of £3250 was accordingly raised by subscription, and is now in the hands of the Principal and Professors of King's College, ready to be applied in terms of the arrangement with the Treasury. Of the proposed grant, one moiety was voted by Parliament in 1856; and, had it not been for the passing of the Act of last year, the buildings of King's College would by this time have been in course of restoration.

Whether the united classes of Arts are placed at King's College, or whether they are placed at Marischal College, or whether they are divided between the two, a certain and considerable amount of restoration must take place in the buildings at King's College. But the Commissioners have reason to believe, on the information before them, that a slight addition to the £12,750, already destined for the restoration of the King's College buildings, will produce ample accommodation there for the Faculties of Arts and Theology, and for the library and the other purposes to which King's College buildings will fall to be appropriated. At King's College there is ground to the extent of ten acres belonging to the University at present unoccupied by buildings.

A much larger sum would be necessary to provide the requisite accommodation for the united classes in the Faculty of Arts at Marischal College; while, even in that event, to some considerable extent, as already stated, money must be expended on King's College buildings.

The Commissioners are therefore of opinion, that the objection to the Ordinance, on the ground of economy with reference to the cost of buildings, entirely fails, and that the scheme embodied in the Ordinance is the most economical in the matter of buildings, equally as in the matter of endowments.

Lastly, the petitioners object to placing the Faculty of Arts at King's College buildings, on the ground that it is a violation of the expressed will of the founder of Marischal College.

But the petitioners do not seem to have observed, that the placing of the Faculty of Theology at King's College is in the very same sense a violation of the founder's will, and a measure of suppression against Marischal College; and that the placing of the Faculties of Medicine and Law at Marischal College is also, in the same sense, a violation of the foundation charter of King's College, and a measure of suppression against that College. There is nothing in the Faculty of Arts to distinguish it in principle from the other Faculties in this respect. In short, the objection is, in truth and substance, an objection against the union of the Colleges,—that is, an objection against the Act of Parliament, to which the Commissioners do not consider themselves entitled to listen.

III. The fourth head of the Ordinance provides that the general library of the University shall be kept in King's College buildings, but leaving for after consideration and arrangement the provision or appropriation of any library or libraries in Marischal College, for the special use of the Faculties of Law and Medicine.

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The Commissioners find it somewhat difficult to understand the objections to this provision. As already mentioned, they were not favoured with any argument from Counsel on this point, and the petitions generally are in regard to this matter very vaguely expressed.

The citizens of Aberdeen, indeed, and the landowners of the county, complain that King's College is in an inconvenient situation for their obtaining any use of the library. But the Commissioners are charged with the interests of the University only, and do not see how they can allow themselves to be influenced by a consideration of that use of the University library by persons beyond the University, which may be very proper, so long as it does not interfere with its primary use, but which can never be recognised as a right, or form a legitimate element in determining how the library can be best lodged and managed for the benefit of the University.

It appeared to the Commissioners, that, as the general library had hitherto been kept at King's College, while the members of Marischal College were entitled to its use, and did use it; as this had never been complained of as a grievance, but on the contrary had formed part of all the plans of union in time past; and, above all, as the classes in Theology and the Arts were to be taught at King's College, the general library, which is chiefly used by students in these Faculties, should be kept there also.

IV. Lastly, the petitioners object to the first head of the Ordinance, which provides that the Act shall come into operation, in the University of Aberdeen, on the 15th of October next, and pray that it may be postponed 'in order to afford time for your petitioners and other parties being fully heard, and for enabling the Commissioners to visit the city and Universities, and make the inquiries contemplated by the Act.'

The Act is to come into operation at the same time in all the other Universities of Scotland, in virtue of Ordinances passed by the Commissioners, and approved by Your Majesty, without objection from any quarter. The Commissioners see no reason, why the date for the Act coming into operation in the University of Aberdeen should be postponed; and they have, on the contrary, in the course of their consideration of the subject, been much impressed with the desirableness of bringing the union of the Colleges, provided by the Act of Parliament, into active and practical operation as soon as possible, in order to put an end to the existing agitation on the subject, which they believe to be most prejudicial to the best interests of the University.

The petitioners seem to misunderstand very much the nature of the duties, which are devolved upon the Commissioners by the Act of Parliament. They are in no proper sense a Commission of Inquiry, but an executive Commission. Ample inquiry preceded the passing of the Act. Indeed, there are few subjects on which inquiry has been so ample and complete, as the union of the Aberdeen Colleges. The inquiry was brought down to the year 1858 by the Commissioners who were appointed in 1857. The whole statistical information has been further continued down to the present year, by returns and evidence furnished to the present Commissioners. There is not a single allegation or suggestion in any one of the petitions, which has not been already made the subject of full proof and still fuller discussion. The Commissioners are, therefore, at a loss to understand, what farther inquiries can be desired or suggested.

As to the complaint that the parties have not been heard for their interest, the Commissioners have only to say, that, so far back as the 11th of January last, they invited the petitioners, and all other parties interested, to state in writing whatever they wished to lay before the Commissioners, and that the petitioners and others availed themselves freely of the opportunity thus afforded them. The petitioners have also now been heard by Counsel. No limit was attempted to be placed on the extent or the topics of the Counsel's addresses; they were distinguished by great ability, ingenuity, and elaboration, and no complaint was made, that the case had not been fully and carefully investigated.

The Commissioners, therefore, are of opinion, that any farther delay in the settlement of this question will be highly injurious to those important public and national interests committed to their charge by Parliament.

The Commissioners cannot conclude their Report to Your Majesty, without adverting shortly to a complaint which has been made against the Ordinance, and against the Commissioners themselves, that they have entirely disregarded the strong expression of popular feeling and opinion in Aberdeen and the North of Scotland against the provisions of the Ordinance.

The Commissioners have examined with much care the grounds and reasons of the opposition, and have already in the course of this Report explained to Your Majesty in what respects they consider them to be inapplicable and insufficient.

It is only necessary now to add, that they should have been much more disposed to attach weight to the expression of a general local feeling, but for the following considerations:—

1. The local feeling represented by the petitioners has been very variable. At one time it has been entirely in favour of maintaining the two Colleges in separate and independent existence, uniting the Universities only. At another time the general feeling has been in favour of maintaining two Faculties of Arts, only suppressing the double Faculties of Theology, Law, and Medicine. And again, the expression of the general voice seems to have favoured the maintenance of three double Professorships only, in Latin, Greek, and Mathematics. In 1854 a plan was, after mature deliberation, suggested by the Colleges themselves, by which a complete union was to be effected, substantially the same as that now effected by the Act of Parliament; one important feature of which was the entire suppression of all duplicate Professorships, and the placing of the Faculties of Theology and Arts exclusively at King's College, and those of Law and Medicine at Marischal College. 'The measure,' as the Commissioners of 1857 truly observe, 'was favourably received by the Government of Lord Aberdeen, by the Provost and Magistrates of the city, by its representative in Parliament, Mr Thompson, and by many, perhaps the greater number, of those members of the local community who were most competent to form an impartial judgment on its merits.' Yet this was a scheme identical in all material points with that against which the petitioners state that public opinion is now so decided and unanimous.

2. It is evident that there has been a complete misunderstanding, on the part of the public, as to what has been effected by the Act of Parliament. It has been already shown in this Report, that even persons of position and education petition Your Majesty against the Ordinance of the Commissioners, as

a suppression of Marischal College, and as transferring its funds to King's College; although it is by the Legislature, and not by the Commissioners, that Marischal College, as well as King's College, has been suppressed, and that the funds of both have been transferred to the new University and College of Aberdeen. But when such misconception is found in quarters, where it could hardly have been expected to exist, it is not to be wondered at that a certain degree of success has attended an agitation against the Ordinance, which, if directed against the Bill in its progress through Parliament, might have had some show of reason, but, as against the Ordinance, is absolutely without aim. To local feeling so misdirected, it has been impossible for the Commissioners to attach much weight.

3. Finally, the Commissioners have been considerably relieved to find that the local feeling, to which they refer, has arisen in a great measure from an entire misapprehension as to the effect of the Ordinance for the future. It seems to be feared by many persons, and the fear is expressed by several of the petitioners, that one effect of the fusion of the Arts classes will be to increase the expense of a University education, so as to place it beyond the reach of many, who would otherwise have been enabled to benefit by it. The Commissioners are quite at a loss to understand on what this apprehension is founded. It was not one of the topics urged on the attention of the Commissioners by the Counsel for the petitioners; and they believe it to be entirely visionary. They are as anxious as the petitioners can be, that no class of persons, to whom it has hitherto been extended, should be deprived of the advantages of a University education; and, possessed as they are with this anxiety, they gladly assure Your Majesty, that neither in the fusion effected by the Act, nor in the Ordinance, is there anything which should render such a result probable. But, even if there were a tendency in this direction, the ample powers which the statute confers upon the Commissioners would enable them fully to counteract it; and, if circumstances should call upon them to do so, they would not hesitate to exercise their powers for this purpose. While, therefore, they are persuaded that there is no ground for apprehending that the evil which is suggested will ever arise, they hope that the assurance of their desire and intention to provide a remedy, if it does arise, will, when made known to the public, calm much of the irritation which, resting as it does on mistaken and imaginary grounds, cannot reasonably be expected to be permanent.

All which is humbly reported to Your Majesty, by

JOHN INGLIS, *Chairman*.  
ARGYLL.  
HADDINGTON.  
MANSFIELD.  
DUN. McNEILL.

J. MONCREIFF.  
JAS. CRAUFURD.  
W. GIBSON CRAIG.  
WILLIAM STIRLING.  
ALEX. HASTIE.

(L. S.)

### 3. REPORT ON PETITIONS AGAINST ORDINANCES NOS. 2, 6, AND 7, RELATIVE TO THE UNION OF THE TWO UNIVERSITIES OF ABERDEEN.

UNTO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL,

THE REPORT of the Commissioners appointed by and for the purposes of the Act of the 21st and 22d Victoria, chapter 83, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen.'

May it please Your Majesty,

By an Order in Council, dated the 26th day of March 1860, Your Majesty was graciously pleased, in pursuance of the provisions of the above-mentioned Act, to refer to the Commissioners the following petitions, viz.:—

1. Petition of the Dean of Faculty, and Principal and Professors, of the Marischal College and University of Aberdeen, praying that Your Majesty in Council would be pleased to withhold Your approbation of three certain Ordinances with reference to the Universities and Colleges of Aberdeen, made on the 12th day of March 1859, and 9th and 10th days of January 1860, respectively, by the said Commissioners; and also praying that Your Majesty would be pleased to refer the said petition (together with a former petition against the first of the said Ordinances) to the said Commissioners, and to direct that they should hear the said petitioners by Counsel, and report specially to Your Majesty in Council on the matter of the said petitions;

2. Petition of the Provost, Magistrates, and Council of the City of Aberdeen, praying that Your Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances of the 9th day of March 1859, and of the 9th and 10th days of January 1860; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

3. Petition of the Convener Court of the Seven Incorporated Trades of the City of Aberdeen, praying that Your Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

4. Petition of the Landowners, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen in general meeting assembled, praying that Your Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

5. Petition of the Very Reverend the Moderator, Ministers, and Elders of the Synod of Aberdeen, praying that Your Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

6. Petition of the Moderator and Members of the Presbytery of Alford, praying that Your

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Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

7. Petition of the Moderator and Members of the Presbytery of Garioch, praying that Your Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

8. Petition of the Moderator and Members of the Presbytery of Strathbogie, praying that Your Majesty in Council would be pleased to withhold Your approbation of the said several Ordinances; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid;

9. Petition of David Kerr, Doctor of Medicine, Lecturer on Surgery in the University and King's College, Aberdeen, praying Your Majesty in Council to withhold Your approbation of the said Ordinances of the 9th and 10th days of January 1860, in so far as they omit to make provision for securing compensation to the petitioner for the loss of emoluments belonging and payable to him as holder of certain offices in the said University; and also praying that the said petition might be referred to, and directed to be reported upon by, the said Commissioners in manner aforesaid.

And Your Majesty was, by the said Order, pleased to direct that the Commissioners should hear the petitioners, or such of them as might be desirous thereof, by Counsel, and should report specially to Your Majesty in Council on the matter of the said several petitions.

By another Order in Council, of the same date, Your Majesty was further pleased, in pursuance of the provisions of the said Act, to refer to the Commissioners the petition of certain graduates of the University and King's College, Aberdeen, concerning the said Ordinances of the 12th day of March 1859, and 9th day of January 1860, and praying the disapproval of certain provisions of the second, third, and fourteenth articles of the latter Ordinance; and by the same Order, Your Majesty was pleased to direct that the Commissioners should hear the said last mentioned petitioners by Counsel, and should report specially to Your Majesty in Council on the matter of their petition.

The Commissioners, on receipt of these two Orders, proceeded to consider the several petitions thereby referred to them; and they appointed the 9th of April last for hearing by Counsel such of the petitioners as should be desirous of being so heard.

At the meeting of the Commissioners on that day, Counsel appeared and were heard for the Dean of Faculty, and Principal and Professors, of Marischal College; the Provost, Magistrates, and Council of the City of Aberdeen; the Convener Court of the Seven Incorporated Trades of the City of Aberdeen; the Landowners, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen; the Moderator, Ministers, and Elders of the Synod of Aberdeen; the Moderator and Members of the Presbytery of Alford; the Moderator and Members of the Presbytery of Garioch; and the Moderator and Members of the Presbytery of Strathbogie.

Counsel also appeared and were heard for the Graduates of King's College, mentioned in the latter of the two Orders in Council.

Counsel also appeared and were heard for Dr David Kerr, the petitioner last mentioned in the former Order in Council.

The cases, therefore, submitted for the consideration of the Commissioners in regard to their Ordinances, were three in number; and in the following Special Report, which the Commissioners humbly lay before Your Majesty, it may be convenient to refer to these three cases separately, and in order.

I. The first case presented to the Commissioners was that on behalf of the petitioners in the eight petitions first mentioned, being the same bodies who last year petitioned Your Majesty in Council against the Ordinance of the 12th of March 1859, and on whose petitions against that Ordinance the Commissioners had the honour fully to report to Your Majesty on the 22d of July last.

After the Commissioners had so reported, these petitioners were heard by Counsel before a Committee of Your Majesty's Most Honourable Privy Council, which Committee agreed to recommend Your Majesty to disapprove of the *primo* article of the said Ordinance, fixing the 15th of October 1859 as the date from which the provisions of the Act 21 and 22 Vict., c. 83 should come into operation in Aberdeen, and to reserve consideration of the merits of the rest of the said Ordinance, until other Ordinances relating to the Universities and Colleges of Aberdeen should have been made by the Commissioners. And Your Majesty, on considering the said recommendation, was pleased, with the advice of Your Most Honourable Privy Council, to approve thereof, and to disapprove of and disallow the *primo* article of the said Ordinance.

On the 9th and 10th days of January, in the present year, the Commissioners made two additional Ordinances with reference to the Universities and Colleges of Aberdeen, the former embodying such details as appeared necessary and expedient for the establishment of the united University, and the latter fixing the 15th of September next as the date from which the union of the Universities and Colleges under the provisions of the Act should take effect. By means of these two Ordinances, along with the second, third, and fourth articles of the Ordinance of 12th March 1859, the scheme of union, as proposed by the Commissioners, is now before Your Majesty for final consideration.

The eight petitions, on which the Commissioners have now to report, relate as well to the Ordinance of last year, as to the new Ordinances of the 9th and 10th of January. The allegations of the petitions, however, are directed almost exclusively against the provisions and the principle of the Ordinance of last year, in regard to which, as the views of the Commissioners are fully embodied in their Special Report of the 22d of July last, it seems sufficient for the Commissioners now humbly to refer Your Majesty to that Report.

With regard to the details of the scheme of union as now submitted to Your Majesty in the Ordinance of the 9th of January, the Commissioners must presume, that, where no specific objections to particular provisions of that Ordinance are either set out in the petitions, or have been laid before the Commissioners in the addresses of Counsel, none such exist. Indeed, it is obvious that, as the Com-

missioners cannot report upon or reply to objections which have not been stated, it is impossible for them to proceed otherwise than on this assumption.

Proceeding, then, on this assumption, the Commissioners have to inform Your Majesty that, setting aside such specific objections as may appear on the face of the petitions themselves, to which more particular attention will hereafter be directed, the only objection which the Counsel for the parties in these eight petitions urged against any of the details of the Ordinance of the 9th of January, had reference to the amount of the salaries provided for the assistants to the Professors in the Faculty of Arts, for whom it was contended that an allowance of L.100 a year was inadequate; and to the allowance of L.50 to a joint assistant for the Professors of Materia Medica and Medical Jurisprudence, which was also objected to as inadequate. With regard to the allowance of L.100 a year for an assistant to each of certain Professors in the Faculty of Arts, it is to be observed that the Commissioners do not intend, and they think it would be far from desirable, that such a provision should be made for the assistants in that Faculty as should induce persons to look to the appointment as a permanent one. Their object has been to fix such a sum, as should form a sufficient inducement to distinguished graduates to continue their connection with the University for a few years, and during that period to assist in the duties of instruction. They have received satisfactory evidence, and they have every reason to believe, that the allowance of L.100 a year will be sufficient for that purpose, and will operate most beneficially in various ways. The assistant to the Professors of Materia Medica and Medical Jurisprudence, to whose remuneration of L.50 a year objection was taken, is intended to give assistance only in the preparation of drugs, and in making arrangements for the exhibition of pharmaceutical processes; and, as his services will be required only for a short time each day, the Commissioners have ascertained that a person competent to the performance of these duties can be obtained for the remuneration they have fixed.

The objections to the Ordinance of the 9th of January, which appear on the face of the petitions themselves, are expressed most fully in the petition of the Provost, Magistrates, and Council of the city of Aberdeen, the terms of whose petition, therefore, in so far as they relate to that Ordinance, it may be convenient here to quote. These petitioners state—

‘That the scheme of the said Commissioners, as now developed, is most wasteful, and its cost utterly disproportionate to the results to be obtained. The compensation of the Principal and Professors in the Faculty of Arts alone, whose offices are to be suppressed, will amount to L.2425 a year, and this sum, capitalized according to the ages of the Professors, at 3 per cent., is equal to . . . L.21,990  
‘To provide the necessary buildings at King’s College, for the accommodation for the Arts classes transferred, will require at least . . . 17,000

L.38,990

‘Add the value of that part of the buildings of Marischal College which will remain unoccupied, . . . 17,000

‘And the total cost and waste will amount to . . . L.55,990  
‘which at 3 per cent. involves an annual expenditure and grant in perpetuity of L.1680.

‘That the compensation and endowment schemes proposed by the said Ordinances would not promote the real good of the University of Aberdeen, but would greatly favour King’s College and some individuals connected therewith. Thus, the Principal of Marischal College is obliged to retire, that the Principal of King’s College may be Principal of the University, and receive L.600 a year, with the probability of having a teaching Chair conjoined, yielding an additional L.400 a year, or L.1000 in all; the Professor of Natural Philosophy in Marischal College, an able and accomplished man, under 30, and of European reputation, is forced to give up his Chair, that the Professor of Natural Philosophy in King’s College may receive L.525 a year, with an assistant at L.100 a year. And, again, the proceeds of the Murray Lectureship in King’s College, which have hitherto been generally given to two preachers not holding benefices or Professorships in the Colleges, and have been an object of ambition to many deserving men, are to be divided among the three Theological Professors, who are all in King’s College.’

The Commissioners are not in possession of the data, on which the petitioners proceed, in stating the capitalized amount of the several compensations to the Principal and Professors in the Faculty of Arts, rendered necessary by the union, at L.21,990; but they doubt very much whether this can be correct, considering the age of the Professors who are to receive compensation. Assuming, however, L.21,990 to be a fair estimate, there must be deducted from that estimate the capitalized amount of the compensation of the Principal, who loses his office. The Commissioners do not consider, that they have power under the Act of Parliament to maintain two Principals in the united University, nor is it easy to see for what good purpose such duplicity of offices could be intended. It seems clearly implied by the Act of Parliament, that the office of one of the existing Principals is to be abolished; and accordingly, by the Ordinance of 9th January 1860, the offices of the two Principals are conjoined, and Dr Campbell of King’s College is made Principal of the united University, while Dr Dewar of Marischal College, who is a man of very advanced age, retires, and must receive compensation. The average emoluments of Dr Dewar’s office are stated, in the returns to the Royal Commission of 1857, at L.399, 8s., and by deducting the amount of his compensation, the capitalized cost of the scheme would certainly be reduced below L.20,000. Further, it is to be remembered that, even estimating the cost of compensation at L.20,000, that sum must be compared with the amount which, under the scheme advocated by the petitioners, would be required to provide another properly endowed set of Professors in the Faculty of Arts. This, as the Commissioners showed in their Report of last year, would involve an additional annual cost of not less than from L.3000 to L.3500, or, capitalizing the amount at 3 per cent., as suggested by the petitioners, an additional cost in all of not less than from L.100,000 to L.116,000; so that the saving in the Faculty of Arts, under the scheme of the Commissioners, as compared with that of the petitioners, cannot be estimated under L.80,000 or L.90,000. The circumstance that the petitioners complain of the amount of compensation to be provided for the Principal of Marischal College, as an expense resulting from the Commissioners’ scheme, would seem to imply that, in the

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opinion of the petitioners, provision may under the Act of Parliament be made, and, as part of the provision for two sets of Professors in Arts, ought to be made, for the permanent maintenance of two Principals in the united University. If that be the case, the saving under the Commissioners' scheme, as compared with that of the petitioners, would, by capitalizing the salary of a second Principal at L.600 a year, be raised to above L.100,000.

It seems right to notice that, as the petitioners state their estimated amount of compensation, as that which will be payable to 'the Principal and the Professors in the Faculty of Arts alone,' it might be inferred that the compensation, which will have to be provided to Professors in the other Faculties, will be such as considerably to swell the total amount. The facts, however, are, that there are only two Professors not in the Faculty of Arts, to whom the Ordinance directs compensation to be provided, viz., the Professor of Oriental Languages in Marischal College, whose total average income, as returned to the Royal Commission of 1857, was L.100, 6s., and the Professor of Chemistry in the same College, who has petitioned the Commissioners to be allowed to retire, on the ground of his permanent disability from ill health to perform the duties of his Chair, and to whom, therefore, any allowance that might be made could not properly be regarded as part of the cost involved in the union. The Commissioners, however, do not understand that the petitioners object to the cost of these additional compensations, as it is only in the Faculty of Arts that they urge the necessity of duplicate Chairs being maintained.

The next item of cost, which the petitioners put forward, is that of the expense of providing 'the necessary buildings at King's College for the accommodation of the Arts classes transferred,' which, they state, will require at least L.17,000. In their Report of 22d July 1859, the Commissioners explained that, in consequence of a portion of the buildings of King's College having been for some time in a very dilapidated state, the Lords Commissioners of Your Majesty's Treasury had, previous to the present union being proposed, resolved, on certain conditions, which have been complied with, to apply a sum of L.12,750 to the restoration of those buildings. That sum was estimated to cover the expense of providing sufficient accommodation for the Arts and other classes of King's College, and for the University Library; and the Commissioners, as stated in their previous Report, are assured, on satisfactory evidence, that a very small addition to it would enable the buildings to be made sufficiently ample to accommodate the united classes in Arts and Divinity, which the Commissioners propose shall assemble there. It must be observed that, in the petitions on which the Commissioners are now reporting, the petitioners do not propose that there should be only one set of classes in Arts to be taught at Marischal College; but they maintain that it is necessary for the interests of education, that there should be two complete sets of Professors in the Faculty of Arts,—one set teaching in the buildings of King's College, and the other in those of Marischal College. Even on the petitioners' showing, therefore, the above-mentioned sum of L.12,750 must necessarily be spent, in order to provide the necessary accommodation at King's College; and, in addition, considerable expense would have to be incurred in connection with the buildings of Marischal College, which are insufficient to accommodate the united classes in Medicine and Law, besides a complete set of classes in the Faculty of Arts. Under these circumstances, the Commissioners think there can be no doubt, that the arrangement which they propose is the most economical in regard to the cost of buildings, as well as in the matter of endowment.

It may be proper to notice, that the Counsel for the petitioners stated, that it was understood that the Magistrates and Council of the City had offered to provide means for rendering the buildings of Marischal College sufficient for the united classes in Medicine and Law, and for one of the two sets of classes in Arts. While it is true that the Magistrates communicated to the Commissioners a report, which they had obtained from an architect, embodying a scheme for rendering the buildings of Marischal College sufficient for those purposes at a cost, as estimated by him, of L.2500, it is necessary, to prevent the possibility of a misunderstanding, for the Commissioners to state, that no offer to provide even that sum has been made to them.

The last item of cost and waste, which the petitioners represent as involved in the scheme of the Commissioners, is 'the value of that part of the buildings of Marischal College which will remain unoccupied;' and this they estimate at the sum of L.17,000. However extravagant and incredible this statement may be, it is necessary that the Commissioners should shortly notice it. With regard to the total value of the present buildings of Marischal College, it appears that the old buildings of the College had, about the year 1830, fallen into such a state of dilapidation, as to be characterized by the Royal Commissioners, who reported in that year, as 'too ruinous to admit of repair, without an expense equal to that of an entirely new edifice.' Between the date of that Report and the first Report of the Commissioners appointed in 1836 to visit the Universities of Aberdeen, a sum of about L.25,000 was obtained for the purpose of rebuilding the College; and with that money the present College buildings, which were completed about the year 1840, were erected. Taking, then, the present value of the buildings at about L.25,000, the statement of the petitioners, that buildings of the value of L.17,000 will, under the scheme of the Commissioners, be wasted, amounts to a statement that about two-thirds of the buildings will be unoccupied and rendered useless. Now, besides the public school, public hall, library, museum, and one or two other rooms not adapted to be used as class-rooms, and which, under the new arrangement, will be required for purposes similar to those for which they are now used, the present buildings contain only the following class-rooms, naming them from the classes which at present occupy them:—on the basement floor, and one story lower than the ground-level of the front buildings, the Anatomy, Chemistry, Institutes of Medicine, and Medical Jurisprudence class-rooms; on the ground floor, those of Latin, Midwifery, Surgery, Greek, Mathematics, Moral Philosophy, Divinity, and Oriental Languages; and on the principal floor, those of Law, Natural Philosophy, and Natural History—thus giving, in all, 15 rooms, now used as class-rooms. The small size, however, of some, as the Midwifery, Surgery, and Law class-rooms, the insufficiency of the accommodation provided in the way of retiring-rooms for the Professors, and other defects, render the buildings, as at present occupied, extremely inconvenient. To adapt them properly for the accommodation of the united medical classes, furnished with the museums and apparatus-rooms necessary for these, and with suitable retiring-rooms for the Professors, will require greatly more than the mere existing lecture-room space. While, therefore, the Commissioners are satisfied, that sufficient room will be found for the accommodation of the

Medical School, with the addition of the classes of Natural History and Law, which are also to assemble in the buildings of Marischal College, they, at the same time, are decidedly of opinion, that more than the necessary accommodation for those purposes will not be furnished by the present buildings.

The next charge which the petitioners bring against the scheme of the Commissioners is, that it is calculated greatly to favour King's College, and some individuals connected therewith. Into the merits of the gentlemen, whom the petitioners mention in illustration of this statement, the Commissioners do not think that it would be fitting for them, in this Report, to enter. In every case where there are two Professorships of the same subject, one in each College, the duty has been thrown upon them of selecting which of the Professors shall retire, and which shall continue to be Professor in the united University. They can only assure Your Majesty, that they approached the performance of this difficult and invidious duty with a deep sense of the responsibility involved in it; and they trust they may receive implicit credit when they state, that, in the selections which they have made, they have had regard only to the interests of the University.

The petitioners speak of the probability of the Principal of the University having a teaching Chair conjoined with his office of Principal, and thus obtaining an income of L.1000 a year. But there is nothing in the arrangements proposed by the Commissioners, which gives any countenance to such a supposition.

The subject of the Murray Lectureship, to which these petitioners also refer, was fully discussed before the Commissioners by the Counsel for the graduates of King's College; and it may be convenient to defer what the Commissioners have to say regarding it to the second part of this Report, which relates to the petition of those graduates.

The remaining complaints in the petitions, on which the Commissioners are now reporting, directly affect the principle of the Ordinance of last year; and for an answer to these the Commissioners have already taken leave to refer to their previous Report. The Commissioners certainly regret, that that Report has not had the effect either of removing the objections taken to their scheme, which they thought they had shown to be groundless, or of producing on the minds of persons, who must be presumed to have been made aware of its contents, a clear conception of the position in which matters have been placed by the Universities Act. Although that Report showed, that the distance between the two Colleges is less than a mile and a quarter, and that more than 59 per cent. of the students of King's College were proved to the Royal Commission of 1857 to reside in New Aberdeen, the Commissioners regret to find, that the members of the Synod of Aberdeen still apprehend that, when the united classes in Arts are taught in King's College, 'a large proportion of the students will be *forisfamiliated*,' who, otherwise, if Marischal College (to use the language of the petition) were also sustained as a School of Arts, 'would be enabled to receive all the benefits of a University education, while residing in family with their parents and guardians.' It seems impossible to remove the apprehensions, which the union excites in the minds of these petitioners; but it is hardly necessary for the Commissioners to state, that a banishment of any students from a residence at their homes in New Aberdeen is not a result which they anticipate from the concentration of the Arts classes at King's College. That a misunderstanding, also, still prevails as to the effect of the Act, and the purport of the Ordinances of the Commissioners, is made apparent in various ways. Thus, in the minutes of the Synod of Aberdeen, of the 11th of October last, an extract of which has been returned to the Commission, as the authority under which the petition of the Synod to Your Majesty, now under consideration, was presented, the Ordinance of last year is described as 'the Ordinance for entirely fusing the two Colleges.' Again, as to the effect of the Act, it was argued by the Counsel for these eight petitioners at the recent hearing, that the Act had left existing two Schools in Arts,—one taught in Old Aberdeen, and the other in New Aberdeen; and that it required some force of argument to show, that it was necessary or expedient to abolish either the one School or the other. The effect of the Act, however, the Commissioners conceive to be totally different. Under its provisions, the two Universities, the two Colleges, and the two Faculties of Arts, just as the two Faculties of Medicine, are united; and in the united Faculty of Arts it is enacted that there shall be one Professor of each of certain specified branches, and, if the Commissioners shall deem it necessary or expedient, two Professors of any one or more of such branches. The Commissioners, in carrying out their conclusion that it is not necessary or expedient that there should be two Professors in any one of such branches, are by no means abolishing a School of Arts, for the Act has left only one in existence. Had the Commissioners, in accordance with the expressed wishes of the petitioners, ordained that there should be two Professors in each of the branches of study in the Faculty of Arts,—one set teaching in King's College buildings, and the other in Marischal College buildings,—there would still have been but one School. There would, for example, have been nothing to prevent a student from attending some of the classes in the curriculum in Arts in one place, and some in the other; or, again, a student gaining a bursary formerly attached to King's College, might have prosecuted his studies under the Professors lecturing in Marischal College buildings, and *vice versa*. That this effect of the statute is not yet appreciated by the petitioners, is made apparent by their continuing to urge against the Ordinances of the Commissioners, that their effect is to transfer to King's College the bursaries and endowments now attached to Marischal College; whereas, as has been repeatedly pointed out, the operation of the Act has been, to transfer the funds of both Colleges to the new University of Aberdeen.

In concluding their observations on the petitions of these eight bodies, which alone are directed generally against the whole Ordinances, the Commissioners, in view of the serious injury which a continuance of the agitation of this question is calculated to inflict on the University, venture to express a hope, that the materials now before Your Majesty are such, that a final decision may be obtained without delay. The Commissioners have, in the execution of the powers conferred upon them by the Legislature, anxiously endeavoured to embody in their Ordinances such an arrangement as they conceived would be most conducive to the public benefit; and, in humbly submitting the question for the final consideration of Your Majesty, they think it their duty to state, that protracted discussion, and repeated consideration of its merits and bearings, have only the more convinced them, that the measure which they propose affords the best, if not the only practicable, means of carrying out the union of the Colleges under the Universities Act.

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deen Universities.

II. The petition of the graduates of King's College states generally, that the arrangements embodied in the three Ordinances of the Commissioners of 12th March 1859, and of 9th and 10th January 1860, are, with three exceptions mentioned in the petition, 'the most conducive to the interests of education throughout the north of Scotland, which the said Act of Parliament admitted of.' While it is gratifying to the Commissioners to find, that their Ordinances have met with the approval of so large a body of gentlemen interested in University education, as the 203 graduates of King's College who have signed this petition, they conceive it to be their duty, under Your Majesty's Order in Council, to report only on those parts of the petition, which contain objections to the proposals of the Commissioners. These objections are three in number, and relate exclusively to the Ordinance of 9th January 1860.

The petitioners first object, that the Ordinance, by article ii., provides, that 'the patronage of, or right of presenting to, the Principalship and Professorship of Humanity in the said University of Aberdeen shall be vested in the Crown;' and after stating that, 'by the present constitution of the University and King's College, Aberdeen, the right of presenting to the Principalship and Professorship of Humanity in the said College is vested in the *Senatus Academicus*, along with the Rector and four *Procuratores Nationum*, five office-bearers elected by the graduates in the said University;' and that 'it seems fair and reasonable, and would promote general interest in the cause of University education, that the patronage of said offices, and right of presenting thereto, should be vested in the University Court' by the said Act established, in which Court the graduates of the University are to be represented; the petitioners conclude by praying Your Majesty to disapprove of the above-mentioned provision of the Ordinance, and to issue instructions to the Commissioners to take into their deliberate consideration the matters in the petition mentioned, 'as reasons why they should ordain that the patronage of, and right of presenting to, the Principalship and Professorship of Humanity shall in future be vested in the University Court.'

The number of offices, in the patronage of which the graduates of King's College at present have a share, through their representatives, the Rector and the four *Procuratores Nationum*, is four, namely, the Principalship, and the Professorships of Humanity, Medicine (or Chemistry), and Civil Law. The graduates have also in like manner a voice in the appointment of the Sub-Principal,—an office as to the existence of which in the united University the Commissioners have not as yet made any provision, nor, supposing the office to be continued, as to the quarter in which the patronage of it shall be vested. The Sub-Principal, however, being elected from among the four Regent Professors of the College, his office is not a distinct Professorship, and merely serves to give him precedence over his brother Professors. Under the distribution of the patronage made by the Commissioners in the Ordinance of 9th January, the University Court, in which the graduates are represented, will have the patronage of five Professorships,—those, namely, of Mathematics, Natural Philosophy, Law, Chemistry, and Medical Jurisprudence. It is true, as urged by the Counsel for the petitioners before the Commissioners, that the influence of the graduates in the University Court is not so great as it has heretofore been in the body, who now elect the Principal and the Professors of Humanity, Medicine, and Civil Law. This, however, arises from the constitution of the University Court as framed by the Legislature, and not from any provision made by the Commissioners; it does not appear to the Commissioners, that the greater or less degree of influence possessed by the graduates in the body vested with the patronage is an element which they can take into consideration, in distributing the patronage of the various Chairs; and they think that the graduates have no ground of complaint, when an actual increase is made in the number of offices of which they share the patronage. In Marischal College, the patronage of both of the offices to which the objection of the petitioners relates, is in the Crown; and the Commissioners think, with regard to the Principalship, that the Crown is the most fitting depository of the patronage. For vesting the patronage of the Professorship of Humanity in the Crown, it may be that the grounds are not stronger than in the case of any other individual Chair, of which the Crown is now the patron in one of the two Colleges. Still the Commissioners consider, that the arrangement which they have made in regard to the distribution of the patronage, and which was only made after the most careful consideration, has, as a whole, many reasons of convenience in its favour; and, as it seems to them that the interests of the graduates have not been disregarded, they cannot report to Your Majesty that the petitioners have shown any sufficient cause for its being disturbed.

The next objection, which these petitioners have taken to the Ordinance of 9th January, is to article iii., provision 6, which ordains that 'there shall be, in the University of Aberdeen, three lectureships under the bequest of the late Reverend Doctor Alexander Murray of Philadelphia, in the United States of America, and such three lectureships shall be held respectively by the Professors of Systematic Theology, of Divinity and Church History, and of Divinity and Biblical Criticism in the said University, between whom shall be divided, in such manner as shall be directed by the *Senatus Academicus*, subject to the control and approval of the University Court, the duties of lecturing in terms of the said bequest; and each of the said three Lecturers shall receive, in respect of his lectureship, one-fourth of the net annual rents or proceeds of the funds of the said bequest; the remaining fourth thereof being, in accordance with the directions of the said bequest, applied towards the education of an ingenious youth of the name of Murray.' The petitioners, after stating in the recital, that this provision 'is in contravention of the arrangements hitherto made under the said bequest, and permanently withdraws the patronage of the said lectureships from the trustees entrusted therewith by the Rev. Dr Murray,' and that 'it is for the interest of religion and learning that no such permanent arrangement should be made,' pray that Your Majesty may therefore be pleased to disapprove of the said provision.

Dr Murray's will, which is dated the 6th of September 1793, is in the following terms:—

'By the grace of God, being hitherto singularly preserved *per mare et terras*, and *tot discrimina rerum*, in soundness of body and mind, especially in the Catholic Spiritual Church of England, I, Alexander Murray, D.D., late of the city of London, now of Philadelphia, in the State of Pennsylvania, do make this my last will and testament in manner following, to wit, after my debts and funeral expenses are paid, I give, bequeath, and devise all my estate, property, and effects of what nature or kind soever, which I shall at my death be possessed of, interested in, or entitled to, in the United States of America, unto my affectionate dear wife, Ann Murray, for her sole use and disposal, excepting only what money

'I may have invested in the public funds and stocks of the said United States, or of any of them. This money I appropriated chiefly towards the better security of an annuity besides, of five hundred dollars to be paid her during her natural life, and which I appoint her yearly to demand, raise, and receive, out of the interests and dividends of the said funds, and out of sale, at market price, of so much more of the principal in said funds as completes the aforesaid sum of five hundred dollars yearly, and, whenever the principal, interests, and dividends, arising from said funds shall be exhausted at this rate and for this use, the payment of her annuity shall be continued in like manner out of the public securities and shares of stock which I hold in Great Britain: Wherefore, I ordain, that what monies may be still due to me there on my American debentures, and on my share in the thirty years' annuities, be invested, as they fall due, in the British three per cent. Consolidated Stock, till those annuities cease on the fifth day of January, which shall be in the year of our Lord one thousand eight hundred and eight, to form, with a thousand pounds sterling, which I hold in the said three per cent. stock, as an accumulating fund, subject to my dear wife's annuity, and whatever may remain in this fund, or any other belonging to me, whether in Great Britain or America, after my wife's decease, I give and bequeath in trust to my venerable cousin the Reverend Doctor John Chalmers, and to the four Regents and Professors of my Alma Mater the King's College and University of Aberdeen in Scotland, and to their successors in office, for the encouragement, in the first place, of a clergyman to preach a course of lectures in the College Church on Sunday mornings, in the time of their winter sessions, on such subjects as they think fitted to tincture their students with just and liberal notions of pure and undefiled religion and virtue, without descending to party distinctions and controversy. This donation is also intended to remove, in some measure, the uncommon grievance and indecorum of their processions to their parish church in an inclement season. In this more unprejudiced critical age, it were to be wished that this famous seminary would agree upon a form of public prayers and worship, with or without responses and instrumental music, to be used at those lectures, as is common in all other countries, to inure youth to the greater solemnity and order. The choice of the Lecturer I commit to the trustees, limiting the number of years he is to officiate, as they judge will most advance the credit of the lecture, indeed of the University itself. Two of the lectures at least I appoint to be printed, published, and presented to the trustees, by the Lecturer, every year before he receive his salary, and afterwards collected by them into volumes in abstract or at length, after the manner of the Honourable Robert Boyle's, for models to the students in Divinity. The above mentioned residue and remainder of my estate, after the 5th day of January 1808 aforesaid, if my beloved wife is then dead, or afterwards on her death, I desire the trustees to invest in some landed real property in Aberdeenshire, or as the law directs in such cases, and from the date of that investment to pay the Lecturer three-fourth parts of the net rents, issues, and profits of that property as his yearly stipend, and to apply the remaining fourth part of the same to forward the education, for three years, of some ingenious youth of the surname of Murray, in such secular profession or trade as his natural propensity points to; and, on or before the expiry of every third year, the trustees are to choose such another pupil or apprentice, advertising timeously the election in one or more of the Aberdeen and Edinburgh gazettes, preferring *ceteris paribus* my nearest of kin among the candidates. To my sister, Sarah, I give a mourning ring or a guinea. Of that part of my last will and testament, which relates to my estate in America, I appoint my wife sole executrix, and of the other part thereof which relates to my estate in Great Britain, and what remains, as aforesaid, in America after my wife's decease, I appoint executors the said Doctor John Chalmers and Mr Roderick McLeod, Sub-Principal of the aforesaid University, and their successors in office, hereby revoking all former wills by me made. In witness whereof, etc.'

Dr Murray died shortly after the date of his will, which was proved in England by Dr Chalmers and Mr McLeod, on the 24th of December 1795. Mrs Murray died on the 28th of May 1811.

Dr Chalmers was Principal of King's College.

A doubt appears to have arisen, whether it was intended by Dr Murray that the Principal and the four Regents only should be the trustees of his bequest; or that, besides those members of the College, the other Professors should also act as trustees. The question was submitted to an arbitrator; and, in accordance with his opinion, the Principal and the four Regents only—that is, the Principal, and the Professors of Greek, Mathematics, Natural Philosophy, and Moral Philosophy—have acted in the administration of the trust.

In their argument before the Commissioners, the Counsel for the graduates of King's College questioned both the power of the Commissioners to deal with the funds of Dr Murray's bequest at all, and the expediency of the manner in which their Ordinance has dealt with it.

In regard to the power of the Commissioners, it was assumed by Counsel, that the Commissioners had proceeded either upon section xviii. 2, or upon section xv. 2 of the Act; and it was contended that neither of these sections gives the Commissioners the requisite authority. This fund, it was first said was not one payable to the holder of any office, which had been abolished or rendered unnecessary by the union of the two Colleges; and it was not, therefore, such a fund as the Commissioners are authorized to appropriate under section xviii. 2, for increasing the salaries of present Professorships or the endowment of new ones. Then, if the provision of the Ordinance was rested on section xv. 2, it was argued that this was not a foundation, mortification, bursary, or donation bestowed on King's College, or for the benefit of any Professors, students, or others therein, and was therefore not such a foundation as the Commissioners have authority to 'revise' under that section; and further, that, supposing it to be such a foundation, it is not one which has taken effect for more than fifty years, and is not, therefore, within the power of the Commissioners to 'alter and modify' under the latter branch of the same clause.

To the argument of the petitioners applicable to section xviii. 2 it may be answered, that the office of Lecturer in King's College under Dr Murray's bequest may fairly be said to be abolished by the mere fact of the union; King's College, for whose benefit the Lectureship was intended, then ceasing to exist, equally with the trustees by whom the fund was to be administered, and the Lecturer to be chosen. But it is unnecessary for the Commissioners to rest on the authority of this section for what their Ordinance proposes.

Report on Petitions against Ordinances Nos. 2, 6, and 7, as to union of Aberdeen Universities.

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deen Universities.

With regard to section xv. 2, the Commissioners think there can be little doubt that, whether it was Dr Murray's intention that the Principal and all the Professors, or the Principal and the four Regents only, should act as his trustees, his bequest was 'bestowed on the University' within the meaning of that section, and was bestowed 'for the benefit of the Professors and students therein;' one of its main objects being 'to remove in some measure the uncommon grievance and indecorum of their 'processions to their parish church in an inclement season.' It is, however, further objected under this section, that the provision in the Ordinance involves such an alteration of the gift as is contemplated in the second branch of the section; that, Mrs Murray having died only in 1811, the gift has not yet taken effect for more than fifty years; and that the Commissioners cannot therefore show sufficient authority under this section. Supposing the petitioners to be correct in stating, that the provision as to Dr Murray's bequest is such an alteration of its conditions as is authorized only by the latter part of the clause, it is to be observed that more than fifty years has elapsed since Dr Murray's death, and that their argument depends altogether upon the period of fifty years being reckoned from the death of Mrs Murray, when the whole of the funds were to be placed under the administration of the trustees, and not from the date of Dr Murray's death, when, from his appointment of the Principal and Sub-Principal of the College for the time being as executors in part of his will, as well as from the direction to accumulate, the gift may in one view be regarded as having taken effect.

But in this matter it is not necessary for the Commissioners to rely either on section xviii. 2, or on section xv. 2 of the statute.

Section xxvii., which relates to trusts vested in the Senatus, or in certain members of the Senatus, for purposes unconnected with the College, and which, in regard to such trusts, provides for the continuance of the Senatus, or the corresponding members of the Senatus of the united University, as administrators of such trusts, is inapplicable to the present case. By the operation of the statute, therefore, on the union taking effect, the trustees cease to exist, and, under section i., this fund is transferred from King's College to, and becomes the property of, the University of Aberdeen, and is thus one of those funds of which the Commissioners have the power to dispose under section xv. 7, which authorizes them to provide, by Ordinance, for the disposal of the funds of the several Universities, in such manner as they shall see fit.

The Commissioners, however, under the large powers which this section confers upon them, would not consider it consistent with their duty to dispose of the funds of Dr Murray's bequest in any manner, which did not appear to them calculated to carry into effect the main design of the testator; and, in endeavouring to make use of the fund in the manner which should be most beneficial to the University, they at the same time kept the directions of Dr Murray's will carefully in view. His design appears to have been to enable the Professors and students to obtain sound religious instruction, by means of a course of lectures to be preached in their College Church on Sundays, instead of their being obliged to go elsewhere for that purpose; and he seems also to have wished to provide, to a certain extent, for a change in the Lecturer. The manner in which the trustees have acted, in carrying out this design, has been—until recent years, when one of the two Lecturers has been the present Principal—to appoint two young men, probationers or licentiates of the Church of Scotland, to deliver the necessary course of lectures. Lately, the duty has been performed by one licentiate, along with the Principal. It is certainly questionable, whether the appointment of mere licentiates, who are not in the position of ordained ministers of the Church, is in strict accordance with the terms of the will, which requires the duty to be performed by 'a clergyman.' At all events, the Commissioners have had evidence enough to satisfy them, that the employment of such young men in the office has not had the beneficial effect, which the appointment to the lectureship of fully ordained ministers of the Church, possessed as they would be of greater weight and influence both with Professors and students, would be calculated to produce; and the main object of Dr Murray's foundation appears thus, to a great extent, to have been frustrated. But in the Church of Scotland there are very few ordained clergymen, whose time is not so occupied with their parish duties, as to place it out of their power to preach a course of lectures, extending over the winter session of the University, in accordance with the directions of the will. Since Dr Murray's death to the present time, there have been, with the exception of the Principal (who is one of the trustees under the will, and who now may be a layman), only two Professors, those of Systematic Theology and Oriental Languages, who were necessarily ministers of the Church; and, owing to that circumstance no doubt, the trustees have been obliged to adopt the somewhat questionable course of appointing young men, not ordained ministers of the Church, to perform the duties of the lectureship. When, however, the Universities Act comes into operation, there will be in the united University four Professors, who will be ordained ministers,—those, namely, of Systematic Theology, of Church History, of Oriental Languages, and of Biblical Criticism. And it has appeared to the Commissioners, that the means by which the intentions of Dr Murray could be carried out most beneficially for the University, as well as most nearly in accordance with the directions contained in his will, would be, as has been done by the Ordinance, to appoint three of these Professors to lecture, in terms of the bequest, leaving it to the Senatus to direct in what manner the duties of the lectureship should be divided among them. The Commissioners, under the Order of Your Majesty in Council, have again considered the expediency of this provision of their Ordinance, and they remain of opinion, that the proposed arrangement affords a legitimate means of increasing the slender emoluments of three Theological Chairs, and is, in the altered circumstances of the University, the arrangement best calculated to carry out the intentions of the testator in a manner beneficial to the University. It was contended on behalf of the petitioners, that, by the appointment of probationers to the lectureship, an opportunity was afforded of attaching to the University young graduates of distinction and promise for some time after the completion of their College course, and that great benefits resulted from the employment of the funds for that purpose. The Commissioners are not insensible of the advantages of maintaining and drawing closer the connection between the University and such persons; but they are clearly of opinion, that to appropriate Dr Murray's bequest for such a purpose would not be in accordance with the object which he had in view, and they cannot, therefore, recommend that it should be so employed.

With regard to the statement of the petitioners, that the provision of the Ordinance 'permanently

'withdraws the patronage of the said lectureships from the trustees entrusted therewith by the Rev. Dr Alexander Murray,' it appears not to have been observed, that this result is produced by the union of the Colleges under the Act of Parliament, and not by any provision of the Ordinance.

The Commissioners would further remark, that the graduates of King's College, individually, have no greater interest in the disposal of this fund, than the graduates of any of the other Universities, or the licentiates of the Church; for no mention is made of them in Dr Murray's will, and they are not interested, either as trustees, patrons, or beneficiaries. The Commissioners are persuaded that the disposal of the fund, proposed by the Ordinance, is that from which the University will derive the greatest possible advantage; and they are confirmed in this view by the belief, that the trustees under Dr Murray's will approve of the arrangement which has been made. It may be proper to add, that none of these trustees will derive any pecuniary advantage from the arrangement.

The third and last objection, which the petitioning graduates of King's College have taken to the Ordinance of 9th January, is in respect to article xiv., which directs, among other provisions as to the University meetings, that the meetings of the University Court shall be held in the buildings hitherto occupied by Marischal College; and the petitioners urge that these meetings should be held in the buildings hitherto occupied by King's College. The Commissioners, however, remain of opinion, that the distribution of the University meetings, which the Ordinance makes, is the most convenient and beneficial for the interests of the University; and they have to report to Your Majesty, that the petitioners have not shown any valid reason why an alteration should be made in it.

III. The petition of Dr David Kerr, on which alone it now remains for the Commissioners to report, refers to the Ordinances of 9th and 10th January 1860, and prays that Your Majesty in Council may withhold your approbation of those Ordinances, in so far as they omit to make provision for securing compensation to the petitioner for the loss of emoluments belonging and payable to him as holder of certain offices in the University, which he contends it is the effect of the Ordinances to abolish. The offices, of which the petitioner describes himself as the holder, are those of Lecturer on Surgery and of Examiner for Medical degrees in King's College, in respect of which two offices he states that he has enjoyed an income amounting, on an average of the last five years, to about L.100 a year. This average income was stated more specifically by his Counsel as L.98 a year.

It appears that, on the 22d of October 1839, the petitioner was appointed, by the Senatus of King's College, to lecture on Surgery to students of that University, and that his appointment was for a term of five years. No salary or endowment was assigned to him, but his emoluments consisted of the fees of the students attending his lectures. No renewal of the appointment has taken place since the expiration of the above-mentioned term of five years; but Dr Kerr has continued to lecture on Surgery down to the end of the University session which has just expired, and has continued to receive the emoluments arising from the class fees of his students. Shortly after the date of his appointment as Lecturer, he was appointed by the Senatus for one year an Examiner of candidates for degrees in Medicine; and, in respect of his acting in that capacity, he received a share, with the other Examiners, of the fees paid by students on graduation. He continued afterwards to act as Examiner, and to receive the like remuneration; and in 1845 the appointment was again formally renewed to him for another year. Since that time to the present he has continued, without any farther appointment, to act as Examiner, and to receive his share of the graduation fees. Under these circumstances, it was contended by his Counsel, that the petitioner, as Lecturer on Surgery, and as Examiner for Medical degrees in King's College, was the holder of such offices in the University as are contemplated by section xviii. 2 of the statute, which the Commissioners are thereby authorized to abolish; that the effect of the recent Ordinances has been, although not expressly, yet virtually, to abolish his said offices, the Professor of Surgery in Marischal College being continued as the Professor of Surgery in the united University; and that the Commissioners are therefore, under that section, bound to provide for full compensation being made to him. The Commissioners, however, are clearly of opinion, that Dr Kerr, like other Lecturers in the two Colleges in a similar position, is not the holder of any office within the meaning of that section. Since the expiration, in 1844, of his term of appointment for five years as a Lecturer on Surgery, and since his second appointment as Examiner for degrees in 1845, no renewal of either of these appointments has been made; and his position in the University, at all events since that date, renders it impossible to regard him as holding anything in the nature of an office. It is clear that the Senatus of King's College might at any time have dismissed him, and appointed another Lecturer in his place; or, if their Medical School had become sufficiently large, and they had thought competition desirable, they might have appointed a second Lecturer to lecture on the same subject—just as there would be nothing to prevent the Senatus Academicus of the united University recognising attendance on Dr Kerr's lectures, as well as attendance on those of the Professor of Surgery, as qualifying for graduation. The circumstance, that the expression 'and other offices' is used besides the word 'Professorships' in the section in question, was urged as the foundation of an argument in favour of the claim of Lecturers in the position of Dr Kerr, to be treated as holders of offices within the statute; but the expression seems to the Commissioners to be intended to cover such offices as those of Principal in the two Colleges, of Sub-Principal in King's College, and of such other offices of a permanent character as might possibly exist, for compensation to the holders of which it might be necessary and proper to provide, in the event of their being abolished or conjoined with other offices. The Commissioners, therefore, feel bound to report to Your Majesty, that Dr Kerr is not, in their opinion, the holder of any office within the scope of the section; and that they do not consider that the statute contemplates or authorizes compensation being made to him, in respect of any loss of emoluments which he may suffer.

All which is humbly submitted to Your Majesty.

Given under the seal of the Commission, at Edinburgh, this 9th day of May 1860.

JOHN INGLIS, *Chairman.*

(L. S.)

Report on Petitions against Ordinances Nos. 2, 6, and 7, as to union of Aberdeen Universities.

#### 4. REPORT AS TO THE APPROPRIATION OF THE ANNUITY OF L.2500 FROM LEITH HARBOUR FOR THE SUPPORT OF THE UNIVERSITY AND SCHOOLS OF EDINBURGH.

Report as to the appropriation of the annuity of L.2500 from Leith Harbour.

On the 19th of August 1859, the Lords Commissioners of Her Majesty's Treasury communicated to the Commissioners for the purposes of the Universities (Scotland) Act, 21 and 22 Vict., c. 83, the following correspondence, which had passed between the Lord Provost of Edinburgh and their Lordships, with reference to the endowment of the vacant offices of Principal and Professor of Divinity in the University of Edinburgh:—

##### 1. From the Lord Provost of Edinburgh to the Secretary of the Treasury.

*Edinburgh, 8th August 1859.*

SIR,—I beg to ask your attention to the provisions of the Act 1 and 2 Victoria, cap. 55, and to the Treasury Minute of 24th July, and letter of 21st September 1839, regarding the sum of L.2500 set apart, with the approval of my Lords of Her Majesty's Treasury, out of the revenues of Leith Harbour and Docks, for the support of the College and Schools of Edinburgh.

And I have to report that, since the date of my last letter on this subject, one vacancy has occurred among the parties to whom salaries are appropriated from the said sum, by the death, on the 2d May last, of the Very Reverend Dr John Lee, Principal of the University, and Professor of Divinity therein.

The emoluments hitherto attached to the office of Principal amounted to L.151, 2s. 2d., whereof L.111, 2s. 2d. was in name of salary, and L.40 of house-rent. Those of the Professorship of Divinity amounted to L.196, 2s. 2d., whereof L.111, 2s. 2d. was salary, L.50 allowance in lieu of the salary of the like amount formerly paid from the City's Ale Duty, and L.35 in name of house-rent. The endowments of the latter office are exclusive of the fees payable by the students of Divinity.

The Magistrates and Council have resolved that, in filling up the two vacant offices, the salary of L.111, 2s. 2d., being the amount anciently payable from the ordinary College revenues, shall be attached to each, subject to the approbation of my Lords, in terms of the provisions of the Agreement Act, 1 and 2 Vict., cap. 55. The effect of this will be, to leave unappropriated sums amounting to L.125 per annum; and the Magistrates and Council have resolved, likewise subject to the approbation of my Lords, that this sum shall be charged on the scheme of appropriation of the sum before mentioned, as part of the salary of the Rector of the High School. The present salary appropriated to the Rector under that scheme is L.33, 6s. 8d., but the Magistrates and Council have supplemented this salary by an annual addition of L.166, 13s. 4d., during pleasure, out of the ordinary municipal revenues of the city. The effect of this suggestion will be, to make the provision for the Rector of the High School more permanent than at present, as that valuable official is now dependent, for the amount of salary above referred to, on a vote of the Council. The proposal now submitted is in strict accordance with the intentions of the Legislature as expressed in the statute, which provides that the money shall be applied for the maintenance "of the College and Schools of the city of Edinburgh."

I expect to be in London on Wednesday or Thursday first, when I shall have the honour of waiting on you, and giving such explanations as you may desire on the subject of this letter.—I have, etc.

(Signed) *JOHN MELVILLE, Lord Provost.*

##### 2. From the Secretary of the Treasury to the Lord Provost of Edinburgh.

*Treasury Chambers, 19th August 1859.*

MY LORD,—The Lords Commissioners of Her Majesty's Treasury have had under their consideration your letter of the 8th instant, proposing an alteration in the distribution of the sum of L.2500 set apart from the revenues of Leith Harbour and Docks, for the support of the College and Schools of Edinburgh, by reducing by a sum of L.125 per annum the salaries now attached to the offices of Principal of the University and the Professorship of Divinity therein, and by appropriating the said sum of L.125 as part of the salary of the Rector of the High School; and I am directed by their Lordships to acquaint you, that my Lords observe, that the effect of the proposal of the Magistrates and Corporation will be to relieve the municipal funds at the expense of two offices, for which only small provision is already made, and they think it right to withhold their consent to the proposed appropriation of the salaries in question, until the Scottish University Commissioners shall have had an opportunity of reporting to them in reference to the emoluments of the Principal and Professor of Divinity in the University.—I am, etc.

(Signed) *GEO. A. HAMILTON.*

The Universities Commissioners, in considering the Report which they should present to their Lordships in regard to the emoluments of the two offices to which this correspondence refers, have had their attention directed to the position in which the sum of L.2500 from the revenues of Leith Harbour for the support of the College and Schools of the city is placed under the Act 1 and 2 Vict., c. 55, and a Treasury Minute, of 24th July 1839, with regard to the appropriation of that sum. Looking to the position of the fund, it seems right to the Commissioners to add to their Report, regarding the two offices in question, a statement of their views as to the inexpediency of leaving the appropriation of the fund in its present undefined condition.

I. With regard to the emoluments of the office of Principal of the University, these, as heretofore appropriated under 1 and 2 Vict., c. 55, have been L.151, 2s. 2d. a year, consisting of L.111, 2s. 2d., the salary formerly payable from the ordinary revenues of the College, and L.40 in name of house-rent; and the office has had, and has, no other source of income.

The endowment attached to the Professorship of Divinity, under the same Act, has been L.196, 2s. 2d. a year, consisting of L.111, 2s. 2d., the salary formerly payable from the ordinary revenues of the College, L.50 as additional salary in lieu of the like amount formerly chargeable on the city's ale duty, and L.35 as house-rent. The Professor of Divinity has of late years charged fees from the students attending his classes, and from this source he has an additional income at present of about L.170 a year. Supposing the former endowment (L.196, 2s. 2d.) to continue, the total emoluments of the Professorship, including fees, would then be about L.366.

The proposal of the Magistrates and Council of Edinburgh, as contained in the letter of the Lord Provost, is, that the two salaries of L.111, 2s. 2d., formerly chargeable on the ordinary revenues of the College, should be continued to the two offices; but that the sums of L.40 and L.35, payable in the name of house-rent, and also the sum of L.50, salary of the Professor of Divinity, formerly chargeable on the City's Ale Duty—in all, L.125—should be withdrawn from the College, and given to the support of the Rector of the High School.

Since the above correspondence took place, but before the Universities Act came into operation, and the patronage was transferred to the body of Curators under the Act, the Magistrates appointed Sir David Brewster Principal, and the Rev. Dr Crawford Professor of Divinity, in the University. In the commission of each, they have granted him the salary of L.111, 2s. 2d., subject to the approbation of their Lordships, but have omitted all mention of the three sums which they seek to transfer to the High School.

With regard to the two sums payable in name of house-rent, it is necessary to observe, that the College is situated on ground, formerly called the Kirk of Field, which was granted by the Crown to the Magistrates and Council for the purposes of the University. In former times, there were attached to the old buildings of the College official houses for the Principal and certain Professors, and, among these, for the Professor of Divinity, for whom a house and garden had, at a remote period, been purchased with money bequeathed for the purpose by a person of the name of Somerville. In the original plan of the present College buildings, which were erected on part of the site of the old College, by means of grants of public money made by successive Parliaments, the erection of houses for the Principal and those Professors to whose offices they had formerly been attached, and who were then deprived of them, was contemplated in connection with the general building. This plan, however, was altered. A new street, South Bridge Street, was run through the Kirk of Field lands, past the east front of the present College, and the lands cut off by this street were devoted to building purposes. No houses, however, were erected for the Principal and Professors formerly entitled to them; but, by way of compensation, an allowance in money was made to each of the Chairs, fixed, in 1793, as L.40 for the Principal, and L.35 for the Professor of Divinity. The extreme inadequacy of these allowances, to which it seems unnecessary to call attention, and the strong claims of both offices to more ample compensation, form the subject of remark by the Commissioners who reported on the Universities of Scotland in 1830. See Report on the University of Edinburgh, p. 175. At the same page of that Report a passage occurs in reference to the College buildings, which may be quoted as showing the injury inflicted on particular Professorships, and on the University generally, by the manner in which the site of the old College was dealt with. 'The area of the old College was of considerably greater extent than that of the new. When, by the Act 25th of George III., the South Bridge was built, the continuation of it to Nicolson Street passed through the house of the Professor of Divinity, and the gardens of the said Professor and the Principal; and the gardens on the south of the College were partly removed to make South College Street. For the abstraction of this valuable property no pecuniary compensation was allotted to the University, or to the Professors who were affected; but the surplus proceeds of the projected improvement were directed to be used in erecting buildings to the University, and to no other use, interest, or purpose whatever. Yet, by subsequent Acts of Parliament, other objects, not contemplated in the original Act, were preferred to the University, so that no sufficient remuneration was obtained. And it may be mentioned, that the whole buildings between the College and the Royal Infirmary were erected on ground belonging to the University or its Professors.' Under these circumstances, as matters stood prior to the Act 1 and 2 Vict., c. 55, it seems impossible to question the claim of the Principal and the Professor of Divinity—and, it may be added, of all the Professors to whose Chairs houses were formerly attached—to the continuance of the very inadequate allowances given as compensation for their being deprived of official houses. Nor does this claim appear to be weakened in the least degree by the terms of the Act 1 and 2 Vict., c. 55, setting apart the sum of L.2500 from the revenues of Leith Harbour, as the fund from which certain payments from the city to the College shall in future be made. The 21st section of that Act provides, 'that the said sum of two thousand five hundred pounds, payable to the Lord Provost, Magistrates, and Council of the said City of Edinburgh, shall be applied by them towards the maintenance and support of the College and Schools of the said city, namely, in defraying the obligations and payments incumbent upon them in relation to the debts due by the said city to the said College, in paying the salaries and house-rents due to, or on account of, the Professors in the said College, in repairing and maintaining the College buildings, and in the other necessary expenses thereof, and the remainder towards the schools and educational purposes of the said city: Provided always, that, before the application of the said sum of two thousand five hundred pounds to the College and other purposes aforesaid, a statement of the intended appropriation thereof shall be submitted to the Commissioners of Her Majesty's Treasury, and their approbation thereof be signified in writing.' The 'house-rents' mentioned in this clause can apply only to the allowances made to the Principal and certain Professors, as above mentioned; and the intention of the Legislature, therefore, that these allowances should be continued, cannot be doubted. Accordingly, in the original scheme of appropriation, submitted under the statute by the Town Council to the Treasury in 1839, and sanctioned by Treasury Minute of 24th July in that year, the house-rents of the Principal and all the Professors previously in receipt of them were included; and that minute, after specifying the Professors' salaries, previously payable from the ordinary College revenues, as payments which must be continued, states, 'the house-rents of the Professors are also declared by the Act to be a charge upon this grant, and they amount to the sum of L.215, and must also be continued.' In a subsequent part of the same minute, the Commissioners are aware that

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a passage occurs somewhat at variance with this clause; for it is stated as the opinion of their Lordships, 'with reference to the salaries formerly charged on the ale duties, and now proposed to be continued out of the Parliamentary grant, as well as the house-rents of the Professors, that they entirely concur in the view taken by the Magistrates and Council of Edinburgh, that the present sanction of my Lords is to be considered as solely referring to the present incumbents, and by no means as a permanent arrangement. On the contrary, my Lords declare that it must be distinctly understood, that the whole arrangement now proposed shall be liable to annual revision; and that on all vacancies of any of the Chairs, whose incumbents received salaries charged on the ale duties, or to whom allowances for house-rent have been made, their Lordships will reconsider the whole question of appropriating, as may seem most advisable, the portions of the grant so set free.' The Commissioners, looking to the clear direction of the statute, that the house-rents of the Professors are to be payable out of the fund, think, that the former clause of the minute more correctly embodies the intention of the Legislature than that which has just been quoted. Unfortunately, however, the Magistrates and Council seem on one occasion to have succeeded in obtaining the approbation of the Treasury to a withdrawal of a Professor's house-rent, the sum payable under that name to the Professor of Greek having been withdrawn from the Chair on the appointment of the present Professor in 1852. The Commissioners are inclined to think, that this approbation may have been granted without a full knowledge of the circumstances, as was probably also the case with reference to a sanction given, in 1846, to the cessation of a payment of L.50 to the Professor of Anatomy, part of which had formerly been payable from the ordinary College revenues, and was therefore one of those payments which it appears from the minute that the Treasury regarded as forming a permanent charge on the fund. That sum, as their Lordships are aware, was paid to the late Dr Monro, after he had resigned his Professorship; and, under the sanction of the Treasury, it is now withheld altogether from the Chair. But, supposing their Lordships to regard it as open to them under the later clause of the minute, now to reconsider the propriety of continuing the two allowances for house-rent, of which the Magistrates and Council seek the withdrawal, the Commissioners are in hopes that the propriety of continuing these will be seen, when the circumstances under which they were attached to the Chairs are considered, as well as the obvious intention on the part of the Legislature that they should not afterwards be withdrawn.

With regard to the remaining item of the L.125 now sought to be withdrawn—that, namely, of L.50 a year hitherto payable to the Professor of Divinity, and formerly chargeable on the amount of the city's ale duty—it appears that that duty, which was first granted to the city by an Act of the Parliament of Scotland in 1693, for a period of thirty years, was continued by successive Acts of the Imperial Legislature (3 Geo. I., c. 5; 9 Geo. I., c. 14; 25 Geo. II., c. 9; and 38 Geo. III., c. 54), the last of which expired in 1837. By these Acts endowments out of the ale duty were attached to various Professorships in the University, forming, in some cases—as in those of the chairs of Civil Law and Scots Law—the only endowments of the Chairs to which they were attached. The Act 9 Geo. I., c. 14, in 1723, burdened the duty with the payment of 'fifty pounds yearly additional salary to the Professor of Divinity and his successors in office,' and the same salary was continued to the Chair by each of the subsequent Acts above mentioned. A few years before the expiration of the last of these Acts, namely in 1833, the city became insolvent; and a settlement of its affairs, by the authority of Parliament, being thus rendered necessary, the Act 1 and 2 Vict., c. 55, was passed, providing, among other directions for the payment of the city's debts, that the sum of L.2500 from the revenues of Leith Harbour should be applied in defraying the obligations incumbent on the city for the support of the College, and, among these, in paying the salaries and house-rents due to, or on account of, the Professors in the said College. Considering, therefore, that at the date of the city's insolvency, all the salaries, including that of the Professor of Divinity, which had been charged on the ale duty, were payable, and considering that these salaries must, during so long a period, have been attached to Chairs in the University, on the ground that they were necessary for their proper endowment and support, the Commissioners think it cannot be doubted that the words, 'the salaries due to, or on account of, the Professors in the said College,' were intended by the Legislature to include those salaries which previous Acts had charged on the amount of the city's ale duty.

But, apart from the claim which the two Chairs have in equity, as well as on the ground of the intention of the Legislature, to the continuance of the sums payable as house-rents, and as salary formerly chargeable on the ale duty, the Commissioners think, that, treating the question even as one of expediency merely, they may confidently appeal to their Lordships to refuse their sanction to the withdrawal of those sums.

The whole emoluments of the Principal, the head of the Metropolitan University of Scotland, with an attendance at present of about 1500 students, are, including his house-rent, L.151, 2s. 2d. a year; a sum, the Commissioners need not say, utterly inadequate for the support of so important an office. The Commissioners, under the duties imposed on them by the statute under which they act, have in consequence, as their Lordships are aware, recommended that that sum should receive from the public funds of the country the considerable increase of L.548, 17s. 10d. a year, so as to raise the total salary of the office to L.700 a year. Under these circumstances, it seems unnecessary for the Commissioners to urge upon their Lordships the inexpediency of withdrawing any of the support which the office has hitherto received from other sources.

With regard to the Professorship of Divinity, the total endowments of that office, including house-rent and salary formerly chargeable on the ale duty, have been shown to be L.196, 2s. 2d. a year. It is true, as stated in the letter of the Lord Provost to the Secretary of the Treasury, quoted at the beginning of this Report, that these endowments 'are exclusive of the fees payable by the students of Divinity.' These fees amount, as has been stated, only to about L.170 a year, so as to raise the total annual emoluments of the office to about L.366. The late Professor was also Principal of the University, and had emoluments from other sources, which made him independent of his Professorship. The offices of Principal and Professor of Divinity are now held by different persons; and, recent legislation having thrown open the former office to laymen, it is very unlikely, and at all events cannot be calculated on, that it will again be held with the Professorship of Divinity. Another expedient to

enable the Professor to support himself was in former times adopted, of allowing him to hold, along with his Chair, a parochial charge in the Church. This conjunction, however, was strongly reported against by the Royal Commission of Inquiry into the Universities of Scotland in 1830, in whose opinion the present Commissioners entirely concur. With regard to the present Professor, the Magistrates and Council have rendered the expedient, even had it been a desirable one, impossible; for, he being at the time of his appointment incumbent of one of the parishes of Edinburgh, the Magistrates and Council have in his commission appointed him Professor, subject to the condition, that 'he shall, within twelve months from the date hereof, resign either his said Professorship or his foresaid parochial charge; and that it shall not be in his power thereafter to accept any other parochial charge, unless he shall have previously resigned the office of Professor.' In view, then, of the small provision at present made for the support of the Professorship of Divinity, the Commissioners hope that their Lordships will not accede to the withdrawal from the office of either of the sums mentioned in the Lord Provost's letter.

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The Commissioners have not referred to the object, which the Lord Provost's letter states that the Magistrates and Council have in view, in proposing a reduction of the salaries of the Principal and Professor of Divinity in the University; the object, namely, of making the provision for the Rector of the High School more permanent than at present. The effect of the reduction would undoubtedly be, as the reply of their Lordships states, to 'relieve the municipal funds at the expense of two offices, for which only small provision is already made.' That this relief to the municipal funds had been, at all events, one of the objects which the Magistrates and Council had in view, appears from the Report of their College Committee on the subject, who, in recommending the reduction, state, that 'if this suggestion be adopted, the city's municipal revenue will be relieved to the extent of L.125 of the supplementary salaries to the Rector, Masters, and Janitor of the High School, amounting annually to L.231, 13s. 4d., which, for several years, has been granted from the city's municipal revenue, but which the Magistrates and Council are under no obligation to continue.'

In concluding this part of their Report, it is right that the Commissioners should state, that, while they have been proceeding on the footing that the salary of the Professorship of Divinity from the Leith fund should remain attached to that Professorship, they have, in a Report which has been communicated to their Lordships, with reference to the Faculties of Divinity in the several Universities of Scotland, recommended that that salary, including the sums which the Magistrates and Council seek to withdraw, should be transferred to the Professorship of Ecclesiastical History, in the event of the Crown seeing fit to endow the Divinity Chair with the share of the funds of the Deanery of the Chapel Royal mentioned in that Report. The Commissioners are now disposed to modify to some extent the recommendation which they then made, and to recommend the transference of a part only of the salary of the Chair of Divinity to the Chair of Ecclesiastical History; as otherwise, even with the proposed endowment from the Deanery, the Divinity Chair would be too slenderly provided for. But, whether the recommendation of the Commissioners, as then made, or as now altered, be acted upon or not, the Commissioners would strongly urge upon their Lordships the propriety of refusing to sanction the withdrawal from the University of the sums mentioned in the Lord Provost's letter; as, without the aid afforded by these sums, the difficulty, which the Commissioners have felt, and still feel, of placing the Theological Faculty in the University on a satisfactory footing, would be greatly increased.

II. In the preceding part of this Report, the Commissioners have confined their attention to the subject more immediately brought under their notice by the concluding sentence of their Lordships' letter of 19th August 1859, namely, to the emoluments of the offices of Principal and Professor of Divinity, and to the inexpediency of withdrawing from these offices, and appropriating to the support of the High School, the sums to which the letter of the Lord Provost refers. But, in connection with this subject, the Commissioners have also had their attention directed generally to the position of those portions of the revenues of the University, over which the Town Council still claim to exercise control, and more particularly to the position of the annuity of L.2500 from the revenues of Leith Harbour, the expenditure of which was placed by the Act 1 and 2 Vict., c. 55, in the hands of the Town Council, subject to the approbation of the Treasury. Their Lordships are aware that, in virtue of that Act, the annuity of L.2500 is payable to the Magistrates and Council to provide, in the first place, for the support of the College, and the necessary expenses thereof, and that the remainder is to be applied towards the schools of the city. The scheme of appropriation under the Act, as sanctioned by the Treasury minute already mentioned, includes payment of College bursaries, of salaries and house-rents to the Principal and certain Professors, of the expense of maintaining and repairing the College buildings, of allowances for prizes, and of certain other items connected with the College; and it embraces also payments towards the support of the High School, including an allowance for prizes. A part of the appropriation is left undefined by the minute, and the Commissioners have not received information as to how the scheme was finally adjusted. They, however, understand, and their Lordships will correct them if they are wrong, that the scheme, as ultimately settled, divided the sum between the College and schools, in the proportions of L.2210 to the former, and L.290 to the latter. This appropriation was probably in accordance with the expressed intention of the Legislature, that the annuity should, in the first place, be applied to the purposes of the College, and that what remained should then be given to the schools; and the appropriation, as between the College and schools, may therefore be regarded as a fair one. The terms of the minute, however, seem, as to certain portions of the scheme, to have sanctioned the appropriation then made, only during the incumbencies of the Professors who then occupied Chairs in the University, so as to leave it open to the Magistrates and Council, on a future vacancy in a Professorship, to suggest alterations in the appropriation, as they might think expedient. Without questioning how far the power, thus placed in the hands of the Magistrates, was justified by the words of the statute, which provide, 'that, before the application of the said sum, etc., a statement of the intended appropriation thereof shall be submitted to the Commissioners of Her Majesty's Treasury, and their approbation thereof be signified in writing,' the Commissioners think it probable, that, at all events, the power of alteration, contemplated by the minute, was one extending only to a withdrawal from one University purpose, and the appropriation to another, of a sum previously applicable to the University; and that

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it was not intended, that the Magistrates should have the power, at any time hereafter, of seeking, to the prejudice of the University, to withdraw such a sum altogether from its support, and to transfer it to the High School, which was only the secondary object of the grant. The Commissioners are not informed that, before the present occasion, any such transfer has even been proposed to their Lordships. Still, as regards the appropriation to specific objects connected with the University, it is undoubted that alterations have been approved of by the Treasury, since the original appropriation was made, and that no permanent appropriation has yet been sanctioned. As already stated, the house-rent of the Professor of Greek has been withheld since the appointment of the present Professor; L.50, the salary of the Professor of Anatomy, has been withdrawn from him; and it would appear from the Treasury minute (although that is one of the matters apparently left unsettled by it), that certain payments to the Professorship of Natural Philosophy, on which that Chair has been dependent for apparatus, and for a mechanical Assistant, are secured only during the incumbency of the present Professor, who will retire at the end of the present College session. A sum also of L.60, which appears in the scheme of appropriation as payable to the Conservator of the Anatomical Museum, is now divided between the Professor of Anatomy, who holds that office, and his predecessor, Mr Mackenzie; but the Commissioners are not informed that this arrangement has received the sanction of the Treasury. This uncertainty as to the permanence of the present appropriation is most injurious to the interests of the University; and the evil is increased by the difficulty of securing that the Magistrates and Council, who control the expenditure, shall spend, in the manner most advantageous to the College, that portion which has been allotted to College purposes. Under these circumstances, the Commissioners have become strongly impressed with the inexpediency of allowing the annuity from Leith Harbour to remain in its present position. The statute, under which the Commissioners act, imposes upon them (sec. xv., subs. 7) the duty of making 'provision by Ordinance, as they shall see fit, for the due preservation, administration, and disposal of the whole property, funds, rents, revenues, and endowments,' of the several Universities. In the exercise of this duty, in regard to the University of Edinburgh, they find that their proceedings will be greatly embarrassed, if they are prevented from dealing with the annuity of L.2500, which constitutes the great bulk of the general revenue of the University, in the manner which seems to them most advantageous. An instance of this appears in regard to the Chair of Divinity. In the event of that Chair receiving an endowment from the funds of the Deanery of the Chapel Royal, the Commissioners are desirous, with part of its present endowment from the Leith fund, to increase the salary of the Professor of Ecclesiastical History, the whole of whose professorial income, including class fees, amounts only to L.294 a year. But, as matters at present stand, the Commissioners cannot issue an Ordinance so as to effect this object; and all that they can do is, to urge upon their Lordships not to agree to the proposed transference to the Rector of the High School, of sums previously attached to the Divinity Chair. In the opinion of the Commissioners, it would be highly conducive to the interests of the University, and would enable them to dispose of its revenues in the most advantageous manner, if a specific portion of the annuity of L.2500 were permanently appropriated in one sum to the University for the future, and a specific portion, in like manner, to the High School. Supposing such a proceeding to be practicable, it would undoubtedly be fair to both institutions, if the portions so set apart were those originally appropriated by the Town Council, and sanctioned by the Treasury; that is, L.2210 for the University, and L.290 for the school. Supposing, on the other hand, such an arrangement not to be practicable, the Commissioners would strongly urge upon their Lordships the propriety of now fixing definitely, by minute, the appropriation, which shall for the future be permanent, of the items applicable to the University. If this were done, the Commissioners would at all events feel secure as to the ground on which they were proceeding. But, if matters are to be so left, that the pecuniary support, on which they now calculate for particular University purposes, may, on a successful application of the Magistrates and Council to the Treasury, be withdrawn, it is obvious that the Commissioners cannot proceed with confidence to make provision for the future establishment of the University.

In the event of either of the above methods being adopted to fix permanently the portion of the annuity which shall be payable to the University, it is possible that the Magistrates and Council may urge, as they have recently done through the Lord Provost, in his letter of 8th August 1859, that a part of the sum heretofore appropriated to the University should be withdrawn from it and given to the High School. Such a proposition—supposing their Lordships to consider it open to them to entertain it, and to regard it apart altogether from the equitable claims of the University—might be worthy of consideration, if the object were secured of so far permanently increasing the sums now devoted from all sources to the support of the High School, and thus of establishing the school on a scale of greater efficiency. But, if the only result were to be that contemplated by the Magistrates and Council in the Report of their College Committee quoted above, of relieving the municipal funds of the city by withdrawing from the High School a portion of the support which it at present receives from these funds, the proposition can hardly be expected to meet with the approval of their Lordships, when it is considered, that the deficiency so produced in the revenue of the University would, in either case, to an equal extent render necessary an increase of the sum, which, under the Universities Act, it will become the duty of the Commissioners to recommend their Lordships to provide from the public funds of the country for the support of the University of Edinburgh.

Given under the seal of the Commission at Edinburgh, this nineteenth day of March eighteen hundred and sixty years.

JOHN INGLIS, *Chairman*.

(L. S.)

CORRESPONDENCE ON THE SUBJECT OF THE PRECEDING REPORT.

(1.) LETTER, The Secretary of the Commission to the Lord Provost of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
21st November 1860.*

MY LORD,—I am directed by the Universities Commissioners to state, that they are desirous that an interview should take place between a small Committee of the Town Council and a Committee of their own body, with the view of considering whether any arrangement can be made as to the future appropriation of the annuity of L.2500 from the revenues of Leith Harbour, set apart by the Act 1 and 2 Vict., c. 55, sec. 21, for the support of the College and Schools of Edinburgh, and also of the College Revenue Proper, heretofore administered by the Town Council.

In the event of the Council appointing a committee for the purpose which I have mentioned, the Commissioners desire me to say, that they would be glad that the interview should take place here on Saturday, the 1st of December, at half-past one o'clock, or, should that day be inconvenient, then on Saturday the 8th December, at the same hour; and I am further to request the favour of your informing them, on which of these two days it would suit the Committee of Council that the interview should take place.—I am, etc.,

ROBERT BERRY, *Secretary.*

The Right Honourable the Lord Provost of Edinburgh.

Correspondence as to the appropriation of the annuity of L.2500 from Leith Harbour, etc.

(2.) LETTER, The Town Clerk of Edinburgh to the Secretary of the Commission.

*City Chambers, Edinburgh, 22d November 1860.*

SIR,—I am directed by the Lord Provost to acknowledge your letter of 22d instant, and in reply to say, that his Lordship and Bailie Johnston, who is Convener of the College Committee, will be happy to meet the University Commissioners on Saturday, 1st December, at half-past one, at No. 36, Moray Place.—I am, etc.,

JAMES LAURIE.

Robert Berry, Esq., 36, Moray Place.

(3.) LETTER, The Secretary of the Treasury to the Scottish Universities Commissioners.

*Treasury Chambers, 11th December 1860.*

GENTLEMEN,—With reference to the arrangements now under consideration on the subject of the financial requirements affecting the Universities of Scotland, I am desired by the Lords Commissioners of Her Majesty's Treasury to request, that their Lordships may be informed, whether any understanding has been yet arrived at between you and the Town Council of Edinburgh, on the subject of the appropriation of the Leith Harbour Annuity between the University and Schools of Edinburgh.—I am, etc.,

GEO. A. HAMILTON.

The Scotch University Commissioners.

(4.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
17th December 1860.*

SIR,—I am desired by the Scottish Universities Commissioners to acknowledge receipt of your letter of the 11th instant, in which you request that the Lords Commissioners of Her Majesty's Treasury may be informed, whether any understanding has yet been arrived at with the Town Council of Edinburgh on the subject of the appropriation of the Leith Harbour Annuity between the University and Schools of Edinburgh; and I am to state for the information of their Lordships, that a Committee of the Commissioners has recently had interviews with a Committee of the Town Council on this subject, the last of these interviews having taken place on Saturday (the 15th instant); and that the Commissioners expect to receive a communication from the Town Council on the subject in the course of a week.—I am, etc.,

ROBERT BERRY, *Secretary.*

The Secretary of the Treasury, Whitehall, London, S.W.

(5.) LETTER, The Lord Provost of Edinburgh to the Chairman of the Commission.

*Edinburgh, 26th December 1860.*

DEAR LORD JUSTICE-CLERK,—I have reported to the Town Council the conferences which Bailie Johnston and I have had with a Committee of the University Commissioners, on their request, with respect to a permanent arrangement of the College and School revenues in the hands of the Council. My Committee have received power to consider, and, if deemed advisable, to conclude, such an arrangement.

I stated that the Committee of the University Commissioners represented the desirableness, instead of the present provisional schemes of appropriation through the Treasury, that there should be a fixed division of the whole of the College and School revenues, and that the portion appropriated to the College, with the management of the University property and buildings, should be paid and transferred to the University authorities. This proposal my Committee have taken into consideration; and, while they are of opinion that there are several objections to it, yet, for the sake of a settlement of all debateable questions in connection with the University, and for the interest of education, they authorize me to

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inform you, that, if the division can be made on terms otherwise satisfactory, the Council will consent to such an arrangement.

With the view to any arrangement, our attention has been first directed to a careful consideration of the value of our College and Schools revenue, called in our accounts College Revenue Proper; and, in order to ascertain how far it is to be relied on as a permanent source for school support, we requested the City Accountant to prepare a Report, of which I now enclose a copy.

You will observe, that, from the views contained in this Report as to Mortcloth Dues, the free revenue is somewhat less than I anticipated, amounting to L.120, 3s.

The grounds of the calculations of the Accountant have been carefully considered by a sub-committee, and we are satisfied of their fairness and accuracy.

Assuming that L.500 a year are to be secured to the city, which is to have the uncontrolled right to appropriate it for school and educational purposes exclusive of the University, and that the College and School revenues in our hands are to be taken as part of this sum at the estimate of the Accountant, L.120, an additional sum of L.380 of the Leith Annuity will be required to be paid to the city for the same purpose.

The remainder of the L.2500 of the Leith Annuity, being L.2120, would fall, with an exception which I shall immediately notice, to be paid to the University.

In addition to this sum, there are two funds in the hands of the Council applicable to specific objects within the University, viz., Sir W. Pulteney's Mortification for the Chair of Agriculture of L.37, 10s. a year, and for the promotion of Mineralogy, L.44, 14s. a year. These two sums consist of annuities on City Bonds; and, if desired, may be also transferred to the University, to be held and applied by them for the same specific purposes as at present.

Included in the sum of L.2120 which I have mentioned, there is a sum of L.222, 11s. 1d. for bursaries, to which the Town Council, or members thereof *ex officio* present, and my Committee are of opinion, that it would be more convenient these should be paid, as hitherto, by the City Chamberlain.

In this way the Leith Annuity of L.2500 would be paid:—

1. To make up L.500 for schools to the city,	.	.	.	L.380	0	0
2. To pay bursaries,	.	.	.	222	11	1
				L.602	11	1
3. To the University,	.	.	.	1897	8	11
				L.2500	0	0

I shall be glad to know if an arrangement on this basis will be approved by the University Commissioners.—I am, etc.,

F. BROWN DOUGLAS.

The Right Honourable the Lord Justice-Clerk.

STATEMENT respecting the Proper Revenues of the College of Edinburgh, viewed as Permanent Sources of Income, being the Report of the City Accountant referred to in the preceding Letter.

These revenues, as stated in the City's Accounts (page 20 of the print for 1859-60), consist of—1. Mortcloth Dues collected at the Greyfriars burying-ground; 2. Feu, Teind, and Tack Duties; 3. Compositions from vassals; and, 4. Annuities on City Bonds.

The revenues under these heads are in part applied to College, and partly to High School purposes.

I. As to the Mortcloth Dues:—

The rates of these dues, along with those of the other dues on interments (Grave Dues, Recording Dues, Turf Dues, Watching Dues, and the like), have been altered from time to time by the Town Council; and their gross produce has been very variable, at one time amounting to L.200 a year, but now (as shown by the accounts referred to) the sum received is scarcely one-third of this amount.

Apart from the consideration of the desirableness, or otherwise, of looking now to such an article of revenue, as part of the endowment of an educational institution, it is right to inquire, whether or not it is likely to be permanent.

The grant to the College of the dues charged for the use of the mortcloths was not the only instance of a diversion of the burying-ground revenues from the proper purposes of the burying-ground. At an early period the salaries of the beadles and door-keepers of the City churches were charged upon these revenues, and continued to be so, in so far as regarded the Old Town churches, down to 1842. Proportions of the salaries of the clerk of the Synod of Lothian and Tweeddale, and of the clerk and officer of the Presbytery of Edinburgh, were in like manner charged against the burying-ground revenues. The whole expenditure on account of the churches, thus defrayed from the burying-ground revenues, amounted to L.200 per annum.

The Town Council, in 1842, finding that the funds of the burying-ground were insufficient to defray the cost of its management, and at the same time meet the whole of this charge for the churches, resolved that the salaries referred to should be paid directly by the Chamberlain out of the church seat-rents, and that the recorder of the burying-ground should pay over, on account thereof, from time to time, such sums as could be spared from the dues collected by him. Since 1842 the revenues of the burying-ground have been gradually falling off; so much so, that no sum has been paid over from them to the City's funds on account of ecclesiastical expenses since 1853, when the amount so paid over was L.20 only. The whole salaries of the church officers have accordingly, since 1853, formed a burden on the seat-rents of the churches.

Even as thus relieved, the burying-ground funds have been barely sufficient, after paying over

the Mortcloth Dues to the College and schools account, to defray the current expenses of the burying-ground. Now, indeed, they fall considerably short of this. The state of the accounts for the year ended at 31st July 1860 shows that the whole revenue, other than from Mortcloth Dues, was L.219, 2s. 6d., while the expenditure for salaries and wages to the recorder, gravemen, etc., and for furnishings and repairs, amounted to L.245, 17s. 8d., exhibiting a deficiency of L.26, 15s. 2d., which reduced the balance in favour of the funds from L.29, 9s. to L.2, 13s. 10d. An examination of the recorder's accounts, for the four months up to 30th November last, shows that, since the 31st of July, in addition to retaining the whole Mortcloth Dues, he has required an advance of L.9 from the City Chamberlain, to enable him to defray the current ordinary expenses of the burying-ground.

From a consideration of the facts now set forth, it appears to be evident, that the claims of the College must, like those of the Church, give way to the exigencies of the burying-ground; that the Mortcloth Dues can only be reckoned on as a free revenue, so long as they are not needed for the proper maintenance of the burying-ground. They are so needed now, and are likely to be so, and they therefore cannot be looked upon as a permanent revenue of the College.

## II. As to the Feu, Teind, and Tack Duties :—

These consist of :—

	No.	Amount.
1. Ground-annuals and Feu Duties in and about the city,	51	L.9 13 0 <sup>11</sup>
2. Feu Duties in the country,	13	11 19 2 <sup>11</sup>
3. Teind Duties (Sprouston, L.38, 17s. 9 <sup>4</sup> d., and Monimail, 9 <sup>6</sup> d.),	2	38 18 6 <sup>10</sup>
4. Tack Duties or rents of property in North College Street,	5	51 0 0

In all, . . . . . 71 L.111 10 10<sup>8</sup>

Subject to the following burdens :—

1. Stipends to the ministers of Sprouston (L.8, 6s. 8d.) and Livingstone (L.11, 2s. 2 <sup>8</sup> d.),	L.19 8 10 <sup>8</sup>
2. Cess or land-tax for Uthrogal, parish of Monimail,	0 1 10
3. Maintenance of property in North College Street (average of 8 years),	7 0 0

Deduct, . . . . . 26 10 8<sup>8</sup>

Remains free revenue at present, but irrespective of expense of management, . . . . .

L.85 0 2

The first and second of these items of revenue may be looked upon as being almost wholly of a permanent nature.

With regard to the third item, it is to be remarked,—

(1.) The larger sum (the other being of very trifling amount) is the tack duty paid by the Duke of Buccleuch for the teinds of Limplithlaw and Lurdenslaw in the parish of Sprouston, and which (as well as the small sum) is liable to be swept away by augmentations of stipend.

(2.) Within the last few weeks the Court allowed an augmentation of stipend to the minister of Sprouston. Of this augmentation two-thirds will, it is supposed, fall on the Duke of Buccleuch; but it is at the same time understood, that the unexhausted teind of his Grace's property in Sprouston is so considerable, that it may be a good many years ere the free teind would be so far reduced, as to impair or altogether sweep away the tack duty. No precise information can be given as to the effects of the recent augmentation, until a new scheme of locality has been adjusted.

As to the fourth item, the rents of properties in North College Street might be deemed a tolerably secure revenue, but for the circumstance, that the Magistrates and Council, on 8th August 1854, as part of the arrangements for promoting the erection of a new Industrial Museum for Scotland, agreed to concur in any plan, which might be concerted by the Lords of the Committee of Privy Council for Trade, for widening the approach by North College Street to the new Museum, and to cede so much of the property on the north side of the said street, belonging to them, as their Lordships might think necessary to throw into the said street or foot pavement, when so required to be widened.

Of the likelihood of the widening of North College Street taking place, and how soon, it is not easy to judge. If widened, so as to make it an approach of 50 feet from building to building, considerably more than the one-half of the property would be swept away, leaving a strip of about 16 feet in depth, whereby the value of the property would be deteriorated to a great extent. On the other hand, the period at which the widening may take place, if at all, will be affected by the circumstance that a tenement, or a part of it, of considerable value, lying between the city's property and Adam Square, must first be acquired.

It is clear that the prospective value of these rents is very much less than if no such agreement as that above alluded to had been made.

Looking to all these circumstances, and to the amount of the respective items, it would scarcely be safe to estimate the future permanent revenue, under this head, at more than three-fourths of the nett amount above set down, or L.63, 15s.

## III. As to compositions :—

Deducting the ground-annuals and some of the feu duties in the country, the entries of which are with the Crown, there remain 52 feu duties under charters granted by the Magistrates and Council. During the last 22 years, 24 entries have been taken out for these, the compositions averaging L.14, 9s. per entry, or L.15, 15s. per annum. Although revenue from this source is of a fluctuating nature, and not well adapted for a regular annual endowment, yet, looking to the number of years embraced in the above average, and to the fact that no extraordinary pressure has been made on the vassals to enter with the city for these feu duties, the revenue from this source may be taken as worth L.15, 15s. a year.

## IV. As to annuities on City Bonds :—

Forming part of this head in the Accounts (print 1859-60, page 20), are certain annuities on City

Correspondence as to the appropriation of the annuity of L.2500 from Leith Harbour, etc.

Correspondence as to the appropriation of the annuity of L.2500 from Leith Harbour, etc.

Bonds appropriated for specific purposes. The annuities, strictly forming part of the College Revenue Proper, are those on bonds purchased with the prices received by the city for the patronages of—

1. Currie, . . . . .	L.21
2. Wemyss and Fala, . . . . .	33

Together, . . . . . L.54

being a well-secured item of revenue.

Summary, showing the estimated nett permanent income.

1. Mortcloth Dues (nil), . . . . .	L.,, " "
2. Feu, Teind, and Tack Duties, . . . . .	63 15 0
3. Compositions, . . . . .	15 15 0
4. Annuities on City Bonds, . . . . .	54 0 0

Sum, . . . . . L.133 10 0

From which deduct the cost of collection and management, estimated at 10 per cent., . . . . . 13 7 0

Remains estimated free revenue, . . . . . L.120 3 0

Edinburgh, 21st December 1860.—Submitted by

ROBERT ADAM, *City Accountant.*

(6.) LETTER, The Chairman of the Commission to the Lord Provost of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
23d January 1861.*

DEAR LORD PROVOST,—I have now had an opportunity of submitting your letter of 26th December to the Universities Commissioners. They have given their best attention to the proposal which it contains, and they desire me to assure your Lordship, that they are most anxious to co-operate with the Town Council in effecting a permanent appropriation of the Leith fund, and other College revenues, on a fair and equitable footing.

But the Commissioners feel they are placed in a position of considerable responsibility in negotiating on this subject; because, just in proportion to the deficiency of the income which they may be able to secure from the existing College funds and property for permanent endowments, will be the amount of their ultimate demand on the public purse for the same purpose; and they must therefore be careful, that any concession, they may make to the Corporation of the city in this arrangement, is such as they can fully justify to the Lords of Her Majesty's Treasury.

Having due regard to these somewhat opposing considerations, the Commissioners are constrained to say, that the proposal contained in your Lordship's letter is liable to some objections.

They are of opinion that the estimate, which, on behalf of the city, has been made of the College Revenue Proper, is considerably too low. They cannot adopt, as the basis of an arrangement, a present estimate, which entirely disregards the amount of the existing income on the ground of prospective and contingent reductions, for this reason, among others, that the effect of such an estimate would be to give the city a present advantage in hand, without exposing it to any corresponding risk for the future.

The Commissioners have, after full consideration of the whole subject, resolved that they would be justified in approving and recommending to the Treasury an arrangement, on the footing that the city should receive, as at present, L.290 from the Leith fund; and, in addition, should retain the College Revenue Proper, exclusive of Sir W. Pulteney's Mortification, the remainder of the Leith fund (L.2210) being paid over to the University.

The Commissioners are of opinion, that it is not expedient that patrons, who present to bursaries, should also be the custodiers and managers of the funds from which the payments to the bursars are made; and on this ground they prefer that the sum of L.222, 11s. 1d., mentioned in your letter, should not be deducted from the balance of the Leith fund before it is paid over to the College, but that the College should administer and apply the bursary funds in question.

Subject to these objections, the Commissioners approve of the general principle on which your Lordship's proposal is based.

I shall be glad to learn that the terms now suggested on behalf of the Commissioners are likely to meet with the concurrence of your Lordship and the Town Council.—I am, etc.,

JOHN INGLIS, *Chairman.*

The Right Honourable the Lord Provost, Edinburgh.

(7.) LETTER, The Lord Provost of Edinburgh to the Chairman of the Commission.

*Edinburgh, 11th February 1861.*

DEAR LORD JUSTICE-CLERK,—I have to acknowledge receipt of your letter of 23d January, which I have laid before the Committee to which has been referred the consideration of how the College and Schools revenue may be appropriated.

We regret to observe, that the University Commissioners regard our estimate of the College Revenue Proper as too low. But I beg to assure you, that, if we are to depend upon it as a permanent source of income, we do not see in what respect the Report on which it is founded is liable to challenge, and we adopt it as an equitable valuation of present and future revenue.

Considering the claim which we have for a re-apportionment of the Leith Annuity, on the occurrence of vacancies in the Chairs which were formerly endowed out of the now extinct Ale Duties—some of which vacancies have already occurred—and considering the right we may have to devote for general

purposes of education the fund called in our accounts 'College Revenue Proper,' but which is really College and School revenue, and which may be all, or nearly all, within our power, we regard our demand for L.500 a year for schools as one, the equity of which can be satisfactorily established, and that it does not involve any concession which cannot be fully vindicated.

We are aware, of course, that any farther payment to the Council out of the Leith Annuity, beyond the L.290 now received, may infer a corresponding increase in the sum which the House of Commons may be asked to vote to the Universities out of the public funds; but this ought not to influence us in recommending the Town Council to consent to an arrangement, which would leave the High School and other schools with less than the share of revenue to which we think they are entitled. Although subordinate to the Universities, whose endowments are now to be increased, they are serving a very important educational purpose, from which many of our fellow-citizens derive the benefit, and have a strong claim on a revenue, which is in many respects a local one.

For these reasons, we regret that we cannot approve of the terms suggested by the University Commissioners.—I am, etc.,

F. BROWN DOUGLAS.

The Right Honourable the Lord Justice-Clerk.

(8.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
1st March 1861.*

SIR,—Referring to my letter of 17th December last, in answer to yours of the 11th December, on the subject of the appropriation of the Leith Harbour Annuity as between the University and the schools of Edinburgh, I am now desired by the Universities Commissioners to enclose, for the information of the Lords of the Treasury, copies (1) of a letter dated the 26th December, from the Lord Provost of Edinburgh to the Chairman of the Commissioners; (2) of the statement of the City Accountant mentioned in that letter; (3) of a letter dated the 23d January, from the Chairman of the Commissioners, in reply to the letter of the Lord Provost; and (4) of a letter of the Lord Provost to the Chairman, dated the 11th February. I am also to inform you, that this correspondence was preceded by two personal meetings of a Committee of the Town Council with a Committee of the Commissioners.

The result of the correspondence, my Lords will see, is, that the Town Council intimate, that they cannot approve of the terms on which the Commissioners were prepared to recommend, that a permanent appropriation of the Leith Annuity should be made between the University and the schools. Under these circumstances, the Commissioners are of opinion, that all farther negotiation with the Lord Provost, Magistrates, and Council would be unavailing; and that there remains no alternative, but to settle the question by legislation.

The Commissioners trust that my Lords will be good enough to give the necessary directions for the introduction of a Bill into Parliament for this purpose, and, with a view to save time (which is a very great object), they have had a draft of a Bill prepared, of which they desire me now to enclose a copy for the consideration of my Lords.

The terms, which this Bill embodies, are the same as those on which it was intimated to the Town Council, through the Chairman's letter to the Lord Provost of the 23d January, that the Commissioners were prepared to recommend a settlement. These terms are, in effect, that the appropriation of the Leith Harbour Annuity of L.2500, as between the University and the schools, viz., of L.2210 to the University, and L.290 to the schools, which was submitted by the Town Council, and sanctioned by the Treasury in 1839, and from which the Town Council never (as the Commissioners understand) proposed any departure until the year 1859, after the passing of the Universities (Scotland) Act, should be made permanent; but that, in addition to the sum so continued to the schools, there should be given to the Town Council, for the use of the schools, the property and revenues of the University specified in the schedule to the Bill.

The present yearly value of the several items of property of the University proposed to be transferred to the schools, is given in the statement prepared by the City Accountant, as follows:—

1. Mortcloth Dues,	.	.	.	L.	"	"	"
2. Feu, Teind, and Tack Duties,	.	.	.	L.111	10	10 <sup>s</sup>	
Deduct burdens,	.	.	.	26	10	8 <sup>s</sup>	
							85 0 2
3. Casualties or Compositions,	.	.	.				15 15 0
4. Annuities on City Bonds,	.	.	.				54 0 0
							L.154 15 2

And the net permanent value of the same revenue is estimated by the City Accountant, on taking into account certain possible contingencies, at a sum of L.133, 10s. a year, or, deducting 10 per cent. for management, at L.120, 3s. a year. Even assuming this to be a correct estimate, the addition which would be made to the income of the schools is by no means unimportant, amounting, as it does, to more than 40 per cent. on the sum hitherto appropriated to their support from the Leith Annuity. But the Commissioners cannot accept the estimate so made as a fair one. For example, they find it impossible to regard the revenue from the Mortcloth Dues as of no value. For the last financial year, ending August 1860, it appears from the city accounts that the revenue from these dues was L.62, 12s. 9d., while the average income derived by the University from this source, taken from the same accounts for the last fifteen years, for which the Commissioners are in possession of returns, shows a revenue of above L.80 a year. Taking the income at L.80, the total increase to the schools would be—

Present yearly value, as stated by City Accountant,	.	.	.	L.154	15	2
Mortcloth Dues,	.	.	.	80	0	0
				L.234	15	2

Correspondence as to the appropriation of the annuity of L.2500 from Leith Harbour, etc.

Correspondence as to the appropriation of the annuity of L.2500 from Leith Harbour, etc.

or, deducting 10 per cent. (L.23, 9s. 6d.) for expense of management, an addition of L.211, 5s. 8d.; making, with the present L.290 from the Leith Annuity, a total income of L.501, 5s. 8d. for the schools. It may be observed, that a deduction of 10 per cent. for management is much too large a deduction in respect of some of the items of revenue, as, for example, the L.54 from annuities on City Bonds, the expense of management and collection of which must be very trifling.

It is true, as observed in the City Accountant's statement, that portions of the income so proposed to be transferred to the schools are liable, in certain contingencies, to diminution. The principal diminution, to which he refers, would arise in regard to the rents of property in North College Street, now amounting in all to L.51 a year, were this street to be widened for the purposes of an approach to the new Industrial Museum, the erection of which is contemplated, and with a view to which, the Town Council, in 1854, as the then governing body of the University, agreed to give up so much of the property of the University abutting on the north side of that street, as should be required for the purpose. It may well be doubted how far the Town Council, as trustees for the University, had power to surrender a portion of the trust-estate without consideration. But, at all events, it may be many years before the contemplated improvements take place; and, even in that event, the Commissioners do not think it is to be assumed, that the Town Council will allow the property in their hands thereby to suffer.

The Commissioners, indeed, while they recommend to my Lords that a final division of the Leith fund should be made, on the terms embodied in the draft Bill which they enclose, are bound at the same time to state, that these terms are eminently favourable to the schools and to the Town Council, and in the same proportion unfavourable to the University; seeing that the schools, in addition to the same share they have received of the Leith Annuity ever since the City Agreement Act, 1 and 2 Vict., c. 55, was passed, would, under the arrangement in question, receive from revenues now belonging to the University, an income at present amounting to above L.230 a year. Nor can the Commissioners conceal from my Lords, that any deficiency produced in the revenue of the University, the poorest, although the most numerously attended, of the Universities of Scotland, will, to an equal extent, involve an increase of the sum to be provided for its support, under the Universities Act, from the public funds of the country.

I am desired, in conclusion, to state, that the whole financial arrangements of the University of Edinburgh are suspended, until the appropriation of the Leith Annuity is settled; because, until then, the Commissioners are necessarily ignorant to what extent they can depend on that source of revenue. Despatch is therefore an object of primary importance.—I have, etc., ROBERT BERRY, Secretary.

P.S.—In addition to the enclosed copy of the draft Bill, six copies are also transmitted by this post. The Secretary of the Treasury, Whitehall, London, S.W.

(9.) LETTER, The Secretary of the Treasury to the Scottish Universities Commissioners.

*Treasury Chambers, 21st June 1861.*

GENTLEMEN,—With reference to your letter of the 1st of last March, respecting the appropriation of the Leith Harbour Annuity between the University and Schools of Edinburgh, I am desired by the Lords Commissioners of Her Majesty's Treasury to transmit herewith copy of a letter, dated the 6th instant, from the Lord Provost of Edinburgh, on the subject in question, together with a copy of the reply directed by my Lords to be made thereto.—I am, etc.,

GEO. A. HAMILTON.

The Scottish Universities Commissioners.

LETTER, The Lord Provost of Edinburgh to the Secretary of the Treasury, referred to in the Letter of the Secretary of the Treasury of 21st June 1861.

*Edinburgh, 6th June 1861.*

SIR,—Referring to my letter of the 3d instant, acknowledging receipt of your communication of the 29th May, I beg now to take advantage of the request, with which the Town Council have been favoured by the Lords Commissioners of Her Majesty's Treasury, that they should submit any observations which they may have to make upon the appropriation of the Leith Harbour Annuity of L.2500, between the University and Schools of Edinburgh, as proposed in the Lord Justice-Clerk's letter to me of 23d January.

The Committee to whom this subject was remitted have again given it their careful consideration, and, on their behalf, I have to submit the following observations.

I have to thank the attention of the Lords of the Treasury to a letter from my predecessor, Sir John Melville, on the 8th August 1859, to a letter from myself, 4th May 1860, both addressed to the Secretary of the Treasury, and also to my letter to the Lord Justice-Clerk, of 26th December 1860, containing a report from the City Accountant upon the College revenues, copies of which last, I understand, have been submitted to my Lords.

The funds under the administration of the Magistrates and Council, for the College and Schools of Edinburgh, arise from two sources. One of these is the Leith Annuity of L.2500, part of the proceeds of the dues of Leith Harbour, which formerly belonged to Edinburgh, and which, by the City Agreement Act of 1838, were transferred to a Commission under certain obligations. One of these was, that L.7680 should be annually paid to the city. The Leith Annuity of L.2500 is a portion of this sum. The other source is certain properties yielding a variable revenue, originally granted to the city for the Kirk, the Schools, and the Poor. The proceeds of these, last year, after deducting preferable burdens and expenses of management, may be stated at L.178; but as a permanent source of revenue, for the reasons stated in the City Accountant's Report, they are estimated at L.120, and this estimate I consider fair and accurate. My Lords will observe that a portion of this revenue, appearing in the City Accounts of last year, as L.62, 12s. 9d., arises from mortcloth or burial dues in a churchyard within the city. The Magistrates have been discouraging burials there from sanitary considerations; and the result

is, that these dues, which at one time amounted to L.200, are this year scarcely expected to leave any balance after meeting the expenses. The Council are advised that they are entitled to apply the greater part, if not the whole, of these properties to schools, if they think proper to do so. They have since 1838 applied them to College and schools.

The Leith revenue of L.2500 has been hitherto divided in the proportions of L.2210 to the College and L.290 to the schools, under a scheme of appropriation which was approved of by the Lords of the Treasury, by minute of 24th July 1839. That scheme was sanctioned as a temporary one, and on the understanding that the appropriation might be reconsidered, when there was any change of circumstances.

The main plea, which the Council urge for a new appropriation, is that salaries of certain of the Professors of the Edinburgh University were paid out of 'the Ale Duty,' a local tax, which expired in 1837. The Council did not object to the life interests of these existing Professors being provided for out of the L.2500 annuity, but they claimed that, on the death of the then incumbents, there might with propriety be a new appointment. These Ale Duty salaries amount to L.285, of which L.85 is now free, by the death of two Professors, whose salaries were chargeable upon this source. The salary of L.100 to each of the Professors of Scotch and Civil Law formed the remaining charge upon the Ale Duty.

In the circumstances above stated, the Council considered that, by agreeing to accept L.500 annually for schools out of the whole College and Schools revenue, they did not make any unreasonable claim. But I have to submit that, if this is to be a permanent arrangement, we are entitled to be secured in the payment of this sum.

The proposal of the Lord Justice-Clerk, on behalf of the University Commissioners, is that we should receive L.290 out of the Leith Annuity, and the whole of the other revenue, which, as we estimate it at L.120, would provide in all but L.410. Our proposal is, that we should receive out of the Leith Annuity L.380, which, with the other estimated revenue, would provide us with L.500 for education. I beg herewith to send a copy of the City Accountant's Report, which, I trust, will satisfy the Lords of the Treasury that we have not underestimated the College and Schools revenue. But it is necessarily an uncertain revenue; and, if our view of it is not considered to be accurate, I have no doubt that the Magistrates and Council will consent to any arrangement, which will provide that the annual amount to be paid to the city is L.500, and that they will not object to manage, as hitherto, the College and Schools revenue, to impute the nett amount of it, whatever it may be, from year to year, towards the L.500 which they claim, and to limit their claim on the Leith Annuity to such payment as, with the nett proceeds of the College and Schools revenues, will make up the sum of L.500.—I have, etc.,

F. BROWN DOUGLAS, *Lord Provost.*

George A. Hamilton, Esq., Secretary to the Treasury, etc.

LETTER, The Secretary of the Treasury to the Lord Provost of Edinburgh.

*Treasury Chambers, 20th June 1861.*

MY LORD,—The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 6th instant, respecting the appropriation of the Leith Harbour Annuity of L.2500 between the University and Schools of Edinburgh; and I am directed to state, that their Lordships observe, that the difference between the Town Council of Edinburgh and the University Commissioners regarding the sum to be given up to the city from the Leith Harbour Annuity fund, for schools and educational purposes, arises from a disagreement regarding the respective estimates of the revenues, which will be placed under the exclusive control of the Corporation for this object.

The first point of difference is in the valuation of the Mortcloth Duty.

My Lords at once admit, that as, from the discontinuance of burials in the city, this source of revenue has been subject to progressive diminution, the estimate, formed on an average of past receipts, cannot be maintained; and although, on the other hand, it is probable that burials within the city will not wholly cease, and that the committee of the Corporation have therefore unduly raised their claim by ignoring revenue from this source altogether, their Lordships are unwilling, from general considerations regarding intramural interments, to insist upon an income from this source being calculated upon as a permanent aid for the purposes of education.

The second point arises from an abatement proposed to be made on behalf of the city from the valuation of the Fen, Teind, and Tack Duties, founded on a prospective diminution in their amount, in the event of a projected improvement in widening the approach by North College Street to the new Museum.

My Lords can by no means admit the propriety of any abatement being made on this account from the present value of the property in question. The suggestion is equivalent to a demand, that the city should be indemnified by vote of Parliament for the possible cost of a local improvement not yet decided upon. My Lords think that it will be time enough to consider, when that improvement may be determined upon, the sources from which any indemnity to the school funds for loss occasioned thereby should be provided.

My Lords consider that, on this view, the estimate formed by the Commissioners, of the several permanent revenues to be applied to schools, exclusive of the Mortcloth Dues, is correct; and their Lordships cannot admit that these revenues should be subject to so high a deduction as 10 per cent. for management, seeing that the cost of collection of that portion of them, which consists of annuities on City Bonds, must be very trifling.

I am to observe, that the proposal, with which your letter concludes, that an annual account should be rendered of the College and School revenues, with a view to the difference between this amount and L.500 being paid to the city for the schools, would be attended with great inconvenience in practice, and it is the opinion of this Board that the question should now be settled once for all.

With a view to the attainment of this object, my Lords will be ready to consent that the sum to be apportioned from the Leith Annuity for the schools shall be increased from L.290 to L.330; and they hope that this proposal will be considered by the city as a liberal concession to their claims.—I am, etc.,

The Lord Provost of Edinburgh.

G. A. HAMILTON.

## 5. REPORT ON THE BUILDINGS OF GLASGOW UNIVERSITY.

Report on Buildings  
of Glasgow University.

IN obedience to Her Majesty's commands, conveyed by the Secretary of State's letter of 31st May 1859, the Commissioners under the Universities (Scotland) Act, 21 and 22 Vict., c. 83, have taken into their deliberate consideration the petitions from the University of Glasgow, which were remitted to them, and now humbly report thereon, as follows:—

Towards the close of 1859, the Commissioners appointed a Committee of their body to proceed to Glasgow, for the purpose of investigating the facts set forth in the petitions aforesaid, and of conferring with the authorities of the University and other persons, whose co-operation and advice might be necessary or desirable in forming an opinion as to the improvements required in the University.

The investigations thus pursued have satisfied the Commissioners that the allegations, contained in the petitions, are strictly accurate. These petitions state—

‘That, owing to the progress of knowledge, and the addition to the University, by Your Majesty’s Royal predecessors, of nine new Professorships, without any accommodation being provided for them, the buildings of the College have long ceased to be adequate, in point of extent, to the requirements of modern instruction in literature and science, as now taught in the University.’

‘That this evil has at last become so great, as to render it necessary that two, and in some instances three classes, should successively receive instruction in the same room, a state of things always objectionable, from the impossibility of maintaining the air in a healthy condition in rooms occupied during so many hours by numerous bodies of students, and especially inconvenient in the case of those Sciences, which are taught by means of illustrative specimens and apparatus.’

‘That the inadequate accommodation which does exist is antiquated, inconvenient, and altogether unsuited to the improved methods of instruction now generally adopted, and is, moreover, in such a state of decay as would render necessary a large annual expenditure to keep it in a habitable condition, or even to prevent it from going to ruin; and that most of these objections apply to the buildings which contain the museums and libraries, not less than to those in which the classes are taught.’

‘That the situation of the College has become highly objectionable, in consequence, since its buildings were erected, of the great changes which have taken place in the city of Glasgow, and more especially within the present century; the increase of its commerce and manufactures, and consequently of its population, not being surpassed, if even equalled, by those of any other city in the empire; for it may be shown that the population has been quadrupled within the last fifty years, and nearly doubled within the last twenty.’

‘That these changes have led to the entire removal of that portion of the citizens, who might be supposed to feel the most direct interest in the University, to a distance of from two to three miles to the westward, while the localities, which they formerly occupied around the College, have been filled up by a dense mass of the lowest class of the labouring population, with a considerable admixture of much more unsuitable neighbours, and a large proportion of chemical and other nuisance-creating manufactories of the city.’

‘That the College is in consequence surrounded with an atmosphere impregnated with the effluvia arising from the filth occasioned by such a population, in a town of which the sewerage is far from being in a satisfactory condition, and with the fumes and vapours of the aforesaid chemical and other manufactories, than which it is hardly possible to conceive a combination of circumstances less favourable to the bodily and mental well-being of the youth attending a University, or less suitable for conducting the business of a public seminary of instruction.’

This description of the condition and situation of the College buildings hardly conveys an adequate idea of their utter unfitness in every respect for the purposes of the University. In extent of accommodation, arrangement, heating, ventilation, and general convenience, they are so deficient as to render it a matter of some surprise to the Commissioners, that it has been found possible to conduct within them the work of a University containing 23 Professors and from 1000 to 1200 students. Of the class or lecture-rooms, by far the greater proportion are so small and ill-constructed, that it is impossible that the atmosphere can be kept in a healthy condition, when they are crowded or even filled. Yet in many of them several large classes successively meet to receive instruction. Recourse is therefore had to various expedients to render available such accommodation as exists, and great inconvenience and detriment to the interests of the University are the consequence. The Natural History class, owing to the small size and utter unsuitableness for the purposes of the class of its proper class-room, now meets in the Library; and, it having been found necessary to attach the Latin class-room to the Library, the space provided for which is much too confined, the Professor of Latin, whose junior class numbers as many as 190 students, is now obliged to assemble his classes in the Common Hall, a large room used as a College chapel and for public University meetings, and most inconvenient as a room in which to carry on the business of a class. The state of the medical class-rooms and dissecting-room calls for particular notice, as most prejudicial to the health of the Professors and students, owing to the insufficient size and defective ventilation of the rooms. The dissecting-room is so small and over-crowded, that, when the Commissioners visited the buildings, they found the Professor of Anatomy necessitated to have some of his students carrying on dissection in another apartment intended as a class museum, and also as a reading-room for the students, and which is constantly resorted to by large numbers of them for the purposes of study. The Professor has made repeated representations to the Commissioners as to the inadequacy and unsuitableness of the accommodation in the dissecting-room. In the last of these, he says, ‘I must add that, should the numbers continue as high as last session, and still more, should an increase take place, I shall feel very anxious as to the health of those who may be engaged in dissection; and my assistants and I will be much impeded in performing our duties.’ The want of suitable rooms for apparatus, and for preparing illustrations, is felt very strongly in the medical classes, for which accommodation of this nature is especially required. Several Professors are found using for this purpose a single small and dingy apartment, with no means of light except gas-light.

Of the present site the great disadvantages are correctly depicted in the petitions. Placed in a quarter of the town densely peopled with the lowest of the population, and in an atmosphere darkened with the smoke, and polluted by the effluvia, of chemical and other manufactories, it would be difficult to select an academic seat less eligible or attractive.

Under these circumstances, it is not to be wondered at, that the University appears to be gradually falling in the estimation of the wealthy and respectable inhabitants of Glasgow, who might be expected to send their sons to receive instruction within its walls. Out of 1122 students, who were last session pursuing their studies there, only 205, or less than one-fifth, are returned as natives of Glasgow.

In order to obtain a more precise knowledge of the condition and value of the College buildings, the Commissioners requested Mr Matheson, Assistant-Surveyor for Scotland in the Office of Her Majesty's Works, to prepare a report on the actual state of the buildings, and on their capacity for being so remodelled and enlarged, as to furnish the amount of accommodation contemplated in the plans of a new College, prepared in 1846 by Mr Baird, and which are referred to in the petitions. These plans, the elevations of which were designed by Mr Blore on a requisition to the Senatus by the Treasury, were prepared in connection with an Act of Parliament obtained in that year by certain railway companies, to carry out an agreement with the College for the purchase of the present site and grounds, and for the erection of a new College in a more desirable locality, which agreement, however, the railway companies failed to fulfil. Mr Matheson, in his report, of which a copy is annexed, declares the present buildings so defective, both in design and condition, that any attempt to improve, alter, or adapt them to the extent and purpose proposed, would prove unsatisfactory.

The Commissioners are therefore of opinion, that the interests of the University and of education in the west of Scotland require that the College should, with as little delay as possible, be rebuilt. And, as the 26½ acres occupied by the College and its grounds, although most ineligible for the purposes of the University, are of greater commercial value than an equal quantity of land in better localities, the removal of the University seems to be a measure, the expediency of which does not require farther demonstration.

The next subject of inquiry is the amount of University property legitimately applicable to the purpose of defraying the cost of a new College.

Of the present College and its grounds two valuations have been made, differing considerably in amount. The first was made in 1846, for the University, by Mr Baird and Mr Binnie, who valued the property at L.84,000. The second was made in January 1860, by desire of the Commissioners, by Mr Graham and Mr Salmon, who estimated it at from L.45,000 to L.50,000, if immediately disposed of, or at L.82,000, if sold, as occasion served, within about 12 years.

The deficient accommodation within the College necessitated the purchase, in 1829, of ground in College Street for the erection of a building to be used as a class-room and laboratory for the Chemistry class. This property, and the building so erected, cost about L.5000. Its present value, however, owing mainly to the unsuitableness of the building for other purposes, is estimated by Mr Graham and Mr Salmon at only L.2200.

There is at the disposal of the University a sum of L.10,000, paid by the railway companies under compromise on failure to complete their bargain of 1846, for the purchase of the present College and grounds. This money, as now invested, with its accumulated interest, represents a capital of L.15,000.

The collection of coins and medals in the Hunterian Museum may also be mentioned as a portion of the University property, which may fairly be made available for general University purposes. It is, of course, difficult to arrive at an accurate estimate of the precise value of the collection, which, however, is believed to be very great. In the 'General Account of the Hunterian Museum, Glasgow,' by Captain Laskey (8vo, Glasgow, 1813), it is stated that the Trustees of the British Museum, before the removal of the cabinet from London to Glasgow in 1807, 'offered the College of Glasgow the immense sum of L.20,000 sterling for the divisions of the first and second series alone, and to return all the duplicates, together with casts from the originals of those that were kept.' From MS. notes by Dr Hunter, entitled, an 'Account of my purchases in Medals, independent of Presents,' which one of the Commissioners has had an opportunity of seeing, it appears that the aggregate amount of the purchases made by Dr Hunter (exclusive of gifts received by him), between the years 1770 and 1783, was L.22,678, 18s. 10½d. The Commissioners have been assured by persons of skill, that, if the collection were now brought to public sale, it would in all probability realize at least the sum which Dr Hunter paid for it. Valuable as it is, however, the collection can hardly be said to confer any benefit on the University, and, indeed, is practically inaccessible to the artist, the scholar, and the public. The small room, which contains it, cannot be opened without the presence of three Professors, each of whom is the appointed keeper of a key to one of the three locks which secure it. It is, therefore, very rarely opened at all. While it is questionable whether such a collection be of any direct value for educational purposes, it is certain that it could not, with safety, be made available for any purpose, without such an annual expense as the University cannot be expected to bear. If a sum of public money be granted for rebuilding the University of Glasgow, perhaps the transference of the Hunterian coins to some other public institution, better adapted for their preservation and utilization, might be attached as a condition to the grant, and would be neither inexpedient in itself, nor at variance with the main design of Dr Hunter.

The property of the University, therefore, which may be considered at present as available for the expenses of rebuilding the College, may be stated under the following heads:—

Value of the College and Grounds, 26½ acres, . . . . .	L.48,000
House in College Street, . . . . .	2,200
Railway Money, . . . . .	15,000
Hunterian Collection of Coins—say, . . . . .	20,000
	<hr/>
	L.85,200

The last subject of inquiry is the probable expense of providing a new site, and erecting a new College. The Commissioners have examined the plans of the buildings prepared by Mr Baird, and

Report on Buildings  
of Glasgow Univer-  
sity.

approved by the University in 1846, and proposed to be erected at the west end of Glasgow, and consider the size and character of the proposed buildings suitable to the purposes for which they were intended. The plans include buildings for lecture-rooms, Library, and Museum, and also thirteen houses for the Principal and twelve Professors, to whose offices houses are now attached. The cost, which the railway companies were prepared to incur for the purpose, on being put in possession of the present College and grounds, was £120,000, of which above £20,000 was understood to be the estimated value of the new site at Woodlands, extending to above 23 acres, a very desirable position then in the market, but now covered with houses. The estimated cost of the buildings, with Mr Blore's elevation, was £83,930.

The quantity of land, which would be required for a new site for the College and grounds, according to the estimate of the Principal and Professors, seems to be from 10 to 15 acres.

The Commissioners have taken pains to ascertain the value of land in and around Glasgow, suitable for a College. Some of the Commissioners have visited eight or ten sites which were known to them, or which have been mentioned to them as eligible. Most of these sites lie on the north side of the Clyde, and to the west of the city, and these are undoubtedly the most eligible, if not the only eligible, sites which the Commissioners have had under consideration. Land suitable for the purpose, in this locality, where the finest new streets and squares of Glasgow have been built, is offered for about £2000 to £2500 an acre. On the south side the price per acre would probably not exceed £500; but the Commissioners cannot recommend that the University should be removed to the south side of the river, which, for many reasons, they conceive to be ill adapted for the site of the University. There is not much doubt, however, that, if tenders were publicly invited, land in eligible localities would be offered at a lower rate; and the Commissioners, therefore, recommend that course to be taken at the fitting time, and under conditions hereafter to be determined.

These data suggest the following approximate estimate of the cost of transferring the University of Glasgow to a new site. It is of course hypothetical; but the resources at command have been stated considerably within their possible limits, and the expenses to be incurred at the highest probable figure:—

*Expense:—in the case of the north side of the Clyde being chosen.*

Cost of erecting a new College, . . . . .	£84,000
Cost of College site—12 acres at £2000 per acre, . . . . .	24,000
	<hr/> £108,000
Value of College Property, . . . . .	85,200
	<hr/>
Deficit, . . . . .	£22,800

*Expense:—in the case of the south side of the Clyde being chosen.*

Cost of erecting a new College, . . . . .	£84,000
Cost of College site—12 acres at £500 per acre, . . . . .	6,000
	<hr/> £90,000
Value of College Property, . . . . .	85,200
	<hr/>
Deficit, . . . . .	£4,800

Given under the seal of the Commission, at Edinburgh, this 11th day of June 1860.

JOHN INGLIS, *Chairman.*

(L. S.)

## APPENDIX.

REPORT by Robert Matheson, Esq., Assistant Surveyor for Scotland in the Office of Her Majesty's Works, etc.

*Edinburgh, 28th December 1859.*

SIR,—I had the honour to receive your letter, dated 24th instant, acquainting me with the instructions issued to the Universities Commissioners, by Her Majesty's command, to take into consideration a petition of the University of Glasgow, praying inquiry into the state of the College buildings there, and requesting that I should meet, on the spot, Mr Stirling, convener of the Committee, with reference thereto.

And I beg to report that, on Monday last, I had the honour accordingly to accompany Mr Stirling in an inspection over the buildings of the University of Glasgow, comprising the class-room accommodation, Museum, Libraries, and other apartments in connection therewith.

The class or lecture-rooms number sixteen in all, and are contained in a series of old buildings of three stories, each averaging about twelve feet high. The class-rooms are thus obviously too low in their respective ceilings, and otherwise not sufficiently spacious for the numerous students attending; and, except in two cases where heated air is introduced, the only available means of heating the class-rooms is by a single stove or fireplace at the Professor's platform, and the ventilation of all is entirely dependent upon the opening and closing of the windows of the respective class-rooms. The Senate Hall, for the meetings of the Professors, may be stated to be the only apartment suitable for the purpose, and in a good state of repair.

As there are not plans of these buildings showing them as they exist, I have had the dimensions taken of the several class-rooms in detail, hereto annexed, and by reference to which the Universities Commissioners will at once see the very inadequate and extremely limited nature of the accommodation which they afford, as compared with the large number of students at the University, shown by the schedule or return furnished by the Professors.

The joistings of some of the upper class-rooms, having subsided, are now supported by iron pillars from below; while the flooring throughout is in a very dilapidated state, not susceptible of proper or permanent repair. The window cases are divided into small panes by thick astragals, and of insufficient

size to admit light and air. The stone staircases leading to the class-rooms are inconveniently small, and ill-constructed. The roofs have in some parts subsided, and, if the timbers were exposed, probably would require entire renewal.

Report on Buildings of Glasgow University.

It was explained by the Principal of the University and Dr Jackson, that, for want of a sufficient number of class-rooms, it is necessary that two, and in some instances three, different classes are held successively in the same room in the course of each day; and for the same reason, the principal floor of the Library, too small in itself, is at present inconveniently used as a class-room by the Professor of Natural History. The Common Hall is now also occupied as a class-room.

The Museum is a building of considerable magnitude, and in a state of tolerable repair, heated by a system of hot-water apparatus, but it is inadequate in size and arrangement for the proper display of the valuable collections belonging to it.

The principal Library is a building detached from the class-rooms, ill arranged for the purpose, and too small—many of the books being necessarily placed in double rows on each shelf—while the reading-room for students is extremely limited in size. The Library apartment attached to the Divinity Chair is equally defective in this respect.

Upon a full consideration of the condition of the structures containing the class-rooms, I am of opinion that they are unworthy of any attempt being made for their permanent repair, even assuming such to be practicable and expedient; but, from their inadequate size and deficient accommodation, not having attached to them the modern conveniences, such as suitable Professors' private rooms, apparatus-rooms, working-rooms, or rooms for preparing illustrations, water-closets, or a proper system of heating and ventilating, and besides not containing a sufficient number of class or lecture-rooms, I am of opinion, that any attempt to improve, alter, or adapt the present buildings, would ultimately prove inadequate and unsatisfactory in every respect.

No doubt the Museum and Library are buildings susceptible of being improved and extended; but, if the class-rooms are not to be continued as at present, this would not be desirable.

In addition to the class-rooms, etc., above described, there are separate dwelling-houses attached to the Chairs of several of the Professors, adjoining the College buildings. One of these (Professor Jackson's) I generally examined, which I was told might be held as a specimen of all the others. This house is in a tolerable state of repair, but the low ceilings, and limited state of accommodation, are great defects, while the street at the back of the house is one of the worst localities in Glasgow.

I have had transmitted to me, by the Principal and Professors of the University, designs prepared some years ago by the late Mr Baird and Mr Blore for new College buildings proposed to be erected in another locality, but in the meantime, and as no special remit has been made to me on the subject, I refrain from offering any opinion.—I have, etc.,

ROBT. MATHESON.

Robert Berry, Esq.

#### UNIVERSITY OF GLASGOW.

STATEMENT showing the Number and Size of Class-rooms in the present College Buildings.

Chairs.	Dimensions.				Height of Ceilings.
	ft.	in.	ft.	in.	
Divinity Hall . . .	47	0	26	3	11 feet 6 inches.
Divinity Library . . .	24	0	21	6	Ditto.
Hebrew . . . . .	38	0	17	6	15 feet 10 inches.
* Latin . . . . .	40	0	31	0	12 feet 9 inches.
Greek . . . . .	40	0	30	6	At front 14 ft.—back 10 ft. 3 in.
Logic . . . . .	36	4	31	0	At front 14 ft. 9 in.—at back 12 ft. 0 in.
Moral Philosophy . . .	40	4	18	6	At front 16 ft. 9 in.—at back 13 ft. 6 in.
Mathematics . . . . .	32	6	27	4	At front 14 ft. 9 in.—at back 6 ft. 9 in.
Natural Philosophy . .	38	0	19	0	At front 10 ft. 0 in.—at back 7 ft. 0 in.
Natural History . . .	23	3	19	4	At front 10 ft. 0 in.—at back 7 ft. 6 in.
Engineering . . . . .	33	3	17	3	At front 11 ft. 0 in.—at back 8 ft. 4 in.
Anatomy . . . . .	36	0	40	0	At front 21 ft. 0 in.—at back 9 ft. 0 in.
Surgery . . . . .	36	6	29	0	At front 16 ft. 0 in.—at back 4 ft. 9 in.
Chemistry . . . . .	31	0	46	0	24 feet 6 inches.
Materia Medica . . .	26	6	27	9	At front 14 ft. 0 in.—at back 8 ft. 3 in.
Practice of Medicine . .	27	0	24	0	10 feet 9 inches.
Midwifery . . . . .	27	0	27	0	At front 14 ft. 9 in.—at back 6 ft. 9 in.

#### 7. REPORT AS TO RETIRING ALLOWANCES TO AGED AND INFIRM PRINCIPALS AND PROFESSORS.

TO THE LORDS COMMISSIONERS OF HER MAJESTY'S TREASURY.

BY section XXI. 1 of the Act, 21 and 22 Vict. c. 83, for the improvement of the Universities of Scotland, your Lordships are empowered to pay out of such moneys, as may be provided by Parliament for the purpose, such sums as the Commissioners under the Act shall recommend to be paid for providing retiring allowances to aged and infirm Principals and Professors in the Universities. This provision of the statute imposes on the Commissioners, during the existence of their powers, the duty of bringing the subject of such retiring allowances under the notice of your Lordships, and of making such re-

Report as to Retiring Allowances.

\* The Latin class-room is now used as part of the Library, as mentioned in the Commissioners' Report.

Report as to Retiring Allowances.

commendations in reference thereto as, upon due inquiry and consideration, may seem to them to be expedient.

Circumstances connected with one of the Universities render it necessary that this subject should be considered without delay.

In the University of St Andrew's, of nine Professors in the United College, there were, when the Commissioners entered on their functions, three,—those of Humanity, Greek, and Chemistry,—who had, for some years, through infirm health, been unable to take any part in superintending the instruction of their classes, and whose duties had therefore during that period been performed entirely by deputy; the assistant or deputy in each case receiving his remuneration wholly at the expense of the Professor. Of these three Professors, the Professor of Greek has since died, and another gentleman has been appointed to the office; but the classes of Humanity and Chemistry still continue to be conducted entirely by deputy. The University Court of St Andrew's have, therefore, thought it to be their duty to bring this subject under the special notice of the Commissioners, by a minute of the 29th of March last. That minute, after quoting the terms of a report of a Committee of the Senatus Academicus on the subject, states, that 'the University Court, taking into consideration the circumstances stated in the report of the Committee of Senatus, and being strongly sensible of the evils arising from the Humanity and Chemistry Chairs having been so long necessarily taught by gentlemen, who, as substitutes, have not enjoyed the full status and powers of Professors, and whose remuneration for the important duties which they discharge is wholly inadequate, would urgently represent to the Commissioners the present position of these Chairs. The Court would express a hope, that the Commissioners would be pleased to take into immediate consideration the circumstances of these Chairs, as calling for special provision and arrangement.'

It is necessary to observe, that the University Court have power, under section XII. 5 of the Act of Parliament, upon sufficient cause shown, and after due investigation, to require a Professor, who is incapacitated to conduct the business of his class, 'to retire from his office on a retiring allowance.' The University Court, however, have refrained from immediately acting on this power, although deeply impressed with the urgency of the occasion for its exercise, until the principle be determined upon which the amount of superannuation allowances shall depend.

While, therefore, the present position of the Professorships of Humanity and Chemistry in the University of St Andrew's has been the immediate occasion of the Commissioners now bringing this subject under the notice of my Lords, they think it right that this report, and the recommendations which they will offer, should not be confined to these particular cases, but should extend to the regulation of the Universities generally.

There will be, in all, five Principals and eighty-eight Professors in the four Universities of Scotland, after the union of the Aberdeen Universities has been carried into effect. But of these, the Commissioners understand, that, in addition to the two St Andrew's Professors, to whom they have already referred, there are not at present more than four, whose age or health renders it necessary or desirable that they should retire. Probably the number of six may be taken as a fair average for the future of the number of Professors, who will at any one time be in receipt of retiring allowances.

In fixing the amount of provision, which should be made for Principals and Professors retiring on the ground of age or infirmity, it is obvious that the special qualifications required for the office, and the age at which such appointments are generally made, as well as the amount of the emoluments, must be taken into consideration.

The qualifications for the efficient performance of the duties of Professors are necessarily high, and also of a very special nature.

The Commissioners are not possessed of any precise information to offer, as to the average age at which Professors receive their appointments, but the age varies very much. They are persuaded, however, that the appointment of a Professor under the age of 30 is of comparatively rare occurrence; and in the professional Faculties of Divinity, Law, and Medicine, it is probable that there are few appointments of men under 40.

The emoluments, in general, are composed partly of endowment or salary, and partly of fees; but in the great majority of instances the income of the Chair is mainly, and in some cases entirely, dependent on fees. Thus the Professorship of Anatomy in Edinburgh, the emoluments of which are the highest of those returned to the Commissioners, does not at present derive any income from endowment, but the Professor receives on an average as much as £1,900 a-year from class fees, subject to a deduction of about £500, which he expends annually on salaries of Assistants, and otherwise for the purposes of his Chair. In some cases the emoluments are at present so small, as to reduce the Professorships to a mere existence in name, and to render them practically useless; but the Commissioners hope that, through the operation of the changes contemplated by the statute, the emoluments of such Professorships may be so far raised, that none of them will fall below from £400 to £500 a-year, except in the case of certain Chairs in the Faculties of Law and Medicine, in which a Professorship may, consistently with the proper performance of its duties, be held by persons deriving an independent income from other pursuits. In these cases, the emoluments may, in some instances, not much exceed £200 a-year.

In considering what general principle should be adopted in fixing a scale of retiring allowances for aged and infirm Professors, the attention of the Commissioners has been directed to the provisions of the Superannuation Act of 1859 (22 Vict., c. 26), with reference to the superannuation allowances to be made to persons employed in the Civil Service of the State. The principle on which that Act proceeds, as my Lords are aware, is to give to a person who has been employed in the ordinary Civil Service a superannuation allowance, after a service of at least ten years, of a sixtieth of the salary and emoluments of his office for every year of service—no addition, however, being made beyond forty-sixtieths, or two-thirds, of such emoluments. The fourth section of the Act makes special provision for the case of persons employed in such offices as require professional or other peculiar qualifications, not ordinarily to be acquired in the public service, and empowers your Lordships, by order or warrant, which must be laid before Parliament, to direct that, in the event of a person who has held such an office retiring from the public service, a number of years, not exceeding twenty, shall, in computing the superannuation

allowance to be granted to him, be added to the number of years during which he may have served, and also to direct that, in respect of such an office, the period of service required to entitle the holder to superannuation may be a period less than ten years. The ninth section of the Act makes provision for the case of special services, enabling a retiring allowance to be granted not exceeding the emoluments enjoyed by the grantee at the time of his retirement.

Report as to Retiring Allowances.

It appears to the Commissioners, after full consideration of the provisions of this Act, that the principle on which it proceeds is not one which can fairly or with advantage be applied to the case of the Principals and Professors in the Universities. The services of duly qualified persons have hitherto been secured for these offices by the consideration, that the appointment was practically a life appointment, and by the knowledge that, in the case of a Professor being disabled through ill health from performing the duties of his Chair, the employment of an assistant or deputy would relieve him from the burden of the duties, while it secured to him the greater part of the emoluments, of his office. A sense of the evil arising from such a system has induced the Legislature, by the above-mentioned provision of the Universities Act, to empower the University Court to compel a Professor, who may have become incompetent through ill health for the performance of his duties, to retire on a retiring allowance. If, however, a principle were to be adopted in fixing the retiring allowances to be granted to such persons of such a nature, that, in the event of a Professor being disabled by ill health of a permanent nature, he should be forced to retire without any provision if he had not completed ten years' service, or, if he had completed only ten years' service, on an allowance not exceeding one-sixth of his emoluments, the result would be, either that the value of Professorships would be lowered in general estimation, and the class of persons seeking such appointments would deteriorate, or that the University Court, considering the hardship of such cases, would, when they occurred, be averse to exercising its power of compelling a retirement, and the object of the provision of the Legislature would in a great measure be defeated. These considerations, and the improbability of Professors being required to retire within so short a period as ten years after appointment, lead the Commissioners to recommend that no definite period of service be fixed, before the completion of which a Professor, forced to retire on account of permanent ill health, should not be entitled to any retiring allowance.

The Commissioners, however, are of opinion, that the general principle followed by the Superannuation Act, of making the amount of allowance dependent in some degree on the length of service, may be fairly and beneficially applied to the Universities. They would recommend, therefore, that the retiring allowance of a Principal or Professor, required by the University Court to retire on the ground of permanent disability from ill health, should be thirty-sixtieths or one-half of the average annual emoluments of his office, if his period of service do not exceed ten years; but, if his period of service exceed ten years, that the allowance should be increased by two-sixtieths of the emoluments for every year of service beyond ten, until it reach forty-sixtieths or two-thirds of the emoluments, beyond which no farther increase should take place. They would further recommend, that the average should be calculated on a term of five years preceding the date of retirement, as affording, probably, a fair estimate of the emoluments of the office; that the allowance granted should not in any case be less than L.150, or more than L.600 a-year; and that any retiring Principal or Professor should be entitled to calculate, as his period of service, the years during which he has filled the office of Principal or Professor in any one or more of the Universities of Scotland.

The Commissioners have been hitherto considering the case of a Professor required by the University Court to retire, as contemplated in section XII. 5 of the Universities Act. But it is necessary to provide also for the case of a Professor applying to the University Court to be allowed to retire on the ground of permanent disability arising from ill health; and it is not improbable that, even where the University Court might feel themselves called upon to interfere, they would prefer to invite the Professor to make such an application. The Commissioners have it, therefore, in contemplation to issue an Ordinance to provide, that a Professor, seeking to retire on the ground of disability arising from infirmity or ill health of a permanent nature, should apply by petition to the University Court of his University, stating the grounds on which his application is rested; and that, upon their being satisfied that his infirmity or ill health is such as to render him unfit for the discharge of his duties, and that it is likely to be permanent, they should report the case to Her Majesty in Council, together with a statement of their opinion that the petitioner ought to be permitted to retire; and, in the event of the opinion of the University Court receiving the approval of Her Majesty in Council, that the petitioner should be entitled to retire, and to receive a retiring allowance, similarly to what is provided by the statute with reference to the case of a requisition by the University Court on a Professor to retire. Professors permitted to retire in the manner just explained, with the sanction of Her Majesty in Council, would of course receive allowances on the same scale and conditions, as those required to retire by the University Court.

In conclusion, the Commissioners must urge on the immediate attention of my Lords the necessity of providing without delay for the cases of the Professors of Humanity and Chemistry in the University of St Andrew's, mentioned above.

The average annual emoluments of the Professor of Humanity (Dr William Pyper), as returned to the Commissioners, are,—

From Class Fees (average),	L.168	0	0
Fixed Endowment (including sums voted by Parliament),	131	11	0
Share of Surplus College Revenues (average),	128	0	0
Total,	L.427	11	0

Of the above-mentioned emoluments, the Professor allows at present to the gentleman who acts as his deputy the amount (L.168) derived from class fees; but it is obvious that no deduction ought to be made in respect of this, in estimating the amount of the Professor's retiring allowance on the principles contained in this report. The Professor has been in office for sixteen years, and, therefore, on the

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scale recommended by the Commissioners, he should receive two-thirds of his average emoluments, as Professor of Humanity, that is, L.285, 0s. 8d. a-year.

The average annual emoluments of the Professor of Chemistry (Mr Arthur Connell) are,—

From Class Fees,	L.78	15	0
Endowment,	75	0	0
From Candidates for Medical Degrees,	108	13	6
Total,	L.262	8	6

Under a new lease of the estate, which constitutes the endowment of this Chair, the income from that source will, from next year, be raised from L.75 to L.125.

Of his emoluments, the Professor allows at present to the gentleman who acts as his deputy L.100 a-year, and one-half of the fees from candidates for Medical degrees; but, as in the case of the Professor of Humanity, no deduction ought to be made in respect of this, in estimating the amount of the retiring allowance. The Professor has been for twenty years in office, and he should receive, therefore, two-thirds of his present emoluments, or L.174, 19s. a-year.

Given under the seal of the Commission at Edinburgh, this 22d day of June 1860.

JOHN INGLIS, *Chairman.*

(L. S.)

#### CORRESPONDENCE ON THE SUBJECT OF THE PRECEDING REPORT.

##### (1.) LETTER, The Secretary of the Treasury to the Commissioners.

*Treasury Chambers, 23d July 1860.*

Correspondence as to Retiring Allowances.

MY LORDS and GENTLEMEN,—The Lords Commissioners of Her Majesty's Treasury have had under their consideration your report, dated the 22d ultimo, on retired allowances for aged and infirm Principals and Professors in the Universities of Scotland, and their Lordships have directed me to inform you, that, although the Act 21 and 22 Vict., c. 83, vests in you the right of recommending the sums which should be paid for providing retiring allowances to aged and infirm Principals and Professors in the Universities, the responsibility of submitting to the House of Commons an estimate of the sums to be provided by Parliament for the purpose remains with this Board; and their Lordships would not feel themselves warranted in proposing a vote founded on principles which they could not justify.

My Lords are unable to reconcile the recommendations contained in your report with the principles which have hitherto governed the Legislature, in providing for the maintenance of incapacitated public servants.

They cannot assent to the proposition, that no definite period of service shall be fixed, before the completion of which a Professor, forced to retire on account of permanent ill health, should not be entitled to any retiring allowance. They are of opinion, on the contrary, that the limit of ten years, fixed by the Superannuation Act, is a wholesome limitation, applicable equally to the Professors of Universities as to other public servants. It is contended in the report, that 'if, in the event of a Professor being disabled by ill health of a permanent nature, he should be forced to retire without any provision, if he had not completed ten years' service, or, if he had completed only ten years' service, on an allowance not exceeding one-sixth of his emoluments, the result would be, either that the value of Professorships would be lowered in general estimation, and the class of persons seeking such appointments would deteriorate, or that the University Court, considering the hardship of such cases, would, when they occurred, be averse to exercising its power of compelling a retirement.' My Lords have to observe in reply, that the admission of this principle might operate to prevent care in the selection of persons for the appointment to Professorships, and would entail on the public the risk of having to provide pensions for Professors, whom a short trial might prove to be unequal to their duties. As regards the apprehension that the University Court would be averse, under the circumstances supposed, to exercise its duty of discharging incompetent Professors, my Lords trust that there is no reason to suppose, that that body would be less sensible of the responsibility which devolves upon them, than the heads of public departments who are called upon to fulfil like unpleasant duties.

My Lords concur with you in opinion, that the general principle of the Superannuation Act may be fairly and beneficially applied to the Universities, but they are not prepared to depart from that principle by assenting to the proposition, that a Principal or Professor should be allowed one-half of the average annual emoluments of his office, if his period of service do not exceed ten years, and that the allowance should be increased by two-sixtieths of the emoluments for every year of service beyond ten, until it reach forty-sixtieths or two-thirds of the emoluments.

The effect of this proposition would be, to give to a Professor the maximum scale of retiring allowance allowed by the Act after no more than fifteen years' service. My Lords are persuaded that the House of Commons would never assent to such a scheme, and they are of opinion that there are no grounds for allowing to the University officers a higher rate of retirement, than that allowed by the Act, with the benefit of the 4th section.

Their Lordships are equally unable to perceive the force of the recommendation, that the retired allowance should be in no case less than L.150 a-year, when it appears that the emoluments of Professors may in some cases not much exceed L.200 a-year.

With respect to the retirements proposed to be granted to the Professors of Humanity and Chemistry in the University of St Andrew's, my Lords cannot agree to the grant of allowances based upon the principle of calculating the emoluments of these Professors without deduction on account of the payments made by them to their deputies. Such a principle would be altogether opposed to the system on which compensation allowances have heretofore been granted to the holders of sinecure offices, and

would in the present case actually give, on the scheme suggested, a larger amount of retirement than the net emoluments of which the Professors are in receipt. My Lords could by no means assent to the imposition of such a charge on the public revenues; but having regard to the fact, that, in the present case, the parties have a life tenure of their appointments, their Lordships would be prepared to consent to the grant of allowances equal to two-thirds of their net emoluments, according to the principle which has been acted upon in the case of Life Patent Offices.—I have, etc.,

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GEO. A. HAMILTON.

The Scottish Universities Commissioners.

(2.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
1st December 1860.*

SIR,—The Scottish Universities Commissioners desire me to acknowledge receipt of your letter of the 23d July last, in reply to their report of 22d June, on retiring allowances to aged and infirm Principals and Professors in the Universities of Scotland; and at the outset they desire me to observe, that they were aware that the responsibility of submitting to the House of Commons an estimate of the sums to be provided by Parliament for the purpose remained with my Lords. Indeed, had it been otherwise, the Commissioners would not have been called upon to state at length in a report their reasons for the recommendations, which they considered it their duty, under the directions of the Act, to make to their Lordships in reference to the exercise of that responsibility.

Setting aside for the present the two special cases in the University of St Andrew's, which will be noticed presently, the Commissioners observe that the objections which my Lords have taken to the recommendations made in the report resolve themselves into three, viz.—

1st, The objection that there should be some definite period of service, before the completion of which, a Professor incapacitated through permanent ill health should not be entitled to a retiring allowance;

2dly, The objection to the proposed rate of retiring allowances, more especially in respect of its giving to a Professor the maximum allowance of two-thirds of his emoluments after no more than fifteen years' service; and,

3dly, The objection to the proposal of a minimum retiring allowance of L.150 a-year.

1. The first of these objections is rested by my Lords on the ground, that the admission of the principle, which the Commissioners have recommended, 'might operate to prevent care in the selection of persons for the appointment to Professorships, and would entail on the public the risk of having to provide pensions for Professors, whom a short trial might prove to be unequal to their duties.' With regard to this argument the Commissioners would observe, that, of the 93 Chairs in the four Universities of Scotland, the patronage of 47 belongs to the Crown; of 19 to the University Courts of the several Universities; of 23 to the body of Curators (either by themselves or along with others) specially appointed by the late Universities Act to exercise the patronage in the University of Edinburgh, lately belonging to the Town Council; of 1 to the Synod of Aberdeen, who are bound to elect after a competitive examination of candidates; and of only 3 to private persons. Looking to this state of the patronage in the Universities, the Commissioners cannot think that there is much ground for apprehending the danger which my Lords seem to anticipate. But further, the Commissioners would ask my Lords to advert to the terms of the Universities Act (21 and 22 Vict., c. 83, s. xii. 5), as showing that the question is, in fact, not one of expediency, but of right. By that enactment the University Court is empowered, without any limitation as to the time of doing so, 'to require a Professor to retire from his office on a retiring allowance.' However short, therefore, the service of a Professor may have been, he would be entitled, in virtue of this provision, to some retiring allowance in the event of its being enforced against him; and it is quite out of the power of the Commissioners, by Ordinance, to deprive him of this right. At the same time, the Commissioners are persuaded, that the cases in which it is probable that a Professor would become incapacitated, after a very few years of service, will be so rare, that, supposing my Lords to remain of opinion, that in any Ordinance that should be issued on the subject a minimum period of service should be fixed, before which a Professor brought under this provision of the Act should not be entitled to any specific amount of retiring allowance, the Commissioners would be satisfied were a period of three years' service limited for that purpose, with a distinct proviso, which should be embodied in any such Ordinance, that any cases which might arise before that period of service should be specially dealt with by the Treasury.

2. The ground of objection which my Lords have taken to the rate of retiring allowances proposed by the Commissioners is, that the effect would be to give to a Professor the maximum scale of retiring allowances provided by the Superannuation Act (two-thirds of the emoluments), after no more than fifteen years' service; and my Lords further state, that they 'are persuaded that the House of Commons would never assent to such a scheme; and they are of opinion that there are no grounds for allowing to the University officers a higher rate of retirement than that allowed by the Act, with the benefit of the 4th section.' Looking, however, to the much greater age at which Professors are ordinarily appointed than that at which persons usually enter the Civil Service of the Crown, to the comparatively limited field from which Professors, who should be the most distinguished persons in their respective departments, are chosen, and also to the peculiar qualifications, and in many cases lengthened training, which, more especially in the professional Faculties of Divinity, Law, and Medicine, are required of Professors, the Commissioners are unable to concur in the conclusion at which my Lords have arrived, that Professors should be treated in the same manner as persons employed in the ordinary public service. Nor can the Commissioners believe that the rate of retirement, which they have recommended, would appear unreasonable to the House of Commons, when they see that in the Acts relating to the retiring allowances of Sheriff-Substitutes in Scotland (1 and 2 Vict., c. 119, sec. 6, and 16 and 17 Vict., c.

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80, sec. 38)—a class of officers, whose average age of appointment certainly does not exceed that of Professors—the allowance, which the Legislature has empowered my Lords to provide, is two-thirds of the salary after fifteen years' service, and three-fourths when the service has extended to twenty years.

3. With regard to the proposal of the Commissioners to fix a minimum allowance of £150, and to which my Lords have objected, the Commissioners have to state, that, looking to the very heavy charge which in some cases, as in that of the Professor of Anatomy in Edinburgh, mentioned in the report, might be entailed on the public, were no maximum allowance to be fixed, the Commissioners thought it proper to propose to my Lords, that the allowance should not in any case exceed £600 a-year; and, having made this proposal, they thought, on the other hand, that it was only fair towards the body of Professors, that a minimum amount should also be fixed; and they proposed the very moderate sum of £150 for that purpose, below which, the allowance, calculated on the ordinary footing, would in all probability very seldom fall. The Commissioners, however, desire me to say, that they are prepared to reconsider this part of their report, should the objections to it on the part of my Lords remain unremoved.

The Commissioners have now to advert to the cases of the Professors of Humanity and Chemistry in the University of St Andrew's; and, with regard to these, the Commissioners are unable to see upon what principle it could be proposed to bring the Professors under the operation of the Act, and at the same time not to give them the fair benefit of its provisions. It is obvious that, had the enactment been in force at the time they became unable to discharge their duties, they would not have been necessitated, as they have been, to employ deputies, and their retiring allowances would have been calculated upon the whole emoluments of their offices, without any deduction on account of payments made to deputies. To propose to make such a deduction now, would appear to the Commissioners to be most unjust; for the effect of the proposition, my Lords will observe, would be, that the more conscientious the Professor had been in employing an efficient deputy, the smaller would be his retiring allowance for the rest of his life; and in one, if not both of these cases, so small, as hardly to leave the retiring Professor the means of subsistence. Indeed, the proposition appears to the Commissioners so unfair, that they are persuaded it would be impossible to carry it out, and that the result would be, that the system of conducting their classes by deputy, which it was the object of the Legislature to prevent for the future, would be continued in the case of those Professors during their respective lives.—I have, etc.,

ROBERT BERRY, *Secretary*.

The Secretary of the Treasury, Whitehall, London, S.W.

(3.) LETTER, The Secretary of the Treasury to the Commissioners.

*Treasury Chambers, 25th March 1861.*

GENTLEMEN,—With reference to the correspondence, which is now under the consideration of this Board, on the subject of the scheme to be adopted for granting retired allowances to Professors of the Universities of Scotland, I am directed by the Lords Commissioners of Her Majesty's Treasury to request, that you will have the goodness to obtain for my Lords a statement, certified by the Principals of the Universities, of the ages of the Principals and Professors now holding office in the several Universities, and the dates of their appointments.—I am, etc.,

G. ARBUTHNOT.

The Commissioners for the Scottish Universities.

(4.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh, 22d April 1861.*

SIR,—Referring to your letter of the 25th March last, on the subject of retired allowances to Professors of the Universities of Scotland, I am desired by the Scottish Universities Commissioners to enclose, for the information of the Lords Commissioners of the Treasury, returns which have been obtained from the several Universities, and which are certified by the Principals, of the dates of admission to present and former Chairs, and of the ages of the Principals and Professors now holding office in the Universities.\*—I am, etc.,

ROBERT BERRY, *Secretary*.

The Secretary of the Treasury, Whitehall, London, S.W.

(5.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh, 13th June 1861.*

SIR,—With reference to the subject of retiring allowances for Professors in the Universities of Scotland, on which the Scottish Universities Commissioners, in June last year, presented a report to the Lords of Her Majesty's Treasury, and on which correspondence has since passed between their Lordships and the Commissioners, I am desired by the Commissioners to bring to the attention of their Lordships the existence of a case of great urgency in the University of Edinburgh, on which a representation has recently been made to the Commissioners, and which renders it of the greatest importance, that a system of retiring allowances, as contemplated by the Universities Act, should be established and put in operation without delay.

The case, to which the Commissioners refer, is that of the Professorship of Medical Jurisprudence in the University of Edinburgh. From the information laid before the Commissioners, it appears that the present Professor (Dr Traill) is now, through the pressure of years and the effects of recent severe illness, so unable to discharge the duties of his Chair, that the great majority of the students, who would otherwise have attended his lectures, now seek instruction elsewhere, and the Professor is so inaudible to

\* These returns showed the average age of Professors at appointment to be between 38 and 39.

the few who remain, that these openly manifest their impatience, and serious disorder is threatened. To illustrate the injury, which the continuance of this state of matters inflicts on the University, it is sufficient to state, that the class, which numbered 100 in session 1855-6, has now dwindled to 25.

Dr Traill, the Commissioners desire further to inform their Lordships, has now lectured for twenty-nine years, and his age, which was stated in the return furnished to their Lordships on the 22d of April last at seventy-nine, is, the Commissioners are informed, now above eighty.

The income of the Chair consists partly of a Parliamentary endowment of L.100 a-year, and partly of class and graduation fees; and, as returned to the Commissioners in the end of the year 1858, it amounted in all to an average of L.461. The reduction of class fees in the last two years, from the diminution of the number of students, must, however, have lowered this average.

The Commissioners desire me further to inform my Lords, that the death of Dr Pyper, late Professor of Humanity in the University of St Andrew's, has removed from consideration one of the two cases of urgency in that University, to which the attention of their Lordships is specially directed in the Commissioners' report of June 1860. The other of those cases, however—that of the Professorship of Chemistry—still remains as urgent as ever, and the University Court has again recently addressed the Commissioners regarding it.—I have, etc.,

ROBERT BERRY, *Secretary*.

The Secretary of the Treasury, Whitehall, London, S.W.

(6.) LETTER, The Secretary of the Treasury to the Commissioners.

*Treasury Chambers, 25th November 1861.*

MY LORDS AND GENTLEMEN,—The Lords Commissioners of Her Majesty's Treasury have had before them your letters of 1st December 1860, and 13th of June last, respecting retiring allowances to aged and infirm Principals and Professors in the Universities of Scotland; and, in reply thereto, I am directed to state, that my Lords think it right to advert in the first place to your observation, that, under the Universities Act (21 and 22 Vict., c. 83, sec. xii. 5), a Professor retiring on the ground of ill health would be entitled, in virtue of the provision in question, to some retiring allowance, however short his service may be.

My Lords cannot conceive, that Parliament would have intentionally recognised a claim so opposed to the principle on which retiring allowances are sanctioned in the case of other public servants; and, on referring to the Act, they observe that, immediately following the provision quoted in your letter, the words 'or to deprive him of his office' occur, which appear to my Lords to give the University Commissioners absolute power to remove an incompetent Professor, before he may have rendered such service as would entitle him to a retired allowance. The question as to the exercise of this power rests with the Commissioners, and, having regard to the extensive discretion thus vested in them, my Lords do not consider that it can be necessary to frame the regulations regarding the grant of retired allowances, so as to meet the construction put on the clause in your letter of 1st December 1860. If so anomalous a provision were really imperative by law, it would only, in the opinion of my Lords, be met by assigning a merely nominal allowance to Professors retiring before a period of service up to a certain minimum.

With reference to the general question, my Lords must observe that the principle, on which retired allowances are allowed by Parliament, is not that of enabling those who are responsible for the control of public establishments to get rid of the inconvenience of incompetent officers at the public expense, but of making suitable provision for those who have rendered valuable service to the State, and are obliged to retire from their duties on account of age or loss of health, and of encouraging zealous service by the expectation of a pension in case of premature decay of health brought on by severe and continued labour.

In the last Superannuation Act, the principle has been recognised, of allowing to those, who may bring into the service of the State professional experience, the advantage of reckoning a part of the time spent in the private practice, which has afforded that experience, as virtually devoted to the public; and this provision may be regarded as an extension of the principle on which, in various previous Acts of Parliament, rates of pensions, exceeding, proportionably to the periods of service, the retired allowances granted to ordinary civil servants, are allowed in the case of judicial offices. The retiring allowances of Sheriff-Substitutes in Scotland, under the Acts 1 and 2 Vict., c. 119, sec. 6, and 16 and 17 Vict., c. 80, sec. 38, to which you have called the attention of my Lords, afford a case in point; and my Lords must remark, that, while you advert to the scale of allowances sanctioned by those Acts, you do not notice the fact, which principally bears on the question under discussion, that there is no provision for a Sheriff-Substitute retiring before a term of ten years' service.

My Lords agree with you, that there is a close analogy between members of the legal profession entering the public service and those of learned professions accepting the Professorships in the Scotch Universities; but this analogy leads them to the conclusion, that the rule which applies to Sheriffs-Substitute, regarding the term of service which qualifies them for retiring allowances, should be enforced in the case of Professors; and this rule agrees with that which is established by the Superannuation Act.

My Lords are, however, willing to reserve to themselves a latitude of deciding on any exceptional cases on their own merits, in which the strict enforcement of this rule may apply with peculiar stringency.

As regards the scale of retired allowances to be granted to Professors, I am to observe, that my Lords must regard the more recent legislation of Parliament as affording better evidence of the views by which it is now governed on this subject, than that which may be gathered from the Acts relating to Sheriffs-Substitute.

The principle of an annually increasing scale, as established by the late Superannuation Act, instead of a scale increasing at quinquennial or septennial periods, and the rate of 1-60th of the emoluments for each year's service, must be regarded as the system now to be observed; and there appear to my Lords to be no grounds, on which the Professors of the Scotch Universities should be treated on more liberal

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terms than those sanctioned by the 4th section of the Act in question, which applies to professional offices, and which my Lords proposed, by their letter of the 28th of July last, to extend to the case of the Professors. By that section, this Board is authorized to direct that, in regard to any class of offices coming within the spirit of the clause, a number of years, not exceeding twenty, shall, in computing the amount of superannuation allowance which may be granted under the Act, be added to the number of years during which the person holding such offices may have actually served. My Lords, in laying down regulations under this section, have, on consideration of the position of different classes of officers affected by it, fixed various terms of years to be added to those of actual service, applicable severally to each class; but in no case have they sanctioned a larger number than ten years.

This must, therefore, be considered as the most favourable application of the provision in the Act hitherto authorized; and it would appear, on general grounds, to be applicable to the case of the Professors of the Scotch Universities.—I am, etc.,

The Commissioners for the Scotch Universities,  
36, Moray Place, Edinburgh.

F. PEEL.

(7.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
21st January 1862.*

SIR,—The Scottish Universities Commissioners have had under consideration your letter of the 25th November last, respecting retiring allowances to aged and infirm Principals and Professors in the Universities of Scotland, from which the Commissioners regret to observe that they have not succeeded in establishing an agreement between the Lords of the Treasury and themselves, as to the scale and conditions on which a system of retiring allowances should be established.

The conclusion, at which the Commissioners gather from that letter that my Lords have arrived, is, that the principle of retirement to be adopted in the case of Principals and Professors should be that applicable to the holders of professional and other special offices under the 4th section of the Superannuation Act of 1859; and that, in calculating the amount of the retiring allowance in the case of a Principal or Professor, the number of years to be added, in the manner provided by that section, to the actual period of service should be ten. The Commissioners further understand my Lords to be of opinion, that there should be no maximum or minimum amount of retiring allowance, and that a period of ten years' service should, as under the Superannuation Act, be the minimum period entitling a Principal or Professor to a retiring allowance, as a matter of right. The Commissioners, however, understand my Lords to be willing that there should be reserved to them a latitude of deciding on exceptional cases, in which the strict enforcement of the rule of the Superannuation Act might operate with peculiar stringency.

The Commissioners fully adhere to the opinions expressed in their printed report of 22d June 1860, and they would be glad to learn that the Lords of the Treasury were disposed to grant to the Universities more liberal terms than those which they have now indicated. But the correspondence which has passed renders this so improbable, that the only course now open to the Commissioners appears to be to prepare and issue an Ordinance providing for a system of retirement in the Universities, on the scale and conditions of which they understand my Lords to approve.

The necessary steps for this purpose they will accordingly now proceed to take, unless they should be informed that they are mistaken as to the views entertained by their Lordships.—I have, etc.,

ROBERT BERRY, *Secretary.*

The Secretary of the Treasury, Whitehall, London, S.W.

(8.) LETTER, The Secretary of the Treasury to the Secretary of the Commission.

*Treasury Chambers, 28th January 1862.*

MY LORDS AND GENTLEMEN,—With reference to your Secretary's letter of the 21st instant, further relative to the grant of retiring allowances to the Principals and Professors in the Universities of Scotland, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, that you have correctly understood the intentions of this Board, with the single exception of the admission of a right on the part of Principals and Professors to the grant of retiring allowances as a matter of course. It must be understood, that the grants will depend on the usual conditions of incapacity for farther service on account of ill health or age, and of good conduct.—I am, etc.,

GEO. A. HAMILTON.

The Scottish Universities Commissioners.

(9.) LETTER, The Secretary of the Commission to the Secretary of the Treasury.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
12th February 1862.*

SIR,—Referring to your letter of the 28th January, in which, on the part of the Lords Commissioners of the Treasury, you state that the Scottish Universities Commissioners have correctly understood the intentions of my Lords in regard to the subject of retiring allowances for Principals and Professors in the Universities of Scotland, with the single exception, that it must be understood that the grants will depend on the usual conditions of incapacity for farther service on account of ill health or age, and of good conduct, I am now desired by the Universities Commissioners to inform my Lords, that it never was their view, nor did they intend to imply, that the allowances should be granted on any other than these usual conditions.

Under these circumstances, the Commissioners have now, in accordance with the intimation conveyed in my letter of the 21st January, embodied in an Ordinance the terms to which the Lords of the Treasury have agreed as to the rate of retiring allowances; and they desire me, for the information of my Lords, to transmit by this post a copy of the Edinburgh Gazette of yesterday, in which that Ordinance is published, pursuant to the provisions of the Act 21 and 22 Vict., c. 83.—I have, etc.,

ROBERT BERRY, *Secretary*.

The Secretary of the Treasury, Whitehall, London, S.W.

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## 7. REPORT ON PETITIONS AGAINST ORDINANCES Nos. 5 AND 8, RELATIVE TO GRADUATION IN MEDICINE IN THE UNIVERSITY OF EDINBURGH.

UNTO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL,

THE REPORT of the Commissioners appointed by and for the purposes of the Act of the 21st and 22d year of Your Majesty's reign, chapter 83, intituled, 'An Act to make Provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen.'

Report on Petitions against Ordinances Nos. 5 and 8, as to Graduation in Medicine in Edinburgh.

May it please Your Majesty,—

By an Order in Council, dated the 9th day of June 1860, Your Majesty was graciously pleased, in pursuance of the provisions of the above-mentioned Act, to refer to the Commissioners the following petitions, viz. :—

1. Petition of the Royal College of Physicians of Edinburgh;
2. Petition of the Royal College of Surgeons of Edinburgh;
3. Petition of the Faculty of Physicians and Surgeons of Glasgow;
4. Petition of the Royal College of Surgeons of England;

severally praying that Your Majesty would be pleased to withhold your approval of the Ordinances framed by the Commissioners on the 6th August 1859 and 19th March 1860, regarding degrees in Medicine and Surgery in the University of Edinburgh.

And Your Majesty was, by the said Order, pleased to direct that the Commissioners should hear the said petitioners, or such of them as might be desirous thereof, by Counsel, and should report specially to Your Majesty in Council on the matter of the said several petitions.

The Commissioners, on receipt of this Order, proceeded to consider the several petitions thereby referred to them; and they appointed the 2d of July instant for hearing the petitioners by Counsel.

At the meeting of the Commissioners on that day, Counsel appeared, and were heard, for each of the four petitioning bodies above mentioned.

After the Counsel for the several petitioners had addressed the Commissioners, Counsel were heard also for the Senatus Academicus of the University.

The Commissioners afforded an opportunity to the Counsel for the several petitioners to reply to the arguments of Counsel for the Senatus Academicus; but of this they did not think fit to avail themselves.

The arguments of Counsel were directed,—

- I. To the right of the University to grant the degree of Master in Surgery, as proposed in the second Ordinance;
- II. To the expediency of the University granting that degree, supposing it to have the power; and,
- III. To the sufficiency of the qualifications required, under the Ordinances, for the degrees therein specified.

In the following special report, which the Commissioners humbly lay before Your Majesty, it may be convenient to consider these three subjects separately and in order.

I. The University rests its right to grant the degree of Master in Surgery on its inherent power as a University to grant degrees in any department in which it gives a full course of instruction.

In the charters of the University there is an absence of that minute detail as to its powers and functions, which is to be found in the charters of the more ancient Universities of Scotland. In the charter of foundation by James the Sixth, in 1582, a grant is made in favour of the Magistrates of Edinburgh, authorizing the erection of sufficient buildings 'pro receptione, habitatione, et tractatione Professorum scholarum grammaticalium, humanitatis et linguarum, philosophiae, theologiae, medicinae et iurum, aut quarumcunque aliarum liberalium scientiarum.' A subsequent Act of the Scottish Parliament of the year 1621, ratifying certain grants to the Magistrates of the city, bears that His Majesty 'als with advyce of the saidis Estattis, hes of new agane gevin, grantit, and disponit to thame' (the Magistrates of the city) 'and their successors, in favoures of the said burgh of Edinburgh, patrone of the said Colledge, and of the said Colledge, and of the rectoris, regentis, bursaris, and studentis within the samen, all liberties, fredoms, immunities, and priviledges, appertaining to ane free Colledge, and that in als ample forme and lairge maner, as any Colledge hes or bruike within this His Majestie's realme.' No express authority to grant degrees is given in any of the charters of the University; but, from the date of its foundation, the University has, without challenge, exercised this right as inherent in its constitution; and the right has been recognised in judgments both of the Courts in Scotland and of the House of Lords. From time to time also the University has introduced new degrees, as circumstances seemed to render expedient. Thus, in the Faculty of Arts, while the degree of Master of Arts appears to have been conferred from the earliest date, a chronological list of Masters of Arts being in existence from the year 1587 to the present time, the degree of Bachelor of Arts was conferred for the first time so recently as 1843. In this Faculty, also, since the foundation, in 1845, of a Chair of Music, the University has, without any doubt as to its power of granting degrees in Music, drawn up regulations for conferring the degrees of Bachelor and Doctor of Music, although neither of these degrees has, as yet, been conferred. In the Faculty of Divinity, the degree of Doctor of Divinity was first

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conferred in 1709, and the degree of Bachelor of Divinity in 1841. In Law, no degrees were conferred before 1695, when the degree of Doctor of Laws was first granted. In the Faculty of Medicine, in which the first institution of a Professorship (that of Botany) occurs in 1676, the Commissioners understand that no record exists of degrees having been conferred before the year 1705.

It may be observed further, that the Act of the Scottish Parliament above quoted expressly confers on the University all the rights and privileges enjoyed by any other College then existing in Scotland. This includes all the rights already conferred on and enjoyed by the Universities of St Andrew's, of Glasgow, and of King's College, Aberdeen, each of which was in existence when the University of Edinburgh was founded. On each of these the right of conferring degrees is expressly bestowed; and a Bull of Pope Alexander VI., in 1494, is most explicit in conferring on the last-mentioned University all the privileges possessed by the Universities of Paris and Bologna, and, among others, that of granting the degrees of Bachelor, Licentiate, Doctor, and Master, in Theology, Canon and Civil Law, Medicine, and the Liberal Arts, and in any other lawful Faculty.

Under these circumstances, the Commissioners think it cannot be doubted that the University of Edinburgh possesses the right of granting degrees in all departments of knowledge in which it gives full instruction; or, at all events, in all departments of knowledge in which it may be shown to be the practice of other Universities to grant degrees.

On either of these grounds, the right of the University to grant degrees in Surgery seems beyond question.

With regard to the means of instruction in Surgery, and in the Faculty of Medicine generally, which the University of Edinburgh affords, it may be proper to state that the University now furnishes, as it has long done, a great teaching school of Medicine, and that the prosperity of the University has been owing in no small degree to the success and celebrity of that school. The Medical Faculty at present contains Professorships of the Institutes of Medicine; of Dietetics, Materia Medica, and Pharmacy; of Medical Jurisprudence and Police; of Chemistry and Chemical Pharmacy; of Surgery; of Practice of Physic; of Anatomy; of Military Surgery; of General Pathology; of Midwifery and Diseases of Women and Children; of Clinical Medicine; of Clinical Surgery; of Botany; and of Natural History. The Chair of Military Surgery is not at present filled up, there being a doubt as to the expediency of having a separate Professor of that branch, in addition to the Professors of Surgery and Clinical Surgery. Clinical Medicine is, under the system adopted in the University, taught by certain of the Medical Professors, and the duties of the Chair are at present divided between the Professors of the Institutes of Medicine and of the Practice of Physic. The Faculty thus consists at present of twelve Professors, and it furnishes to the students of the University the amplest means of instruction in every department of Medical Science, including Surgery as well as Medicine. The education which it affords in Surgery is of the largest and most complete description. At the date of the report of the Royal Commission of 1826, the departments of Anatomy and Surgery were assigned to one Professor; but, since the year 1831, distinct Professorships of the two branches have existed, and they are now taught by separate Professors. A more complete system of instruction in the principles and practice of Surgery is not indeed afforded by any Medical school in the country. The number of students in the Faculty of Medicine in the University ranges about 500; the number returned to the Commissioners for last session being 496. The Professor of Anatomy has an average of 270 students attending his lectures on Anatomy; 276, his course of Practical Anatomy; and 258, his Anatomical Demonstrations. The Professor of Surgery has an average of 150 students; and the Professor of Clinical Surgery an average of 121 during the summer, and 76 during the winter session. So far as depends on the completeness of the education which the University affords in Surgery, its right to grant degrees in that department seems unquestionable.

The practice of other Universities is also entirely in favour of the right of the University to grant these degrees. It is true that, so far as the Commissioners are aware, the only Universities in this country which, before the passing of the Medical Act of 1858, granted degrees or diplomas in Surgery, were the University of Glasgow, which, since the year 1816, has granted the degree of Master in Surgery, and the University of Dublin, which has of late years granted licences in Surgery. On the Continent, however, degrees in Surgery are granted by those Universities which are most distinguished as schools of Medicine; the title of 'Doctor in Surgery' being conferred by each of the Universities of Paris, Vienna, and Berlin.

The Commissioners, therefore, have been at some loss to understand the grounds, on which the introduction of degrees in Surgery in the University of Edinburgh is represented in some of the petitions as illegal. The circumstance that the degree has not hitherto been conferred, is no objection to the right to grant it. Were the objection good, it would apply equally to the proposed degree of Bachelor of Medicine, against the introduction of which, notwithstanding a doubt thrown out in the petition of the Faculty of Glasgow, no serious objection of illegality seems to be urged by the petitioners.

That Surgery is in the Faculty of Medicine, cannot be disputed. It is treated as a branch of Medical science, and a department of the Faculty of Medicine, both by the Medical Act and by the Universities Act.

The objection that Surgery is a mere craft, that there is no Faculty of Surgery, and that a degree must bear the title of some Faculty, is equally groundless. The most illustrious foreign Universities, including that of Paris, on the model of which some of the Universities of Scotland were framed, confer degrees in Surgery, as in the Faculty of Medicine. In like manner, it is well known to be the practice of some foreign Universities to grant the degree of 'Philosophiæ Doctor,' although the Commissioners are not aware that it was ever contended that there was a distinct Faculty of Philosophy.

The Medical Act of 1858, which (section 15) entitles to be registered, as a medical practitioner, every person who was then possessed, or who, subject to its provisions, should thereafter become possessed of, among other qualifications described in Schedule (A) thereto, that of Master in Surgery of any University of the United Kingdom, does not, of course, affect, either favourably or unfavourably, the right of the University to grant the degree.

The Ordinances do not profess to confer that right under the Universities Act, as some expressions

in the petitions would seem to imply. The University having, in the opinion of the Commissioners, the undoubted right to grant the degree of Master in Surgery, as well as those of Bachelor of Medicine and Doctor of Medicine, the Ordinances, recognising that right, propose to make such regulations as the Commissioners conceive to be expedient and conducive to the public interest.

The Ordinances, indeed, having the effect of preventing the University from granting its degrees in Medicine except under the conditions which they specify, may truly be regarded rather as restraining than enabling Ordinances.

II. The right of the University to grant the degree of Master in Surgery being thus apparently beyond question, the next inquiry is, whether it is expedient that it should exercise the right.

On this question being first presented to the Commissioners last year, when they were engaged in framing the first of the two Ordinances now under consideration, they had not come to any determination as to the expediency of new degrees in Medicine; and accordingly, in that Ordinance, the object of which was to establish a higher standard of qualification for Medical degrees than the University then required for the degree of Doctor of Medicine, the Commissioners abstained from specifying what degree or degrees the University should bestow, reserving that question for a future Ordinance, to be issued when they had been enabled to obtain more information on the subject, and to give it more mature consideration.

At that time, indeed, and before their attention had been specially directed to the provisions of the Medical Act, and to the altered state of circumstances which had in consequence arisen, the Commissioners were not impressed with the necessity of a departure from the system, which has hitherto prevailed in the University, of conferring only one degree, that of Doctor of Medicine, as indicating a competent and thorough knowledge of the several branches of Medical science, including Surgery, as well as Medicine, in the more restricted sense of the word.

The Royal Commissioners of 1830, in view of the prominent position and great importance which have been assigned to the department of Medicine in the University of Edinburgh, have collected and recorded a large mass of valuable evidence bearing on instruction and graduation in that Faculty. Among other matters brought specially under their notice, appears to have been the question as to granting degrees in Surgery. For example, at page 328 of the volume of evidence regarding Edinburgh, Professor Ballingall seems to have advocated the institution of the double degree now under consideration, 'Medicinæ Baccalaureus et Chirurgiæ Magister,' as a good licensing degree, leaving the higher degree of Doctor of Medicine to be subsequently conferred as a mark of distinction; and the same subject appears on several occasions to have been brought to the attention of the Commissioners. Their conclusion, however, was, that it was not then desirable to alter the existing system of having only one degree, that of Doctor of Medicine. The passage containing the expression of their opinion occurs at page 191 of the report on Edinburgh. It is to be remembered that, at that time, although there were Professors of Military Surgery and Clinical Surgery in the University, the principles of Surgery were taught by the Professor of Anatomy; and that a separate Chair of Surgery was not instituted, until after the report had been drawn up and published. 'If a separate Chair of Surgery be instituted,' those Commissioners say, 'there seems no reason why degrees in Surgery may not be granted by the University; but there should be only one Medical degree. There seems to be much truth in what Dr Davidson has said in relation to this, "I cannot help concluding that there should be only one " Medical degree in the University of Edinburgh, which is to insure complete education in all who " have a diploma, and that the possessors, most of whom are to be general practitioners, must take " their stations in society according to choice, talent, the accidents of fortune, public opinion, or caprice, " and their own exertions or the recommendations of their friends." The public could not be expected " to distinguish between the two degrees, and, as has happened on the Continent, much bad humour " might arise among those on whom they had been respectively conferred.'

The present Commissioners were at first disposed to coincide in the opinion so expressed, and, probably, had circumstances continued unchanged, they would have seen no reason to depart from it. Except, it may be, within the bounds of the charters of the Glasgow Faculty and of the Edinburgh College of Surgeons, the degree of the University gave a title to general practice throughout Scotland; and, as the distinction between Medicine, or Physic proper, and Surgery, is in ordinary practice never attended to, and indeed is somewhat difficult to define, it was calculated to prevent embarrassment to continue the system of having only one degree, indicating in the holders of it the possession of a competent knowledge of all branches of the Medical profession, sufficient to entitle them to practise generally in Medicine, in the largest sense of that term, including Surgery.

Since 1858, however, through the operation of the Medical Act passed in that year, a total change of circumstances has been induced, a full consideration of which has satisfied the Commissioners that it would be highly inexpedient, and indeed most unjust to the University, that it should not now be allowed to grant degrees in Surgery as well as in Medicine.

That Act, proceeding on the recital, that 'it is expedient that persons requiring medical aid should 'be enabled to distinguish qualified from unqualified practitioners,' establishes a general system of registration of medical practitioners for the whole of the United Kingdom; providing, by section 15, as above explained, for the registration of all persons then possessed, or who, subject to the provisions of the Act, should thereafter become possessed, of any one or more of the qualifications described in Schedule (A) thereto annexed. Among the qualifications enumerated in the schedule are those of 'Doctor, or 'Bachelor, or Licentiate of Medicine, or Master in Surgery of any University of the United Kingdom.' A 'General Council of Medical Education and Registration of the United Kingdom' is established for superintending the registration of qualified persons, and also for the purpose of insuring in the manner pointed out by the Act, that the possession of the several qualifications specified in the schedule shall indicate in their holders the proper knowledge and skill for the efficient practice of their profession. The 31st section provides, that 'every person registered under the Act shall be entitled, 'according to his qualification or qualifications, to practise Medicine or Surgery, or Medicine and 'Surgery, as the case may be, in any part of Her Majesty's dominions,' and then makes provision as to the recovery by such persons of reasonable charges for professional aid.

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In interpreting the Act, some difficulty has been created by the words 'Medicine' and 'Medical' being used sometimes in their more restricted sense as applied to Physic, in contradistinction to Surgery, and sometimes in their more ordinary and general sense, as including all departments of Medicine. For example, in the title, 'An Act to regulate the qualifications in Medicine and Surgery,' and in the 31st section above quoted, the word 'Medicine' has the narrower meaning; while, in the recital, 'persons requiring Medical aid,'—in the short title, 'the Medical Act,'—in the title of the General Council,—in the words 'Medical Corporations,' in the 6th and 7th clauses, as including Colleges of Surgeons, as well as Colleges of Physicians,—and in other sections of the Act which might be quoted, the term has its more general and comprehensive meaning. In consequence of the difficulty thus created, a doubt has arisen, which appears to have been much encouraged by the Medical Corporations in Scotland, whether the possession of the degree of Doctor or Bachelor of Medicine from a University, as for example from the University of Edinburgh, was intended to be taken as indicating in its holder a competent knowledge of the principles and practice of Surgery, as well as of the principles and practice of Physic.

This doubt appears to have occurred to some of the Government Boards, which require from persons obtaining situations under them a competent knowledge of both branches of the profession. Thus, in August of last year, a communication was made by the Poor Law Board to the General Medical Council, in which, after mentioning that memorials had been addressed to the Board on the subject by various bodies, including the Universities of Edinburgh, Glasgow, and Aberdeen, the Colleges of Physicians and Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow, and after referring to the provisions of the 31st section above quoted, the Board requested to be informed by the Medical Council 'how far the degrees, diplomas, or licences of the several bodies, by whom memorials have been addressed to the Board, confer respectively the right of practising Medicine or Surgery, or Medicine and Surgery, and are evidence that the persons to whom they are granted have attained a competent knowledge of either or both of those branches of the profession.' A committee of the Medical Council, having been appointed to report on this communication, prepared a report, which was presented to the Medical Council on the 10th of August, and which, after some preliminary observations, thus proceeds:—

'The question put by the Poor Law Board consists of two parts:

- '1st, How far the degrees or licences of the several bodies above enumerated confer respectively the right of practising Medicine or Surgery, or Medicine and Surgery? and,
- '2d, How far the above qualifications are evidence that the persons, to whom they are granted, have attained a competent knowledge of either, or both, of those branches of the profession?

'With reference to the first part of the question, the Committee deem it only necessary to observe, that, in the words of clause xxxi. of the Medical Act, "every person registered under this Act shall be entitled, according to his qualification or qualifications, to practise Medicine or Surgery, or Medicine and Surgery, as the case may be, in any part of Her Majesty's dominions, etc.;" and that the qualifications, conferred by the several bodies above enumerated, appear to the Committee to be as follows:—

'University of Edinburgh,	Degree in Medicine.
'Royal College of Physicians of Edinburgh,	Licence in Medicine.
'Royal College of Surgeons of Edinburgh,	Licence in Surgery.
'University of Glasgow,	{Degree in Medicine. Master in Surgery.
'Faculty of Physicians and Surgeons of Glasgow,	Licence in Surgery.
'Marischal College and University of Aberdeen,	Degree in Medicine.
'King's College, Aberdeen,	Degree in Medicine.
'Royal College of Surgeons of Ireland,	Licence in Surgery.
'University of London,	Degree in Medicine.

'The second part of the question is, "How far the above qualifications are evidence that the persons, to whom they are granted, have attained a competent knowledge of either, or both, of those branches of the profession?"

'In reference to this the Committee desire to observe, that the several bodies above enumerated are Universities or Corporations legally entitled to grant degrees or licences in Medicine or Surgery, or in both; that their curricula require an education on all the important branches of the profession; and that it is the opinion of the Committee, that a perfect equality of privileges should be maintained throughout the United Kingdom.'

Upon this report being presented, the minutes of the Medical Council of the 10th of August proceed:—

'Moved by Mr Teale, and seconded by Dr Embleton, "That the report of the Committee appointed to report upon the communication from the Poor Law Board be adopted."

'Amendment moved by Dr Williams, and seconded by Dr Alexander Wood, "That the report be adopted, with the addition, after the word 'privileges' in the last line but one, of the words 'among the graduates and licentiates of the bodies above enumerated according to their several qualifications.'"

'Votes taken: Amendment carried.'

With a doubt thus existing and fostered, as to whether the degree in Medicine of the University of Edinburgh was to be regarded as evidence that the persons, to whom it was granted, had attained a competent knowledge of Surgery as well as of Medicine, the Commissioners have become convinced, that, notwithstanding the representations to the contrary made by the Medical Corporations, the view pressed on them from the outset by the Senatus Academicus of the University is correct, that the altered state of circumstances renders it expedient, and indeed necessary for the preservation of the Medical School of the University, that it should put in force its undoubted right—a right exercised by the University of Glasgow, and by the Universities of the Continent most distinguished as Medical Schools—of granting degrees in Surgery.

They have been further convinced, having regard to the practice, which prevails in the English

Universities, of conferring first the degree of Bachelor of Medicine, and afterwards that of Doctor of Medicine, that, now that the whole of the United Kingdom is comprehended in one system of registration by the Medical Act, it is desirable, with a view to uniformity, to alter the system existing in Scotland, of conferring the degree of Doctor of Medicine, as the degree of the University qualifying for ordinary practice, and to institute the intermediate degree of Bachelor of Medicine for that purpose.

Consistently with this conviction, however, it seemed to them not impossible to provide also in substance, that the views expressed by the Royal Commissioners in 1830, and shared in by the present Commissioners, should be carried out, that the University degree or degrees should denote a competent knowledge both of Medicine and Surgery, and that the University should not confer any degree on one who was not sufficiently instructed in both. This object, the Commissioners were of opinion, could be best attained, and in a manner to do justice to the University under the provisions of the Medical Act, by providing that it should confer the degrees of Bachelor of Medicine and Master in Surgery simultaneously, after a sufficient course of education and examinations in both of these departments, but should not confer the degree of Master in Surgery without that of Bachelor of Medicine. It seemed to them that the degree of Bachelor of Medicine should virtually take the position which the degree of Doctor of Medicine now holds, conferring on its possessor the right to practise as a general practitioner; and that if, for any purpose, a candidate should be desirous that the University should confer on him a certificate of competency in Surgery as well as in Medicine, he should receive also the degree of Master in Surgery, to which his education and acquirements fully entitled him.

For the degree of Doctor of Medicine, to be conferred subsequently as a mark of honour or distinction, the Commissioners thought that it would be inexpedient that an additional examination in Medicine should be required. That degree can confer no right of practice in addition to that which the previous degrees have already conferred. By the etiquette of the profession, indeed, it is understood that the possession of it is essential to the right to practise as a consulting Physician. But of the qualification for that position of a man already in practice no examination could be a proper test; and an examination, which should be a mere form, would be worse than useless. Let the test applied before admission to practice be rigorous enough to prevent the possibility of unqualified persons receiving the stamp of licensed practitioners. But, when a man has been allowed to embark in his profession, it must be left to time and experience to decide whether he shall rise to eminence in it or not. To institute any examination as to his fitness for such a place in the estimation of his professional brethren and the public would be useless, and would also be inexpedient, in so far as it would seem to imply that he had already been allowed to practise with imperfect and insufficient knowledge.

In connection with the question as to the expediency of the University of Edinburgh granting degrees in Surgery as well as in Medicine, some of the petitioners have introduced an argument founded on the 19th section of the Medical Act. For example, paragraph XI. of the petition of the College of Surgeons of Edinburgh is in these terms:—‘That the legitimate method of conferring a double qualification in Medicine and in Surgery is specially provided for in the Medical Act, clause xix. of which enacts, that “any two or more of the Colleges and bodies in the United Kingdom mentioned in “Schedule (A) to this Act may, with the sanction and under the directions of the General Council, “unite or co-operate in conducting the examinations required for qualifications to be registered under “this Act.” That, in accordance with this provision, with a view to the convenience of candidates for a double qualification in Medicine and Surgery, the Royal College of Surgeons offered to the Royal College of Physicians, and also to the University, to form a joint examination with each of these bodies, the principle of which should be that of a joint examination on subjects common both to Medicine and Surgery, while the examination in Medicine and Surgery respectively should be conducted exclusively by the body legally authorized so to do; while each body at the same time remained at liberty to give its own diploma or degree separately by its own regulations. That the Royal College of Physicians accepted the arrangement, but that the University rejected it, and now seeks to assume the function of licensing in Surgery as well as in Medicine, so as of itself and alone to endeavour to confer a double qualification as equivalent to that conferred by the co-operation of two separate bodies. But that, setting aside the question of the legality of the proposed course on the part of the University, it is in no way called on to adopt such a course, as it has the choice of either remaining an entirely separate graduating and licensing body in Medicine, or, in addition to conferring its degrees separately, of agreeing, like the Royal College of Physicians, to co-operate with the Royal College of Surgeons in conferring a legitimate double qualification.’

These petitioners seem to imagine that the provision of the 19th section, above quoted, affects in some manner the right of the University to grant degrees in Surgery. The argument, did it amount to anything at all, could affect only the question of expediency; and, as bearing on that question, it amounts to this, that, if qualifications from two distinct bodies were required by the Act in order to entitle a person to be registered as a practitioner both in Medicine and in Surgery, there would be no advantage to the University in granting degrees in both, as its graduates could register only in either, and would require a separate diploma from another body in order to be enabled to register in both.

It is, however, impossible to support the interpretation, which the petitioners seek to give to this provision of the Act.

In the first place, irrespective of the circumstance that the clause is evidently merely permissive, it is to be observed that the enactment provides, that ‘any two or more’ of the bodies in question may unite in conducting the examinations. It being, therefore, contemplated that three bodies may so co-operate, it seems impossible to contend that the view of the Legislature was confined to the case of one Medical and one Surgical body uniting for the conduct of their examinations. The enactment, it cannot be doubted, is an enabling one for the general convenience of all the examining bodies, and, under its provisions, two Universities, two Medical or two Surgical Corporations, have the power of joining in conducting their examinations, just as well as one Medical and one Surgical body.

But further, the case of the University of Glasgow affords in itself a sufficient proof, that the intention of the Legislature was not that which it is represented to be by the petitioners.

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As stated in the report, above quoted, of the Committee of the Medical Council, with reference to the inquiry made by the Poor Law Board, the University of Glasgow now confers, as it has done since the year 1816, the Mastership in Surgery as well as a degree in Medicine. The Commissioners also believe that the statement contained in several of the petitions is correct, that it is the only University in the United Kingdom which, at the date of the Medical Act, conferred that degree. It is obvious, therefore, that the practice of that University was in view of the Legislature, when it specified the degree of Master in Surgery as a qualification for registration under the Act. And, as that University, like the other Universities in the United Kingdom, then conferred a degree in Medicine also, the possibility of a qualification both in Medicine and Surgery from one University was evidently contemplated as within the scope of the statute.

It is obvious that this argument is not at all affected by any question as to the right of the University of Glasgow to grant the degree, which in some of the petitions the petitioners profess an intention now to dispute. The provision of the Act was unquestionably directed to the degree as granted by the University of Glasgow. Accordingly, since the date of the Act, persons who have no other qualification have been registered, and are practising in respect of it; and persons, having the degrees both of Doctor of Medicine and of Master in Surgery from that University, have been registered in respect of the double qualification.

It will be observed from the passage quoted from the petition of the Edinburgh College of Surgeons, that that body has united with the College of Physicians in examining for a double qualification under the Act. This circumstance has the closest bearing on the question as to the expediency of the University giving to its students a degree in Surgery as well as in Medicine. The manner, in which the two Corporations have agreed to carry out this scheme of a joint examination and a double qualification, is announced in a notice, dated the 1st of September last, which is prefixed to the regulations on the subject issued jointly by the two bodies. This notice states:—

‘The Royal College of Physicians of Edinburgh, and the Royal College of Surgeons of Edinburgh, while they still continue to give their diplomas separately under separate regulations, have made arrangements by which, after one series of examinations, the student may obtain two licences—one in Medicine, and one in Surgery.

‘The general principle of this joint examination is, that it shall be conducted by a Board, in which each body is represented, for examination in those branches which are common to both Medicine and Surgery; but that the College of Physicians shall take exclusive charge of the examination in Medicine, and the College of Surgeons of the examination in Surgery.

‘The object of the joint examination is to give to students facilities for obtaining from two separate bodies, and at less expense, a double qualification in Medicine and in Surgery. Students, passing that examination successfully, will be enabled to register two qualifications under the Medical Act—Licentiate of the Royal College of Physicians of Edinburgh, and Licentiate of the Royal College of Surgeons of Edinburgh.’

This system of granting a double qualification by these two bodies, it is to be observed, is wholly new, and has been organized only since the passing of the Medical Act, and with a view to the provisions of that Act. The College of Surgeons, previous to that date, granted a large number of licences annually; but the licence of the College of Physicians had fallen practically into disuse, no candidates for it, as the Commissioners are informed, having presented themselves for many years. The change, however, in this respect, which is likely now to be effected by the prospect of the double licence, may be judged of by the circumstance, that, within a year after the coming into operation of the Medical Act, the College of Physicians admitted to its licence, it is understood, above 1000 persons, who were already licentiates of other corporations, and whose object in seeking the licence of the College of Physicians must therefore have been the possession of a double qualification.

It is obvious, then, that, if these corporations were to succeed in preventing the University from certifying by its degrees that its graduates were fully qualified both in Medicine and Surgery, this system, which they have established, of conferring a double qualification after an examination by one Board of Examiners, would hold out to persons entering the medical profession inducements so powerful, that the vast majority of such persons would become candidates for the double diploma in preference to the University degree; and graduation in the University would ultimately be almost entirely superseded.

The Commissioners, therefore, in view of the formidable competition thus established at the gates of the University, do not hesitate to express the opinion, that to prevent the University from granting the degree of Master in Surgery would be to inflict a most serious injury on its interests as a Medical School.

The Commissioners observe, that some of the petitioners argue against the expediency of the degree in Surgery on the ground that it is not called for in Scotland, as, setting aside the University of Glasgow, there are already two bodies—the Edinburgh College of Surgeons and the Glasgow Faculty—which confer diplomas in Surgery. This argument is found in section IV. of the petition of the former body.

It seems sufficient, in reference to the ground of expediency here taken, to remark, that the argument would equally support an endeavour to prevent the University from granting degrees in Medicine, there being already the College of Physicians of Edinburgh, which grants diplomas in that department. The Medical Act, it is to be observed, contemplates (section 49) the last mentioned College being erected into a College of Physicians of Scotland, and (section 50) the Edinburgh College of Surgeons and the Glasgow Faculty being united into one College of Surgeons of Scotland. Probably, therefore, as in the department of Physic, there will shortly be only one College in that of Surgery, in Scotland.

In fact, the question of expediency on general grounds, thus raised, seems to be settled by the provision of the Medical Act enabling graduates in Surgery of the Universities to be registered under it. It is evident that the Legislature did not consider it expedient, that the right of registration for practitioners in Surgery should be confined to the licentiates of the Surgical Colleges.

It is further to be observed in regard to the views of the Legislature on the question of expediency,

that, although Glasgow was the only University which, at the date of the Medical Act, conferred the degree of Master in Surgery, the Act does not confine the right of registration to Masters in Surgery of that University, but extends it to all persons who might obtain that degree from any University of the United Kingdom. The institution of the degree by other Universities having the power to grant it, but which might not then have exercised the power, was clearly contemplated and provided for. And to no University could this ground of expediency apply with greater force than to the University of Edinburgh, which affords within its walls probably a more complete system of instruction in Surgery and all other branches of Medical science than any University in the kingdom.

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It seems, indeed, a little difficult to understand the surprise now expressed by the Edinburgh corporations at the proposal that the University should grant degrees in Surgery as well as in Medicine, with a view to its graduates being recognised as fully qualified in both branches of the profession. It is not long since those corporations held different views on this subject. In Appendix No. 3 to the Third Report of the Select Committee of the House of Commons on Medical Registration in 1848, page 362, is printed a document entitled, 'Suggestions for Alterations in the Heads of a Bill for regulating the Practice of Medicine and Surgery, so as to render it more applicable to the state of existing Medical Institutions in Scotland, agreed to by the Subscribers, representing in London the University of Edinburgh, the Royal College of Physicians of Edinburgh, and the Royal College of Surgeons of Edinburgh.' Among these suggestions the following occurs (clause 10):—'Register to comprise also the names of those receiving the degrees of M.D., and of Bachelor of Medicine and Surgery, granted by the Universities of Edinburgh and Glasgow, in conformity with the clauses which follow respecting Scottish Universities; the third of which clauses is, 'these Universities to grant the degrees of Doctor of Medicine and Bachelor of Medicine and Surgery. The Doctor of Medicine to have the same privileges with other Doctors of Medicine under this Act; the Bachelors of Medicine and Surgery to have the same privileges with general practitioners under this Act.'

For the reasons which have been stated, and seeing that the University of Edinburgh affords within its walls as ample means of instruction in Surgery as exist in any institution in the kingdom, the Commissioners cannot doubt that, regarding the question of expediency beyond the mere interests of the Surgical corporations, the proposal of the Ordinances to allow the University to grant the degree of Master in Surgery, along with a degree in Medicine, is fully justified.

III. It remains only to consider the question raised by the petitions, as to the sufficiency of the qualifications required by the Ordinances for the degrees which it is proposed the University should confer.

On this question it is to be observed at the outset, that the complaint made by the petitioners does not appear to be, that the qualifications which the Ordinances require are insufficient to secure the possession by its graduates of the requisite knowledge and skill for the efficient practice of their profession. Were that their complaint, their course would no doubt be, not to petition Your Majesty to disapprove of the Ordinances of the Commissioners, but, by bringing the matter under the notice of the General Medical Council, to induce that body, under section 20 of the Medical Act, to represent the defect to Your Majesty's Most Honourable Privy Council, with the view of the remedy there pointed out being applied.

On the contrary, the complaint of the petitioners is, that the requirements proposed are not considerably higher than those of the Medical corporations, which they contend it is desirable that they should be. The argument may be gathered from the words used by the Edinburgh College of Surgeons, in clause XXI. of their petition, which states 'that, as compared with the ordinary or *minimum* licence for the general practitioner, a University degree should, as commonly understood, be distinguished, first, by a decidedly higher preliminary examination in literature and science, so as to give it an academic character, and, second, by a more extended period of study, as well as a higher age, so as to insure that knowledge and maturity, which a University degree is commonly supposed to imply.'

The Commissioners gather that the petitioners are not dissatisfied with the amount of requirements for the degree of Doctor of Medicine, supposing that no lower degree were to be conferred; but they contend that no degree should be given on lower requirements than those provided for that degree, and especially, that no degree should be conferred on any candidate below the age of 24.

At the same time, they have stated to the Commissioners through their Counsel, that they consider there is no objection to the licences of the Medical and Surgical Colleges being conferred at the age of 21.

The effect of this, it is obvious—and the Counsel for the petitioners fully admitted it—would be, that the number of University degrees would be seriously diminished, and that all, or nearly all, the body of persons intending to become general practitioners would take the licences of the corporations, to the exclusion of the degrees of the University. Thus the University degrees in Medicine would become mere honorary distinctions; and, indeed, it is the hardly disguised object of the petitioners to make them so. Such a system would, in the opinion of the Commissioners, insure the ruin of the University as a Medical School.

It being, then, in the opinion of the Commissioners, most inexpedient that the requirements of the University, more especially in point of age, should be so much higher than those of the Medical corporations, as to attract the mass of practitioners to the latter bodies, and drive them from the University, it remains to consider, whether the requirements proposed by the Ordinances are such as Your Majesty ought to sanction.

On this question it is to be observed, that the education for the Medical profession is at present, partly through the recent operation of the Medical Act, and partly owing to other causes, in a state of change and uncertainty; and considerable doubt prevails as to the best manner of effecting an improvement in the very various systems which exist throughout the country. The requirements which the Ordinances propose, while they proceed on a similar system to that which exists in the University, of not prescribing with minuteness the course of study which a student shall follow, and the amount of attendance which he shall give to the instructions of Professors and Lecturers, yet exhibit, in the amount of attendance required, an increase over that which candidates for the degree of Doctor of Medicine

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must show under the present regulations of the University. The Ordinances, in fact, enjoin attendance on every branch of Medical and Surgical study without exception. The Commissioners, however, think that, in present circumstances at all events, it would be premature and undesirable to specify the number of courses in any particular subject which a student should attend, or to enter too minutely into the details of the curriculum.

The opinion of the Commissioners is in accordance with those of some of the highest authorities on Medical education, who regard it as inexpedient to prescribe too closely a definite and invariable curriculum of study, and consider it preferable, while indicating to the student the departments of knowledge which he should apply himself to master, to leave much to his own discretion in determining what classes it may be profitable for him to attend more than once. Experience soon teaches the students that, in order to succeed in the examinations, it is necessary for them to attend certain classes twice, or even three times. No one, for example, would think of presenting himself to be examined in Dissection, who had not attended more than one course of Practical Anatomy; for, were he to do so, his failure would be certain. By the examinations it has been the invariable practice of the University to test a student's knowledge of the various departments of his profession; and the proposed introduction by the Ordinance of three independent Examiners, to be chosen, not by the Senatus, but by the University Court, will place beyond suspicion the genuineness of the test so applied.

The circumstance, that the Ordinances make no provision for any repetition of attendance on classes, may explain a slight apparent inferiority in the aggregate amount of attendance required by the Ordinances as compared with that required by some of the corporations, as, for example, the Edinburgh College of Surgeons. The duration of study is, however, in fact the same, the candidate in either case being able to obtain his degree or diploma at the end of the fourth winter session, that is, after a period of three years and six months from the commencement of his Medical studies.

There is no foundation for the insinuation contained in the petitions, that there is reason to fear the University degrees may be conferred on persons with lower qualifications than the corporations require from their licentiates. The Commissioners would deplore such a result, and against even the possibility of it they desire earnestly to guard. It is believed that there is no serious apprehension of this in any quarter; and the Counsel for the petitioners refrained from pressing such an argument on the Commissioners.

It has been already stated that education for the Medical profession is at present in a state of transition. This is especially the case with regard to the preliminary education, the requirements in which have been hitherto of a very limited nature; all that the University now requires from its candidates for the degree of Doctor of Medicine being, that they should show 'a competent knowledge of the Latin language.' Some advance in this respect is imperatively required. But it is obvious that a gradual and not a sudden change is the most desirable course. On this subject the Commissioners cannot do better than quote the opinion expressed in the Report of the Education Committee of the General Medical Council issued in August last, that 'they are impressed with the conviction, that it would be prudent to beware of proceeding too suddenly, or of attempting too much towards the remedy of a wide-spread and long existing evil.' The Ordinances, therefore, while the requirements which they introduce are considerably in advance of those now in force in the University, do not propose at once to exact so high a degree of preliminary education as the Commissioners think desirable, and as it will be proper ultimately to reach. Thus, while it is proposed to make a knowledge of Greek essential only to the degree of Doctor of Medicine, the Commissioners think that hereafter an examination in Greek should be passed by all candidates for Medical degrees in the University; and they do not doubt that ere long this will be accomplished.

The Commissioners are at the same time persuaded of the propriety of limiting the number of subjects, and the area of examination, and of requiring a thorough knowledge of the subjects prescribed. An array of subjects affords no test of the scale of proficiency, by which the qualifications of candidates are measured.

In connection with the question, whether the Ordinances provide a sufficient security that the graduates of the University shall possess a proper knowledge and skill in their profession, there has been introduced in the petitions an objection to the proposed constitution of the Examining Board for degrees. The Glasgow Faculty, for example (paragraph XVI.), is of opinion, that 'the non-professorial Examiners ought to constitute at least three-fourths of the Board, and be nominated by the Royal Colleges of Edinburgh and the Faculty of Glasgow in equal proportions, the University Courts having the privilege of exercising a veto, to a defined extent, against the persons so nominated.'

Without noticing the somewhat novel proposition here made as to the bodies by which the University Examiners are to be nominated, it seems right that the Commissioners should explain, with reference to the appointment, which their second Ordinance proposes, of three non-professorial Examiners, that hitherto in the University, in the Faculty of Medicine as in the Faculty of Arts, the only Examiners for degrees have been the Professors themselves. The Royal Commissioners of 1826, while they recommended the appointment of independent Examiners in the Faculty of Arts, reported that, after due consideration, they saw great difficulties in the way of introducing a similar system in the Faculty of Medicine. The present Commissioners, however, think it desirable, both for the public satisfaction, and with the view of placing the degrees of the University beyond the possibility of suspicion, that there should be in the Examining Board a certain number of independent Examiners. The three proposed by the Ordinance will be amply sufficient to operate as a check on any possible disposition to laxity on the part of the Professors. An increase in number would entail an increase of expense, without, in the opinion of the Commissioners, any corresponding additional advantage. While difficulty might not be experienced, from time to time, in finding a larger number of persons beyond the University fully competent to act as Examiners in the various departments of Medical education, requiring, as these do, a constant and unremitting study to maintain an exact acquaintance with them, and still more to keep pace with the increasing discoveries of science, it would certainly be inexpedient, for many reasons, to enlarge the number of independent Examiners to such an extent as to throw the examinations entirely into their hands.

To complete the security that the examinations shall afford a thorough test of the proficiency of

candidates, the Commissioners, in making financial arrangements for the University of Edinburgh, intend to remove from the Professors all interest in the number of degrees to be conferred, by providing that the graduation fees shall be payable, not, as they are at present, to the Professors, but to a fund applicable to the general purposes of the University.

A question as to the amount of attendance on Extra-Academical Teachers, which ought to be allowed by the University in candidates for its degrees, is raised in some of the petitions. It is not referred to in the petition of the College of Surgeons of England, but the other petitioners all introduce it in their petitions. The Edinburgh College of Physicians, for example, complains that the Ordinances 'enable the University of Edinburgh, for the pecuniary benefit of its own Professors, to oblige the student to attend a considerable part of his curriculum of study within its own walls.' This 'considerable part' is only one of the four years of Medical study which the first Ordinance requires, involving necessarily the attendance within the University of only two out of the sixteen courses specified in that Ordinance. The Edinburgh College of Surgeons and the Glasgow Faculty also complain that the amount of recognition conceded to Extra-Academical Teachers is too small.

With reference to the recognition of Extra-Academical Teachers in Edinburgh, it may be proper to explain, that since 1854, under regulations then made for the University by the Town Council, the lectures of all members of the College of Physicians or College of Surgeons of Edinburgh have been recognised, to a certain defined extent, as qualifying for University degrees in Medicine. While some members of the *Senatus Academicus* are favourable to such a recognition, the *Senatus* as a body has always been opposed to it; and, on its establishment being first proposed some years ago by the Town Council, the *Senatus* raised at law the question as to the power of the Town Council to enforce it on the University. This question was ultimately decided by a judgment of the House of Lords in favour of the Town Council, who thereupon, in 1854, issued the regulations under which the system now exists. According to these regulations, all members of the Colleges of Physicians or Surgeons, whether graduates of the University or not, and without limit as to the number of persons teaching any particular branch, are, on passing an examination by a Board nominated by their College, entitled to have their lectures recognised by the University. The result is, that in some branches there may be found at one time, competing with the University Professor, as many as three or four Extra-Academical Teachers, some of them not members of the University, but all having their lectures recognised for its degrees to the extent allowed by the Town Council. It is therefore, perhaps, not unnatural that the *Senatus* should desire that an end should be put to this system. The Lecturers, however, on the contrary, instead of being satisfied with the amount of their present recognition, which the second Ordinance virtually continues to them, advocate (as they say, in the interests of the University) a farther extension of their privileges; and so far do they carry their views, that they have recently addressed to the Commissioners the somewhat extravagant request, that their students, if aiming at a University degree, although not attending any classes in the University, should be allowed to enrol in the ordinary University Matriculation Book, instead of in a separate book, as provided by the second Ordinance—seeking, in fact, to obtain for their students all the privileges of matriculated students of the University. To their influence in their respective corporations may be traced the circumstance, that the Edinburgh corporations have introduced into their petitions the question as to extra-academical teaching, and have thought fit to allege that the recognition conceded to the Lecturers is illiberal and insufficient. A similar influence has probably also operated in the case of the Glasgow Faculty.

In truth, however, the charge against the Ordinances of illiberality in point of recognition of Teachers out of the University is so groundless, that none of the Counsel for the petitioners thought fit to press it on the Commissioners. The Ordinances allow a very large proportion of the classes absolutely required to be attended under Extra-Academical Teachers; and, besides, in all cases of repetition of classes for which, as has been above explained, the Ordinances abstain from making provision, the whole of the additional attendance may be given beyond the walls of the University.

The latitude thus afforded is large and liberal—if, indeed, it does not extend too far. But the views which the petitioners urge, as to the adoption of a system of unrestricted competition in teaching for University degrees, tend manifestly to the total subversion of the proper functions of the University, no less than those which some of them think fit to advocate regarding the appointment of its Examiners by non-academical bodies. The Commissioners, who are bound to regard both of these questions apart from the mere interests either of competing Lecturers or of the Medical corporations, do not conceive that it would be for the public advantage, that the University should so far abdicate its functions, as to confer its degrees on persons who have never studied within its walls, at the bidding of a Board of Examiners in whose appointment it has had no share.

In conclusion, the Commissioners consider it their duty to state, that a careful consideration of these petitions, and of the arguments of Counsel, instead of creating in their minds any doubt as to the expediency of the Ordinances, has only convinced them that it is most desirable, for the interests of the University, that effect should be given to them without delay; and above all things, that a decision should be obtained before the commencement of next session. It may not be surprising that the Edinburgh corporations, which have themselves promptly instituted a system of conferring a double qualification in Medicine and Surgery through a joint examination by one Board, should believe that they are actuated by a single desire of giving strength and consistency to their own system, while they are in truth throwing difficulties in the way of the University being allowed to adapt its course of study and degrees to the altered state of circumstances under the Medical Act. But the Commissioners think that the opposition thus established at the very gates of the University, and the injury which delay is therefore calculated to inflict on its Medical School, afford the strongest reasons why the uncertainty as to its course of study and degrees, which has existed for one session, should not be allowed to extend into another.

Given under the seal of the Commission, at Edinburgh, this 18th day of July 1860.

JOHN INGLIS, *Chairman*.

L. S.

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## 8. CORRESPONDENCE WITH SECRETARY FOR WAR AS TO REGULATIONS FOR ADMISSION TO THE MEDICAL SERVICE OF THE ARMY.

### (1.) LETTER, The Chairman of the Commission to the Secretary of State for War.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
8th April 1861.*

Correspondence as to Regulations for Admission to Medical Service of the Army.

MY LORD,—The Commissioners under the Universities (Scotland) Act, 21 and 22 Vict., c. 83, have requested me, as their Chairman, to call your Lordship's attention to a subject of the greatest importance as affecting the reputation and prosperity of the Scottish Universities.

Professor Syme, of the University of Edinburgh, has communicated to the Commissioners a letter dated the 24th February last, which he has received from your Lordship, on the subject of regulations for admission to the Medical service of the army, stating that a representation has been made to your Lordship, which, the Commissioners regret to find, conveys an impression entirely erroneous, and calculated seriously to prejudice the interests of the University of Edinburgh in connection with certain regulations recently made by the Commissioners regarding degrees in Medicine in that University.

In the passage, quoted in your Lordship's letter, from the representation to which the Commissioners refer, it is stated that the regulations in question have been framed for the University of Edinburgh, and are to be extended to other Scottish Universities, 'avowedly fixing a much lower standard of education than the Commissioners would otherwise have sanctioned, in order to enable those Universities to compete successfully with the Medical and Surgical Colleges in the number of licences conferred by them.'

The Commissioners desire me to say, that this statement is wholly destitute of foundation. The Commissioners have not fixed a lower standard for the University degrees than, after full consideration, they were satisfied would insure to their possessors a thorough knowledge of every department of their profession; nor have they fixed any lower standard than they would otherwise have sanctioned, in order to enable the Universities to compete with the Medical and Surgical Colleges in the number of licences conferred by them. The Commissioners have never said or done anything that could justify or account for this representation.

The regulations made by the Commissioners are contained in two Ordinances framed under the provisions of the Universities Act, 21 and 22 Vict., c. 83, and dated respectively the 6th August 1859 and the 19th March 1860; and of these Ordinances copies are herewith enclosed. Heretofore, in the University of Edinburgh, the only degree in Medicine which has been granted has been the degree of Doctor of Medicine. By the second of these Ordinances, the Commissioners, with special reference to the provisions of the Medical Act of 1858, introduced the new degrees of Bachelor of Medicine and Master in Surgery, which in the schedule (A.) of that Act are specified among the legal qualifications for practice. On the second of the two Ordinances being issued, and before either of the Ordinances had, under the provisions of the Universities Act, been submitted for the consideration of Her Majesty in Council, the Colleges of Physicians and Surgeons of Edinburgh, the Faculty of Physicians and Surgeons of Glasgow, and the College of Surgeons of England, in May 1860, petitioned Her Majesty in the manner provided by the 15th section of that Act, to withhold Her approval of both Ordinances, directing their objections especially to the introduction of the degree of Master in Surgery. Her Majesty having thereupon been pleased, in terms of the same section of the Act, to order the Commissioners to hear the petitioners by Counsel, and to report specially to Her Majesty on the matter of their petitions, the Commissioners, after hearing Counsel accordingly, presented to Her Majesty a special report, dated the 18th July last, of which also I enclose a copy for your information. This report alone contains any authoritative statement of the views and principles on which the Commissioners proceeded in framing the Ordinances in question. Your Lordship will not find there a single expression to justify the statement quoted in your letter, to which the Commissioners have referred. The paragraph on page 12,\* which explains that, although the requirements in general preliminary education introduced by the Ordinances are considerably in advance of those previously in force in the University, the Commissioners have not thought it desirable at once to raise the requirements to so high a standard as they think it will be proper ultimately to reach, does not even afford a colour for the statement in question.

The Commissioners desire me further to inform your Lordship, that subsequently Her Majesty was pleased to refer the report of the Commissioners to a Committee of Privy Council, who, after hearing Counsel for the petitioners and for the Senatus Academicus of the University, advised Her Majesty to confirm the Ordinances; and Her Majesty accordingly was pleased so to confirm them by Order in Council of the 4th February last. In this manner the right of the University of Edinburgh to grant the degree of Master in Surgery, as well as those of Bachelor and Doctor of Medicine, and the sufficiency of the proposed qualifications for those degrees, were placed beyond question.

The object of the Commissioners in introducing the degree in Surgery, in addition to degrees in Medicine, was, as explained in their report to Her Majesty, to enable the University to give to its Medical graduates a clear title to practise both Medicine and Surgery, in terms of the Medical Act of 1858. This title being now secured to the graduates of the University, and it being unnecessary that, in order to practise in both branches of the profession, they should show any qualification in addition to the two University degrees, it appears to the Commissioners that, in regard to fitness for the Medical service of the various departments of Government, it must be assumed, in justice to the University, and in the absence of any inquiry into the respective standards of qualification of the several graduating and licensing bodies, that its graduates are equally qualified in both branches with the graduates or licentiates of any other body or bodies to whom the same privileges of practice belong. Indeed, the possession of such a legal title appears, under these circumstances, to constitute the only criterion which can fairly be

adopted by the various departments of the public service in judging of the competency of candidates. Such, the Commissioners understand, is the principle acted on in the case of the Medical service of the navy, for which the requirement is, that each candidate should 'possess such a diploma as would qualify a civilian to practise Medicine and Surgery.' Nor do the terms of the rule applicable to the army appear to exclude the operation of the same principle, the requirement being, that, in addition to a legal qualification to practise Medicine, the candidate for examination must possess 'a diploma in Surgery, or a licence to practise it from the Royal College of Surgeons of England, Scotland, or Ireland, or from the Faculty of Physicians and Surgeons of Glasgow, or from some other corporate body legally entitled to grant a diploma in Surgery or a licence to practise it.' This regulation does not in terms require that the diploma in Surgery (which expression, the Commissioners presume, is intended to include a degree in Surgery) must have been obtained from a body different from that which has conferred on the candidate the qualification to practise Medicine.

The Commissioners, however, observe from your Lordship's letter that qualifications from separate bodies are in fact required in the case of the Medical service of the army, and that this rule has been adopted on the ground that by such a requirement a special knowledge of Medicine and Surgery is more likely to be obtained, than if qualifications were admitted from only one body; while, at the same time, it is said that justice is done to all those bodies which can grant only one qualification. The Commissioners beg me to state to your Lordship, that they are quite unable to see the force of either of these reasons. They see no ground for believing that certificates of competency in both branches of the profession from a body like the University of Edinburgh, legally qualified through its degrees to grant such certificates, are less likely to insure in their possessors an adequate knowledge of both branches, than such certificates from two separate bodies, each legally qualified to grant a certificate only in one. It cannot be questioned that the University of Edinburgh is competent to ascertain the fitness of persons to practise Surgery; neither can it be questioned that it is competent to ascertain the fitness of persons to practise Medicine. Nor will any one acquainted with the subject venture to dispute, that the course of instruction furnished in the University of Edinburgh, both in Medicine and Surgery, is second to none in the United Kingdom.

With regard to the argument that justice is, by the rule in question, done to all those bodies which have the power of granting only one qualification, I must observe, that the rule involves a serious injustice to Universities which, like the University of Edinburgh, are legally entitled to confer qualifications both in Medicine and Surgery, seeing that by its operation the Universities are, as respects the service of the army, practically prevented from granting a qualification in one or other of the departments of Medicine, and in so far are deprived of the rights conferred on them by the Legislature in the Medical Act.

Without reference to the special case of the University of Edinburgh, the adequacy of whose requirements has been established by Her Majesty's approval of the Ordinances of the Commissioners, I should apprehend that the departments of the public service must presume that each graduating or licensing body exacts a sufficient test for such degrees or licences as it is entitled by law to confer, so long as these are recognised as registrable titles to practise. To prevent an improper lowering of its qualifications by any body, with the view of attracting candidates, your Lordship is no doubt aware that the Legislature has instituted a machinery through the operation of the General Medical Council, and, if necessary, of the Privy Council, which is empowered to suspend the right to registration of the diplomas of any body in which the standard of qualification may be shown to be insufficient.

The Commissioners, therefore, conceive, that the only proper and legitimate test of the fitness of a candidate to be admitted to examination for the Medical service in any of the public departments is his possession of a legal qualification to practise Medicine and Surgery in terms of the Medical Act. Thus only does it appear possible with justice to avoid the institution of those inquiries into the respective standards of qualification of the several graduating and licensing bodies, which your Lordship states to be beside the proper functions of the departments of Government, and which, probably, it would be difficult for any of them to prosecute with fairness or success.

I have thought it right to explain fully the views of the Commissioners, as well as the true state of facts as regards their proceedings, not only on account of the great importance of the subject, but because it must be in the highest degree detrimental to the public interest, that a misunderstanding should exist in the War Department, or any other department of Government, respecting any of the new regulations made by the Commissioners under their statutory powers. I have only, in conclusion, to request that your Lordship will be good enough to give to the subject serious and early consideration.—I have, etc.,

JOHN INGLIS, *Chairman*.

The Lord Herbert, War Office, Pall Mall, London, S.W.

(2.) LETTER, The Under-Secretary of State for War to the Chairman of the Commission.

War Office, 17th May 1861.

SIR,—I am directed by the Secretary of State for War to acquaint you, that he has had under his careful consideration the representations contained in your letter of the 8th April last, and in other communications which have been addressed to him, respecting the regulations for admission to the army Medical service.

The result of the farther inquiries, which he has caused to be instituted into the question, has been to satisfy him that the competitive examination affords sufficient security for obtaining competent men; and his Lordship has therefore determined so far to modify the existing regulations, as to admit to examination for commissions all persons of suitable age and moral character, who are borne on the Medical register as licensed to practise Medicine and Surgery.—I have, etc.,

EDWARD LUGARD.

The Lord Justice-Clerk of Scotland.

Correspondence as to Regulations for Admission to Medical Service of the Army.

# 9. REPORT ON PETITIONS AGAINST ORDINANCE No. 19, RELATIVE TO GRADUATION IN MEDICINE IN THE UNIVERSITY OF ST ANDREW'S.

UNTO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL,

Report on Petitions  
against Ordinance  
No. 19, as to Gradu-  
ation in Medicine in  
St Andrew's.

THE Report of the Commissioners appointed by and for the purposes of the Act of the 21st and 22d years of Your Majesty's reign, chapter 83, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen.'

May it please Your Majesty,

By an Order in Council, dated the 11th day of October 1861, Your Majesty was graciously pleased, in pursuance of the provisions of the above-mentioned Act, to refer to the Commissioners the following petitions, viz. :—

1. Petition from the Governors of Middlesex Hospital, praying Your Majesty to withhold Your approbation from so much of the Ordinance of the Commissioners of the 10th June 1861 (Ordinance No. 19, St Andrew's No. 3), as tends to exclude the students of that Hospital from the acquisition of degrees in Medicine in the University of St Andrew's;

2. Three Petitions from the Governors of Guy's, St Thomas's, and St Bartholomew's Hospitals, praying Your Majesty to withhold Your approbation from the 8th section, and such other parts of the same Ordinance, as purport to give to the Medical students of King's or University Colleges in London any privileges, as respects admission to degrees in the University of St Andrew's, which are not thereby accorded to the Medical students of Guy's, St Thomas's, and St Bartholomew's Hospitals.

And Your Majesty was, by the said Order, pleased to direct that the Commissioners should hear the said petitioners, or such of them as might be desirous thereof, by Counsel, and should report specially to Your Majesty in Council on the matter of the said several petitions.

The Commissioners, on receipt of this Order, proceeded to consider the several petitions thereby referred to them; and they appointed the 11th of November last for hearing the petitioners by Counsel. Thereafter, on the urgent application of the petitioners, the hearing was postponed to the 23d of November, when the four petitioning bodies appeared, and were heard, all by the same Counsel.

The Commissioners now humbly lay before Your Majesty the following special report on the matter of the petitions.

Before referring to the case of the petitioners, as presented in the petitions and in the address of Counsel, the Commissioners think it necessary to offer some explanations as to the existing system of Medical graduation in the University of St Andrew's, with reference to which they have conceived it to be their duty to frame the provisions of the Ordinance under consideration.

The system is peculiar, and altogether different from that of the other Universities of Scotland.

In each of the Universities of Edinburgh, Glasgow, and Aberdeen, there is a complete Medical School, furnishing to students ample means of instruction in every department of Medical science; and there is a large body of students engaged in qualifying themselves for the Medical profession, by attendance on the lectures of the Professors, and by the opportunities of Hospital practice afforded at the University seat.

The University of St Andrew's is in a totally different position. There are, indeed, a Professor of Medicine and a Professor of Chemistry; and, by means of a recent Ordinance of the Commissioners, provision has been made for the teaching of Natural History. The lectures, however, of the Professors of Medicine and Chemistry have rarely, if ever, been attended by students with the view of qualifying themselves for the Medical profession. Independently of this deficiency in the means of instruction, the smallness of the population of the town of St Andrew's, amounting only to about 5000, and the want of an Hospital, present insuperable obstacles to the existence of a Medical School.

But, notwithstanding that there are no Medical students attending the University, the degrees in Medicine conferred by the University of St Andrew's have of late years been much sought after, as will be obvious from the following list of the number of degrees in that Faculty, granted by the University in each of the last ten years, viz. :—

Years.	Number of Degrees.	Years.	Number of Degrees.
1852, . . . . .	65	1857, . . . . .	68
1853, . . . . .	68	1858, . . . . .	73
1854, . . . . .	65	1859, . . . . .	93
1855, . . . . .	53	1860, . . . . .	84
1856, . . . . .	84	1861, . . . . .	107

The import of these figures may be judged of from a comparison with them of the numbers of Medical degrees conferred in the same years by the University of Edinburgh, at which there is an attendance of about 500 Medical students. These were in

Years.	Number of Degrees.	Years.	Number of Degrees.
1852, . . . . .	51	1857, . . . . .	94
1853, . . . . .	85	1858, . . . . .	58
1854, . . . . .	56	1859, . . . . .	60
1855, . . . . .	54	1860, . . . . .	57
1856, . . . . .	69	1861, . . . . .	67

It may, indeed, be safely stated, that the University of St Andrew's is now conferring a larger number of degrees in Medicine than any other University in the United Kingdom; and, considering the privileges of practice conferred on its graduates by the Medical Act of 1858, the number, under the existing system, is not likely to diminish.

Of the schools, from which the candidates for the St Andrew's degree proceed, the Commissioners

are informed by the *Senatus Academicus* of the University, that no official record has been preserved. On the authority, however, of the Professor of Medicine, whose duties in connection with the subject have afforded him the best means of forming an estimate, they are enabled to present the following statement, as exhibiting, as nearly as possible, the proportions in which the different Medical schools throughout the country furnish candidates to St Andrew's:—

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	Per Cent.
Scottish Universities, . . . . .	0
Oxford, Cambridge, Trinity College Dublin, and Queen's Colleges in Ireland, . . . . .	0
University and King's Colleges in London, . . . . .	8
Middlesex, Guy's, St Thomas's, and St Bartholomew's Hospitals, . . . . .	50
Other London Schools, . . . . .	10
English Provincial Schools (such as Birmingham, Manchester, Liverpool, Bristol, Hull, etc.), . . . . .	9
Extra-Academical School in Glasgow, . . . . .	12
Do. Edinburgh, . . . . .	2
Do. Dublin, . . . . .	9
	<hr/> 100

It thus appears that 68 per cent. of the St Andrew's candidates come from London schools, and 77 per cent. from these and the provincial schools of England together.

The Medical Examiners of candidates for graduation in St Andrew's are the Professor of Medicine and the Professor of Chemistry, and, in addition, certain Assistant Examiners introduced from the extra-academical schools of Edinburgh and Glasgow. Under regulations issued by the University so recently as November 1858, these Assistant Examiners were only two in number; but, under subsequent regulations issued in 1859, it was provided that, for the future, there should be one additional Examiner (or two, who should act alternately) for each of the three following subjects, viz.:—(1.) Therapeutics and Practice of Medicine; (2.) Surgery, including Surgical Anatomy; and (3.) Midwifery and the Diseases of Women and Children. Still, even under these regulations, the number of Examiners of any set of candidates is, including the two Professors, only five,—a number not sufficient to insure an adequate examination in each of the various branches of a complete Medical education.

There were, till lately, two ordinary periods for graduation in Medicine in the University in each year. In 1859 these were increased to three,—viz., in January, May, and September. The University also admits candidates to examination at other periods, on payment of a special fee.

The fee for the degree of Doctor of Medicine is twenty-five guineas, including the stamp duty of L.10, still charged on the degrees of the Scotch Universities. In the event of a candidate being found unqualified, he forfeits one-third of the graduation fee, which, however, is accounted for to him, should he pass his examination at a subsequent time. The special fee, paid by candidates coming forward at a different time from the ordinary periods of examination, is fifty guineas. The degree of Bachelor of Medicine has, as yet, hardly ever been conferred by the University, a single instance only being stated in the returns from 1852 inclusive, which have been furnished to the Commissioners; but, when it is conferred, the fee appears to be eighteen guineas.

Out of the fee paid by each candidate for the degree of M.D. the Professor of Medicine receives three guineas, and the Professor of Chemistry one guinea and a half, and from this source a considerable income is derived by these two Professors.

Until last year, the Assistant Examiners in Medicine were also remunerated by receiving a certain share of the fee paid by each candidate; but their remuneration now consists of a payment of seven guineas for each day on which they are engaged in oral examination.

The only other member of the *Senatus Academicus*, besides the two Professors above mentioned, who, until lately, received any payment from Medical graduation fees, was the Professor of Latin, to whom, as Examiner in Latin, a fee of 7s. 6d. was paid for each candidate. But the late Professor of Latin (Dr Pyper) having, in 1859, resigned his office of Examiner, a new arrangement was then made. At a meeting of the *Senatus*, held on the 14th December in that year, the following resolutions were adopted:—

'That, in view of the inconveniences that have arisen from the absence of Professors at the Medical graduations, and the unseemliness of diplomas professing to impart the authority of the University being signed by only three or four names, Medical degrees shall be henceforth conferred only in the presence of a full quorum, fixed by the Universities (Scotland) Act to be one-third, of the *Senatus*.

'That, in order to secure this end, no less than one-half of the *Senatus* shall be annually nominated at the ordinary meeting in January, to be present at the three annual occasions of Medical graduation, to give their assistance in the general superintendence of the examination, and specially to sign the diplomas.

'That the present examination in Latin (Dr Pyper having resigned, from ill health, his office of Latin Examiner), as well as the other branches of the preliminary literary and scientific examination, prospectively arranged, shall be conducted by the members of *Senatus* thus nominated, according to special appointment, to be fixed at the same meeting in January.

'That a fee of two guineas per day shall be given to each Professor, who, according to his appointment, shall be present in person at the examinations and the conferring of Medical degrees, and assisting therein.'

In addition to the payments thus made to Professors and Examiners, there has been received by the University Chest, for a number of years, after payment of all expenses, and of an allowance to the University Apparatus Fund, a clear surplus income from Medical graduation fees, above, on the average, L.500 a-year.

The operation of the system may be illustrated by the figures for the year ending the 21st January 1861,—the University accounts being made up from January to January, and that being, therefore, the last complete year for which returns have been made, as well as the only year since the new regulations, regarding the payment of Professors and Examiners, took effect.

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During that period 112 persons received the degree of M.D. at the three ordinary periods of graduation (May and September 1860, and January 1861), three received the same degree on special examination, and one received the degree of M.B. There appear also to have been 21 rejected candidates. The income and expenditure of the fees for the year were as follows:—

#### INCOME FROM MEDICAL GRADUATION FEES.

Fees for Ordinary Examination, . . . . .	L.2888 18 0
Do. Special Examinations, . . . . .	157 10 0
Do. Rejected Candidates, . . . . .	183 15 0
	<hr/>
	L.3230 3 0
Less Stamps, . . . . .	1159 9 6
	<hr/>
Net income, . . . . .	L.2070 13 6

#### EXPENDITURE.

Professor of Medicine, . . . . .	L.422 2 0
Do. Chemistry, . . . . .	211 1 0
Other Professors, . . . . .	198 9 0
Assistant Medical Examiners, . . . . .	168 0 0
Servants and Miscellaneous, . . . . .	101 18 0
University Apparatus Fund, . . . . .	152 2 0
	<hr/>
	1253 12 0
Remained clear surplus, . . . . .	<hr/>
	L.817 1 6

The figures for the year in question, and the surplus, are undoubtedly larger than the average of previous years. But they afford an illustration of the system, and of the powerful interest which the University has to foster it.

At the period of the last general Commission of Inquiry into the Universities of Scotland (1826-30), the circumstances of St Andrew's, in regard to its possessing no Medical School, were similar to what they now are; and the manner in which Medical degrees had been conferred appears to have been exceedingly discreditable, being such as to elicit the strongest expression of disapprobation from that Commission. By regulations, however, introduced about the time when the Commission began its inquiry, an improvement was effected, at which the Commissioners express their satisfaction (Report on St Andrew's, p. 412), noticing with approval that the result of the new regulations had been, to reduce the number of degrees from about 20 annually to two in a period of above three years, from March 1826 to August 1829.

The present Commissioners would guard themselves against being supposed to imply, that there are in the present system of Medical graduation in St Andrew's abuses at all approaching in character those mentioned in the report of the former Commission, in which, at the passage above referred to, it is stated that even 'personal attendance was not required, no proof of a University education was necessary, and the degree may safely be said to have been given to all those who paid for it.' Abuses of so flagrant a nature the Commissioners do not believe that the University would now be disposed to countenance, and probably there is no chance of their recurrence. But it is, to say the least, inexpedient, as it is certainly unnecessary, that candidates should be attracted in large numbers to St Andrew's from London schools, and other schools throughout England, which qualify for the degree of the University of London. Bearing in mind that 77 per cent. of the St Andrew's candidates come from England, and 68 per cent. from London, the extent to which this attraction now operates may be judged of, by comparing the number of degrees conferred annually in St Andrew's and in London. In making such a comparison, it is proper in regard to the University of London to state the number of M.B. degrees only, and not the aggregate of the degrees of M.B. and M.D., as the Commissioners are informed by the Registrar of that University that the latter degree has hitherto been conferred only on candidates who have previously graduated in the University as M.B. The numbers in the two Universities for the last ten years were as follows:—

Years.	No. of St Andrew's Degrees.	No. of London Degrees.
1852 . . . . .	65 . . . . .	13
1853 . . . . .	68 . . . . .	10
1854 . . . . .	65 . . . . .	12
1855 . . . . .	53 . . . . .	14
1856 . . . . .	84 . . . . .	9
1857 . . . . .	68 . . . . .	30
1858 . . . . .	73 . . . . .	23
1859 . . . . .	93 . . . . .	13
1860 . . . . .	84 . . . . .	24
1861 . . . . .	107 . . . . .	20
	<hr/>	<hr/>
Total for ten years, . . . . .	760	168

These figures are significant, when it is considered that English students cannot be attracted to St Andrew's by any superiority in the reputation of its degree, nor yet even by the lowness of its graduation fees, which are higher than those in the University of London.

On becoming aware of these circumstances, the Commissioners were at once persuaded that it was highly inexpedient to allow a system to continue, which seemed to them neither creditable to the Uni-

versity nor consistent with the public interests. It did not belong to the Commissioners to entertain any question as to the expediency of the University of St Andrew's possessing the power of granting Medical degrees, as the Commissioners were not conferring that power on the University, and had no authority to take it away. But it appeared to them to be their duty to consider in what manner the system might be regulated, so as to insure, as far as possible, that the power which the University undoubtedly possesses should be exercised with due regard to the credit of the University and the interests of the public.

To remedy, therefore, to some extent the evils of the existing system, and to restrict within narrower limits the exercise by the University of its power of graduation, the Commissioners framed the Ordinance now under consideration. Among the provisions which it contains, is one (sec. xvii.) increasing the number of the Examiners in professional subjects. Considering the variety of distinct branches of Medical science, in each of which it is proper that the knowledge of a candidate should be ascertained, the Commissioners were assured, on the best professional authority, that a smaller number of Examiners than seven would not be sufficient to prevent the graduation of persons of inferior qualifications. The Commissioners, therefore, fixed seven as the minimum number of Examiners, and specified in the Ordinance the respective departments in which they should be specially qualified to examine.

The Commissioners also inserted in the Ordinance a provision (sec. xxvi.) removing, as far as possible, after the incumbencies of the present Professors of Medicine and Chemistry, all interest in individual Professors to promote a system of easy graduation.

But it appeared to the Commissioners that additional checks were necessary. An increase of the number of Examiners, and of the subjects of examination, cannot alone secure that a searching test of proficiency shall be applied; and the Commissioners therefore concluded, that it was expedient also to limit considerably the class of schools from which candidates for graduation might be admitted to St Andrew's, so as to assimilate, as far as possible, the system of St Andrew's to that of the other Universities of Scotland.

In the Universities of Edinburgh, Glasgow, and Aberdeen, the Commissioners, by their Ordinances for the regulation of Medical degrees, required, that of the four years of professional study, through which every candidate must have passed, two at least should have been spent in some University entitled to grant degrees in Medicine, and one at least in the University in which the candidate proposes to graduate. The other two years of Medical study were allowed to be spent either in such Universities, or in certain other schools, including the Hospital schools of London. This rule is practically the same as that which has existed in the University of Edinburgh for a considerable number of years, and with the best results.

To have adopted the same rule in regard to St Andrew's would probably have been to put an end to Medical graduation in that University altogether, as very few candidates, if any, would have been induced to spend a year there in studying Medicine. Besides, the rule was obviously not calculated to raise the standard of the acquirements of candidates for the St Andrew's degree. The Commissioners, therefore, did not think it expedient to make a year's study in the University of St Andrew's imperative; and, while they left it open to candidates, if they pleased, to attend such courses of lectures in St Andrew's as the University might afford, they resolved to modify the rule prescribed in the other Universities to this extent, that the two years of University Medical study might be taken in any University or Universities in the United Kingdom in which instruction in Medicine is given. The Commissioners further thought it expedient to extend the rule, so as to embrace within the general description of University study the instruction received in University College and King's College in London, as being Colleges instituted for the purpose of giving instruction both in Arts and in Medicine, in close connection with the University of London.

The Commissioners ascertained from the Counsel for the petitioners, that, if University College and King's College had not been included among the schools in which candidates might give attendance during the two necessary years of University study, the petitioners would not have objected to the Ordinance. But it is stated, that the petitioners are aggrieved by those two Colleges being placed in that respect on a different footing from the Hospital schools.

It does not, however, appear to the Commissioners, that the case of the petitioners has been made out, either by the statements in their petitions, or through the address of Counsel. They cannot, therefore, report to Your Majesty, that, in their opinion, any sufficient cause has been shown why the Ordinance should be altered.

The Commissioners are anxious that it should be distinctly understood, that, so far from intending in the slightest degree to disparage the Medical schools represented by the petitioners, they are fully sensible of their present high efficiency, and of the valuable services which they have for a long time rendered to Medical education. In including University College and King's College among the schools at which the whole education for the St Andrew's degree might be taken, and allowing only a portion of it to be taken in the Hospital schools, there was no intention on their part to institute comparison between the present teaching of the Colleges and the Hospitals. But the Commissioners think it impossible to overlook the distinction in principle between the objects of the respective foundations—the primary object of the two Colleges being education, while that of the Hospitals is the relief of suffering. Each of the Hospitals, indeed, existed a long time before any Medical school was established in connection with it; and each might now return to its former position, and abandon the function of teaching, if the Governors thought it expedient to do so.

It may be proper here to correct a statement, which appears in the petitions of Guy's, St Thomas's, and St Bartholomew's Hospitals, to the effect that the students of the Medical schools in connection with them have, in common with the students of the other Hospital schools of London, always been in the same position in every particular, as respects admission to degrees at all the Universities within the United Kingdom, as the Medical students of the two London Colleges. In the University of Edinburgh, the usage of which has in many respects been followed by the Commissioners in framing rules for the other Universities, it has never been so. The two Colleges were in 1838, as appears from a minute of the Medical Faculty of the University of Edinburgh in that year, recognised by the University, from the

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dates of their respective foundations, as on the same footing with teaching Universities. That recognition entitled candidates for the Edinburgh degree to study in either of the London Colleges during all the portion of their professional course, which might be taken elsewhere than in the University itself, that is, during three of the four necessary years of Medical study; and the rule has continued the same ever since. The Hospital schools, on the contrary, were not recognised at all as qualifying for the Edinburgh degree until 1846; and the recognition, which has since then been extended to them, has never exceeded two of the four years of Medical study.

Were the Commissioners to admit the schools in connection with the Hospitals represented by the petitioners, as schools in which all the education for the St Andrew's degree might be taken, they think it would be impossible to exclude many other schools throughout the country, which it may be are less celebrated, but which cannot in principle be distinguished from them, and to admit which it appears to the Commissioners would be highly inexpedient.

Where a University is purely an examining and graduating body, it is more peculiarly necessary to surround the system of graduation with safeguards against the admission of persons of inferior qualifications, than in the case of a University, which undertakes the instruction of the candidates for its degrees, and has in the course of their studies opportunities, in different ways, of judging of their characters and attainments, and which furnishes a staff of highly qualified Professors to act as Examiners. Such safeguards may be furnished in the University of London, which, the Commissioners are aware, admits candidates from a great variety of schools in different parts of the country; but in St Andrew's it is practically impossible to introduce them.

The Commissioners, for these reasons, are of opinion, that it would be inexpedient to admit, as qualifying to the full extent of the necessary studies, the schools in connection with the four Hospitals represented by the petitioners.

They also think, that a strong reason for the same conclusion is afforded in the large proportion, amounting to 50 per cent., furnished by these schools, of the candidates for the St Andrew's degree. To these candidates, if a Medical degree was an object, the University of London was open; or, by means of the diplomas of the Colleges of Physicians and Surgeons in London, they had it in their power to be admitted to practise under the Medical Act. It was therefore quite unnecessary, that they should look elsewhere than to London for a degree or a qualification to practise.

Before concluding, the Commissioners think it right to advert to an alternative, which is suggested by the prayers of the petitioners. Each of the petitions, with the exception of that of Middlesex Hospital, which body, however, was represented before the Commissioners by the same Counsel with the others, and would be satisfied with the same result, concludes with a prayer, that Your Majesty in Council may be pleased to withhold your approbation of the 8th section, and of any other parts of the Ordinance, which purport to give to the Medical students of King's College or University College any privileges or advantages, as respects admission to degrees in the University of St Andrew's, which are not thereby accorded to the Medical students of the Hospitals. While the Commissioners are of opinion, that it would be decidedly inexpedient to admit the students of the Hospitals to the same privileges, in regard to graduation in St Andrew's, with students of Universities, there appears to them to be more force in the objection, that University College and King's College are not Universities, but are substantially on the same footing as the schools represented by the petitioners. The Commissioners have already explained the reasons, which induced them to extend to those two Colleges the same recognition as is given to Universities; but, if it shall appear to Your Majesty, that it is inexpedient on public grounds, or injurious to the petitioners, to place the two London Colleges in that favoured position, the object of the petitioners might be fully attained, by striking out University College and King's College from the list of Universities and Colleges in section viii. of the Ordinance, and inserting them in section ix. 1, as bodies on the same footing with the Hospital schools. That course, the Commissioners were assured by the Counsel for the petitioners, would satisfy them.

Given under the seal of the Commission, at Edinburgh, this 20th day of December 1861.

JOHN INGLIS, *Chairman.*

(L. S.)

#### 10. REPORT ON PETITIONS AGAINST ORDINANCES Nos. 28 TO 52, RELATIVE TO BURSARY FOUNDATIONS IN THE UNIVERSITY OF ABERDEEN.

UNTO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL,

Report on Petitions  
against Ordinances  
Nos. 28 to 52, as to  
Bursary Founda-  
tions in Aberdeen.

THE REPORT of the Commissioners appointed by and for the purposes of the Act of the 21st and 22d years of Your Majesty's reign, chapter 83, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen.'

May it please Your Majesty,

By an Order in Council, dated the 7th day of June 1862, Your Majesty was graciously pleased, in pursuance of the provisions of the above-mentioned Act, to refer to the Commissioners the following forty-four Petitions against the Ordinances Nos. 28 to 52, Aberdeen Nos. 8 to 32, inclusive, of date the 11th of April 1862, viz.:-

- I. From the Kirk-session of the Parish of Lochbroom and County of Ross;
- II. From the Kirk-session of the Parish of Belhelvie;
- III. From the Kirk-session of Knockando, The Honourable George Henry Essex Grant, and The Honourable Lewis Alexander Grant;
- IV. From the Minister, Elders, and others, Parishioners of Abernethy, Strathspey;
- V. From the Kirk-session of the Parish of Dallas, in the County of Moray;

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- VI. From the Kirk-session of the Parish of Oyne, in the Presbytery of Garioch, and Synod of Aberdeen;
- VII. From the Kirk-session of the Parish of Cabrach;
- VIII. From the Kirk-session of the Parish of Alvie;
- IX. From the Kirk-session of the Parish of Mortlach, in the County of Banff;
- X. From the Kirk-session and Inhabitants of Boharm;
- XI. From the Kirk-session and others of the Parish of Aboyne;
- XII. From the Kirk-session and others in the Parish of Premnay;
- XIII. From the Kirk-session and Parishioners of Inveraven Parish;
- XIV. From the Ministers, Elders, and others, Inhabitants of the Parish of Cairney;
- XV. From the Minister, Elders, and others, of the Parish of Boyndie, in the County of Banff;
- XVI. From the Minister, Elders, and others, Inhabitants of the Parish of Glass;
- XVII. From the Minister, Elders, and others, in the Parish of Auchindoir, Aberdeenshire;
- XVIII. From the Inhabitants of Birnie;
- XIX. From the Inhabitants of the Town of Grantown, in the united Parish of Cromdale and Inverallan, County of Inverness;
- XX. From the Inhabitants of the Village of Portessie, Banffshire;
- XXI. From the Inhabitants of the Village of Findochty, Banffshire;
- XXII. From the Inhabitants of the Village of Portknockie, Parish of Rathven;
- XXIII. From the Inhabitants of the Burgh and Parish of Cullen, in the County of Banff;
- XXIV. From the Inhabitants of the Town of Whitehills, County of Banff;
- XXV. From the Inhabitants of the Parish of Banff;
- XXVI. From certain of the Inhabitants of the Parish of Urquhart, in the County of Elgin;
- XXVII. From the Inhabitants of the Parish of Marnoch, in the County of Banff;
- XXVIII. From the Ministers and Inhabitants of Buckie and surrounding district;
- XXIX. From the Minister and others of the Parish of Deskford;
- XXX. From the Minister and Inhabitants of the Parish of Fordyce;
- XXXI. From the Ministers, Feuars, and other Inhabitants of Portsoy;
- XXXII. From the Parishioners of the Parish of Rothes, Morayshire;
- XXXIII. From the Parishioners of Kirkmichael, Banffshire;
- XXXIV. From the Parishioners of Drainie, near Elgin, and others;
- XXXV. From the Heritors, Ministers, and others, of the united Parishes of Urquhart and Glenmoriston;
- XXXVI. From the Heritor, Minister, Elders, and others, of the Parish of Duncansburgh (Fort-William), within the County of Inverness;
- XXXVII. From the Heritors, Ministers, and others, of the Parish of Kilmonivaig, Inverness-shire;
- XXXVIII. From the Provost, Magistrates, and Town Council of the Royal Burgh of Banff, in Council assembled;
- XXXIX. From the Presbytery of Fordyce;
- XL. From Messrs Robert Maclure and W. D. Geddes, Professors of Classics in the University of Aberdeen;
- XLI. From the Provost, Magistrates, and Council of the City and Royal Burgh of Elgin, in Council assembled;
- XLII. From the Heritors, Ministers, and others, within the Parish of Old Deer;
- XLIII. From Heritors, Ministers, and others, of the Parish of Bellie;
- XLIV. From the Landholders, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen, in General Meeting assembled;

Also the following six Petitions against the Ordinance No. 52, Aberdeen No. 32, [Redhyth Foundation], viz. :—

- XLV. From the Earl of Seafield;
- XLVI. From the Minister and Elders of the Kirk-session of the Parish of Banff;
- XLVII. From certain of the Trustees under the Deed of Mortification of Walter Ogilvie of Redhyth;
- XLVIII. From Landed Proprietors, Justices of the Peace, Ministers, Elders, and Gentlemen, residing in the Parish of Keith, and County of Banff;
- XLIX. From the Minister, Elders, and other Inhabitants of the Parish of Cromdale, Strathspey;
- L. From the Inhabitants of the Parish of Grange;
- Also LI. The Petition of the Provost and Bailies of the Burgh of Old Aberdeen against the Ordinance No. 30, Aberdeen No. 10, [Watt Foundation];
- Also LII. The Petition of the Provost, Magistrates, and Council of the City of Aberdeen, against Ordinances No. 28, Aberdeen No. 8; No. 49, Aberdeen No. 29, [Liddell Foundation]; and No. 48, Aberdeen No. 28, [Cargill Foundation];
- Also LIII. The Petition of the Moderator and Kirk-session of the Parish of Mortlach, against Ordinance No. 42, Aberdeen No. 22, [Dr John Lorimer's Foundation].

Along with the Order in Council of the 7th of June, the Commissioners received intimation from the office of Your Majesty's Privy Council, that, in addition to the fifty-three petitions so referred, eleven other petitions on the same subject would be laid before Your Majesty at the next Council for reference to the Commissioners. These eleven petitions were the following, viz. :—

- LIV. From the Kirk-session of Alvah;
- LV. From the Kirk-session of Turriff;
- LVI. From the Kirk-session of Monquhitter;
- LVII. From the Kirk-session of Gartly;
- LVIII. From the Kirk-session of Speymouth;
- LIX. From the Parishioners of Fyvie;
- LX. From the Parishioners of Ordiquhill;
- LXI. From the Commissioners of Supply of Banffshire;
- LXII. From Ministers and others of Duthil; and

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tions in Aberdeen.

LXIII. From Heritors, Ministers, and others, of Daviot and Dunlichity; such ten last mentioned Petitions being severally directed against Ordinances Nos. 28 to 52, Aberdeen Nos. 8 to 32, inclusive;

And LXIV. Petition of the Rev. James Allan, Minister of Grange, against Ordinances Nos. 41 and 42, Aberdeen Nos. 21 and 22, [Lorimer Foundations].

By a subsequent Order in Council, dated the 19th of July 1862, Your Majesty was pleased to refer such last mentioned eleven petitions to the Commissioners.

By the said Orders, Your Majesty was further pleased to direct that the Commissioners should hear the petitioners, or such of them as might be desirous thereof, by Counsel, and should report specially to Your Majesty in Council on the matter of the said several petitions.

On receipt of the Order in Council of the 7th of June, the Commissioners intimated its terms to the several petitioners therein named, and gave notice that, in pursuance of its directions, they had appointed the 21st of July last for hearing by Counsel such of the petitioners as should be desirous to be so heard.

At the same time, the Commissioners intimated to the several petitioners named in Your Majesty's Order in Council of the 19th of July, that their petitions would be laid before Your Majesty at the next Council for reference to the Commissioners; that, under such reference, it would be the duty of the Commissioners to hear by Counsel such of them as should be desirous to be so heard; and that the Commissioners had accordingly appointed the 21st of July for that purpose.

At the meeting of the Commissioners on the 21st of July, Counsel appeared and were heard for the Landholders, Commissioners of Supply, and Justices of the Peace, of the County of Aberdeen (Petition XLIV.).

Counsel also appeared and were heard for the Earl of Seafield (Petition XLV.), and the same Counsel appeared also for certain of the Trustees under the Deed of Mortification of Walter Ogilvie of Redhyth (Petition XLVII.), and for the Minister and Inhabitants of the Parish of Fordyce (Petition XXX.), in so far as their petition relates to the Ordinance No. 52, regarding the Redhyth Foundation.

Counsel also appeared and were heard for the Provost and Bailies of the Burgh of Old Aberdeen, who have petitioned against the Ordinance No. 30, regarding the Watt Foundation (Petition LI.).

No Counsel appeared for any of the other petitioners.

The Commissioners have considered with care the several petitions and the arguments of Counsel, and they now humbly lay before Your Majesty the following Special Report on the matter of the petitions.

The Commissioners will first address themselves to the cases presented by those petitioners who have appeared by Counsel before the Commissioners.

*Petition of the Landholders, Commissioners of Supply, and Justices of the  
Peace of the County of Aberdeen.*

The petition of the Landholders, Commissioners of Supply, and Justices of the Peace of the county of Aberdeen (XLIV.), after referring to the issuing of the twenty-five Ordinances, Nos. 28 to 52, by the Commissioners, states, that by these Ordinances the number of bursaries in the University of Aberdeen will be reduced from 255 to 189, and that, with the funds obtained by the suppression of 66 bursaries, the Commissioners propose to institute 12 Scholarships, which can only be competed for by students who have obtained the degree of Master of Arts. The petition then brings before Your Majesty the enactment of the Universities Act, under which the Commissioners have proceeded in framing the Ordinances; and after representing, that the foundations which are affected have been granted for the purpose of aiding poor boys to obtain the benefit of a liberal education, and that the diminution in the number of bursaries will be attended with injurious results, proceeds to express special dissatisfaction with the provisions of the Ordinance No. 52, regarding the Redhyth foundation, in which it is contended that, by alienating revenue intended for the maintenance of poor boys during their academic course, and bestowing it on students who have finished the curriculum of Arts at the University, the Commissioners have exceeded the powers conferred by the Act. The petitioners then represent, that no adequate or corresponding advantage can be gained by the endowment of scholarships as proposed by the Commissioners, and that the suppression of so many bursaries will detrimentally affect the cause of education in the North of Scotland. They then submit that the Ordinances are inexpedient and unjust, as sacrificing the interests of the many to those of the few, of the poorer to the more wealthy classes, and as interfering with the rights of patronage and the privileges of those who have the strongest claims for these bursaries. They further submit, that the Ordinances are not in accordance with the designs and intentions of the founders, and that their tendency is to retard, not to promote, the interests of religion and learning. They conclude with expressing apprehension, that the diversion of revenues from the specific purposes signified by testators, which the Ordinances are assumed to involve, will, if carried into effect, tend to prevent persons in future from devoting property to educational purposes. For these reasons, the petitioners pray Your Majesty not to approve of the Ordinances.

In the address of Counsel in support of this petition, it was urged, in the first place, that serious evils are likely to arise from what is called the 'suppression' of 66 bursaries. Hitherto, it was said, the bursaries have been very numerous, and very easily attained, and they have conferred the greatest benefit on very many poor students, who, but for the assistance afforded by them, would have been debarred from a University education. Many of the bursaries were, no doubt, of very small value; but, until recent regulations made by the Commissioners, and now sanctioned by Your Majesty in Council, they were, it was said, in reality more valuable than their nominal amount represented, seeing that to all holders of bursaries under a certain annual amount (L.11 in Marischal College, and L.12 in King's College) the fees payable to the Professors were modified according to a graduated scale, so as to enable the bursars to defray the class fees out of the amounts of their bursaries. But now, after depriving the holders of small bursaries of this privilege, the Commissioners, it was said, proposed further to diminish the number of the bursaries, and so to increase the difficulties already thrown in the way of poor students proceeding to the University.

In the next place, it was urged that the conditions, which the Ordinances introduce into the com-

petition for bursaries, tend to place young men from country schools at a serious disadvantage; and that the competition would be unfair, because it would be open to students sufficiently well prepared, on entering the University, to be admitted to the higher classes of Latin, Greek, and Mathematics. It was represented that the result would be, that candidates from town schools, whose previous education had been attended with greater advantages, would carry off all the bursaries, or at least the more valuable of them, from those who had received only such an education as could be afforded in the country schools.

Lastly, it was contended that the proposed diversion to other purposes of a portion of certain funds, hitherto applied to bursaries tenable during the undergraduate course, was not in accordance with the main design of the founders, and was therefore illegal, as well as inexpedient. In particular, this complaint was urged against the appropriation of part of the income of the Adam foundation, by Ordinance No. 33, to the purposes of the General University Fund therein mentioned, and temporarily towards the liquidation of a debt which exists on the manse or dwelling-houses belonging to the University, and against the institution from the Fullerton, Moir, and Gray foundations, by Ordinance No. 47, of eight scholarships to be competed for by graduates in Arts. A similar objection was also said to apply to the regulations introduced by Ordinance No. 39, with regard to the disposal and tenure of the Boxill Bursary. It is unnecessary to enter here into a detail of the grounds on which these objections were supported, as these will be stated hereafter, when the Commissioners come to explain the provisions of the foundations in question, and the manner in which they have been dealt with by the Ordinances.

It has been seen that, in their petition, the gentlemen of the county of Aberdeen express special dissatisfaction with the Ordinance No. 52, regarding the Redhyth foundation. Their Counsel, however, did not address any argument to the Commissioners against that Ordinance, but claimed for his clients the benefit of the argument of Counsel for the Earl of Seafield, whose petition relates exclusively to that Ordinance, and will form the subject of a subsequent part of this Report.

The complaint regarding the diminution in the number of Bursaries relates, as the Commissioners understand, to the bursaries in the Faculty of Arts, as it is in that Faculty alone that any such diminution is proposed by the Ordinances; and the numbers 255 and 189, stated by the petitioners as representing the present number of bursaries, and the proposed number, as reduced by the Ordinances, are very nearly correct, if understood to apply to the Faculty of Arts. The actual number, in either case, is slightly above that stated by the petitioners, the reduced number under the Ordinances being 193 instead of 189.

The number of students in the Faculty of Arts is about 400. Last session (1861-2) it was 399. There is still, therefore, under the Ordinances, nearly one bursary for every two students.

If it be said that the proper mode of estimating the proportion of bursaries to students, is to compare the average number of bursaries falling vacant in each year with the number of students then entering the University for the first time, the proportion will still appear very large. Of the 193 bursaries in the Faculty of Arts, the Commissioners estimate that 95 are competition bursaries in the appointment of the *Senatus Academicus*; and, as these are distributed over a cycle of four years, the number belonging to each year will be, as nearly as possible, 24. Of the remaining 98 bursaries, 85 are presentation bursaries, *i.e.*, bursaries in the gift of private persons or corporations, and 13 are bursaries which, although in the gift of the *Senatus Academicus*, are subject, in a greater or less degree, to restrictions as to the persons by whom they can be held. These 98 bursaries not being arranged in a cycle like the competition bursaries, a larger proportion of them will, through casual vacancies, be available in each year for students entering the University; and the number so available may therefore be estimated with safety at 26. The number of students entering the University is about 120 yearly, so that, with 24 competition bursaries and 26 presentation and restricted bursaries, there would be 5 bursaries for every 12 students.

But the petitioners object that, whether this proportion be great or small, the effect of the Ordinances in diminishing the present number of bursaries will be to prejudice rather than to promote the interests of religion and learning.

Before expressing an opinion on this subject, or assigning the reasons of their opinion, the Commissioners think it right to explain certain circumstances connected with the reduction of the number of bursaries under the Ordinances.

The present large number of bursaries is to a very considerable extent the effect of an illegal practice, which has prevailed in the case of many of the foundations, of increasing the numbers of the bursaries much beyond those authorized by the founders, and that although not unfrequently the result has been to diminish the value of each bursary far below what is either desirable or consistent with a regard to the object of the foundation. Thus, on one fund (Dr Cargill's), which was bequeathed for the maintenance of 4 poor scholars, there are at present 8 bursaries of £10 a year each; on another (the Redhyth), the Commissioners find 20 bursaries instead of 8, as directed by the founder; on a third (Dr Adam's), 19 instead of 3; and on a fourth (Dr Moir's), 20 instead of 4. In this manner it will be found that the aggregate number of bursaries under the Ordinances, although considerably less than the present apparent number, falls very little short of that which the founders themselves have authorized. That the number on any foundation is less than that which the founder directed, is owing almost entirely to the circumstance, that, in many cases, the value of the fund has in the course of time, from the depreciation of money or other causes, fallen so low as to render it necessary, in the view of the Commissioners, to diminish the number and increase the value of the bursaries, in order to render them available for the purposes for which they were destined.

It may be said that a different principle has been followed in the provisions of Ordinance No. 47, regarding Mr Gray's foundation of two Mathematical bursaries in Marischal College. But, as will be explained in a subsequent part of this Report, the peculiar conditions attached to that foundation appear to the Commissioners fully to justify the course which they have adopted in reference to it.

But, besides that the effect of the Ordinances is to a large extent merely to abolish bursaries, which have been illegally added to the foundations, many of the small bursaries, which the Commissioners have united into bursaries of greater amount, are now, from their insignificant value,

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frequently left vacant, and are therefore of little importance at present in any view. That a diminution in the number of such small bursaries will not to the same extent diminish the number of available bursaries, may be inferred from the fact, that the whole of the twelve Elphinstone or King's College Foundation Bursaries, the present value of which is £5 each, were ascertained by the Commissioners to be vacant during last session. In like manner, the smallness in value (£5) of the six bursaries on Dr Liddell's foundation has been assigned by the Patrons, the Town Council of Aberdeen, as one of the reasons why, during nine years for which returns were furnished to the Commissioners, it has been found impossible to fill up any one of these six bursaries.

The present number of small bursaries is very considerable, there being more than 70 of an annual value less than £10 each, and of these above half are under £6. The general effect of the Ordinances is to consolidate these insignificant bursaries into a smaller number of bursaries, of a value in no case less than £10 each.

By section XXIII. of the Universities Act, the Commissioners are directed, in the exercise of their powers, to have special regard to the Reports presented by the three Royal Commissions of 1826-30, of 1836-7, and of 1857. There is no reference in the Report of the Commission of 1857 to the subject of bursaries, but it engaged much of the attention of both the former Commissions.

The Commissioners of 1826-30, at page 75 of their General Report, state their opinion as follows:—

‘The influence and effects of the great number of small bursaries, which exist in several of the Universities, have been the subject of our serious consideration.

‘At King's College, Aberdeen, there are 134 bursaries, being about one bursary to every third student; and at Marischal College there are 106 bursaries, being more than one to every third student, taking the Divinity students who attend both Colleges as included in the number attending King's College.

‘At the United College of St Andrew's there are 55 bursaries, being nearly one to every fourth student.

‘It is evident, from the information before us, that the number of bequests for the foundation of bursaries is progressively increasing, and almost every year sums are left for that purpose by individuals who have been educated at these Universities.

‘From the information contained in the evidence before us, and particularly from the statements of several of the Professors, we entertain very strong apprehensions, that the laudable object which it is proposed to promote by such bequests has not been very satisfactorily or usefully accomplished, and that the number of small bursaries has been attended with consequences very prejudicial to the interests of the Universities. The number of the bursaries is greatly beyond the proportion necessary for the encouragement of extraordinary merit, or to provide for individual cases of unusual poverty and hardship.’

These Commissioners, then, after stating that it was completely proved that many persons were attracted to the University in the hope of obtaining a bursary, and advertent to the evil effects which often resulted to such persons, proceed to say:—

‘The evils resulting from this state of things are serious and manifold. The character of the instruction afforded at the Universities will be insensibly lowered, with a view to the numbers attracted by these bursaries without adequate preparation or instruction. The resort thus artificially created is mistaken for a general tendency of persons of the same description in life to attend the Universities; and the feeling is very naturally entertained by the Professors, that the paramount object of their exertions is to adapt their instruction to the wants and previous education of this class of students. It is to this cause that we are inclined to ascribe the views, which have been so strongly urged upon our attention by the Masters of King's College, Aberdeen, in regard to the objects to which the Northern Universities ought in their opinion to be devoted, and the character and standard of instruction which they consider it to be necessary to afford. From these views we entirely dissent. We are convinced that no good can ever result from lowering the standard of instruction afforded in the Universities, in order to suit the attainments of students who come to College without any reasonable preparation. Neither is such a lamentable sacrifice in any degree required, with a view to enable young men of strong natural talent and decided turn for instruction to overcome the difficulties and hardships to which poverty may subject them. Where such talents and dispositions exist, we believe that, in most cases, if corresponding advantages and means of improvement are afforded, the highest attainments will be ultimately gained by students. These are in almost every instance the students, who, before entering the University, will have profited most by their previous education, and have derived the most advantage from the means of early instruction, however limited and scanty. To such students no course of education which the University can afford can be pitched too high, or carried too far: their industry, ardour, or natural genius, will conquer all difficulties; and their object will not be obtained, or justice done to them, if the instruction afforded by the Universities shall be lowered in order to suit the capacity and acquirements of persons solely attracted to College by the advantages of a bursary.

‘It would, in our opinion, be infinitely more important for the interests of learning, and more useful for the ultimate advantage of the students from the poorer classes of society, if, instead of a great number of bursaries of small value, the funds could be appropriated for the purpose of instituting a smaller number of endowments with larger allowances, which should be awarded after public competition at an advanced period of attendance at the University, as a reward for established merit, and to enable those, whose exertions have proved that they can benefit by such education, to prosecute still further the studies to which they are devoted.’

The Second Report of the Aberdeen Universities Commission of 1836-7 also adverts to the subject of the large number of bursaries in Aberdeen. At page vi. of that Report, the Commissioners, after condemning as an abuse the practice of increasing the number of bursars on different funds, in place of dividing the increased revenue among the number appointed by the founder, say:—

' We consider this practice as objectionable, not only as it involves a violation of charters, but as it increases the number of small bursaries, which we agree with our predecessors in thinking a source of manifest evil to the interests of education, at the expense of a smaller number of liberal endowments, which might be made highly conducive to the promotion of those interests.

' The practice ought to be the more sedulously guarded against, that the personal interests of the Professors afford considerable temptations to it, as it both increases their patronage, and enlarges the proportion of the bursary funds which come to themselves in the shape of fees; the practice being to retain the Professors' fees out of the sums paid to the bursars.'

The Commissioners desire to express their entire concurrence in the opinions thus recorded in the reports of these two Royal Commissions. They are satisfied that the existence of a large number of small bursaries operates prejudicially to the interests of education, by attracting to the University persons whose state of preparation is insufficient. It is difficult in many cases for the Professors to reject bursars as unfit to enter the University, and they are therefore led by degrees to lower the standard of their instruction, in order to suit it to the attainments of persons of inferior education. In this manner the tone and character of the University come in time to be seriously impaired, while to compensate this evil no corresponding benefit is conferred on those who are admitted to the University without due preparation.

Entertaining these views, therefore, and fortified by the strongly expressed opinions of former Commissions, to whose reports they are bound to have special regard, the Commissioners have considered it their duty to diminish to some extent the number of small bursaries in the University of Aberdeen. At the same time, by consolidating many of these small bursaries, which now, through the want of persons to fill them, frequently continue vacant, into bursaries of greater value, additions have been made to the number of available bursaries in the University, so that practically the total diminution which has been effected is considerably less than the petitioners represent. There are still left in the Faculty of Arts, as has been stated, 193 bursaries to 400 students—a proportion larger than that which appeared excessive to the Commissioners of 1826. It seems, indeed, hardly possible to maintain, that the proportion under the Ordinances is too small, or that a number of bursaries has not been left, amply sufficient both to encourage deserving students, and to assist those whom it is desirable to assist in obtaining a University education.

It has not, the Commissioners believe, been suggested, that the proposed diminution of the number of bursaries will permanently lessen the number of students at the University. It certainly ought not to have that effect, and there is in reality no ground for the apprehension. It is a circumstance not unworthy of notice, that the University of Glasgow, which, of the four Scottish Universities, has the smallest number of bursaries, has at the same time the largest number of students in Arts. The number of Arts bursaries in that University is only 53, while the students in Arts amount to about 700, the number for last session being 677. This number of students is by no means accounted for by the large population of Glasgow; the Commissioners having ascertained, in the course of their investigations in the year 1860, that less than one-fifth of the students are natives of Glasgow. In Glasgow, also, as well as in Aberdeen, the majority of the students are in very poor circumstances.

It is not necessary for the Commissioners to discuss the expediency of abolishing the rule as to modifying the class fees to all holders of bursaries below a certain value, as that rule is abrogated by an Ordinance (No. 27, Aberdeen No. 7), which has already received the approval of Your Majesty in Council.

The objection, which was stated on behalf of the petitioners, to the conditions provided by the Ordinances as to the competition for bursaries, is one which the Commissioners have some difficulty in understanding. It appears to them to be, in fact, an objection to the application of the principle of competitive examination to University bursaries. For a long period, however, all bursaries, in the appointment of the *Senatus Academicus*, not confined by the foundations to particular classes of persons, have in Aberdeen been bestowed on that principle.

But students, it is said, will now be admitted to the competition, whose previous education has been such as to fit them at once to enter the senior classes of Latin, Greek, and Mathematics; and, consequently, students, whose early opportunities have been less favourable, will be placed at a disadvantage. In urging this objection, the petitioners seem not to be aware that, so far from admitting to the bursary competition any students who are now excluded, the Ordinances in reality limit the competition more narrowly than at present. Hitherto all students, not already the holders of bursaries, have been admissible, in whatever stage of their University course they may be; whereas under the Ordinances (*e.g.*, Ordinances Nos. 33, 36, 37, 38, and 47) the competition is confined to students entering on their first or second session.

The Ordinances, however, taken in connection with a previous Ordinance, No. 14, applicable to all the Universities, which received Your Majesty's approval in the course of last year, introduce an important change into the conditions of tenure of the competition bursaries, which it may be proper here to explain.

Before the passing of the Ordinance, No. 14, which now regulates the course of study for degrees in Arts in the several Universities, there was in the University of Aberdeen a fixed and invariable course of study prescribed for all candidates for a degree. This course extended over four sessions or academical years, during the first of which the student attended the junior classes of the Professors of Latin and Greek, during the second, the senior classes of those two Professors and the junior class of the Professor of Mathematics, and, during the third, the senior class of Mathematics. It is unnecessary here to specify the other classes on which attendance was required. The course of study was the same to all students, whatever might be their state of knowledge and preparation. To the tenure of a bursary, however, there was attached the condition, that every student, when he obtained a bursary, whether on his first admission to the University, or after having been a student for one or more sessions, should enter the junior classes of Latin and Greek, and proceed through the course prescribed for a degree, in the same manner as if he were then for the first time commencing study in the University.

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The alteration effected in these regulations by Ordinance No. 14 is as follows. While it requires, under ordinary circumstances, attendance for two sessions on each of the classes of Latin, Greek, and Mathematics as heretofore, it provides, 'that any student, who, at the time of his entrance to the University, shall satisfy the Professors in the Faculty of Arts on examination, that he is qualified to attend the higher classes of Latin, Greek, and Mathematics, or any of them, shall be admitted to such higher class or classes, as the case may be, without having previously attended the first or junior class or classes in the same department or departments;' and further, 'that, where a student has been admitted to the higher classes both of Latin and Greek, without having previously attended the first or junior Latin and Greek classes, his course of study for the degree of Master of Arts may be completed within three winter sessions instead of four.'

This provision, the Commissioners believe, will be of advantage, not merely in relieving the better prepared students of an attendance on classes which are unsuited to their advanced attainments, and from which, therefore, they cannot be expected to derive benefit, but also in giving to the Professors of Latin, Greek, and Mathematics, whose incomes depend largely on the numbers of their students, a direct interest in raising the standard of qualification for admission to their junior as well as to their senior classes, so as ultimately to lead to students of such advanced attainments giving attendance at both the junior and senior class of a Professor. Nor can it well be objected, that the improvement in the standard of qualification for admission to the University will have the effect of discouraging or disqualifying young men, who have received their elementary education at parish schools, from coming up to the University; for the elevation of the standard ought to be, and cannot but be, gradual; and it is surely not unreasonable to hope that it will, among other beneficial effects, stimulate the teachers of schools, and lead, in the same gradual progress, to their sending their pupils to the University in a more advanced and satisfactory state of preparation than at present.

The clause of the Ordinance No. 14, which has been quoted, is not confined in terms to students who are not bursars, and the Commissioners did not intend so to limit its operation. It would be most inexpedient, as well as unreasonable, unless there were something in the conditions of the particular foundation which rendered it imperative, that a student, because he obtained a bursary, should be required to attend classes, of attendance on which it was otherwise considered desirable that he should be relieved.

It was suggested, however, by persons whose interests are supposed to be affected by the change, that, as the Ordinance does not mention bursars expressly, it must be held to apply to other students only, and that it is necessary for bursars still to submit to the former rule of the University, requiring them, on obtaining their bursaries, to commence with the junior classes of the first year.

To prevent the possibility of such a construction, the seventh clause of the Ordinance No. 28 has been introduced, which provides, that 'no student, obtaining a competition bursary in the Faculty of Arts in the appointment of the Senatus Academicus, shall be required, as a condition of his tenure thereof, to enter the first or junior classes of Latin, Greek, and Mathematics, or any of them, unless otherwise he would have been required to attend such classes or any of them, in proceeding to the degree of Master of Arts; nor shall any such student be required to attend any class or classes, in addition to those required from other students in proceeding to the said degree.'

It is obvious, from this explanation, that the conditions attached by the Ordinances to the competition for bursaries do not throw any new difficulties in the way of poor students. A certain advantage in the competition must always exist in favour of students, who have had a higher education at school; and, if the Commissioners had proposed, for the first time, the extraordinary expedient of excluding the best students from the competition, they would justly have been charged with introducing a regulation calculated directly to lower the standard of scholarship among students entering the University. The petitioners profess an anxiety on behalf of students whose early training has been deficient. But it has been shown, that the larger portion of the bursaries in the University are in the hands of private patrons, or are bestowed on other considerations than success in the annual competition. There is therefore no want of means for assisting such students in obtaining a University education.

The Commissioners have, in the last place, to notice the objections which were raised on behalf of these petitioners to particular Ordinances.

The first of these related to Ordinance No. 33, regarding Dr Alexander Adam's foundation.

By a single deed, dated the 10th of August 1691, Dr Adam founded three bursaries in King's College, and two bursaries in Marischal College. The lands, which he conveyed for this purpose, were different in the case of the two Colleges, and the two foundations therefore have been preserved distinct from each other. The Ordinance affects only the foundation in King's College.

The deed, which is printed at length in the Appendix to this report, bears, that the granter thereby sells and disposes to, and in favour of, the University of Aberdeen (*i.e.*, King's College), the Masters, and their successors, and to the Marischal College of New Aberdeen, and unto the Hospital of Old Aberdeen, and unto the Hospital of New Aberdeen, for the maintenance of bursars in each of the said Colleges, and of a beadman in the said Hospitals, 'allowing forty pounds for each bursar by the year, and twenty pounds to each of the beadmen by year, as after limited,' all and whole those crofts, etc. After a description of the lands which he destines for the foundation in King's College, he proceeds, 'All this I dispoise unto the Masters and Regents of the Old Town College, for the maintenance of three bursars in the said College for four years, being of my kindred or, etc.' Then follows a portion of the deed relating to the proposed foundation in Marischal College, after which directions are given, that 'the said Principal, Masters, and Regents of the King's College of Aberdeen, may be infeft in the said crofts, . . . ; they with rents of the said crofts maintaining three bursars of Philosophy for four years space, . . . and that the said Masters pay, or cause to be paid, out of the said rents, twenty pounds Scots to the Beadhouse or Hospital of Old Aberdeen, for the maintenance of a beadman, etc.'

The effect of this deed, in the opinion of the Commissioners, is to make a gift of the lands in question to King's College, subject to the burden of the College maintaining, out of the rents, three bursars at the specified rate of L.40 Scots, or L.3, 6s. 8d. sterling, each, and one beadman at the rate of L.20 Scots.

The Commissioners are not aware what was the original value of the property included in Dr Adam's gift to King's College. The present net annual value available for all University purposes, including bursaries, amounts to L.404 annually; and a provision for three bursaries, at L.3, 6s. 8d. each, would leave a net annual surplus to the College of L.394. The University, however, has not confined the number of bursaries to that provided by the founder, nor has it limited the allowance to each bursar to that which was fixed by him. The number has been increased from time to time, until there are now nineteen bursaries on the foundation, at sums varying from L.10 to L.20, and amounting in the aggregate to L.293 a year. The last addition to the number was made in 1860-1, the first year of the union of the Colleges, when two new bursaries, of L.10 each, were created.

These arrangements are destitute of all legal authority, and the Commissioners do not think it desirable that such a system should be continued.

By the Ordinance No. 33, the number of bursaries is fixed for the future at nine, three of which will be of the annual value of L.20 each, and six of the annual value of L.15 each; and it is directed that these nine bursaries shall be open to competition, the bursaries on this foundation having been so bestowed for a very long period. The remainder of the net income of the fund (L.254), is by the Ordinance made applicable to the purposes of the General University Fund, instituted by a previous Ordinance No. 12, i.e., to such purposes as the payment of the expense of apparatus and museums, and the support of the University Library. In the meantime, however, one-half of the surplus is directed to be placed to the account of a sinking fund for the extinction of a debt of about L.2000, secured on certain manse or dwelling-houses, belonging to the University. These manses are six in number, and the right to occupy them is assigned, as part of their emoluments, to the holders of certain Professorships. The debt in question has been incurred by the University, from time to time, for repairs and alterations on the manses, and a burden is at present imposed on the incumbents of these Chairs of paying, in name of rent, a percentage on the amount of the debt. The Commissioners propose to provide for the liquidation of the debt, by setting apart temporarily a portion of the surplus income of Dr Adam's foundation to establish a sinking fund for the purpose, the occupants of the Chairs being, in the meantime, bound to continue payment of the same rents as they now pay, until the whole of the debt is extinguished.

In taking these steps, the Commissioners consider they are fully justified in point of law, by the provisions of sections XV. 2 and XV. 8 of the Universities Act. By the former of these sections, they are empowered to frame a new Statute or Ordinance for the application of any gift or endowment of the nature therein specified, which has taken effect for more than fifty years, if it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as is consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment. The latter section empowers them to provide, by means of any of the funds, property, rents, revenues, and endowments of any University or College, for the payment and extinction of any debts forming a present burden on such rents, revenues, or endowments respectively.

The Ordinance provides for a larger number of bursaries, as well as for a larger payment to each bursar, than that which the founder directed. The complaint, therefore, that there are too few bursaries, cannot be maintained; and it has not been suggested that the allowance proposed for each bursar is too small.

After thus making full provision for nine bursaries on Dr Adam's foundation, the Commissioners had to consider in what manner the surplus income of L.254 could best be applied for the interests of the University. In doing so, they were much impressed with the insufficiency of the means which the University now possesses for the support of the Library, and for other necessary expenses. Its present means for such purposes consist almost exclusively of the matriculation and examination fees of students, and the income which it derives from this source is quite inadequate. In particular, the funds for the support of the Library are very insufficient, owing mainly to the circumstance, that the compensation allowance to the University under the Copyright Act has been fixed at a very low rate. While in the University of Edinburgh this allowance is L.575 a year, in St Andrew's L.630, and in Glasgow L.707, the University of Aberdeen receives only L.320. The Commissioners, therefore, concluded that their proper course was to apply the surplus income of Dr Adam's fund to assist in the maintenance of the Library, and in meeting other general University expenses, for which, at present, there is but a scanty provision.

The temporary application of a portion of the surplus income to a fund for extinguishing a debt on University buildings is also, they consider, within the scope of their authority, and in the highest degree expedient, with the view of placing on a proper footing the Professorships to which the manses are attached.

The petitioners objected, through their Counsel, in the next place, to the institution from the Fullerton, Moir, and Gray funds, by Ordinance No. 47, of eight scholarships, to be competed for by graduates in Arts. The following are the circumstances of these several foundations.

By his will, dated the 25th of January 1692, Mr James Fullerton of Halstead, in Essex, directed his lands and houses, lying at Bockin in that county, to be sold, and the proceeds to be invested in land in Scotland, and settled upon the University of Old Aberdeen for ever, 'for the bringing up as many scholars of my nearest relations as the revenue of the same will maintain, and, for want of such relations, then my will is, it shall be disposed of for the maintaining as many poor scholars as the governors of the said University shall think fit.'

It appears that, in 1695, shortly after Mr Fullerton's death, articles of agreement were drawn up on the subject of his foundation between the Masters of the College and certain persons whom he had appointed to be overseers of the foundation. Under this agreement the number of bursars, and the allowance to be made to each, were to be determined by these parties, 'by one paper under their hands when the money is settled.' The Commissioners understand that no such document is now in existence, but it is probable that the number of bursaries was fixed in this manner at ten, that having been the number on the foundation in the year 1704. From time to time, however, as on other foundations, the

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number has been increased, until it now amounts to as many as twenty-nine, the last creation of new bursaries having been in 1860-1, when three bursaries, of £10 each, were added to the foundation. The present allowances to the bursars vary from £10 to £14, 10s., and amount in the aggregate to £373. The present net income of the fund is £476. The bursaries have for a long period been open to competition.

By the will of Dr Alexander Moir of the island of St Croix, of uncertain date, but of which the University first received information in 1763, a sum of £600 was bequeathed to King's College 'for the support and education of four poor students annually in that College, and subject to such regulations as the foresaid Alexander Moir shall, by a separate writing, make concerning this benefaction.' No such regulations were ever communicated to the University, nor is the *Senatus Academicus* aware that any separate writing on the subject ever was executed by the testator. Under these circumstances the bursaries have been bestowed at the yearly competition.

The number of bursaries, as fixed by the founder, was four, but this has been raised by degrees to twenty, the present number. Of these, four bursaries, of £10 each, were first added in 1860-1. The bursaries vary in value from £10 to £17, and amount in all to £284. The total net income is £465.

By a deed, dated the 19th day of December 1768, Mr John Gray, of King Street, Covent Garden, bequeathed to the Principal and Professors of Marischal College the sum of £1000, for the foundation of two Mathematical bursaries. The sum was paid to the College in 1770. The deed contains very minute regulations as to the manner in which the bursaries should be bestowed, and as to the conditions of their tenure. To be admitted to the competition, it was to be necessary for each candidate to have proceeded regularly in the prescribed academical course in the Faculty of Arts, to have studied under the Professor of Mathematics for two sessions and no more, and to have made himself well acquainted with certain specified branches of Mathematics. Candidates were to be students of Philosophy, having at least one year of the ordinary course of Philosophy to run, and they were to obtain the bursaries 'by an open and solemn comparative trial,' the examination being conducted, in presence of the Principal and Professors, by the Professor of Mathematics on oath. A casual vacancy in either bursary was to be filled up in a similar manner for the residue of the term of its tenure, after a competition of candidates qualified to compete at the time of its commencement. After providing for an annual allowance of £12 to each bursar, to be increased if the income should admit of it, and for the payment of certain fees to the Professor of Mathematics, it was directed that the term of tenure of the bursaries should be two years, and that, during that period, the bursars should reside in Aberdeen 'and apply themselves assiduously, under the direction of the Professor of Mathematics, to the study of Conic Sections, Optics, Mechanics, and Mechanical Philosophy, Astronomy, Fluxions, the Quadrature of Curves, and other branches of the higher Geometry, and in general to all such parts as form the complete Mathematician.' It was also directed that any bursar, on leaving College, should receive a gold medal, if he should appear 'to have a very fine genius for Mathematics.'

The present annual value of this foundation is about £84, of which £60 is paid to two bursars at £30 each, and £8, 8s. as fees to the Professor of Mathematics.

Difficulties, however, are now experienced in carrying out the minute directions of the founder. These difficulties were first brought under the notice of the Commissioners by a memorial from the *Senatus Academicus*, dated the 23d of April 1861, in which they requested the Commissioners 'to relax the conditions on which the Gray bursars at present hold their appointments, and which it has been found impracticable to carry out, so as to be productive of much advantage to the bursars or to the University.' It was subsequently explained to the Commissioners, that the condition, requiring the bursars, after obtaining their bursaries, to continue the prosecution of the study of Mathematics, had 'been found almost nugatory in practice, as in most cases the prosecution of Mathematical studies, after the completion of the curriculum in Arts, interferes with the purely professional studies or active duties of the bursars.'

Under these circumstances, it was suggested as desirable by the Professors of Mathematics and Natural Philosophy, after giving much attention to the subject, that the value of the Gray bursaries should be awarded annually to the candidate, who should most distinguish himself at the examination for graduation with honours in Mathematics, which includes an examination in pure Mathematics and in Natural Philosophy. The same Professors further proposed, that the Simpson Mathematical prize and the Boxill bursary, to which foundations another Ordinance (No. 39) relates, should be awarded in conjunction with the value of the Gray bursary to those candidates who came next in order of merit.

The course so suggested for the future regulation of the Gray foundation appeared to the Commissioners in direct furtherance of the main design of the donor, which was the encouragement of advanced Mathematical study. But, after careful consideration, the Commissioners were of opinion, that this end would be more effectually attained by the institution of Mathematical scholarships, to be competed for by graduates in Arts in the manner provided by Ordinance No. 47.

The Commissioners will now explain the provisions of that Ordinance in regard to the three foundations with which it deals.

On the Fullerton foundation it fixes the number of bursaries at fourteen, of which five are of the annual value of £20, and nine of the annual value of £15 each.

This number of bursaries, although considerably less than that which the *Senatus Academicus* now has on the foundation, is greater than the original number (ten). The income exhausted by these bursaries is £235, leaving, of the total net income of £476, a surplus of £241, applicable to the scholarship fund created by section viii. of the Ordinance.

On the Moir foundation, the Ordinance also fixes the number of bursaries at fourteen, of which four are of the annual value of £20, and ten of the annual value of £15 each. This number is less than that which now exists, but is much larger than that (four) provided by the founder. The total amount of the bursaries under the Ordinances is £230, leaving, of an income of £465, a surplus of £235 applicable to the scholarship fund.

The income of the Gray fund being £84 a year, the total annual amount of the combined scholarship fund is estimated at £560, and from this the Ordinance provides for the foundation of eight scholarships of £65 each, to be called the Fullerton, Moir, and Gray scholarships. It is provided that

these scholarships shall be tenable for four years, that they shall be competed for by graduates in Arts of the University under two years' standing, that four shall be awarded for distinction in Classical Literature and Mental Philosophy, and four for distinction in Mathematics and Natural Philosophy, and that two scholarships, and no more, that is, one in each of such two departments, shall be awarded annually.

It appears to the Commissioners that these provisions will promote at once 'the interests of religion and learning, and the main design of the donors.' The foundations of Mr Fullerton and Dr Moir are so general in their terms, as to admit of great latitude in disposing of the funds belonging to them for the encouragement of education in the University. On the other hand, the purposes of Mr Gray's foundation will be more effectually advanced, by the institution of the four Mathematical scholarships, to which his foundation contributes, than by maintaining his two bursaries fettered with conditions, which it has been found impracticable to carry out in a manner advantageous either to the bursars or the University. As, therefore, each of these foundations has taken effect for a period much beyond fifty years, there cannot be a question that the provisions of the Ordinance are within the powers conferred on the Commissioners by the Legislature.

It also appears impossible to entertain any doubt of the expediency of the institution of these eight scholarships. 'The main defect in the system of the Scotch Universities,' as is observed by the Commissioners of 1826-30 (General Report, p. 36), 'is the want of adequate motives and encouragement for continued and vigorous application.' Those Commissioners therefore insist very strongly on the importance of furnishing to students stronger motives to exertion, and greater opportunities of gaining reputation at the University, than now exist. The defect which they point out is still a subject of regret to all who are interested in the improvement of the Universities of Scotland. To remedy it, the most powerful, if not the only effectual means, will, it is believed, be found in the institution of pecuniary rewards attainable, as fellowships in the English Universities, by distinguished graduates in Arts. To this object already, in the University of St Andrew's, one third of the income of the Ramsay foundation, the most valuable of the bursary foundations in that University, has, with the liberal concurrence of Sir Alexander Ramsay, the patron, been devoted by an Ordinance, which has received Your Majesty's sanction; and in the University of Edinburgh a similar use has been made of a fund, recently bestowed on the University by the surviving trustees of the Pitt Club of Scotland. With the same view, it is proposed by the Ordinance now under consideration, to institute eight scholarships in the University of Aberdeen; and the Commissioners are persuaded, that the benefit which their institution will confer on the University cannot be too highly estimated.

It was explained, indeed, by the Counsel for the petitioners, that they do not question the propriety of instituting scholarships in the University, but that they object to the employment, for the purpose, of any portion of the revenues connected with the bursary foundations. It was suggested, on their part, that probably the necessary funds might be obtained from other quarters, and there is no doubt as to the source which was thus indicated. The Commissioners, however, think it would be unwise to trust to the public Exchequer for the foundation of scholarships in the Universities.

It was further suggested by Counsel, that at all events the Ordinances ought to have contained some provision, securing a continued connection with the University on the part of the holders of the scholarships. The Commissioners have considered this subject very fully, not only in regard to the scholarships in Aberdeen, but also in regulating the conditions, now approved by Your Majesty in Council, of the scholarships instituted in St Andrew's and in Edinburgh; and the conclusion at which they have arrived is, that it would not be expedient to attach to the scholarships, as a condition of their tenure, a continued attendance and study at the University. The period for which they are to be held is only four years; and it will greatly increase the advantages which they will afford, if the holders are allowed, should they think fit, to prosecute their studies elsewhere than in the University at which they have obtained their scholarships. The provision of section ix. of Ordinance No. 28, empowering the Senatus Academicus, with the approval of the University Court, to suspend any scholar from, or to deprive him of, his scholarship, on account of gross misconduct, affords a sufficient check against any serious abuse of this privilege, the possibility of which was suggested by the Counsel for the petitioners.

With regard to the provisions of the Ordinance No. 39, which relates to the regulation of the bursary on the foundation of Dr William Boxill, the arguments of Counsel were exceedingly general, and did not contain any special reference to the terms of the founder's will. The will, as far as is material, is in the following terms:—'I give the said sum of L.700 consolidated annuities to the New Town College of Aberdeen, as a Mathematical bursary, the dividends and income thereof to be gained by competition in the usual way; and I direct the said sum of L.700 to be transferred to the treasurer, trustees, or other officers of the said College, to be held by them in trust for the purposes aforesaid.'

It has been already stated, that, in suggesting to the Commissioners the introduction of new conditions regarding the Gray foundation, the Professors of Mathematics and Natural Philosophy proposed that the Simpson Mathematical prize and the Boxill bursary should be awarded, in conjunction with the income of the Gray foundation, to the most distinguished students in the examinations in the department of Mathematics at the examination for graduation with honours. The Commissioners, while they concluded that the funds of the Gray foundation could be more beneficially employed in another manner, fully concurred with those Professors as to the expediency of the proposals which they made for the future regulation of the Simpson and Boxill foundations. These proposals, accordingly, have been embodied in the Ordinance No. 39.

Neither of the two foundations has taken effect so long as fifty years, and it would therefore be out of the power of the Commissioners to alter any of the conditions or directions, which the founders themselves have provided. But these are so general, as to leave in a great measure to the University authorities the regulation of the manner in which the prizes are to be bestowed. On this principle, as the Commissioners are assured, the foundations have uniformly been dealt with by the respective Senates of King's and Marischal Colleges.

The Ordinance, therefore, does not contain any regulation inconsistent with the provisions of Dr Boxill's will. His bursary will still be, as he directed, a Mathematical bursary gained by competition.

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His will is silent as to the stage of a student's course at which the competition is to take place, and also as to the term of the tenure of the bursary. The Ordinance professes to regulate these matters only, providing that the last year of the course shall be the time of the competition, and, in effect, that the period of tenure shall be one year.

It may be proper to explain, that the sanction of an Ordinance of the Commissioners to an arrangement of the two prizes on one system was thought desirable, as no such arrangement had hitherto existed, owing to the circumstance that one of the foundations belonged to King's College, and the other to Marischal College.

In concluding their observations on the petition of the gentlemen of the county of Aberdeen, who alone have appeared by Counsel to maintain an opposition to the Ordinances as a whole, the Commissioners think it right to point out, that, while the provision of the Universities Act, under which these petitioners appear, is one enabling any University or College, or the trustees or patron of any foundation, or any person directly affected by an Ordinance, to petition Your Majesty against its approval, the petitioners are not the trustees or patrons of any foundation in the University, and have no very clear title or interest to appear as opponents of the Ordinances. That they have been very ready to assume the position of opponents, and have done so without much consideration, may be inferred from the fact, that, at the time when they presented a petition to Your Majesty, charging the Commissioners with 'diverting revenues from the specific purposes signified by testators,' they had not even made themselves acquainted with the circumstances and conditions of the foundations to which this charge related; for their Counsel, while protesting against what he represented to be the confiscation of Dr Adam's fund, was compelled to admit, at the hearing, that he had not even then been informed of the terms of Dr Adam's deed of foundation. The Commissioners think it would be unfortunate, if the University, whose welfare these Ordinances intimately concern, were allowed to suffer from an opposition undertaken with so little consideration, and proceeding from persons whose title to appear is so doubtful, and whose interest is so remote.

*Petitions of the Earl of Seafield, of certain of the Trustees under the Deed of Mortification of Walter Ogilvie of Redhyth, and of the Minister and Inhabitants of the Parish of Fordyce.*

The petitions of the Earl of Seafield (XLV.), and of five of the trustees under the deed of foundation of Walter Ogilvie of Redhyth (XLVII.), relate exclusively to the Ordinance, No. 52, regarding the Redhyth foundation. The Counsel for these petitioners appeared also for the Minister and Inhabitants of the parish of Fordyce (XXX.), but only in so far as their petition, which is in form against the whole of the Ordinances, is directed against the Ordinance No. 52.

The terms of the foundation of Walter Ogilvie of Redhyth are contained in his deed of the 16th of September 1678, as modified, in some respects, by a subsequent deed, dated the 1st of November 1680.

By the deed of 1678, which is set out at length in the Appendix, the founder granted and mortified to the ministers of the parishes of Fordyce, Banff, Inverboyndie, Mortlach, and Ordiquhill, and to the Principal and Professors of the King's College of Aberdeen, and their several successors, the lands and barony of Redhyth, for the use of twenty boys to be bred and educated at the school of Fordyce and King's College, and he appointed the said ministers and members of the College 'sole and absolute patrons and overseers, managers and administrators,' of the foundation, subject, however, to the directions set forth in the deed, which are to the effect, that each boy should remain at the school for five years, and immediately thereafter at the College for four years; that only twelve of the boys should be together at the school, and eight at College, for which end only two boys yearly should be admitted to the foundation; that, until the full number of twenty boys should be completed, the surplus of the yearly rents should be accumulated, as this would 'much contribute to their better maintenance and subsistence'; their last four years in the College, which requires a better provision; that each boy, while at school, should receive a specified allowance in grain for his maintenance and clothing (two pecks victual weekly for meat and drink, and two bolls victual for their clothing, yearly), in addition to a payment of forty shillings Scots to the schoolmaster of Fordyce for his instruction; that a fixed allowance (19 bolls, 2 firlots, 2 pecks meal, and ten pounds money) should be provided for the chamberlains appointed to draw the rents; and that the income, arising from any accumulations made as above directed, should be employed for the use of the eight boys who should from time to time be at College, in addition to their receiving the like allowance in grain to that provided for the boys at school. The deed further directs, that none but poor boys should be admitted to the foundation; that they should be past eight years of age before admission to the school; that a certain order of preference in names and conditions of birth should be observed in their selection; and that, failing boys possessed of such qualifications, any poor boys might be chosen, whom the patrons might think fit. The patrons were further directed to examine the boys periodically, and, in case they should find any of them, after being four years at school, 'not to have a genius and inclination for letters, and unfit to be scholars,' to take such boys from the school, and give them a year's salary to assist in putting them out in trade, and, after the expiration of the year to which such year's salary was applicable, to fill the places of the boys so taken away for the remainder of the nine years then to run. The deed further appointed Sir Patrick Ogilvie of Boyne, and his heirs, controllers of the foundation.

The deed specifies the rent of the lands, at its date, as 189 bolls, 2 firlots, 2 pecks meal and bear of victual rent, and L.100 Scots of silver rent. Leaving out of consideration the direction as to the disposal of the surplus rents for the benefit of the eight bursars at College, and estimating the allowance for each College bursar at the same rate as that provided for each boy at school, the aggregate of the several allowances specified in the deed would exhaust the rent of the lands, with the exception of a sum of L.66 Scots.

The lands of Redhyth, as is stated in the deed, were held by the founder under a wadset from the Earl of Findlater, subject to a power of redemption on payment of the amount of the debt. Under this power they were subsequently redeemed, and other property was acquired by the trustees for the purposes of the foundation.

By his deed of 1st November 1680, the founder recommended to the members of the College and the other overseers of his foundation, to grant to Sir Patrick Ogilvie of Boyne, and his heirs and successors, a right of presenting the bursars, and also appointed him conjunct patron of the foundation along with them. A deed, giving effect to this recommendation, was executed by the members of the College and the other overseers on the 24th of December 1680.

In 1765, the right of presenting the bursars was purchased from the heir of Sir Patrick Ogilvie by the Earl of Findlater and Seafield, then Chancellor of King's College, through whom the Earl of Seafield, the present patron, derives his title to the patronage. The Commissioners observe that a right of 'overseeing' or 'controlling' the foundation appears also to be claimed by the Earl of Seafield in virtue of the purchase; but it may be open to question how far such a right could be a subject of sale.

At the time when the right of presentation was so purchased, the number of bursaries was the same as that fixed by the founder. Shortly afterwards, however, a system of increasing the number on the foundation was introduced, through which it has been gradually raised, until it now amounts to forty. Of these forty bursaries, twenty are attached to the school of Fordyce and twenty to the University of Aberdeen, so that, in increasing the number, the trustees and patron, on whose authority the increase rests, have not even had regard to preserving the proportion between the school and the University bursaries, which was necessary for maintaining the connection between them.

The first addition to the number of bursaries appears to have originated in a proposal from the Earl of Findlater and Seafield shortly after his purchase of the patronage. In the year 1767, the following letter was addressed by him to the Principal of King's College:—

*Cullen House, 31st October 1767.*

'Sir,—Having considered the state of Redhyth's mortification which you left with me, and observed the annual excrement of the funds above what is at present applied for the use of the bursaries, it is my opinion and inclination that one bursar more should be added to the College at the rate at which they are presently maintained. I think the allowance for the boys at the school is too small, and am of opinion that a crown a quarter more should be given to each of them.

'I have talked to some of the ministers here, who approve of this regulation, and think it may be very properly established upon my proposal, by a College meeting approving of the regulation, and transmitting a copy of their minute to the ministers concerned, to make their objections within a month. Allow me, therefore, to beg the favour of you to lay this letter before a meeting of the College for their consideration, and to present my best respects. . . .

*FINDLATER AND SEAFIELD.'*

The minutes of the College bear, that 'in consequence of this letter, the Masters, having considered the state of Redhyth's mortification, do approve of his Lordship's proposal, and agree that a new bursar be added at the College, and that the bursaries at the school of Fordyce shall have an augment of five shillings quarterly, . . . and they appoint the Master of Mortifications to acquaint the ministers concerned in the management of this mortification of the above proposal and agreement of the masters, and that he will pay the bursars accordingly, if no reasonable objection to the above plan is offered by them within six weeks.'

The number of the bursaries at College was thus raised to nine. Subsequently, farther additions were made from time to time to the number of these bursaries, and, beginning with the year 1803, to the school bursaries also; the last addition having been made in 1849, when the number was raised from 17 at school and 17 at College, to 20 at school and 20 at College. In that year the following correspondence passed between the College and the Earl of Seafield:—

*King's College, 8th August 1849.*

'My Lord,—I have been instructed by the Senatus of King's College to call your Lordship's attention to the present condition of the Redhyth mortification, and respectfully to submit the following points connected therewith, one of which, they are happy to know, that your Lordship has already under consideration.

'By reference to the accounts, it appears that there is at present an annual surplus of about L.100, a large proportion of which may be safely applied to the immediate objects of the foundation. This the College propose to do in one or other of the following ways, according as your Lordship and the other trustees may deem more expedient, viz., 1st, by adding three bursaries at the school of Fordyce, and the same number at the College, of the same value as those now in operation, thus making the total number to be 20 at the College and 20 at the school, or, 2ndly, by retaining the same number as at present, and increasing the value of each of the College bursaries to L.20 annually. The latter mode may appear to be more in conformity with the words of the deed, that any surplus shall be applied to the "better maintenance and subsistence" of the bursars "their last four years in the College, which requires a better provision;" while, on the other hand, the fact of the fund having far exceeded in amount anything that the founder could possibly have anticipated, would justify the former step, if the present sum of L.16, 10s. be regarded as sufficient for the maintenance of a bursar at College.

'In conclusion, I am instructed to express to your Lordship, in the most respectful terms, the hope entertained by the Senatus, that, in presenting young men to bursaries on this foundation vacant at the College, your Lordship will, as far as possible, keep in view the founder's express desire, that the bursars at the College shall be selected from among those educated at the school.—I have, etc.,

*DAVID THOMSON, Secy.*

'To Right Hon. Earl of Seafield.'

*Cullen House, 28th August 1849.*

'Sir,—I take this, the earliest opportunity in my power, to acknowledge the receipt of your letters of the 8th instant, which were forwarded to me whilst visiting in Ireland.

'With regard to the Redhyth bursaries, I am humbly of opinion that their present value is abundantly adequate for the maintenance and education of young men of prudence, and there is reason to

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'fear that anything beyond what is actually required for these purposes might not in the majority of cases be so well applied as it should. This, coupled with your remark, that the fund at present far exceeds in amount anything that the benevolent founder could possibly have anticipated, induces me to think more favourably of the proposal to augment the number of bursaries, than to increase the value of the existing ones.

'Your concluding remarks call upon me to say, that, as patron of these bursaries, it always has been, as I trust it will ever be, my anxious endeavour to bestow them, without partiality, upon the most deserving, and that, too, in so far as practicable, with a view towards the fulfilment of the founder's express desire in each particular case.—I have, etc.,

'SEAFIELD.

'Professor Thomson.'

This correspondence was communicated by the members of the College to the five ministers, their co-trustees, who replied, that they were 'unanimously of opinion that the suggestion of the Earl of Seafield to increase the number of these bursaries should be adopted.' The number of bursaries was therefore raised to 40, its present number.

Each of the 20 school bursars now receives, in addition to the allowance in grain provided by the deed, a sum of L.2, 16s. 8d. annually in money, this being the amount of certain augmentations made from time to time—the first in 1767, in accordance with the proposal contained in the letter of the Earl of Findlater and Seafield above set forth, and the last in 1849, the same year in which the number of bursaries on the foundation was increased by six. The average value of the present annual allowance to each boy at school is between L.11 and L.12. The allowance under the deed would be between L.8 and L.9.

The schoolmaster of Fordyce receives a fee of L.1 annually for the instruction of each bursar at school, the payment having been gradually raised from that (40 shillings Scots) provided by the deed. No other payment on account of the bursars is made to the master.

The allowance for each of the 20 bursars at the University is L.16, 10s. a year. That rate was fixed in 1827, at a time when the number of bursars was 13 at the school and 12 at the University, and it has since remained unaltered. The bursars have for a very long period, and probably always, paid the same fees to the Professors as other students.

The aggregate of the several allowances thus made is stated by the University factor to be as follows :—

Bursars at school of Fordyce—

Allowance in grain (about)	.	.	.	.	.	L.170	0	0
„ money,	.	.	.	.	.	56	13	4
						L.226	13	4
Schoolmaster's salary,	.	.	.	.	.	20	0	0
University bursars,	.	.	.	.	.	330	0	0
						Total,	L.576	13 4

leaving, of an average net revenue of about L.614, a surplus of about L.37.

All the changes, which have been introduced into the foundation, rest solely on the authority of the trustees and the patron, and there cannot, the Commissioners think, be a question as to their illegality. The number of bursars, both at the school and the University, was definitely fixed by the founder. He also fixed definitely the allowance to each school bursar, and, it is important to observe, that he fixed it in grain, so as to insure it against any great diminution in value, to which it might have been liable had it been fixed in money. The allowance to the University bursars, on the other hand, was left indefinite, and the tenor of the deed shows the intention of the founder to have been, that the income arising from any surplus should be applied to the better maintenance of the bursars while at the University, 'which requires a better provision.' It seems beyond a doubt, that the only manner, in which the trustees could legally apply the surplus, was in increasing the allowances to the eight bursars at the University.

The course, however, of increasing the number of the bursaries beyond that fixed by the founder was adopted by those on whom it devolved to administer the foundation. The effect of such an increase undoubtedly was to bring to the Professors an additional income from class-fees, and to the patron an enlargement of his patronage; and these interests may possibly have led to a course of administration which is entirely illegal.

While the alterations, which have thus been introduced into the foundation, are destitute of legal authority, they are also, in the opinion of the Commissioners, highly inexpedient.

The attention of the Commissioners was first called to the position of this foundation by a memorial addressed to them by the Senatus Academicus in April 1861, which contains the following statement :—

'The Senatus would respectfully request the particular attention of the Commissioners to the Redhyth bursaries, as being susceptible of greatly improved administration.

'Considering the number and value of these bursaries, the Senatus are of opinion, that it is of great importance to the University that every care should be taken to select properly qualified persons to hold them. This, they regret to state, has not always been done, and thus the delicate duty of rejection has often fallen on the Senatus, under circumstances in which it is both difficult and painful to exercise it.

'The Senatus would, therefore, express the hope that the Commissioners would establish regulations by which the appointment of properly qualified persons might be insured.'

While the character of the bursars whom the present system sends to the University is found to be unsatisfactory, the alterations which have been made most effectually defeat the intention of the donor, that the foundation at the school should educate the bursars for the University.

The disproportionate increase of the number of bursaries at the University, as compared with those

at the school, has, of course, rendered it necessary that at all events some presentations should every year be made to the University direct.

But, besides, of those boys who are educated on the foundation at the school, comparatively very few are now promoted to bursaries at the University. Through information obtained from the present schoolmaster of Fordyce, the Commissioners understand, that, during seventeen years which have elapsed since his appointment as schoolmaster, only seventeen boys, being one-fourth of those who were eligible, have proceeded on the foundation from the school to the University.

It may be proper here to state the explanations of this apparent weakness of the tie between the school and the University bursaries, which have been given by the schoolmaster, and by the patron.

In a letter dated the 16th of December 1861, to the Secretary of the University, the schoolmaster says:—'In answer to your favour just received, I beg to say that, in issuing University presentations, I am not aware that the noble patron of the Redyth Bursaries attaches any particular weight to the fact, that the candidate has been educated at the Fordyce school; but he has granted presentations at my request to several young men who have studied at this school, though not on the list of bursars.' He then gives a list of those bursars who have during his incumbency been promoted to the University from the school, and proceeds:—'The above list will seem, I doubt not, unaccountably small; but the fact is, many of the boys have no view to the University, and merely study for mercantile or other professions. Of such there are not a few filling respectable situations throughout the country and in foreign lands. Two of my farthest advanced scholars, and who were prepared for the University at the commencement of this session, preferred clerkships in banking offices.'

The explanation of the patron is contained in a letter dated the 27th of March 1862, in reply to a communication from the Chairman of the Commissioners, and is as follows:—

'You state in your letter, that the connection between the school bursaries and those at the University has in a great measure been given up, and that, as a rule, the University bursars are not persons who have been educated at the school of Fordyce. It is true, that some of the bursars presented at King's College have not been bursars at the school of Fordyce, but this has arisen from circumstances over which the patron had no control. A great proportion of the boys presented to bursaries at Fordyce are content with the education that the school affords, and do not aspire to a College education. It might be argued, that the patron should not present but such boys as are likely to continue through the whole curriculum, but it is found that many of the most clever boys cease to pursue their studies beyond the school, and it has therefore been found necessary to fill up the vacancies from other sources. It has also to be kept in view, that the patron, in carrying out to the best of his ability the intentions of the founder, has to be guided by the precedence to be given to certain names and classes, and cannot therefore insure that the presentees will have the ability or inclination to follow out a College education. In practice, it is found that the boys, who have been chosen as bursars at the school of Fordyce, being generally the sons of poor parents, or of those having large families to support, in many cases decline to accept of College bursaries, being satisfied with that amount of education, which enables them to enter the business of life in somewhat of the same sphere as their parents, while a great proportion of those seeking College bursaries are of rather a higher class, who are able and willing to give their children a school education, and are ambitious for a College education for their sons, but whose means are insufficient to enable them to do so, were it not for the assistance provided by these bursaries. But I have to state, and I beg to call the attention of the Commissioners specially to the fact, that every boy presented to a bursary at the school of Fordyce has it also in his option to go to College; and I invariably, before issuing the presentations to the College, ascertain from Mr Stephen, the schoolmaster at Fordyce, if any of the bursars are willing and prepared to go to College, and in no case, that I am aware of, have any such been refused. I cannot therefore admit that the connection between the school bursaries and those of the College has been given up, or that the intention of the founder of the mortification has not been carried out in this respect in the letter and in the spirit, as any deviation has arisen from circumstances, which the founder could not have foreseen, nor the patron prevented. I therefore contend that the application of the surplus funds, arising from this mortification, to the increase of the number of bursars and their allowances, is no departure from the directions of the founder, but in accordance with the whole spirit and import of the deed, and is carrying out, as far as human fallibility will allow, the wishes of the founder, who states that his object is the glory of God, the honour of his native county,\* and the good of his neighbours.'

Without considering how far these explanations sufficiently show the reason, why so few of the University bursaries are now held by students who have been bursars at the school, the Commissioners think it is clear, that a state of circumstances is disclosed, which it is impossible to justify under the terms of the deed of foundation.

The object of the Ordinance No. 52, is to put an end to a system so unsatisfactory in every respect, and to regulate this valuable foundation in a manner more consistent with a regard to the design of the founder and the interests of education. The Commissioners will now state the effect of the Ordinance.

The first three clauses simply direct a reduction of the number of the school and University bursaries to that fixed by the founder.

Clauses iv., v., and vi., regulate the manner in which boys are to succeed from school to University bursaries. The calculations, on which the founder proceeded in making arrangements for this purpose, appear to have been inaccurate. In one place he directs that only two boys shall be presented and admitted yearly; but it is obvious that, with a five years' course, it would be impossible in this manner ever to complete the full number of twelve at the school. It is necessary that more than two should in some years be admitted to, as well as leave, the school; and provision must therefore be made for the contingency of fewer bursaries being vacant at the University, than the number of bursars from the school, who are eligible for them. It is also necessary to make provision for the occurrence of casual vacancies. The Commissioners have further thought it expedient to open the University bursaries, in

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\* The word quoted 'county' in the Earl of Seaford's letter, ought to be 'country.' It appears from an explanation, which subsequently took place, that the mistake arose from an error in the copy of the deed possessed by his Lordship.

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the first instance, to boys who have, for as many as three years, been educated on the foundation at the school, instead of five as provided by the founder; so as to admit of boys being sent to the school at an age, when it is possible to form a more definite judgment as to their future course than at an earlier period, and with the view of insuring, as far as possible, that boys shall be admitted to the foundation who are intended afterwards to proceed to the University.

To assist also in preserving the connection between the school and the University, provision is made in section vi. for University bursaries being kept vacant, until there shall be school bursars applying for them. In no case, however, is a bursary to be kept vacant for a longer period than one year.

Did the Ordinance close with section vi., the foundation would be left almost exactly on the footing on which the founder placed it, with the exception of the introduction of such alterations, as experience has shown to be necessary to enable the system of succession from the school to the University to operate satisfactorily. Each bursar at the school would be confined to the allowance in grain, and the schoolmaster to the payment in money, provided by the deed, and each of the eight University bursars would receive, during his four years' course in the Faculty of Arts, an annual allowance of above L.60.

The Commissioners, however, in consideration of the connection which exists between the University and the school, have thought it expedient to preserve the allowance to each school bursar at that which the trustees have thought desirable; and they have also thought it expedient to increase the rate of the schoolmaster's fee from L.1 for each of 20 boys, to L.2 for each of 12 boys at school. Section vii. of the Ordinance embodies the necessary provisions to that effect.

After these payments for the maintenance and instruction of the 12 bursars at school, there remains a net income of about L.450, to the application of which the subsequent sections of the Ordinance relate.

While the Commissioners are of opinion that a simple division of that sum among the eight University bursars, giving to each an allowance of about L.56 a year, would be an improvement upon the present system, by the inducement which the value of the bursaries would present, to send boys to the school who were intended afterwards to proceed to the University, they think, at the same time, that much may be done to raise the character and stimulate the exertions of the bursars, if the distribution of the sum is regulated in a different manner. A bursary of L.56 would be considerably larger than any of the present bursaries in Aberdeen, and would, in the opinion of the Commissioners, be unnecessarily large. It appears to them, that, by securing to each bursar, while a student in the Faculty of Arts, an allowance such as is afforded by the best of the present bursaries in that Faculty, and by holding out the prospect of a farther provision in a scholarship attainable by him after graduation, in the event of his distinguishing himself at the University, the end will be attained of enhancing the value of the bursaries, while, at the same time, the foundation will be rendered useful in elevating the standard of education in the University, instead of furnishing to it a source of embarrassment, as it now does. Such a distribution of the fund the Commissioners also believe most likely to prove beneficial to the bursars themselves.

Proceeding on this view, the Commissioners have, by section viii., fixed the present allowance to each bursar, while an undergraduate at the University, at L.25 a year, which they consider quite sufficient; and, by sections ix. to xiv. inclusive, they have provided for the institution of four Redhyth Scholarships, tenable after graduation in Arts. These scholarships are to be of the value of L.60 a year each, and to be tenable for four years, an appointment being made to one, but not more, in each year. The patronage of the scholarships is to be vested in the patron of the Redhyth Bursaries, who, in selecting the scholars, is to be confined in the first instance to bursars educated on the foundation, who have graduated in Arts with honours within two years before the time of making the appointment; and, in the event of there being no Redhyth bursars who have so graduated, the patron may then appoint any person who has within the same period graduated with honours. There is, further, a provision requiring the University to furnish yearly to the patron the information necessary to enable him to appoint to each vacant scholarship, and giving a right of appointment to the Senatus Academicus, in the event at any time of the patron failing to appoint within three months after such information has been furnished.

Section xv. provides for the payment of the small residue of the income of the foundation, and of the income of any vacant scholarship, to a fund called the Common Bursary Fund of the University, established by the Ordinance No. 28. By the first section of that Ordinance, it is provided that there shall be a Common Bursary Fund, into which shall be paid the surplus income of each foundation, which by Ordinance is directed to be so paid, and also the net unappropriated income of each of the bursary foundations in the administration of the Senatus Academicus. The second section directs, that certain necessary expenses connected with the examinations for scholarships and bursaries in the University shall be defrayed out of the fund, and that the surplus, after these are met, shall be invested and accumulated with the capital from time to time; while the third section provides, that each foundation shall have a claim on the fund for augmentations of the bursaries, scholarships, or prizes on the foundation, and for any necessary purposes, corresponding as nearly as may be to the amount of its contributions. By thus uniting the surplus income of a large number of foundations, many of them of inconsiderable value by themselves, so as to afford facilities of investment and accumulation, which otherwise would not exist, the Commissioners think it likely, that the several foundations, which contribute to the fund, will be largely benefited. This principle of combination has already been applied with success by the University to several of the foundations which it administers, and the Commissioners are of opinion that the application of the principle may be extended with advantage.

Objections were raised by the Counsel for the petitioners, both to the legality and the expediency of the provisions of this Ordinance.

On the question of legality, it was urged that the foundation, being one instituted not for the benefit of the University, or of students in the University, exclusively, but one in which the school of Fordyce also has an interest, it is altogether beyond the power of the Commissioners to deal with it under the provisions of the Universities Act. In particular, it was said that the Commissioners have no authority to deal with a surplus income, in which, but for the provisions of the Ordinance, the school might be allowed to share.

With regard to this objection it is to be observed, that the powers vested in the Commissioners by section XV. 2 of the Act, extend to the 'respective foundations, mortifications, bursaries, and donations bestowed on any of the said Universities or Colleges, or for the benefit of any Professors, students, or others therein.' These terms are sufficiently large to include the Redhyth foundation, and it can hardly be maintained that it is excluded from their operation by the provision of section XXVII., that nothing contained in the Act 'shall be construed to affect any trusts now vested in, and administered by, the Senatus Academicus of any University or College, or in the Principal and Professors, or any of them, for purposes unconnected with such University or College.'

The objection to the Ordinance, as affecting the funds of the foundation, applies in strictness only to the clauses subsequent to section vi. With regard to these, it is undoubtedly the duty of the Commissioners to take care, that the Ordinance shall not profess to transfer to the University any portion of the revenues which belongs to the school. They conceive, however, that the Ordinance is not open to such an objection, seeing that it provides to each school bursar, and to the schoolmaster, a larger allowance than that which was fixed by the founder, whose intention sufficiently appears from the deed to have been, that the University, and not the school, should receive the benefit of any subsequent increase in the income of the foundation.

It was further urged, that, supposing the foundation to be one to which the powers of the Commissioners extend, they ought to exercise their powers, not in the manner which the Ordinance proposes, but so as to legalize an increase in the number of bursaries, similar to that which now exists on the authority of the patron and trustees. By so employing the revenue, it was said, the Commissioners would be carrying out the intention of the founder, that his bounty should be applied for the education of poor boys, whereas the provisions of the Ordinance were calculated to defeat that object. The Commissioners, however, are unable to concur in this view of the petitioners. They have already adverted to the evil effects of the system of multiplying bursaries, which has prevailed so largely in the Universities of Aberdeen; and, looking to the dissatisfaction expressed by the Senatus Academicus with the character of the students, who are now presented to the Redhyth bursaries, they are not led to conclude, that benefit has arisen from the increase in the number of bursars on that foundation. They think it a course more likely to promote the interests of education, and to carry out the purposes of the founder, to strengthen the tie between the University and the school, which has come in a great measure to be disregarded, and to furnish the bursars with inducements to a diligent prosecution of study at the University. There is no ground for the suggestion, that the provisions of the Ordinance are in any respect adverse to the employment of the fund for the education of poor boys. The Ordinance, indeed, does not contain any clause which interferes with the discretion of the patron in appointing to the bursaries; and the Commissioners think, that greater benefit will be conferred on students from the poorer classes of society, by the assistance which the proposed scholarships will afford, than by the institution of a large number of bursaries of inconsiderable value, such as at present exists. In this view they are confirmed by the recorded opinion of the Commissioners of 1826-30, which has been quoted in a former part of this report.

An objection was raised to the provisions of section iv. as inexpedient, under which bursars are liable to a forfeiture of their bursaries, in the event of their failing to pass the ordinary University examinations required of students proceeding to the degree of Master of Arts. The same rule, however, has been made applicable to bursaries on other foundations, both in Aberdeen and in the other Universities, and experience does not seem to justify a departure from it in the case of the Redhyth bursaries. It is further to be observed, that, in order to prevent the possibility of any case of real hardship occurring through a too strict application of the rule, the Commissioners have introduced into another Ordinance (No. 69), which has recently received Your Majesty's sanction, a provision relative to all the Universities, by which the Examiners, instead of rejecting a student as having failed to pass an examination, are empowered, if they think fit, to adjourn his examination to a future occasion, which will not have the effect of causing a forfeiture of any bursary of which he may be the holder.

There is one objection raised by the patron in his petition, which was not pressed on the Commissioners by Counsel, but which it is proper to notice. After mentioning the purchase of the patronage of the bursaries by the Earl of Findlater and Seafield, for a sum of L.650, it is stated that the Ordinance threatens to inflict on the petitioner, his successor, a manifest injustice, 'by depriving him of a moiety of his rights as patron of these bursaries, and substituting therefor the patronage of the intended 'scholarships, which, with the conditions annexed thereto, is quite an illusory honour.' In stating this objection, it must have escaped the notice of the patron, that, at the time when the right of presentation was purchased by his predecessor, the number of bursaries was limited to that fixed by the founder, viz., twelve at the school and eight at the University, and, that the patronage which appears now to be claimed, is, partly through the increase of the bursaries from twenty to forty, and partly through the manner and proportions in which that increase has been made, much more than double of that to which a claim can be established. The Ordinance, in truth, far from depriving the patron of any of his rights, preserves to him the patronage of the whole of the foundation, and, at the same time, renders that patronage more valuable, than if the bursaries were restored to a simple conformity with the directions of the founder, which is the only possible alternative to an intervention of some statutory authority, such as that vested in the Commissioners. There is no reason to anticipate that the patronage of the scholarships will be an illusory honour; and, if it should appear eventually that the patron has little choice in making the appointments, this will result only from few of the Redhyth bursars being found qualified to graduate with honours. The Commissioners hope and expect that, among the improvements which the Ordinance will effect, many of the bursars on this foundation will be found desirous and fitted to obtain distinction in the University. The condition of graduation with honours is far from being a stringent one, and a free choice is left to each bursar, in qualifying himself as a candidate for a scholarship, to select any one of the four departments of Classics, Mental Philosophy, Mathematics, and Natural Science, in which to study for honours.

The Commissioners think it right to notice, that the petition of the five parish clergymen who are trustees of the Redhyth Foundation, although bearing to be the petition merely of 'the undersigned trustees,' is described in the Order in Council as that of 'the trustees under the deed of mortification of

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'Walter Ogilvie of Redhyth.' None of the members of the *Senatus Academicus* of the University of Aberdeen, who constitute the majority of the trustees, attended the meeting at which the petition was adopted. That meeting was summoned by the Earl of Seafield, although the Commissioners believe that it has not been the practice for the patron to summon meetings of the trustees. It was also summoned on an exceedingly short notice, and Banff was named as the place of meeting instead of Aberdeen, where the majority of the trustees reside. On receiving the summons, the Principal of the University forwarded to the Earl of Seafield's agent a protest, on behalf of himself and of the *Senatus Academicus*, against the proposed meeting being regarded as a meeting of the Redhyth trustees. Under these circumstances, the only persons, besides an agent for the Earl of Seafield, who attended the meeting, were three of the trustees who sign the petition (the Rev. Dr Bremner, the Rev. L. W. Grant, and the Rev. James Grant), and the resolution, which these gentlemen adopted, was 'to draw up and forward a petition, signed by the individual trustees, who disapprove of the said Ordinance.' The petition, therefore, is not that of the trustees of the foundation, and it is signed only by a minority of their number.

*Petition of the Provost and Bailies of the Burgh of Old Aberdeen.*

The petition of the Provost and Bailies of the burgh of Old Aberdeen (LL), is directed against the Ordinance No. 30, regarding the bursaries on the foundation of the Rev. James Watt of Snaith, on the ground that that Ordinance injuriously affects an interest of the petitioners in the foundation.

Two deeds were executed by the founder relative to this foundation, the one in 1623, and the other in 1625. These deeds are in precisely similar terms, but they convey separate lands; and, as they do not contain any reference to each other, it seems to have been the intention of the founder to institute two bursaries, one by each deed. Both deeds are in Latin, and the earlier is set out nearly in full in the Appendix.

By this deed, Mr Watt, after reciting his zeal for the orthodox religion, then publicly professed in Great Britain, and his affection for the University and King's College of Old Aberdeen, conveyed certain portions of land to his father, Arthur Watt, and his brothers, for their respective lives, failing whom, to the King's College of Old Aberdeen and the members of the same, and in particular to a student of Theology of the degree of Master or at least Bachelor of Arts, of the name of Watt, or Barclay, or Chalmer, or to some other student of Theology, a Master of Arts, born in the canonry or city of Old Aberdeen, and his successors, they being actually engaged in the study of the reformed religion, then publicly taught in the University by the Professor of Theology; but, if the reformed faith should cease to be taught therein, then to a student of Philosophy, of the name of Watt, or Barclay, or Chalmer, or one born in the canonry or city of Old Aberdeen, and his successors; and, if the College should fail to confer the benefit of the grant, according to his intention, on the said students, then and in that case to the Provost and Bailies of Old Aberdeen and their successors, for the maintenance and support of honest poor or young men, that they might have wherewithal to labour, or of decrepit or infirm persons, that they might have the means of subsistence; and finally, if the Provost and Bailies should fail to confer the benefit of the grant on the said poor persons according to his intention, then and in that case to his said father, Arthur Watt, and his heirs. The granter, then, in the reddendo clause of the deed, after providing for payment of a certain feu-duty or rent-charge out of the lands, directs the College and its members, and their successors, as long as they enjoy the same, to pay to the said student of the name of Watt, or Barclay, or Chalmer, or to any other student of the degree of Master of Arts, born in the canonry or city of Old Aberdeen, and his successors, four bolls or sixteen firlots of sufficient barley, by equal portions, half-yearly; but, if a year should happen in which there should be no student of Theology in the College so qualified, then, that in that year, and in all such years, the like payment in grain should be made by the College to the Provost and Bailies for the use of honest poor persons, the Provost and Bailies being bound, within a certain period after receiving the grain, to sell and distribute it among the poor. The deed then directs, that, if the reformed faith should cease to be taught, the College should pay the said amount of grain to the aforesaid student of Philosophy, qualified by name or birth as above mentioned; and that, if a year or years should happen in which there should be no student of Philosophy so qualified, the College should in such year or years pay the same amount to the Provost and Bailies for the use of the poor. There then follow clauses of forfeiture, by the College in the first place, in the event of its failing to make the payments as provided by the deed, in which case the magistrates of Old Aberdeen were to make the like payments from the lands for the support of honest poor persons; and, in the second place, by the Magistrates, if there should be a failure on their part, in which case the lands were to revert to the said Arthur Watt, the father of the granter, and his heirs for ever.

The terms of the deed of 1625 are precisely similar; the annual payment, however, provided out of the lands, being 17 instead of 16 firlots of barley.

The present average value of each of the two allowances in grain is about L.5, so that the two together constitute an annual charge of L.10 on an income, applicable to both foundations, of about L.62. The greater portion of the surplus income is derived from accumulations of capital, and might probably, consistently with the terms of the deed, be applied to the general purposes of the University. There being, however, a much smaller number of bursaries in the Faculty of Divinity than in the Faculty of Arts, the Commissioners have thought it desirable that the whole of the net revenue should be applied to bursaries.

By the Ordinance No. 30, therefore, it is provided that there shall be four bursaries in Divinity on the foundation, each of the annual value of L.14. It is further provided, that each of these four bursaries shall be open for competition to all Masters of Arts entering on their first or second session of attendance in the Faculty of Divinity, without restriction or preference as to name or birthplace.

The petitioners complain of this removal of the restriction of the bursaries to students of particular names, or to those born within the limits of Old Aberdeen; and they state in their petition that these restrictions 'were such as to render it probable that vacancies would frequently occur, and, in laying them down, the founder must have had prominently in view the benefit of the poor of Old Aberdeen.' They also state that such vacancies have in fact very frequently occurred, and must of necessity frequently

occur, and that the University is in use to pay to the petitioners the amount of the vacant bursaries. They claim, therefore, to be entitled to have the limitations maintained, or to be compensated for the loss caused by their removal; and they pray Your Majesty in Council 'to withhold Your approbation of the said Ordinance, until reasonable compensation for the loss to be sustained in consequence thereof be made to Your petitioners.'

The argument of Counsel in support of this petition was directed to show that the Ordinance is illegal, in as far as it abolishes the restrictions attached to the bursaries by the deeds of foundation.

It was urged, in the first place, that the authority of the Commissioners extends to such foundations only, as belong exclusively to the University, and that it does not extend therefore to the Watt Foundation, in which the town of Old Aberdeen also has an interest. The Commissioners, however, are of opinion, that an interest given to the town in a forfeiture, to be incurred in the event of the conditions attached to the bursaries not being complied with, does not exclude their power to deal with the foundation under the provisions of section XV. 2 of the Act.

It was then argued, that, as far as regards the interest of the town of Old Aberdeen in the foundation, a trust is vested in the *Senatus Academicus* for purposes unconnected with the University, within the meaning of section XXVII.; and that under that section, therefore, any power which the words of section XV. might apparently have given is excluded. But the Commissioners think it is impossible to maintain that a trust like the present, of which the University is the primary object, falls within the scope of section XXVII.

It was finally objected, that, supposing the gift to be one to the University, within the meaning of section XV. 2, and not to be excluded from its operation by section XXVII., yet the manner in which it is proposed to deal with the fund is not calculated to advance the main design of the donor, as regards the encouragement of students of particular names, or born within a certain locality, and that the Ordinance is therefore illegal. This argument, however, is manifestly untenable, as it would place it out of the power of the Commissioners to abrogate any restrictions as to the names, places of birth, or kindred of bursars, although conditions of that nature are found to affect most prejudicially the administration of bursary foundations.

With regard to the claim for compensation which is advanced by the petitioners, it appears sufficient to observe, that, even if the Commissioners thought it reasonable or expedient, they consider that it is not within their power to comply with it.

The present circumstances of the foundation appear to the Commissioners fully to justify the provisions of the Ordinance. Whatever may have been the case at the date of the foundation, it appears that, for a long period, the number of students of Divinity qualified by name or birth, as required by the founder, has been so small, that the University many years ago ceased in practice to regard the restrictions imposed by the deed, and in the absence of students so qualified bestowed the bursaries on others. This system continued without challenge until the year 1853, when a claim was made by the Magistrates and Council for arrears of the allowances in grain, in respect of the years in which there had been a failure of qualified students. This claim related back for the period of forty years, beyond which it was barred in law by lapse of time, and was ultimately settled in 1857 by a payment on the part of the University of a sum of £404, 9s. 10d., consisting of £217, 1s. 1d., the amount of lapsed bursaries, and £187, 8s. 9d. for interest on arrears. Since 1857 a sum of £27, 13s. 9d. has been paid to the Magistrates for lapsed bursaries.

In this manner it appears, that, on the average, a forfeiture of about £5, or the value of one of the two bursaries, is now incurred annually to the petitioners. At the same time, as much as five-sixths of the income of the foundation is allowed to accumulate from year to year.

The Commissioners think it highly expedient that a remedy should be applied to a state of matters so unsatisfactory. It could hardly have been the intention of the founder, after a recital of his zeal for the reformed faith, and of his affection to King's College, to attach such conditions to his foundation as should give one half of its benefit to the town of Old Aberdeen. Had there been no directions as to the disposal of the income of the bursaries in the event of a failure of qualified students, the Commissioners would unquestionably have considered it their duty to abolish restrictions, which experience had shown to be inexpedient; and they conceive, that the fact of such directions having been given affords no ground, either of law or expediency, to prevent them from following the same course. It would be very unfortunate, if effect were to be denied to the arrangements proposed by the Commissioners, for the mere purpose of securing to the ratepayers of Old Aberdeen relief from their ordinary parochial burdens, to the extent of about £5 a-year.

It is not unimportant to observe that, besides the forfeiture in favour of the town of Old Aberdeen, the deed contains also an ultimate forfeiture in favour of the founder's father and his heirs. The town can hardly claim a more favourable consideration than the founder's kindred; and the provision in their favour cannot, the Commissioners conceive, be held to exclude their power to alter the foundation in such a manner as may better promote the interests of education, which the founder mainly had in view.

*Petitions not supported by Counsel before the Commissioners.*

None of the petitioners from whom the remaining fifty-nine petitions proceed, appeared by Counsel before the Commissioners, although ample notice was given to them of the time appointed for hearing Counsel. These petitioners, therefore, can hardly be regarded as very earnest in their opposition to the Ordinances. Their failure to avail themselves of the opportunity of explaining their views to the Commissioners, which was afforded under Your Majesty's Order, may have placed the Commissioners at some disadvantage in reporting on the matter of their petitions. But nearly all of their petitions are in terms directed against the Ordinances as a whole, and are for the most part in the same language as those of the gentlemen of the county of Aberdeen, and of the inhabitants of the parish of Fordyce, on which the Commissioners have already reported. To such petitions, therefore, the Commissioners think they may safely conclude, that those parts of the report, which relate to those two petitions, are equally applicable.

Three of the petitions, however, are directed against particular Ordinances only; those, namely, of the Provost, Magistrates, and Council of the city of Aberdeen, against Ordinances Nos. 28, 48, and 49 (Petition LII.); of the Moderator and Kirk-session of Mortlach, against Ordinance No. 42 (Petition

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LIII.); and of the Rev. James Allan, against Ordinances Nos. 41 and 42 (Petition LXIV.). Regarding these, therefore, it is proper for the Commissioners to give such special explanations, as the terms of the petitions seem to require.

I. Of the three Ordinances against which the petition of the Magistrates and Council of Aberdeen (LII.) is directed, the first (No. 28) relates to the bursaries in the University generally; but some of its provisions relate only to the bursaries in the administration of the *Senatus Academicus*, while others are applicable to bursaries in the gift of private patrons. The petition of the Magistrates does not specify the provisions of the Ordinance to which they entertain objections. It refers indeed to the establishment, under the first three sections, of a Common Bursary Fund; but those sections apply exclusively to foundations of which the *Senatus Academicus* have the administration, and do not affect the petitioners in any degree.

The only provision of the Ordinance, indeed, by which the petitioners are at all materially affected, is that embodied in section x., which directs the *Senatus Academicus* to give due intimation to the respective patrons of the vacancies in presentation bursaries; and, in the event of any of the patrons of the bursaries enumerated in the schedule allowing, after such intimation, an entire winter session of the University to elapse without presenting to the vacant bursary or bursaries, vests in the *Senatus Academicus* a right to present thereto at the commencement of the immediately following winter session. Among the foundations, to which this provision applies, are several in the gift of the Magistrates and Council of Aberdeen.

It is impossible to maintain that this provision inflicts any hardship on the patrons whom it affects. Ample time is afforded, after intimation of a vacancy has been received, for the patron to exercise his right of presentation, before it is transferred to the *Senatus Academicus*. That a provision of the kind is required for the prevention of abuse, has been made apparent to the Commissioners by the occurrence of cases in which bursaries have been allowed to remain vacant, sometimes for years.

Dr Cargill's foundation, to which the Ordinance No. 48 relates, was 'for the maintenance of four poor scholars, and specially of my own friends, which failing, to town's bairns of New Aberdeen, at the College wherein learning shall be thought by the Council of Aberdeen most to flourish.' The present value of the fund is about L.90 a year, which does not afford too large a provision for the four bursars fixed by the founder. The Magistrates and Council of Aberdeen, however, have without authority increased the number on the foundation. At the period of the returns to the Commissions of 1826-30, and of 1836-7, the number of bursaries had been raised from four to eight; and the present Commissioners find that, although the illegality of this increase of the number was pointed out by the Commission of 1836-7, the number has not been restored to that fixed by the founder.

Under these circumstances, the Commissioners, by the Ordinance No. 48, direct that, as prescribed by the founder, there shall be four bursaries, and no more, on the foundation, and that each bursar shall receive L.20 annually. Power is reserved to the Magistrates and Council to increase this allowance from time to time, as the funds may admit.

The Ordinance also contains a provision enabling the Magistrates and Council to present any person to a vacant bursary, without restriction as to kindred or place of birth. The petitioners state that they are especially opposed to this provision, but the Commissioners are persuaded of its expediency, and they think that it is one of which the petitioners cannot seriously complain.

The Ordinance No. 49, relates to the foundation of Dr Duncan Liddell, who, by two deeds dated respectively in 1612 and 1613, conveyed certain property for the maintenance of six bursars 'in the College of New Aberdeen, so long as the same stands a College of Philosophy, and, failing thereof, to the College of Old Aberdeen.' It is provided that the bursars may hold the bursaries for six years,—viz., for four years in the Faculty of Arts, and two years after graduation in that Faculty, 'for learning further, and exercising themselves and helping other scholars by teaching of Mathematics in the same College.' It is also directed that, failing relations of the founder, the bursars are to be 'honest poor men's sons, burgesses of New Aberdeen, who are not able to sustain their bairns at the College.' The two deeds are set out at length in the Appendix to the Second Report of the Commission of 1836-7, pp. 231-235.

The present net income of the foundation, as returned by the petitioners, is about L.42, consisting partly of interest of money, and partly of L.16 stated to be the feu-duty receivable for the lands of Pitmedden, which the second deed includes in the foundation, but which it specifies as fixed at 'four score-four bolls victual, half meal half malt.' The value of this allowance would probably now amount to about L.100. The Magistrates and Council made a similar return of the value of the property to the Commissioners of 1836-7, who in their Second Report, p. xv., call attention to the great reduction in the income of the foundation, and state that no explanation of it had been given.

The Commissioners obtained from the petitioners returns as to the foundation for the nine years 1853-4 to 1861-2 inclusive, and from these they ascertained that every one of the six bursaries has been vacant during the whole of that period.

In explanation of this circumstance, and of the frequent occurrence of vacancies on other foundations, it was stated by the petitioners, that the vacancies arose in consequence of there being occasionally no competitors having the qualifications required by the deeds of foundation. The Commissioners then requested to be informed what difficulties had been found to arise in the case of Dr Liddell's bursaries, and stated that their object in making the request was that they might take means to remove them. In answer to this inquiry, they were referred to the provision of the founder, that the bursars shall be 'honest poor men's sons, burgesses of New Aberdeen, who are not able to sustain their bairns at the College'; and it was stated that the number of competitors so qualified, who had come forward and been within the order of merit at the annual competitions during the period referred to, had not been sufficient to fill Dr Liddell's and other bursaries of a like destination, under the patronage of the Town Council, and, therefore, that Dr Liddell's bursaries being the smallest in amount had remained vacant, and been added to the stock of the fund.

Under these circumstances, the Commissioners assuming, in the absence of any explanation of the loss of income noticed by the Commission of 1836-7, that the revenue of the foundation amounts only to L.42, as stated by the petitioners, and learning that the restrictions imposed by the founder, and the smallness in the value of the bursaries, had for nine consecutive years, and it may be for a much longer period, prevented the petitioners from filling up any of these six bursaries, considered it to be their duty, as it was in accordance with the intention which they had intimated to the petitioners, to remove difficulties which have brought the foundation to a state of complete abeyance.

The Ordinance No. 49, therefore, reduces the number of bursars on the foundation to three, and directs that each bursar shall receive an allowance of L.14 a year. It empowers the Magistrates and Council to present to a vacant bursary any person without restriction, and abolishes the condition that the bursars shall assist in the instruction of other students.

The Commissioners think it is impossible to doubt the expediency of these provisions of the Ordinance. The petitioners, indeed, state that they are opposed 'to any interference with the terms and conditions of deeds of foundation of pious and learned men, making over estates and funds for the education of the poorer classes of the community, whose relatives and parents may have been in better circumstances, and are desirous to maintain inviolate the trusts committed to them, and to carry the wishes and intentions of the founders into effect,' and that 'they are especially opposed to those portions of the said Ordinances relating to Dr Liddell's and Dr Cargill's foundations, by which it is proposed to authorize them to present to the bursaries on these foundations parties not entitled to be so presented under the wills and deeds of the founders.' It is difficult to reconcile such scruples with the continued maintenance of a number of bursars on Dr Cargill's foundation, inconsistent with the terms of the deed. More weight also might have been given to these expressions, had they not proceeded from a corporation, whose accounts of several of the bursary funds committed to its charge are so unsatisfactory, as has been pointed out by the Commissioners of 1836-7, in regard to Dr Liddell's and other foundations administered by the Magistrates and Council of Aberdeen. But, even if the conduct of the petitioners had been open to no such observations, the Commissioners think, that to yield to an objection, which would leave Dr Liddell's foundation in abeyance, rather than admit to its benefits any but sons of burgesses of New Aberdeen, is not a course which would be justified either by a consideration of the interests of education, or by a regard to the main design of the founder.

II. The petitions of the Moderator and Kirk-session of Mortlach (LIII.), and that of the Rev. James Allan (LXIV.), may conveniently be noticed together. Both petitions are directed against the Ordinance No. 42, relative to Dr John Lorimer's foundation. That of Mr Allan is directed also against the Ordinance No. 41, relative to the foundation of Dr William Lorimer.

By his will, dated the 14th of December 1793, as altered by a codicil dated the 8th of February 1795, Dr John Lorimer bequeathed the sum of L.200 to Marischal College, and directed the interest to be applied towards the maintenance and education of a boy of the relations of his father and mother, the bursary being by the codicil declared to be for the benefit of 'a boy of the kindred of my late father John Lorimer and late mother Isabel Green, or of either of them, whatever the name may be,' altering in this respect the terms of the will, which had restricted the bursary to boys of the names of Lorimer and Green alternately. It was further directed that, if at any time there should be more candidates than one, preference should be given to the best scholar. The management and farther regulation of the bequest were left, by the will, to the Principal and Professors of the College.

By a second codicil, dated the 11th of February 1795, the testator, after referring to the foundation of Dr William Lorimer, which was then in operation in the College, stated it to be his desire that, 'if any of the bursars on my said donation shall be extruded, or voluntarily leave the College, or die thereat, that in that case the interest, emoluments, and bursary money shall be retained and consolidated in the hands of the Principal and Professors of the said Marischal College, or their Treasurer, for the purposes hereinafter mentioned, that is to say, that, if any of the students educated upon my donation, or upon the donation of the said Mr William Lorimer, shall be found qualified and inclined to prosecute the study of Physic or Surgery, upon the representation thereof to the Principal and Professors of the said Marischal College, they shall be entitled to a sum not less than thirty, nor more than fifty pounds sterling, to be paid them out of the funds arising from the lapsed emoluments aforesaid, or so much as may be then in hand; and, if it should ever happen that, when this my donation shall be claimable, if no students from the Lorimer Mortification, instituted above one hundred years ago, by our friend John Lorimer, then town-clerk of Cullen, or from my mother Isabel Green's relations, at or near the parish of Mortlach, shall apply for my bursary at the Marischal College, that in that case I desire that the whole five years thereof shall be vested in the said fund for the purposes already mentioned.'

The testator died in 1795. It appears that he did not anticipate that a failure of candidates, qualified in terms of his will, would frequently occur; for, in answer to a suggestion from some of the Professors of the College, with whom he had corresponded on the subject of his proposed foundation, that such a failure was probable, he replied in 1794, 'I have not the least doubt but there will always be claimants of that description, for you know that for these one hundred years past claimants have constantly appeared for the Cullen bursary, sometimes by twos.'

The event has not answered these expectations of the founder. For a considerable period a failure of candidates for the bursary has been very frequent. In the last thirty-five years it has remained vacant during as many as seventeen years.

The claimants also for the provision under the codicil of the 11th of February 1795, in favour of students prosecuting the study of Medicine, are now exceedingly few. It is stated in the petition of the Moderator and Kirk-session of Mortlach, that since 1857 two students have benefited by this provision. But during the twenty years prior to that date only one student had done so.

The Ordinance, under these circumstances, renders it lawful to appoint to the bursary, when vacant, a student not qualified by relationship as the founder has required, in the event, at the time of the vacancy, of there being no candidate so qualified. This relaxation of the restrictions attached to

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the foundation is, in the view of the Commissioners, fully justified by the present frequent failure of qualified candidates, and by the small benefit derived from the provision for assisting students of Medicine.

Until the year 1857, the amount of the bursary was only £10. It has since been raised by the College to £11. The Ordinance now raises it to £16; the net income of the foundation having been increased by accumulations of capital to about £18. The Ordinance directs the surplus income, along with the income arising from any casual vacancies, to be paid into the Common Bursary Fund of the University. The petitioners state, that they object to this provision; but, when it is considered that the Common Bursary Fund is, by Ordinance No. 28, section iii., made applicable to augment the bursaries on the several foundations, which contribute to it, in proportion to their respective contributions, it seems impossible to attach much importance to the objection.

The Ordinance further introduces an alteration in the patronage of the bursary, by transferring it from the Senatus Academicus, to whom it now belongs, to the Moderator and Kirk-session of Mortlach. This provision has been introduced, because the Commissioners understand that a large proportion of the candidates have come from that parish, and that the authorities of Marischal College have been in use to give weight to recommendations of candidates proceeding from the kirk-session. It is not, however, the case, as stated by the kirk-session in their petition, that they are now the patrons of the bursary. Their only title to that character is derived from the Ordinance itself.

Dr William Lorimer, by his will, dated the 6th of December 1764, directed the interest of the sum of £200, thereby bequeathed, to be applied towards the maintenance and education of a boy for one year at the High School of Aberdeen, and four years at Marischal College successively, and he directed that the boy should be of the relations of his father and mother each alternate five years. He also provided that the 'lapsed bursary money,' in case of vacancies, should 'be accumulated, that in time, if possible, two bursaries may be formed on and from this foundation.' This direction of the founder has been complied with, two bursaries having now for some time been instituted, each of the annual value of £16. The present net income of the fund is about £35, and, as in the case of other foundations administered by the Senatus Academicus, the Ordinance directs the surplus income to be paid into the Common Bursary Fund of the University.

There is now a frequent failure of candidates for the two bursaries. Out of the last thirty-five years, there have been fifteen during which there has been no bursar on the foundation at the University. The Commissioners, therefore, have thought it expedient, by Ordinance No. 41, to relax the restrictions imposed by the founder, to the extent of allowing other students to be appointed to the bursaries, in the event of a failure of founder's kin.

The Ordinance vests the patronage of the bursaries in the Moderator and Kirk-session of Cullen, on similar grounds to those which induced the Commissioners to place the patronage of Dr John Lorimer's bursary in the hands of the Moderator and Kirk-session of Mortlach.

III. Among the remaining petitions, there is one (XL.) which derives importance from the position of the two gentlemen whose signature it bears—Dr Maclure, the Professor of Latin, and Mr Geddes, the Professor of Greek, who alone of the twenty-two members of the Senatus Academicus have petitioned against the approval of any of the Ordinances.

These gentlemen petition against the Ordinances as a whole, partly on the ground that they 'will inflict a great injury on education in the north of Scotland, inasmuch as the number of bursaries is diminished by nearly a third, and thereby the area of University education will be in the same measure reduced, and the avenues to learning greatly and unnecessarily diminished,' and partly because the petitioners 'consider that the regulations, proposed for the bursaries that remain, contain provisions that will inevitably defeat the purpose of their founders, inasmuch as these bursaries are placed in great measure beyond the reach of the poorer classes, by being opened to those privileged students who enter at once upon the second class, and they will be thereby rendered prizes to the rich instead of helps to the poorer students, for whom they were originally designed.'

The Commissioners have explained, in a former part of this report, that a large proportion of the present bursaries have no legal existence, and that the diminution in the available number is much less than that which these gentlemen represent. It has also been shown, that the apprehension of any injury to education being caused, by the diminution which is proposed, is not only not shared in by the Commissioners, but is entirely at variance with the views of the several Royal Commissions, which have reported on the subject of the Aberdeen bursaries.

It has also already been pointed out, that it is not the case that the bursaries are now to be opened to any students, who would not have been eligible to compete for them under former regulations. What the Ordinances do propose by the provisions, to which these gentlemen refer, as opening the bursaries 'to those privileged students who enter at once upon the second class,' is to render it clear, that bursars, equally with other students, shall in future be relieved of attendance on the junior classes of Latin, Greek, and Mathematics, if they are qualified to attend the senior. It seems impossible to question the propriety of this regulation on general grounds; although it may certainly have the effect, in the first instance, of lowering the amount of the class fees payable to the Professors of those three departments, and more especially to the Professors of Latin and Greek, whose junior classes are, in ordinary cases, attended during the first year of a student's course. The Commissioners fully expect, that the benefit, to be derived by the University generally from the arrangements embodied in the Ordinances, will extend to the Professors of Latin and Greek, and that the emoluments of their Chairs will not ultimately, if ever, be inferior to the estimate which was formed on the occasion of the union of the Colleges. Professors Maclure and Geddes, however, appear to be solicitous on this subject, as, a few days before the Ordinances of the 11th of April were published, they addressed to the Chairman of the Commissioners a memorial deprecating any arrangement, by which bursars should be admitted to their senior classes without having first passed through the junior, and inviting attention to the manner in which their emoluments might be affected by such an arrangement. They do not refer, in their petition, to the personal interest, which they conceive themselves to have in the maintenance of a regula-

tion requiring all bursars to enter their junior classes; and the Commissioners are unwilling to believe, that this consideration has had any influence in inducing them to present their petition.

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tions in Aberdeen.

The great majority of the petitions which remain proceed from the inhabitants of country parishes throughout Banffshire and the neighbouring district, whose acquaintance with the terms of the foundations, which they charge the Ordinances with violating, has probably not been greater than that shown by the gentlemen of the county of Aberdeen, on whose petition the Commissioners have already reported. That it was not very difficult for interested and influential persons to obtain, from such quarters, numerous signatures to petitions against the Ordinances, may well be imagined. Certainly no pains seem to have been spared for that end. Representations were industriously circulated through the local newspapers, that it was the effect of the Ordinances, nay, even the object of the Commissioners, to sacrifice the interests of the poor for the benefit of the rich, and to diminish the means of education in the north of Scotland. At county meetings, and at local meetings of the clergy, influential persons did not hesitate to make statements of the most extravagant nature, with the view of obtaining public support to the opposition which was being organized against the Ordinances. Thus, at one meeting, a gentleman is reported to have said, that 'nothing had ever struck him with more indignation than the late Ordinances of the University Commissioners, to carry out this fresh act of confiscation, this atrocious act of robbery, which, at one fell swoop, took away sixty to seventy bursaries, extinguishing the noble purpose for which they were given, viz., to give a liberal education to the poorer members of society.' A collection of such extraordinary statements and charges, as published in the newspapers, appears to have been made and circulated by the Earl of Seafield in the form of a pamphlet, with the following note prefixed:—'The Earl of Seafield begs to transmit the annexed extracts from the newspapers, as expressive of public opinion in the north of Scotland, on the alterations and alienations of bursaries in Aberdeen University, etc., by the Ordinances of April 1862, issued by the Universities Commissioners.—Cullen House, 22d May 1862.'

The presentation of numerous signed petitions to Your Majesty, against the approval of the Ordinances, has been the natural result of the employment of such means of agitation. But an expression of public feeling, which has been so stimulated, is hardly deserving of much consideration.

There is one argument contained in nearly all of these petitions, which perhaps ought not to be passed without notice. The petitioners state, that they 'contemplate with alarm the results which would ensue, were these Ordinances carried into effect, as the exercise of such arbitrary powers, on the part of the Commissioners, of diverting revenues from the specific purposes signified by testators, would undoubtedly have a tendency to prevent benevolent persons, in future, from mortifying property for educational purposes, seeing that there would be no security that their wishes and intentions would be respected.'

The persons, who have signed the petitions in which this argument appears, cannot have been made aware that the Redhyth Bursaries, which it seems to be the main object of the petitioners to protect from interference by the Commissioners, have been illegally, and, in violation of the express directions of the founder, increased in number to such an extent and in such a manner, as most effectually to defeat his design, that the school of Fordyce should educate the bursars for the University. They are probably also ignorant, that the diminution in the number of bursaries in the University generally, of which their petitions complain, is caused, in a great measure, by the abolition of bursaries, which have been created without authority, and in disregard of the directions left by founders, or which are of so small amount, that it is in many cases impossible to find candidates to fill them.

But, setting aside the consideration, that the interference of the Commissioners has, to a large extent, been rendered necessary, in order to remedy the evils arising from such abuses, the Commissioners think that the intervention of their authority, even where it has been used to alter foundations, does not afford any grounds for such apprehensions as the petitioners suggest. On the expediency of a statutory control over the conditions of bequests to the Universities, there is much weight in the observations of the Commissioners of 1826-30 (General Report, p. 76):—'We are not disposed to think that such legislative provision would deter any persons from making bequests to the Universities; on the contrary, we are disposed to think, that in many instances such donations will be made with much greater confidence as to their utility, if a power shall exist to regulate the application of such donations, in the manner that may be most useful. But, even although some individuals might be deterred from making similar bequests in future, that disadvantage would be more than compensated by the benefit resulting from an application of such funds upon sound general principles.'

These observations were made with special reference to the bursary foundations in Aberdeen, and they were intended to apply to a recommendation submitted by those Commissioners, that a power of control should be given by the Legislature over future bequests. But they are of equal weight, and there is less room for objection to the interference of statutory authority, if the foundations, which are the subject of revision, are foundations of old standing. Modifications are then introduced, only after a new state of circumstances has supervened, and after, in many cases, great changes have taken place in the value of the property belonging to the foundations.

The argument of the petitioners, however, is in effect directed against the policy of the Act of Parliament, which it does not rest with the Commissioners to defend. Had the Commissioners failed, during the existence of their powers, to revise the foundations in the Universities of Scotland, they would have neglected the performance of an important duty, which the Legislature has seen fit to impose upon them.

In the Appendix, the several petitions referred to the Commissioners are stated either at length or in abstract.

Given under the seal of the Commission at Edinburgh, this 28th day of October 1862.

JOHN INGLIS, *Chairman*.

L. S.

## APPENDIX TO PRECEDING REPORT.

PETITIONS referred by Order in Council of 7th June 1862.

Petitions against  
Ordinances as to  
Bursary Founda-  
tions in Aberdeen.

## I. From the Kirk-session of the Parish of Lochbroom and County of Ross :—

\*1. [Same as sec. 1 of II.]

2. [Same as sec. 2 of II.]

3. Your petitioners beg humbly to represent, that the foundations and endowments affected by said Ordinances have been granted by benevolent individuals for the express purpose of aiding poor boys to obtain the benefit of a liberal education; and Your petitioners, while they believe that said purpose has been strictly and scrupulously regarded and carried out, are confident, that, if said endowments, etc., are diverted from their original and proper purpose, the consequences must be very injurious.

4. [Same as sec. 6 of II., with immaterial alterations.]

5. Your petitioners further submit, that these Ordinances are not in accordance with the designs and intentions of the donors or founders of the mortifications, and that, so far from tending to promote, they will in reality retard, the interests of religion and learning—sacrifice the interests of the many for the benefit of the few—confer on the rich the eleemosynary aid pertaining to the poor—prevent many a poor but promising boy from prosecuting his studies—and, as a necessary consequence, seriously affect the attendance at the University.

6. [Same as sec. 9 of II.]

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your petitioners shall ever pray.

(Signed) WM. CAMERON, Moderator.

## II. From the Kirk-session of the Parish of Belhelvie :—

1. That whereas the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign, have issued certain Ordinances affecting the mortifications and foundations for bursaries at the University of Aberdeen. By these Ordinances the number of existing bursaries will be reduced from 255 to 189; and with the funds obtained by the suppression of 66 bursaries, the Commissioners propose to institute 12 scholarships, which can only be competed for by students who have obtained the degree of Master of Arts.

2. That by the said Act the Commissioners therein appointed are empowered 'to revise the respective foundations, mortifications, bursaries, and donations, and to alter or modify these, if it shall appear to them that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gifts or endowments, and to frame new Statutes or Ordinances for the application of such gifts or endowments, in such manner as may better advance the purposes thereof.'

3. Your petitioners beg humbly to represent, that the foundations and endowments affected by said Ordinances have been granted by benevolent individuals for the purpose of aiding poor boys to obtain the benefit of a liberal education; and Your petitioners are confident, that the destruction of so many bursaries will be attended with injurious results.

4. Your petitioners, in an especial manner, regret to learn that the Redhyth Bursaries, of which so many have derived the benefit in this locality, are to be reduced from 20 to 8 at the University, and from 20 to 12 at the school of Fordyce, and the surplus funds thus arising applied to the endowment of four scholarships of L.60 each.

5. Your petitioners humbly consider that, in the Ordinance affecting the Redhyth Bursaries, the Commissioners have exceeded the powers conferred by the Act, in so far as they alienate revenue intended by the founder to be applied towards the maintenance of poor boys during their academic course, and bestow it as rewards or prizes, to be enjoyed by students who have finished the curriculum of Arts at the University, and who are thus removed out of the sphere of those for whom this charity was specially intended.

6. Your petitioners venture to represent, that no adequate or corresponding advantage can be gained by the endowment of a few scholarships, which can only be conferred on those who are already well educated, and have no need of eleemosynary aid, and that the suppression of so many bursaries (which have been instrumental in educating hundreds of young men) will be felt as an irreparable loss, and will detrimentally affect the cause of education in the North of Scotland.

7. Your petitioners submit that these Ordinances are inexpedient and unjust, in so far as they sacrifice the interests of the many to those of the few, of the poorer to the more wealthy classes; they are unjust, in so far as they interfere with the rights of patronage, and the privileges of those who have the strongest claims for these bursaries.

8. Your petitioners further submit that these Ordinances are not in accordance with the designs and intentions of the donors or founders of the mortifications, and that, so far from tending to promote, they will, in reality, rather retard the interests of religion and learning.

9. Your petitioners contemplate with alarm the results which would ensue were these Ordinances carried into effect, as the exercise of such arbitrary powers on the part of the Commissioners, of diverting revenues from the specific purposes signified by testators, would undoubtedly have a tendency to prevent benevolent persons in future from mortifying property for educa-

\* The numbers here attached, for convenience, to the Sections, are not in the original Petitions.

tional purposes, seeing that there would be no security that their wishes and intentions would be respected.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your petitioners shall ever pray.

(Signed) W. THOMSON, Moderator.

Petitions against Ordinances as to Bursary Foundations in Aberdeen.

III. From the Kirk-session of Knockando, The Honourable George Henry Essex Grant, and The Honourable Lewis Alexander Grant.

1. [Same as sec. 1 of II.]

2. That Your petitioners beg humbly to represent that the foundations and endowments, affected by said Ordinances, have been granted by benevolent individuals for the purpose of aiding poor boys to obtain the benefit of a liberal education; and that, by the said Ordinances, if carried into effect, the intention and purpose of the original founders will be in a great measure thwarted and defeated.

3. [Same as sec. 4 of II., with immaterial alterations.]

4. [Same as sec. 5 of II.]

5. That Your petitioners regard the Ordinance affecting the Redhyth Bursaries as illegal, inexpedient, and very injurious in effect.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinance.

And Your petitioners shall ever pray.

(Signed) JOHN CLARKE, Moderator, and 9 others.

IV. From the Minister, Elders, and others, Parishioners of Abernethy, Strathspey. [Same as No. II.]

(Signed) J. STEWART, Minister of Abernethy, and 17 others.

V. From the Kirk-session of the Parish of Dallas in the County of Moray. [Same as No. II.]

(Signed) JOHN MACDONALD, Minister of Dallas, etc., and 4 others.

VI. From the Kirk-session of the Parish of Oyne, in the Presbytery of Garioch, and Synod of Aberdeen. [Same as No. II.]

(Signed) ANDREW FRASER, Moderator.

VII. From the Kirk-session of the Parish of Cabrach.

1. That whereas the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d years of Your Majesty's reign, being by said Act empowered 'to revise the respective foundations, mortifications, bursaries, and donations, and to alter or modify these, if it shall seem proper to them, that the *interests of religion and learning, and the main design of the donor*, so far as consistent with the promotion of such interests, may be BETTER advanced by an alteration of the conditions and directions affecting such gifts or endowments, and to frame new Statutes or Ordinances for the application of such gifts or endowments, as may better advance the purposes thereof,' have issued certain Ordinances affecting the mortifications and foundations for bursaries at the University of Aberdeen, by which Ordinances the number of bursaries will be reduced from 255 to 189, and the funds obtained by the suppression of these bursaries applied to institute scholarships to be held by persons who have obtained the degree of Master of Arts.

2. Your petitioners would beg humbly to represent to Your Majesty that the foundations and endowments affected by said Ordinances have been granted by benevolent persons for the education of poor young men, and that the suppression of so many of them, and their appropriation to a purpose different from the design of the donors, must prove highly prejudicial and injurious to the interests of religion and learning, and unjust to the class of students whom the donors intended to benefit, by misappropriating to the use of the rich and educated, what was given to promote the education of the deserving poor.

3. Your petitioners beg, in an especial manner, to express their regret that, by said Ordinances, the *Redhyth Bursaries* are reduced in number, and the funds abstracted applied to the foundation of four scholarships, each of L.60,—a use which they consider as both inconsistent with the main design of the founder, and unjust, making no adequate compensation for the diminution of means of education in the district which it will occasion.

4. Your petitioners cannot, therefore, contemplate the results which would ensue from these Ordinances, if carried into effect, without alarm, as arbitrary in their nature, and tending to the prejudice of the interests of religion and learning.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your petitioners will ever pray.

(Signed) GORDON SMART, Minister, and 4 others.

VIII. From the Kirk-session of the Parish of Alvie. [Same as No. II.]

(Signed) DONALD MACDONALD, Minister of Alvie, and 3 others.

IX. From the Kirk-session of the Parish of Mortlach, in the County of Banff. [Same as No. II., omitting secs. 2, 3, 5, and 7.]

(Signed) JAMES A. CRUICKSHANK, Minister, and 7 others.

X. From the Kirk-session and Inhabitants of Boharm. [Same as No. II.]

(Signed) ALEX. MURDOCH, Minister of Boharm, and 18 others.

XI. From the Kirk-session and others of the Parish of Aboyne. [Same as No. II., omitting secs. 6 and 7.]

(Signed) JAMES JENKINS, A.M., Minister of Aboyne, and 41 others.

Petitions against  
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tions in Aberdeen.

XII. From the Kirk-session and others in the Parish of Premnay. [Same as No. II.]  
(Signed) JOHN WILSON, A.M., Minister, and 35 others.

XIII. From the Kirk-session and Parishioners of Inveraven Parish. [Same as No. II.]  
(Signed) GEO. MACPIERSON GRANT, Bart., and 113 others.

XIV. From the undersigned Ministers, Elders, and others, Inhabitants of the Parish of Cairney.  
[Same as No. II.] (Signed) W. COWIE, Minister of Cairney, and 154 others.

XV. From the Minister, Elders, and others of the Parish of Boyndie, in the County of Banff.

1. That Your petitioners, for reasons set forth to them in detail, and which they understand will be submitted to Your Majesty in Council, have learned with regret the terms of the Ordinances lately issued by the Commissioners appointed under the Universities (Scotland) Act, affecting the bursaries at the University of Aberdeen, and more especially the Redhyth Bursaries, of which so many have derived the benefit in this locality.

2. Your petitioners humbly submit, that these Ordinances are arbitrary and unjust, in respect that they are opposed to the main design of the donors, and will certainly tend to curtail the general diffusion of education which has hitherto been the glory of the Universities, particularly in the North of Scotland.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your petitioners will ever pray.

(Signed) LUDOVICK WILLIAM GRANT, Minister of Boyndie, and 49 others.

XVI. From the Minister, Elders, and others, Inhabitants of the Parish of Glass. [Same as No. II., omitting secs. 2, 3, 6, and 8.]

(Signed) WILLIAM DUGUID, D.D., Minister of Glass, and 15 others.

XVII. From the Minister, Elders, and others, in the Parish of Auchindoir, Aberdeenshire.  
[Same as No. II.] (Signed) WILLIAM REID, Minister of Auchindoir, and 189 others.

XVIII. From the undersigned Inhabitants of Birnie.

1. That whereas the Commissioners under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign, have issued certain Ordinances affecting the mortifications and foundations for bursaries at the University of Aberdeen.

2. [Same as sec. 2 of II.]

3. Your petitioners humbly consider that these Ordinances are inexpedient, and not in accordance with the designs and intentions of the donors or founders of the mortifications, and especially regret to see in them an attempt to reduce and alter the Redhyth Bursaries, of which so many have derived the benefit in the North of Scotland,—an attempt which, if successful, we believe will retard, rather than promote, the interests of religion and learning in this district.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

(Signed) GEORGE GORDON, Minister, and 27 others.

XIX. From the Inhabitants of the Town of Grantown, in the united Parish of Cromdale and Inverallan, County of Inverness. [Same as No. II.]

(Signed) H. DIXON, Colonel, and J.P., Inverallan, and 87 others.

XX. From the Inhabitants of the Village of Portessie, Banffshire. [Same as No. II.]

(Signed) A. LEVINY, Letter Carrier, and 81 others.

XXI. From the Inhabitants of the Village of Findochty, Banffshire. [Same as No. II., omitting the words, 'of which so many have derived the benefit in this locality,' from sec. 4; and the words, '(which have been instrumental in educating hundreds of young men),' from sec. 6.]

(Signed) JAMES MAITLAND, and 92 others.

XXII. From the Inhabitants of the Village of Portknockie, Parish of Rathven. [Same as No. II., omitting the words, 'of which so many have derived the benefit in this locality,' from sec. 4.]

(Signed) JAS. LEDINGHAM, Minister, Seafield, and 66 others.

XXIII. From the Inhabitants of the Burgh and Parish of Cullen, in the County of Banff.  
[Same as No. II.] (Signed) W. G. BRYSON, Old Cullen, J.P., and 229 others.

XXIV. From the Inhabitants of the Town of Whitehills, County of Banff. [Same as No. II.]  
(Signed) LUDOVICK WILL. GRANT, Minister of the Parish, and 86 others.

XXV. From the Inhabitants of the Parish of Banff.

1. [Same as sec. 1 of II.]

2. [Same as sec. 3 of II.]

3. [Same as sec. 4 of II.]

4. [Same as sec. 5 of II.]

5. Your petitioners also humbly submit, that these Ordinances unjustly interfere with the rights of the patron, the Earl of Seafield, who, so far as known to us, has at all times made a most

impartial and satisfactory use of his powers in the selection of young men appointed by him to enjoy these bursaries, both at Fordyce School and at the University.

6. [Same as sec. 9 of II.]

(Signed) ROBERT DUNCAN, Provost of Banff, and 706 others.

Petitions against Ordinances as to Bursary Foundations in Aberdeen.

XXVI. From certain of the Inhabitants of the Parish of Urquhart, in the County of Elgin.

1. [Same as sec. 1 of II.]

2. [Same as sec. 3 of II.]

3. [Same as sec. 4 of II.]

4. Your petitioners venture to represent that these Ordinances are not in accordance with the intentions of the donors, that they are inexpedient and unjust, in so far as they sacrifice the interests of the many to those of the few, of the poorer to the more wealthy classes, and that no corresponding advantage can be gained by the endowment of a few scholarships.

5. [Same as sec. 9 of II.]

(Signed) GORDON INGRAM, Minister, and 64 others.

XXVII. From the undersigned Inhabitants of the Parish of Marnoch, in the County of Banff.

1. That Your petitioners feel aggrieved by certain Ordinances, dated 11th April 1862, issued by the Scottish Universities Commissioners, the object of which is to suppress 66 of the 255 bursaries now existing in the University of Aberdeen, and to create from a portion of the bursary revenue a fund for the maintenance of 12 scholarships, to be awarded, after comparative trial, to graduates in Arts.

2. Your petitioners are impelled by a sense of duty humbly to represent, that such a scheme appears to them to be at once unjust and a breach of public faith, inasmuch as all these bursaries were originally devised by their philanthropic founders for the purpose of aiding poor students to prosecute their undergraduate course, and therefore 'the main design of the donor' has not been adhered to in framing the Ordinances, as is required by sec. xv. 2 of the Universities (Scotland) Act, passed in the twenty-first and twenty-second year of Your Majesty's reign.

3. Your petitioners would beg to instance, in illustration of the threatened evil, and as specially affecting the district in which they themselves reside, the bursaries on the Redhyth Foundation, which are in the gift of the Right Honourable the Earl of Seafield, and which have been hitherto administered by his Lordship and his predecessors with an enlightened discernment, and a religious attention to the wishes of the founder, but which it is proposed to reduce by Ordinance from 20 at the school of Fordyce to 12, and from 20 at the University of Aberdeen to 8, in order that four scholarships may be conferred on Masters of Arts,—a proposal which Your petitioners submit exceeds the powers of the Commissioners, who have no control by statute or otherwise over funds attached to the school of Fordyce, and which, moreover, contravenes the plain terms of the deed of Walter Ogilvie of Redhyth, the founder, who has expressly provided 'that none but poor boys, and such as are not able to be maintained and educated by their own means, shall have the benefit of this my mortification.'

4. Your petitioners, even were it just and legal, would regard it as most inexpedient to transfer funds primarily destined, and still much needed, for the encouragement of indigent students struggling to complete a liberal education, to men who are not only already graduates, but are the very flower of the University, as they must be, in order to acquire by competition the distinction of becoming scholars, and who are consequently qualified beyond their contemporaries to support and elevate themselves in society by literary effort, because such a system of appropriation would largely diminish the number of promising, though poor, students, and would also deter wealthy individuals from bequeathing their property for the extension of learning, since there would remain no certainty that their solemn intentions would be respected as a sacred trust binding on future generations.

May it therefore please Your Majesty in Council to signify disapproval, and withhold Your approbation from said Ordinances.

And Your petitioners shall ever pray.

(Signed) A. ANDERSON, Minister of Marnoch, and 153 others.

XXVIII. From the undersigned Ministers and Inhabitants of Buckie and surrounding district.

[Same as No. II.]

(Signed) JOHN WEBSTER, Minister of Buckie Chapel, and 139 others.

XXIX. From the Minister and others of the Parish of Deskford. [Same as No. II.]

(Signed) JAMES MACKINTOSH, Minister, and 45 others.

XXX. From the Minister and Inhabitants of the Parish of Fordyce. [Same as No. II.]

(Signed) JOHN INNES, Minister, and 112 others.

XXXI. From the Ministers, Feuars, and other Inhabitants of Portsoy. [Same as No. II.]

(Signed) PETER MURRAY, A.M., Minister, and 90 others.

XXXII. From the Parishioners of the Parish of Rothes, Morayshire.

1. That the Commissioners of the Scottish Universities, appointed under an Act passed in the 21st and 22d year of Your Majesty's reign, have issued certain Ordinances, which affect the mortifications and foundations for bursaries at the University of Aberdeen in a way which Your petitioners regard as most prejudicial in many important respects, inasmuch as they interfere with the deeds of the benevolent founders of these bursaries, and in a great degree frustrate their intentions; and as, by reducing their number for the purpose of instituting scholarships, they deprive a great many of the humbler classes of the means of acquiring a liberal education.

Petitions against Ordinances as to Bursary Foundations in Aberdeen.

2. That Your petitioners consider these Ordinances, with reference more particularly to the Redhyth Bursaries, in which this locality is much interested, as most detrimental to the cause of learning over a wide district, inasmuch as they would be reduced to the half of their present number, for the purpose of founding scholarships which would be attainable only by the more wealthy, but would be beyond the reach of the poorer classes, for whom the benefit was expressly designed, and would thus narrow the means of education in the country.
3. That these Ordinances are, moreover, calculated to injure very deeply the rights of the noble patron of the Redhyth Bursaries, the Earl of Seafield, by whom, and by his predecessors, they have been most judiciously and faithfully managed.

May it therefore please Your Majesty in Council to withhold Your consent from said Ordinances.

And Your petitioners will ever pray.

(Signed) GEO. GRAY, Minister of Rothes, and 72 others.

XXXIII. From the Parishioners of Kirkmichael, Banffshire. [Same as No. II.]

(Signed) JAMES GRANT, A.M., Minister of Kirkmichael, and 55 others.

XXXIV. From the Parishioners of Drainie, near Elgin, and others. [Same as No. II., substituting for 'of which so many have derived the benefit in this locality,' in sec. 4, the following parenthesis, viz., (of which, as of the competition bursaries also, so many have derived the benefit in this and the neighbouring counties.)]

(Signed) JAMES WEIR, Minister of Drainie, and 238 others.

XXXV. From the Heritors, Ministers, and others of the united Parishes of Urquhart and Glenmoriston. [Same as No. II.]

(Signed) DON. M'CONNOCHIE, Parish Minister, and 148 others.

XXXVI. From the Heritor, Minister, Elders, and others of the Parish of Duncansburgh (Fort William), within the County of Inverness. [Same as No. II., omitting sec. 2.]

(Signed) DUNCAN CAMERON, Bart., and 6 others.

XXXVII. From the undersigned Heritors, Ministers, and others of the Parish of Kilmonivaig, Inverness-shire.

1. That whereas the Commissioners appointed under the Universities Act (Scotland), 21st and 22d year of Your Majesty's reign, have issued certain Ordinances affecting mortifications and foundations of bursaries at the University of Aberdeen, greatly reducing their number, and appropriating a large portion of these funds to other purposes than those intended by their pious and patriotic founders, Your petitioners would humbly deprecate such alienation.
2. That, more particularly, Your Majesty's petitioners would deprecate the alienation of the Redhyth Bursaries proposed to the extent of half their number, that number being 20 at the elementary school of Fordyce, and 20 at the University, intended for the support of, and for yielding the means of affording a sound and useful and likewise liberal education to, meritorious boys in narrow circumstances, and which have proved of great benefit to many such in this quarter and elsewhere for many generations; and the appropriating the same to be prizes to students who, having finished the curriculum of Arts at the University, are thus removed out of the condition of those for whose benefit this charity was intended.
3. That Your Majesty's petitioners submit that these Ordinances are *inexpedient* and *unjust*, inasmuch as they sacrifice the interests of the *many* to those of the *few*; of the *poor* to those of the comparatively *wealthy*; interfere with the rights of patronage and the privileges of those who have the stronger claims; frustrate the intentions of the donors and founders of these mortifications; and, instead of advancing, limit and retard the cause of religion and learning in these northern parts of Scotland.
4. That Your Majesty's petitioners view with alarm the consequences of the exercise of such arbitrary powers, diverting revenues from the specific purposes and intentions of the testators, tending to prevent similar mortifications in future, and as a dangerous precedent for the invasion of the sacred rights of property, however formally and earnestly and deliberately devoted to any purpose whatever.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your Majesty's petitioners, as in duty bound, will ever pray.

(Signed) ABINGER, Heritor, and 9 others.

XXXVIII. From the Provost, Magistrates, and Town Council of the Royal Burgh of Banff, in Council assembled. [Same as No. II.]

(Signed) ROBERT DUNCAN, Provost and Chief Magistrate.

XXXIX. From the Presbytery of Fordyce.

1. That whereas the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign, have recently issued Ordinances, in which it is proposed greatly to reduce the number of existing bursaries at the University of Aberdeen; and whereas these Ordinances do particularly affect the Redhyth Bursaries, it being proposed to reduce them from 20 at the school of Fordyce and 20 at College, to 12 at school and 8 at College, and to apply the greater part of the surplus funds thus obtained to the institution of four scholarships, to be enjoyed for four years by certain graduates of the Aberdeen University.

2. Your petitioners feel called on to express it as their decided opinion, that these Ordinances, if carried into effect, will be most injurious to the cause of education in the north, inasmuch as they will, as a necessary consequence, proportionally diminish the number of young men enjoying the benefit of a University education.
3. That Your petitioners, aware of the benefit which many in this locality have derived from the Redhyth Bursaries, and of the judicious manner in which the patronage of these bursaries has been administered by the patron, the Earl of Seafield, do specially deplore the sweeping change proposed in regard to them.
4. That they cannot view the institution of a few scholarships as at all compensating for the loss that will be sustained by the suppression of so many bursaries, and are unable to conceive any grounds on which the proposed change can be justified.
5. That admitting, as they readily do, the very ample powers conferred by the University Act on the Commissioners, relative to their revision and alteration of mortifications, endowments, etc., yet, holding that these powers are limited by a regard to the main design of the donor, and the interests of religion and learning, it does appear to Your petitioners that the Ordinance affecting the Redhyth Bursaries is *ultra vires* of the Commissioners, as it cannot possibly tend to the advancement of religion and learning to withdraw, as is proposed, from so many the means of obtaining a liberal education; and assuredly the intentions of the donor will not be more effectually carried out by alienating, from the education and maintenance of certain poor boys at school and at College, funds left expressly for that purpose, and applying them to the formation of scholarships, to be enjoyed by those who have completed the Arts curriculum at the University.

May it therefore please Your Majesty in Council to signify disapproval of, and withhold consent from, said Ordinances.

And Your petitioners shall ever pray.

In name, etc.,

(Signed) GEORGE HENDERSON, LL.D., Moderator.

XL. From the undersigned Professors of Classics in the University of Aberdeen.

1. That the Commissioners appointed under the Universities (Scotland) Act have recently issued a series of Ordinances affecting injuriously the mortifications and foundations for bursaries in the University of Aberdeen.
2. That these Ordinances, if carried out, will inflict a great injury on education in the North of Scotland, inasmuch as the number of bursaries is diminished by nearly a third, and thereby the area of University education will be in the same measure reduced, and the avenues to learning greatly and unnecessarily diminished.
3. Your petitioners humbly consider that the regulations, proposed for the bursaries that remain, contain provisions that will inevitably defeat the purpose of their founders, inasmuch as these bursaries are placed in great measure beyond the reach of the poorer classes, by being opened to those privileged students who enter at once upon the second class; and they will be thereby rendered prizes to the rich, instead of helps to the poorer students, for whom they were originally designed.
4. Your petitioners further submit that these Ordinances contain provisions which are *ultra vires* of the Commissioners, inasmuch as the statute gives no power to interfere with the 'main design' of the founders, and the proposed formation of scholarships (however desirable these may be in themselves when derived from legitimate sources) is such an interference, as involving the alienation of a large proportion of bursary funds on the Redhyth, Fullerton, and Moir Foundations, to a purpose essentially foreign to that of the founders, who designed their benefactions as helps during the curriculum, not as rewards at its close.

May it therefore please Your Majesty in Council to signify disapproval of, and withhold consent from, said Ordinances.

And Your petitioners shall ever pray.

(Signed) ROBERT MACLURE, Professor of Latin.

WM. D. GEDDES, Professor of Greek.

XLI. From the Provost, Magistrates, and Council of the City and Royal Burgh of Elgin, in Council assembled. [Same as No. II., omitting sec. 9, and having one or two immaterial verbal alterations.]

(Signed) JAMES GRANT, Provost.

XLII. From the Heritors, Ministers, and others, within the Parish of Old Deer. [Same as No. II., omitting secs. 2, 4, 5, 8, and 9, and having some immaterial verbal alterations.]

(Signed) WM. FERGUSON of Kimmundy, and 226 others.

XLIII. From the Heritors, Ministers, and others of the Parish of Bellie.

1. That whereas the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign, have issued certain Ordinances affecting the mortifications and foundations for bursaries at the University of Aberdeen, whereby the number of existing bursaries will be reduced from 255 to 189.
2. [Same as sec. 3 of No. II.]
3. [Same as sec. 8 of No. II.]

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your petitioners shall ever pray.

(Signed) ROBT. CUSHNY, Minister, and 48 others.

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tions in Aberdeen.

XLIV. From the Landholders, Commissioners of Supply, and Justices of the Peace of the County of Aberdeen, in General Meeting assembled. [Same as No. II., substituting for 'this locality' in sec. 4 the words 'the North of Scotland.'] (Signed) A. LEITH HAY, Chairman.

XLV. From John Charles, Earl of Seafield, Baron Strathspey, etc.

1. That whereas by an Ordinance No. 52, Aberdeen No. 32, 'Redhyth Foundation,' dated 11th April 1862, copy of which is appended hereto, the Scottish University Commissioners statute and ordain, that the bursaries on said foundation shall be reduced from 40, which they are at present, to 20 in number; and that the funds arising from the suppression of these 20 bursaries shall be applied partly in augmenting the allowances of the 8 bursars at the University of Aberdeen, and the surplus, amounting to about L.250, applied in the institution of four scholarships of L.60 each—all as set forth more particularly in said Ordinance.
2. That your petitioner humbly submits that said Ordinance will injuriously affect the interests of education in the North of Scotland, and is *ultra vires* of the Commissioners appointed under the Act passed in the 21st and 22d years of Your Majesty's reign, entitled 'Universities (Scotland) Act,' for reasons to be afterwards stated.
3. The intention and object of the founder, Walter Ogilvie of Redhyth, is expressed in the preamble of the deed of mortification, dated 16th September 1678, in which it is stated, that 'my wished for and only end and interest, in making the same, is the glory of God, the honour of this my native country, and the good of my neighbours.' In another part of the deed it is stated, 'that none but poor boys, and such as are not able to be maintained and educated by their own means, shall have the benefit of this my mortification.' Further, it is declared, 'that of such poor boys as shall seek to be admitted, those of the surname of Ogilvie, wheresoever they shall be born or have their residence, or that their mother shall be of the surname of Ogilvie, be preferred in the first place; next, boys of the name of Sharp, born within the Presbytery of Fordyce; third, sons of tenants, cottars, etc., on the barony of Redhyth; fourth, poor boys born within the parishes of Fordyce, Inverboyndie, Banff, Cullen, and Deskford; fifth, sons and descendants of his domestic servants; sixth, other boys whom the patrons may think fit and convenient.'
4. The right of presentation to these bursaries, which was originally vested in the Ministers of the kirks of Fordyce, Banff, Inverboyndie, Mortlach, and Ordiquhill, and the Principal and Professors of King's College, Aberdeen, was conveyed by another deed of the founder, dated 1st November 1680, to Sir Patrick Ogilvie of Boyne; which deed was confirmed by the said ministers and members of King's College, by a deed, dated 24th December 1680. The sole right of presenting was, after a long litigation before the Court of Session, finally confirmed in favour of Sir James Ogilvie of Boyne, eldest son and heir of Sir Patrick Ogilvie of Boyne, in 1725, by decret of declarator by the Lords of Council and Session. Besides the right of patronage, the said Sir Patrick Ogilvie and his heirs and successors were nominated conjunct patrons and overseers, with the said ministers and members, of the funds of the mortification; and further, 'in case the said patrons and overseers shall be remiss in doing their duty, or otherwise shall happen to contravene or misimprove the said mortification, in that case the said Sir Patrick Ogilvie of Boyne, and his heirs-male, are to take notice of their actings and behaviour from time to time therein, and call them to an account, and force them to their duty, and to all other things to that effect competent to an comptroller.'
5. In 1765, the Earl of Findlater and Seafield, then Chancellor of the University of King's College, Aberdeen, purchased from Archibald Ogilvie, heir and successor to Sir Patrick Ogilvie of Boyne, for the sum of L.650 sterling, the right of patronage of these bursaries, with the whole privileges thereof; and in the deed of assignation the said Earl is also declared 'conjunct patron and overseer, with the masters and members before mentioned, of the mortification, and sole comptroller thereof.'
6. The deed of mortification provides for the education of 20 poor boys, viz., 12 at the school of Fordyce, and 8 at King's College; but, although the founder limited the number, it is evident he did so from the conviction that the property mortified would not provide for a greater number; indeed, he seems to have considered that the trustees might have difficulty in making the available funds to meet the purposes prescribed, for it is stated, 'and because the provisions and allowances appointed for the said 8 poor boys to be educate in the said College is but small and mean, and cannot allow any alrie or stipend to be paid by the said boys to their reixive Regents in the said College,' etc. He elsewhere directs, that the surplus rents be 'stock'd, settled, and secured,' and the 'annual rent distribute amongst the said 8 boys that shall be at said College by equal portions, not only for their maintenance yearly during their four years' time, but also for providing ane coloured gown, not being black, to each of them at their entry thereto, and that by and attour the like allowance of two pecks victual weekly during the said space for to help their board, and two bolls victual yearly for their clothes, as is allowed to them before their entry to said College.'
7. The revenue of the property at the time it was mortified for these bursaries, is stated to be 189 bolls 2 firlots 2 pecks meal and bear of victual rent, and L.100 Scots of silver rent, equal to about L.150 sterling. The revenue is now upwards of L.600 per annum.
8. The trustees, having respect to the charitable intentions of the founder, have extended the advantages of his bounty, and, as the revenue increased, they have from time to time not only augmented the allowances, but increased the number of bursaries. The first addition to the number was made prior to the year 1798; since that time they have been gradually increased, as the funds would admit. The number is now 20 at the school of Fordyce, and 20 at the University of Aberdeen.
9. Your petitioner submits that the trustees have acted most judiciously in thus increasing the number of the bursaries when the revenue enabled them to do so, after making ample provision for the maintenance of the bursars. The allowance of meal to the school bursars is still

retained at 8½ bolls each (with L.20 to the schoolmaster for fees), to which has been added a money allowance of L.2, 16s. 8d. to each bursar. The value of the College bursaries is at present L.16, 10s.; but, from the large balance now belonging to the mortification, the trustees would be quite justified in increasing the value of the bursaries to L.20 each.

Petitions against Ordinances as to Bursary Foundations in Aberdeen.

10. The Act passed in the 21st and 22d year of Your Majesty's reign, cap. 83, empowers the Commissioners therein named to revise foundations, mortifications, bursaries, etc., and to alter or modify the conditions thereof, if it shall appear to them *'that the interests of religion and learning, and the main design of the donor,'* would be better effected thereby. From the statement above made it is clear, that the donor intended that only the poorer classes should have the benefit of the mortification, that boys of certain names, and born in certain localities, should have a preference, and that the bursaries should only be held during the nine years of school and College education; whereas by the said Ordinance 20 existing bursaries are suppressed, and the funds thus made available applied in the endowment of four scholarships, which can only be conferred on those who have passed the curriculum, and obtained the degree of Master of Arts, and are therefore beyond the sphere of those for whom the mortification was specially intended. The Ordinance is therefore evidently at perfect variance with the main design of the donor, and Your petitioner is at a loss to discover, how the interests of religion and learning can be promoted by depriving 20 poor boys of a liberal education, that four graduates of the University may enjoy for four years an annual allowance of L.60 each, without any restriction as to the course of study.
11. Your petitioner begs to call attention to the fact, that the trustees nominated in the deed of mortification, in addition to the Principal and Professors of King's College, Aberdeen, consist of the ministers of the parishes of Banff, Boyndie, Fordyce, Ordiquhill, and Mortlach; and that Your petitioner is not only conjunct patron and overseer with the aforesaid of the mortification, but sole comptroller thereof, and that he holds the sole right of presentation to the bursaries. That for this privilege Your petitioner's predecessor, the Earl of Findlater and Seafield, paid the sum of L.650 sterling nearly a century ago, which would represent a large sum at the present value of money. Your petitioner therefore holds that the Ordinance threatens to inflict on him a manifest injustice, by depriving him of a moiety of his rights as patron of these bursaries, and substituting therefor the patronage of the intended scholarships, which, with the conditions annexed thereto, is quite an illusory honour.
12. That Your petitioner holds that the Ordinance is not only *ultra vires*, in so far as it is not in accordance with the main design and intention of the donor, and does not tend to promote the interests of religion and learning, but that it is illegal, in so far as it interferes with the trustees' administration of the funds as applicable to the school of Fordyce.
13. Your petitioner further submits, that, even were it in the power of the Commissioners to alter the destination of the revenues of the Redhyth Mortification in the manner proposed, the Ordinance is most inexpedient and uncalled for. It reduces by one-half the number of bursaries on this foundation, and substitutes therefor one-fifth of the number of scholarships; thus in effect depriving 20 poor boys of the benefit of a liberal education, in order that four well-educated young men may be privileged to expend the sum of L.240.
14. Your petitioner would deeply regret, if such an injury were done to the cause of education in the North of Scotland, where these bursaries have been so long enjoyed, and are so highly appreciated.

May it therefore please Your Majesty in Council to signify disapproval of said Ordinance in whole, and withhold consent therefrom, and grant that Your petitioner may be heard by Counsel in support of his petition.

And Your petitioner shall ever pray.

(Signed) SEAFIELD.

XLVI. From the Minister and Elders of the Kirk-session of the Parish of Banff.

1. That Your petitioners have heard with much regret of certain Ordinances affecting the Redhyth Bursaries, lately issued by the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign.
2. That by these Ordinances (No. 52, 'Aberdeen' No. 32, 'Redhyth Foundation'), the Redhyth Bursaries, which for nearly two centuries have been the means of conferring a high education on the sons of many humble persons in this county and district, are to be reduced from 20 to 8 at the University, and from 20 to 12 at the school of Fordyce, and the surplus funds thus arising applied to the endowment of four scholarships, each of L.60 annually.
3. That Your petitioners would highly approve of scholarships being established at the University of Aberdeen, but do not approve of this way of providing the funds. The Redhyth fund, in place of being continued as hitherto for the benefit of pupils devoid of means for obtaining education, would thus be diverted in great part to the maintenance of those who, at the time of obtaining their scholarships, will already have attained a high position in learning and science.
4. That Your petitioners also beg to submit, that the noble patron of these bursaries, Lord Seafield, has to our knowledge made a very liberal and impartial use of them in his choice of young men to enjoy them. It is therefore the more unjust to deprive him of a large share of his patronage.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances affecting the Redhyth Foundation.

And Your petitioners shall ever pray.

(Signed) R. BREMNER, LL.D., Minister, and 4 others.

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tions in Aberdeen.

XLVII. From the undersigned Trustees under the Deed of Mortification of Walter Ogilvie of Redhyth.

1. That whereas the said Walter Ogilvie, by deed of mortification, dated 16th September 1678, mortified certain lands for the education of poor boys, and of 'such as are not able to be educated by their own means;' and, for this purpose, instituted 12 bursaries at the school of Fordyce, and 8 at King's College, Aberdeen. That the founder has left specific directions as to the administration of said mortification, and directs that boys of certain names, and born in certain localities, shall have a preference.
2. That owing to the rise in the value of land, and improvement of the mortified property, the revenues had increased so much, that the trustees were enabled not only to increase the value of the bursaries, but to double their number. These bursaries are now, and have been for a considerable number of years back, 20 at school of Fordyce, and 20 at King's College.
3. That said bursaries are universally allowed to be of immense advantage to the North of Scotland, by raising the standard of education, and by affording to a large number of poor young men, who would otherwise have remained in comparative ignorance, the means of obtaining a liberal education, and that many of the bursars under this mortification have been thus enabled to better their position in the world, and not a few of them have risen to be ornaments in the Church and State.
4. That Your petitioners can most cordially bear testimony to the judicious and impartial manner, in which the patronage of these bursaries has been administered by the patron, the Earl of Seafield; and Your petitioners humbly conceive, that the application of the increased funds of the mortification to the increase of the number and value of the bursaries has been attended with the most beneficial results, and is the only way in which the design of the donor could be legitimately carried out.
5. And whereas the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d years of Your Majesty's reign, have, in the exercise of the powers given them by that Act of 'revising all foundations and bursaries of more than fifty years' standing,' issued an Ordinance, dated 11th April 1862, in which they propose to reduce the Redhyth Bursaries from 20 at school and 20 at College, as at present, to 12 at school and 8 at College, and to apply the surplus funds thus obtained, after making provision for a small increase of the present allowance of the bursars at College, to the erection of four scholarships of the annual value of £60 each, to be enjoyed for four years by students of the Aberdeen University, who shall have already finished the curriculum of Arts, and become graduates of said University:
6. That Your petitioners hold that the appropriation of the funds of the mortification in the manner proposed by the Commissioners is illegal, in so far as it interferes with the administration of the bursaries connected with the school of Fordyce, and as being opposed to the main design of the donor, whose object was to place within the reach of the poor man's son the means of acquiring an academic training, and not to provide a superabundant portion to a few who have already obtained a liberal education. And further, Your petitioners consider that the Ordinance of the Commissioners is injudicious and inexpedient, in so far as that the interests of religion and learning will not be benefited by the proposed changes, as Your petitioners are strongly of opinion that the bursaries, as at present administered, are productive of much more benefit to the community, and tend much more to the interests of religion and learning, than would be the case if those changes were carried into effect.

May it therefore please Your Majesty in Council to signify your disapproval of the said Ordinance in whole, and grant that Your petitioners may be heard by Counsel in support of their petition.

And Your petitioners shall ever pray.

(Signed)	JOHN INNES, Minister of Fordyce.
"	LUDOVICK WILLIAM GRANT, Minister of Boyndie.
"	R. BREMNER, LL.D., Minister of Banff.
"	JAMES A. CRUICKSHANK, Minister of Mortlach.
"	JAMES GRANT, Minister of Ordiquhill.

XLVIII. From the undersigned Landed Proprietors, Justices of the Peace, Ministers, Elders, and Gentlemen, residing in the Parish of Keith and County of Banff.

1. That by a deed of mortification, dated 16th September 1678, executed by Walter Ogilvie of Redhyth, he mortified his lands of Redhyth, in the county of Banff, for behoof of 20 young boys, 12 to be bred and educated at the school of Fordyce, and 8 at King's College, Aberdeen; and by a special clause of the deed, he directs 'that none but *poor boys*, and such as are not 'able to be maintained and educated *by their own means*, shall have the benefit of this my 'mortification.'
2. That the patronage of these bursaries is vested in the Right Honourable the Earl of Seafield, his predecessor the Earl of Findlater and Seafield, when Chancellor of the University and King's College, having in 1765 purchased the same for a large sum of money from his relative, Archibald Ogilvie of Boyne, the representative of the original founder.
3. That by the very judicious administration of the fund by the patrons, the late and present Earls of Seafield, and the trustees appointed by the deed of mortification to co-operate with the patrons, an incalculable amount of benefit has been done to the cause of education in the district, for behoof of the poor of the lower middle class of which the mortification was intended, many poor boys who, but for these bursaries, never could have gone beyond the limits of a parish school education, having been enabled thereby not only to obtain a University one, but afterwards to distinguish themselves in the world, and more especially in the various professions in Scotland, to which such education qualified them to aspire.
4. That the district of the country intended by the founder of these bursaries to be benefited thereby

is essentially a poor district, and the mortification in question has proved an invaluable boon to it, being one peculiarly calculated to meet the wants of such a district, the great body of the inhabitants belonging to the very class so emphatically pointed at in the deed, being 'poor, and such as are not able to maintain and educate by their own means' their families.

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5. That, owing to the increased value of the lands originally mortified for the above purpose, the same have become adequate for the support and maintenance of a greatly increased number of bursars, and the patron and trustees have thus been enabled to extend the application of the benevolent intentions of the founder to double the number of poor boys, and, at the same time, to increase moderately the bursaries themselves.
6. That this course of administration adopted by the trustees and the noble patrons has met with the unanimous approbation of the public, and is deemed by those peculiarly interested as infinitely more advantageous than doubling the amount of the bursaries, and restricting their application to the *twenty* boys originally in view of the testator, would have been; and such course, it is submitted, having in view the greatly increased population of the country, and the vastly enlarged number of individuals entitled to aspire to a participation in the benefits contemplated to be bestowed on his countrymen by the founder, is at the same time far more in accordance with his intentions, and the scope of the original deed of mortification.
7. That, by an Ordinance issued by the Commissioners for the Scotch Universities appointed under the University Act of 1858, (No. 52, Aberdeen 32), it is proposed to restrict the said bursaries to *twenty* in number, and with the surplus funds which will thus arise to establish *scholarships* of a large annual value, eligible to those only who have previously *graduated* at the University with honours, and to be enjoyed by them for four years; in other words, the funds destined by the founder for the maintenance and education *at the University of poor boys* who, by their own means, are not able so to maintain and educate themselves, are to be diverted for the use and enjoyment of young men who not only *are* able, out of their own means, to afford themselves a University education, but who shall have actually *done so*, and not only done so, but who shall have *completed* their University course, and been able to *graduate, and with honours*,—the very individuals, Your petitioners would respectfully submit, who require no eleemosynary aid, and who (their course at the University, as regards the Faculty of Arts, having been completed) are thereby *past the stage* of education, for the attainment of which alone the mortification was intended.
8. That such a proposal, if carried into effect, will not only deprive a great many of the class, whose special benefit the testator so anxiously provided for, of the advantage of his benevolent intentions, but will lavish his bounty on *another* class expressly excluded by him, and who require no such aid as that proposed by the Commissioners to be given to them; and such mode of administration of the funds will moreover be in a great measure inapplicable to the wants and requirements of the inhabitants of the district more especially intended to reap the benefit of the testator's benevolence, great many of whom regard as the object of their highest ambition the obtaining of a University education to their families, but few or none of whom aspire to the high standard apparently in the contemplation of the Commissioners,—a standard uncalled for in the *ordinary* position of life occupied by the great bulk of the poorer classes of Scotland in general, or of the district in question in particular, and requisite only to a position, the attainment of which demands *at the same time* other extraneous aids, but from which such a class are, by their poverty, equally debarred as from that high standard of education itself.

Wherefore Your petitioners humbly pray that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, to signify Your Majesty's disapproval of the said Ordinance of the University Commissioners, in so far as the same restricts, or proposes to restrict, the present number of the Redhyth Bursaries at the University of Aberdeen, and in so far as the same, with the surplus funds thence to arise, establishes, or proposes to establish, scholarships at said University.

And Your petitioners, as in duty bound, will ever pray.

(Signed) G. PETRIE HAY of Edintore, J.P., etc., and 164 others.

XLIX. From the Minister, Elders, and other Inhabitants of the Parish of Cromdale, Strathispey.

1. That Your petitioners view with regret and alarm an Ordinance issued by the Scottish University Commissioners, of date 11th April 1862, affecting the bursaries founded by Walter Ogilvy of Redhyth, for the education of poor boys at the school of Fordyce and the University of Aberdeen.
2. That by the said Ordinance it is determined that 20 of these bursaries, the present number of which is 40, shall be suppressed, and that the funds thus arising shall be applied in endowing four scholarships, each of the value of L.60 sterling, to be awarded to graduates at the University. The intention of the founder of these bursaries, as expressed in the deed of mortification, is as follows:—'My wished for and only end and interest, in making the same, is the 'glory of God, the honour of this my native country, and the good of my neighbours. . . . 'None but poor boys, and such as are not able to be maintained and educated by their own 'means, shall have the benefit of this my mortification.' It is further enjoined, that preference be given to boys of certain names and born in certain localities, and that the bursaries be held only during nine years' course of study at school and College.
3. By the Scottish Universities Act, passed in the 21st and 22d years of Your Majesty's reign, the Commissioners therein named are empowered to revise foundations, mortifications, etc., and to alter or modify these, if it shall appear to them that the interests of religion and learning, and the main design of the donor, may be better advanced by an alteration of the conditions or directions affecting such gifts or endowments.
4. Your petitioners humbly submit that the said Ordinance is directly at variance with the provi-

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sions of the fore-cited Act; that it is subversive of the main design of the donor, inasmuch as it appropriates the bursaries to persons and for objects not contemplated by him; and that it tends seriously to retard the interests of religion and learning, inasmuch as it withholds from the many for the sake of the few, from the uneducated for the sake of the educated, from the poor for the sake of those who have no need of eleemosynary aid, the means of obtaining a liberal and religious education.

5. Your petitioners view with deep regret the grievous loss which the said Ordinance, if carried into effect, will entail on the North of Scotland,—the Redhyth Bursaries having been in time past, as they no doubt would be in time to come, the means of raising hundreds to positions of usefulness in the Church, and other professions, to which they could not attain by their own unaided resources; nor can Your petitioners see that any proportionate advantage would arise to the interests of religion and learning from the substitution of four scholarships in the place of 20 of these bursaries.

6. Your petitioners further view with alarm the arbitrary interference of the Commissioners with the conditions affecting the bursaries in question, as, if successful, it will tend to deter benevolent persons in future from mortifying property for educational purposes, seeing there will be no security that their wishes and intentions will be respected.

May it therefore please Your Majesty in Council to signify disapproval of the said Ordinance, and withhold consent therefrom.

And Your petitioners shall ever pray.

(Signed) D. MACINNES, Minister of Cromdale, and 207 others.

L. From the undersigned Inhabitants of the Parish of Grange.

1. That Your petitioners have seen with deep regret a recent Ordinance of the Universities Commissioners appointed under the University Act, 1858, by which it is proposed to alienate from their original destination a large proportion of the bursary funds in connection with the University of Aberdeen.

2. That, whilst Your petitioners deprecate such a proposal, and highly disapprove of the Ordinance generally, they would specially signify their dissent from, and their disapproval of, that part of said Ordinance which relates to the mortification founded in 1678 by Walter Ogilvie of Redhyth for the establishment of bursaries, to be held as expressly stated in the preamble of the deed of mortification, by 'none but poor boys, and such as are not able to be maintained and educated by their own means.'

3. That the alienation of said funds for the establishment of scholarships, as proposed by the Ordinance alluded to, is directly opposed to the express design and intention of the donor, inasmuch as the effect of the Ordinance is to abstract funds designed by him to assist poor boys in obtaining a University education, and to confer them as prizes on those who have already received such an education,—that is, on those who, by the terms of the deed, are excluded from the benefits of this mortification.

4. That Your petitioners further consider that the aforesaid Ordinance, if carried into effect, will prove most injurious to the interests of education in general, inasmuch as it will tend to discourage others from mortifying funds for similar purposes, when they find that the intentions of testators are thus so arbitrarily interfered with and frustrated.

May it therefore please Your Most Sacred Majesty in Council to withhold Your consent from said Ordinance, and to signify Your disapproval thereof.

And Your petitioners shall ever pray.

(Signed) J. M. INNES, Bart. of Balvenie, and 45 others.

LI. From the Provost and Bailies of the Burgh of Old Aberdeen.

1. That an Act was passed in the 21st and 22d years of Your Majesty's reign, cap. 83, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen.'

2. That on the 11th day of April eighteen hundred and sixty-two, the Commissioners appointed by the said Act issued an Ordinance relating to the University of Aberdeen, by which, with reference to two deeds of mortification, dated respectively the seventeenth day of June sixteen hundred and twenty-three, and the fifteenth day of August sixteen hundred and twenty-five, whereby the Reverend James Watt of Snaith mortified certain lands and property for the foundation of two bursaries in Theology in the King's College of Aberdeen, in the manner and subject to the conditions in the said deeds more particularly set forth,—they statuted and ordained *inter alia* that there should be four bursaries on said foundation, and that each of the said bursaries should be open for competition to all Masters of Arts of any of the Universities of Scotland entering on their first or second session of attendance in the Faculty of Divinity in the University of Aberdeen, without restriction or preference as to the name or birthplace; and also that the surplus in each year of the income of the said foundation, including therein any unappropriated income arising from vacancies in any of the bursaries, should be paid into, and form part of, the Common Bursary Fund of the University.

3. That by each of the said deeds of mortification the subjects therein mentioned were conveyed by the said James Watt to the King's College aforesaid and the members thereof, and specially to a student in Divinity holding the degree of Master, or at least of Bachelor, of the surname of Watt, or Barclay, or Chalmers, or any other student in Divinity holding the degree of Master, born in the city or canonry of Old Aberdeen, and his successors; and in the event of the Divinity Professorship and the orthodox commonly called the reformed religion then professed in Great Britain ceasing in said College, to a student of Philosophy there of the surname of Watt, or Barclay, or Chalmers, or any other student of Philosophy there born in the

city or canonry of Old Aberdeen, and his successors. But in the event of the said College or its members failing in this, or not conferring the benefits contained in said deeds on the foresaid students according to the intention of the granter, then and in that case to the Provost and Bailies of Old Aberdeen and their successors, for the support of respectable poor persons, either young people, that they might be provided with the means of earning a livelihood, or decrepit or infirm persons, that they might have wherewithal they might be maintained.

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4. That the restrictions placed on the holding of the bursary were such as to render it probable that vacancies would frequently occur, and in laying them down the founder must have had prominently in view the benefit of the poor of Old Aberdeen as aforesaid.
5. That, in point of fact, such vacancies have very frequently occurred, and the Senatus in such cases has been, and is, in use to pay to the petitioners on behalf as aforesaid the amount of such lapsed and vacant bursaries. That such vacancies must of necessity frequently occur under the restrictions of the qualifications for holding the bursaries contemplated by the donor, and the petitioners on behalf as aforesaid have a direct and important interest in such cases.
6. That under the said Ordinance it is impossible that the petitioners or their successors should ever derive any benefit under the deeds above recited, and they are therefore entitled to have the limitations maintained, or to be compensated for the loss caused by their removal.
7. That by the fifteenth section of said Act power is given to said University Commissioners, in the case of gifts or endowments which have taken effect for more than fifty years, in the circumstances therein mentioned, to alter or modify the conditions of the same; but by the twenty-seventh section of said Act it is declared, that nothing contained therein shall be construed to affect any trusts vested in and administered by the Senatus Academicus of any University or College, or the Principal and Professors thereof, for purposes unconnected with the University or College; that the trust vested in King's College by said deeds of mortification, so far as regards the right to the lapsed bursaries as above mentioned, is unconnected with the University and King's College of Aberdeen.

Your petitioners therefore humbly pray, that Your Majesty in Council will be graciously pleased to withhold Your approbation of the said Ordinance, until reasonable compensation for the loss to be sustained in consequence thereof be made to Your petitioners for behoof as aforesaid, and to refer this petition to the said Commissioners, and to direct that they will hear Your petitioners by Counsel, and report specially to Your Majesty in Council in the matter of this petition; and, in the event of the Report of the said Commissioners being adverse to the desire of the petitioners as above expressed, that Your Majesty will be graciously pleased to allow Your petitioners to be heard by Counsel before Your Majesty's Most Honourable Privy Council, or a Committee of the members thereof, against the said Ordinance and the Report of said Commissioners, and that Your Majesty will signify by Order in Council your disapproval of said Ordinance, until reasonable compensation be made as aforesaid, or to do otherwise in the premises as to Your Majesty in Council may seem just.

And Your petitioners will ever pray.

(Signed) P. C. CAMPBELL, Provost, and 4 Bailies.

LII. From the Provost, Magistrates, and Council of the City of Aberdeen, under their common seal.

1. That an Act was passed in the 21st and 22d year of Your Majesty's reign, chapter 83, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen.'
2. That on the 11th day of April eighteen hundred and sixty-two, the Commissioners appointed by the said Act issued certain Ordinances regarding bursaries in the University of Aberdeen, and, *inter alia*, an Ordinance with reference to the establishment of a Common Bursary Fund, and two Ordinances in reference to the bursaries founded by Doctor Duncan Liddell and Doctor James Cargill respectively.
3. That these several Ordinances proceed on a recital of certain of the provisions of the said Act, and, as regards the foundations of Doctor Liddell and Doctor Cargill, on the farther recital [Recital of sec. xv. 2 of the Act, as recited in the Ordinance].
4. That the said Ordinance relating to Dr Liddell's foundation proceeds as follows:—'And whereas, by two deeds, dated respectively, etc. [Recital of Ordinance No. 49, Aberdeen No. 29, down to end of sec. ii.]'
5. That the said Ordinance relating to Dr Cargill's foundation proceeds as follows:—'And whereas, by his will, etc. [Recital of Ordinance No. 48, Aberdeen No. 28, down to end of sec. ii.]'
6. That Your petitioners are patrons or trustees of the said bursaries on Dr Liddell and Doctor Cargill's foundations, and as such are directly affected by the said Ordinances.
7. That by the deeds of mortification by Dr Liddell, the said bursaries on his foundation are destined to 'honest poor men's sons, burgesses of New Aberdeen,' and, by the will of Dr Cargill, the said bursaries on his foundation are destined to 'poor scholars town's bairns of New Aberdeen;' but, by the said Ordinances, the conditions and restrictions, under which the said bursaries were founded, would be altogether set aside, so far as regards the parties for whose benefit the same were intended.
8. That Your petitioners are opposed generally to any interference with the terms and conditions of deeds of foundation of pious and learned men making over estates and funds for the education of the poorer classes of the community, whose relatives and parents may have been in better circumstances, and are desirous to maintain inviolate the trusts committed to them, and to carry the wishes and intentions of the founders into effect; and they are especially opposed to those portions of the said Ordinances relating to Doctor Liddell's and Doctor

Ordinance, No. 28.  
Aberdeen, No. 8.

Ordinance, No. 49.  
Aberdeen, No. 29.  
[Liddell Foundation.]

Ordinance, No. 48.  
Aberdeen, No. 28.  
[Cargill Foundation.]

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Cargill's foundations, by which it is proposed to authorize them to present to the bursaries on these foundations, parties not entitled to be so presented under the wills and deeds of the founders; and Your petitioners trust that the said Ordinances, in so far as they interfere with the rights of the parties who alone, under the wills and deeds of the founders, are entitled to be presented to these bursaries, will not receive the approbation of Your Majesty in Council.

Your petitioners therefore humbly pray, that Your Majesty in Council will be graciously pleased to withhold Your approbation of the second article of each of the said Ordinances relating to Doctor Liddell's and Doctor Cargill's foundations, and of all other provisions of the said Ordinances, which authorize the presentation or admission to the benefit of the said foundations of any persons, except those who are entitled to be so presented and admitted under the deeds or wills of the founders, and to refer this petition to the said Commissioners, and to direct that they shall hear Your petitioners by Counsel, and to report specially to Your Majesty in Council on the matter of this petition; and, in the event of the report of the said Commissioners being adverse to the views and desires of Your petitioners, as expressed in this petition, that Your Majesty in Council will be graciously pleased to allow Your petitioners to be heard by Counsel before Your Majesty's Most Honourable Privy Council, or a Committee of the members thereof, against the before-mentioned articles and provisions of the said Ordinances and the said report, and that Your Majesty will, by order in Council, signify Your disapproval of the said articles and provisions of the said Ordinances, or do otherwise in the premises as to Your Majesty in Council may seem just.

And Your petitioners will ever pray.

(Signed) ALEX. ANDERSON, Provost.

(L. S.)

LIII. From the Moderator and Kirk-session of the Parish of Mortlach.

1. That Your petitioners, who are the patrons of the bursary in the University of Aberdeen founded by the late Doctor John Lorimer of London, have seen with deep regret an Ordinance, No. 42, Aberdeen No. 22, of the University Commissioners, regarding said bursary.
2. That, by the deed of foundation, the said Doctor John Lorimer desired and ordained, that his bursary should be for the maintenance and education of a boy—the kindred of his father and mother alternately.
3. That the said Doctor John Lorimer further ordained, that, in case of a vacancy arising either from the student on his foundation being excluded from, or voluntarily leaving College, or dying thereat, or from no boy qualified in terms of his will claiming his bursary, then the bursary money should be retained and consolidated into a fund for paying a sum not less than thirty pounds, and not more than fifty pounds sterling, to any of the students educated upon his donation, or upon the donation of William Lorimer, who may be found qualified and inclined to prosecute the study of Physic or Surgery.
4. That, since the year 1857, two students of Medicine, one educated on the said John Lorimer's donation, and the other on the donation of William Lorimer, each received the sum of forty pounds sterling from the accumulated fund, which shows that there is at present no difficulty in carrying out the intentions of the donor in this respect.
5. That the University Commissioners, by the said Ordinance No. 42, Aberdeen No. 22, statute and ordain, that, on the occurrence of any vacancy in the said bursary, if there be no candidate qualified by relationship in terms of the said will, it shall be lawful to appoint a boy to the vacant bursary, though not so qualified; and further, that the surplus in each year of the income of the foundation, including therein any unappropriated income arising from any vacancy in the said bursary, shall be paid into, and form part of, the Common Bursary Fund of the University.
6. That Your petitioners humbly consider these clauses of the aforesaid Ordinance to be in direct violation of the expressed intentions of the said Doctor John Lorimer, as embodied in the foregoing part of this petition, and most injurious to the interests of those qualified, in terms of his will, to apply for and enjoy the benefit of his mortification, or to enjoy the benefit of William Lorimer's, inasmuch as they will prevent any farther accumulations for the behoof of those Lorimer bursars, who may become students of Medicine.
7. And further, that, in the humble opinion of Your petitioners, the aforesaid Ordinance, if carried into effect, will be very detrimental to the interests of education, inasmuch as it will discourage others from mortifying funds for similar charitable and benevolent purposes, when they find that the intentions of testators are thus so arbitrarily set aside.

May it therefore please Your Most Sacred Majesty, by and with the advice and consent of Your Honourable Council, to withhold Your consent from said Ordinance, and to signify Your disapproval thereof.

And Your petitioners will ever pray.

(Signed) JAMES A. CRUICKSHANK, Moderator, and 6 others.

PETITIONS referred by Order in Council of 19th July 1862.

LIV. From the Kirk-session of the Parish of Alvah. [Same as No. II.]

(Signed) AND. TODD, Minister, and 7 others

LV. From the Kirk-session of the Parish of Turriff. [Same as No. II., omitting secs. 2, 5, 6, and 9, and having immaterial verbal alterations in sec. 8.]  
(Signed) JOHN CRUICKSHANK, Moderator. Petitions against Ordinances as to Bursary Foundations in Aberdeen.

LVI. From the Kirk-session of the Parish of Monquhitter. [Same as No. II.]  
(Signed) HENRY MITCHELL, A.M., Moderator, etc., and 8 others.

LVII. From the Kirk-session of the Parish of Gartly. [Same as No. II., omitting secs. 2, 6, and 8.]  
(Signed) JAMES THOMSON, Minister, and 3 others.

LVIII. From the Kirk-session of Speymouth Parish.

1. That Your petitioners have learned with alarm and regret, that the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign, have issued certain Ordinances affecting the mortifications and foundations for bursaries at the University of Aberdeen.
2. That by these Ordinances the number of existing bursaries will be reduced from 255 to 189, and that thus a grievous check will be given to the advancement of education among the middle and lower classes in the North of Scotland.
3. That Your petitioners deprecate any interference with the funds bequeathed by benevolent individuals for the education of poor but deserving young men, as unjust, inexpedient, and calculated to prevent benevolent persons from devoting their means hereafter to such laudable objects.
4. That, in particular, Your petitioners consider, that the interference of the Commissioners with the bursaries commonly called the Redhyth Bursaries, is uncalled for and injurious, as these bursaries have always been managed with great judgment and propriety, and have been the means of advancing many young men to positions of credit and responsibility, who, but for this aid, must have remained without any but a mere elementary education.
5. That Your petitioners humbly submit, that the substitution of scholarships for bursaries, contemplated in these Ordinances, would be a spoiling of the poorer classes to benefit the more wealthy ones, would be an entire subversion of the purpose of the founder of these bursaries, and would prove most injurious to the cause of University education in this district of the country.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from said Ordinances.

And Your petitioners shall ever pray.

(Signed) JOHN CUSHNY, Minister of Speymouth, and 3 others.

LIX. From the Parishioners of the Parish of Fyvie, in the County of Aberdeen.

1. [Same as sec. 1 of II.]
2. [Same as sec. 2 of II.]
3. [Same as sec. 3 of II.]
4. Your petitioners, as a community, feel a deep interest in preventing these Ordinances from being carried into effect, there being certain bursaries belonging to the parish of Fyvie, which might through their operation be diverted from the end intended by their benevolent founder, as is at present attempted to be done in the case of the valuable Redhyth Bursaries, which have so much promoted the interests of learning in the North of Scotland.
5. Your petitioners submit, that these Ordinances are not in accordance with the intentions of the founders of the bursaries; and that they are inexpedient and unjust, inasmuch as they sacrifice the interests of the many to those of the few, of the poorer to the more wealthy classes.
6. Your petitioners feel assured, that the effect of putting these Ordinances in operation would be to prevent benevolent persons in future from mortifying property for educational purposes, as there would be no security that their intentions would be respected.

May it therefore please Your Majesty in Council to signify disapproval, and withhold consent from these Ordinances.

And Your petitioners shall ever pray.

(Signed) JOHN MARSHALL LANG, Minister of Fyvie, and 103 others.

LX. From the undersigned Parishioners of Ordiquhill, in the County of Banff.

1. That Your petitioners observe with deep regret, that the Commissioners appointed under the Universities (Scotland) Act, passed in the 21st and 22d year of Your Majesty's reign, have recently issued Ordinances in which it is proposed greatly to reduce the number of bursaries at the University of Aberdeen, and particularly the Redhyth Bursaries, which have been of great benefit to many in this locality.
2. That Your petitioners cannot view the institution of a few scholarships, by means of the funds obtained from the suppression of bursaries, as affording any adequate compensation for the loss that will be sustained by the suppression of so many bursaries, and are decidedly of opinion, that the Ordinances, if carried into effect, will be most injurious to the cause of education in the North of Scotland.
3. That it appears to Your petitioners, that the Ordinance affecting the Redhyth Bursaries is not only uncalled for and inexpedient, but is, moreover, *ultra vires* of the Commissioners, inasmuch as the ample powers conferred on them by the Act, relative to the revisal and alteration of mortifications and endowments, etc., are limited by a regard to the main design of the donor, and the interests of religion and learning; and it cannot possibly tend to the advancement of religion and learning, to take away from so many the means of obtaining a liberal education; and instead of more effectually carrying out, it is in manifest opposition to, the intentions of

Petitions against  
Ordinances as to  
Bursary Founda-  
tions in Aberdeen.

the donor, to alienate from the maintenance and education of certain poor boys funds left expressly for that end, and to apply them to the formation of scholarships to be enjoyed by graduates of the University.

May it therefore please Your Majesty in Council to signify disapproval of, and withhold consent from, said Ordinances.

And Your petitioners will ever pray.

(Signed) JAMES GRANT, A.M., Minister of Ordiquhill, and 94 others.

LXI. From the Commissioners of Supply of the County of Banff. [Same as No. II.]

(Signed) JAMES GORDON, Sheriff-Substitute, and 19 others.

LXII. From the undersigned Ministers and others in the Parish of Duthil, County of Elgin.

1. [Same as sec. 1 of II.]

2. That by the said Act the Commissioners therein named are empowered to revise foundations, mortifications, bursaries, etc., and to alter or modify these, if it shall appear to them 'that the interests of religion and learning, and the main design of the donor,' would be better effected thereby.

3. Your petitioners deeply regret to learn, that the mortifications for the Redhyth Bursaries, of which so many have derived the benefit in this locality, are to be interfered with, and the bursaries to be reduced from 20 to 8 at the University, and from 20 to 12 at the school of Fordyce, and the surplus funds thus arising to be applied for the endowment of four scholarships of £60 each.

4. [Same as sec. 5 of II.]

5. [Same as sec. 6 of II., with slight verbal alterations.]

6. [Same as sec. 7 of II., with slight verbal alterations.]

7. [Same as sec. 8 of II., with slight verbal alterations.]

8. [Same as sec. 9 of II.]

(Signed) R. S. KYNOCH SHAND, Hillside, and 83 others.

LXIII. From the Heritors, Minister, and others, of the united Parish of Daviot and Dunlichity.

[Same as No. II.]

(Signed) A. MACKINTOSH of Fart, and 51 others.

LXIV. From the Rev. James Allan, A.M., Minister of the Parish of Grange.

1. That Your petitioner feels that he is personally aggrieved, and that the interests of his family are injuriously affected, by recent Ordinances of the Universities Commissioners relating to the Lorimer Bursaries in the University of Aberdeen.

2. That Your petitioner is of the kin of the founders of said bursaries; that his relationship was proved to the satisfaction of the patrons; that he was educated on the foundation of William Lorimer in the Marischal College of Aberdeen; that, if he had directed his attention to the study of Medicine, he would have been entitled to claim a sum of not less than thirty, and not more than fifty pounds sterling, out of the accumulated fund arising from vacant burse money belonging to the John Lorimer Foundation, as specially provided for by the said John Lorimer in his deed of mortification; and that Your petitioner's sons are entitled, in terms of the respective deeds of foundations, if no nearer relative be in the way, to claim similar privileges to those which Your petitioner himself enjoyed.

3. That, by the Ordinances recently issued by them, the said Universities Commissioners statute and ordain, that when a vacancy occurs in the John Lorimer Bursary, if no relative appear as a claimant, the patrons shall present a student not of the kin of the said John Lorimer's father or mother, that is, a student not qualified in terms of the deed of foundation; and further, that all monies arising from vacancies in the Lorimer Bursaries shall be paid into the Common Bursary Fund.

4. That said Ordinances, if carried into effect, will in all time coming prevent any accumulations in connection with said bursaries for the purposes specified by their respective founders; and that they will thus directly frustrate the intentions of the founders, and affect in a most injurious manner the interests of Your petitioner's family, and of all those entitled by the deeds of foundation to claim the benefit of said bursaries.

5. That for these reasons Your petitioner feels, that he has a right to dissent from said Ordinances, and to petition that they be not carried into effect.

May it therefore please Your Most Sacred Majesty in Council to withhold Your consent from said Ordinances, and to signify Your disapproval thereof.

And Your petitioner shall ever pray.

(Signed) JAMES ALLAN, A.M., Minister of the Parish of Grange.

DEED OF FOUNDATION by DR ALEXANDER ADAM of Anstruther-Wester, dated 10th August 1691.

Deed of Foundation  
by Dr Alexander  
Adam.

BE it kend to all men be these present Letters me Mr Alexander Adam Doctor of Medicine and at the same time Inhabitant in Anstruther Wester in the Shire of Fife in the Kingdom of Scotland heritable proprietor of the Lands and Houses after specified for so meikle as by Contract of Marriage past betwixt me on the one part and Jean Davidson lawful daughter to the deceased Mr Alexander Davidson of Newtown on the other part of the date twentieth the sixth day of October in the year One thousand six hundred and eighty six years In contemplation of the which marriage the said Jean Davidson did sell and dispone to and in favours of the said Doctor Alexander Adam his heirs and assigneys whatsomever All and Haill [Description of lands acquired by the granter through his wife, which are the same as those conveyed in this Deed in separate parcels to King's College, Marischal College, and James

*Davidson*] of all the which foresaid Lands I am infeft and seased and now for the love and favor which I have and bear unto the glory of God advance of piety and learning Witt ye me under the reservations and restrictions after specified for certain onerous causes to have sold assigned and disposed and by these presents sells assigns and disposes to and in favours of the University of Aberdeen the Masters and their Successors and to the Marischal College of New Aberdeen and unto the Hospital of Old Aberdeen and unto the Hospitall of New Aberdeen commonly called the Trades Hospetall for the maintenance of Bursars in each of the said Colleges and of a Beadman in the said Hospitalls allowing fortie pounds for each Bursar by the year and twenty pounds to each of the Beadmen by year as after limited All and Hail [*Description of parcels disponed to King's College, being first portion of the lands acquired by the granter through his wife*] All this I dispoone unto the Masters and Regents of the Old Town College for the maintenance of three Bursars in the said College for four years being of my kindred or of my wife's Jean Davidson or failing this any duly qualified of the name of Adam Davidson or Simpson and unto such only to be given as said is reserving always not only to me not only my liferent of the said Crofts and Riggs barns tenements and others above written but also with full power to me to sell use and dispoone upon the same to whatsoever person or persons I think fitt in my lifetime and to burden the said crofts of land and others above specified with whatsoever sums of money I shall think fit not exceeding the worth and value of the crofts riggs barns houses and others above sett down under and upon which provisions and conditions are granted by me and no otherwise and these presents to take effect upon condition that I want heirs of mine own body excluding all my other heirs whatsoever and reserving power to myself to dispoone of the whole to whatsoever assigney I shall please As also I the said Mr Alexander Adam Doctor of Medicine sells dispoones and makes over unto the Principal Masters and Regents of the Marischal College of New Aberdeen all these crofts of land before named [*Description of parcels disponed to Marischal College, being second portion of the lands acquired by the granter through his wife*] and that for the maintenance of two Bursars of Philosophy in the College of New Aberdeen being of my kindred or of my wife's Jean Davidson's kindred which failing any duly qualified of the names of Adam Davidson or Simpson and that out of the rents of the saids crofts they pay or cause to be paid to the Trades Hospitall of Aberdeen twenty merks Scots money for a help to a trades Beadman besides the ordinary salarie of the House to be given to any of my kindred or of my wife's Jean Davidson being in a condition standing in need of such a supply which failzieing to any Tradesman called of the name of Adam Davidson or Simpson As also I the said Mr Alexander Adam Doctor of Medicine do sell and dispoone to and in favours of James Davidson of Tellemorgan All and Hail [*Disposition of a tenement to James Davidson, being the third portion of the lands acquired by the granter through his wife*] and to the effect the said Principal Masters and Regents of the King's College of Aberdeen may be infeft in the said crofts houses riggs barn yards as before specified and are now possessed and occupied by John Aitken and James Christie Farmurers and William Thomson Gardener they with Rents of the said Crofts maintaining three Bursars of Philosophy for four years space both the said bursars not being in the same class or of the same years standing but different and that the said Masters pay or cause to be paid out of the said Rents twenty pounds Scots to the Beadhouse or Hospitall of Old Aberdeen for the maintenance of a Beadman any of my kindred or of the names of Adam Davidson or Simpson by and attour the common salary of the said Beadhouse and that the said twenty pounds be paid to the said person or persons being received into the said hospitall receiving beside the common salary of the said hospitall for this is granted upon that condition allenarly and for the said persons more comfortable maintenance As also fourteen pounds Scots as being an annuity paid to the Town of Aberdeen out of Cullars Crofts And to the effect the Principal and Masters of the Marischall College may be infeft in the Crofts riggs lands barn and yard above specified and disposed by me to them as now possessed and occupied by Alexander Smith fermurer in Aberdeen for maintenance of two Bursars of Philosophy they not being of the same year and class but different and they paying twenty merks to the Hospitall of the Trades of New Aberdeen as before And that the said James Davidson may be infeft in the said Tenement of Land before mentioned I bind and oblige me to make grant and subscribe and deliver to the said persons named before and their foresaids successors and heirs full rights of the crofts and others above specified And for that effect constitutes and ordains

and ilk one of them conjunctly and severally my very lawful and undoubted and irrevocable procurators actors factors and special errand bearers to that effect underwritten given granted and committed to them or either of them my full free power mandate and charge for me and in my name and upon my behalf to compare before one or more of the Magistrates of Aberdeen superiors of the foresaid crofts riggs tenements and others above specified and there (as in the hands of His Majesty's immediate Superiors of the same) by one pennie of out toll as use is in such cases renounce resign simpliciter upgive and overgive to and in favor of the saids Provost and Baillies the foresaid crofts houses and others above expressed for new Infestment of the same to be given by the superiors thereof above named to the persons above specified Masters of the Old Town and New Town Colleges and James Davidson of Tilliemorgan their successors and his heirs and for the more security I am content and consents thir presents be insert and registrate in the Books of Council and Session or in any other Register competent and if need bees that letters and executorialls may pass hereon in form as effairs and constitutes Alexander Fraser Advocate in Aberdeen my lawful procurator In witness &c.

#### DEED of FOUNDATION by WALTER OGILVIE of Redhyth, dated 16th September 1678.

BE it known to all men by thir presents letters me Walter Ogilvy of Reidhyth granter and founder of the Mortification underwritten having power to alter the samen in manner after specified forasmuch as I be my Letters of grant and Mortification of the date the Seventeenth day of January i M vi C and Seventie-six Years (whereupon Infestment hath now followed under His Majesties Privy Seal) for the pious causes therein mentioned mortified founded gave granted and disposed to and favours ye Ministers then present and in all time coming serving the cure att the Parioch Kirks and Parochines of Fordyce

Deed of Foundation by Dr Alexander Adam.

Deed of Foundation by Walter Ogilvie of Redhyth.

Deed of Foundation  
by Walter Ogilvie  
of Redhyth.

Banff Inverboindie Cullen and Deskford for the use behoof and utility of twenty poor Boys of the names and qualities designed in my saids Letters of Mortification and conform to ye conditions therein expressed to be bred taught educate brought up and instructed in Letters piety and virtue at the School of Fordyce in all time coming without reversion redemption or regress All and Hail [*Description of lands conveyed*] and all right title and interest whilk I had have or may pretend thereto or to the maills farmes and duties thereof in all time after my decease Reserving always to me not only my liferent right of the Lands Barrony teinds and others above written with ye pertinents but also full power and liberty to me at any time during my lifetime to alter innovate and repeal and discharge ye foresaid Mortification with all that shall follow thereupon and to dispose of the Lands Barony and others above mentioned any other manner of way or to any other person or persons as I shall think expedient without ye advice and consent of the Overseers named by me in ye said Mortification as ye samen containing the designations of ye Patrons and Overseers of the said Mortification ye Rules and directions given by me to be observed by them qualities and manner of education and entertainment of the saids twenty boys an procuratorie of Resignation and several others obligements and conditions thereintill which are all holden as for repeated and expressed herein more fully bears And now I being constant and firm in my resolution to continue the foresaid Mortification and having often since my granting thereof seriously ponderated ruminated and resolved within myself the conditions of the same mentioned in my former letter of grant and mortification as also having often taken the opinion and advice of severall other knowing understanding devote and Christian persons thereanent and being most earnest and desirous in my lifetime to leave ye samen in such a clear modell and frame as may be most effectual to procure my wished for and only end and intent in making of the same to witt the glory of God the honour of this my native country and ye good of my neighbours humbly and earnestly praying and beseeching Almighty God ye Author and fountain of all good for his Son our alone Saviour's cause and in whose fear I appoint these children to be bred and educate so to bless this my purpose and design as that all at least some of these designed to reap benefite thereby may from age to age in all time coming be profitable and useful Instruments in this our Kirk and Commonwealth in consideration whereof after mature deliberation and advice in the said matter 'tis my will and I am now resolved to alter innovate and change the manner and some of the conditions of the said Mortification mentioned in my said first Letter of Grant and Mortification above written and Infestment following thereupon to the manner rules directions and conditions after mentioned and such other orders and directions (if may be) to be made by me at any time before my decease as said is which I decern appoint and ordain to be ye only method and rule in managing the foresaid Mortification in all time coming hereby revoking repealing and simpliciter discharging all other such conditions rules qualifications and injunctions mentioned in my former said grant and mortification as are contrary to or coincident with my Will Rules and directions after mentioned and my said former letters of grant and mortification and infestment following thereupon with all that has followed or may follow upon ye samen in tantum but prejudice always thereto in so far as ye samen are not innovate and changed hereby in manner underwritten Therefore witt ye me in corroboration and but prejudice of my said former letter of grant and mortification above deduced with all that has followed or may follow thereupon except allanarly in so far as the same is not hereby innovate altered or discharged in manner above and after rehearsed and under the reservations declarations and conditions after specified to have of new again doted mortified given granted and simpliciter dispooned likeas I be the tenor hereof of new again dote mortify give grant and simpliciter dispoone frae me my heirs and successors and all others my assigneys to and in favours of the saids Ministers at the saids Kirks of Fordyce Banff Inverboindie Mortlich and Ordiqhill Mr Alexander Middletown Principal of the King's College of Aberdeen Mr George Nicolson of Cluny Professor of the Civil Laws Dr Patrick Urquhart Professor of Medicine Mr Andrew Massie Sub-Principal Mr Patrick Gordon Professor of Humanity Mr Robert Forbes Mr George Middleton and Mr John Buchan Regents in the said College and the hail persons immediately forenamed and their successors in their respective places and functions as sole and absolute Patrons and Overseers Managers and Administrators hereby appointed by me of the Mortification above and underwritten by ye Rules orders and injunctions given by me to them for that effect in manner after set down and that for the use utility and behoof of 20 young boys to be bred and educate respective at the said School of Fordyce and the said King's College of Aberdeen be the order election manner and for ye space after rehearsed and after the breeding of one twentie in favours of other twentie boys and so from twentie to twentie from time to time in all time coming according to my destination design and appointment and rules insert herein hereitably and irredeemably without any manner of reversion redemption or regress All and Hail [*Description of lands conveyed*] and all right title interest claim of right Property and possession petitory and possessory which I or my foresaids had have or any ways may have claim or pretend to ye saids Lands and Barrony with the teinds and pertinents thereof or any part of ye same or to the Maills farmes profits and duties thereof in all time coming after my decease reserving always to me not only my liferent right and frank tenement of all and hail ye said Lands Barony with ye saids teinds and pertinents thereof during all ye days of my lifetime but also full power and liberty to me at any time during my lifetime again and again to alter innovate and repeal rescind and discharge ye foresaid Mortification with all that has followed or may follow thereupon and otherwise to sell and dispoone the samen Lands and Barrony with ye teinds and pertinents thereof or any part of the samen to any other person or persons as I shall think expedient and that without ye consent and advice of the foresaid persons or any other persons formerly or hereby appointed by me Patrons Administrators and Overseers thereof any ways to be sought or obtained thereto And providing also as it is hereby expressly provided and declared that the saids Patrons Overseers and Administrators of the said Mortification hereby appointed by me and their said successors shall always from time to time in all time coming take special notice of and give obedience to my will and pleasure and for that effect that they faithfully observe keep and fulfill the same and follow the Rules and injunctions underwritten To witt I ordain twenty boys of the age sirnames and qualities aftermentioned to be presented received bred and educate first at the said School of Fordyce and thereafter at the said King's College of Aberdeen and every one of the saids twenty to remain in the said School of Fordyce ye space of five full years for learning the Latine tongue writting Musick and Arithmetick and immediately after to stay four other years in the said

College for learning the Greek tongue the Logic and Philosophy courses of learning taught by the Masters of ye said College for the time ay and while ye completing of the saids four years and because it is not convenient that the saids twenty boys be all at one time entered to be bred and educate at the said School and College and that the allowance underwritten of the rent of the saids Lands and Barrony appointed for their maintenance would be that way more mean than otherwise be a right improvement of ye said rent in manner after specified it may be Therefore I appoint only twelve of ye saids boys to be together at ye said Grammar Schooll and eight at the said College and for this end I appoint and ordain the saids patrons and overseers of my said Mortification to present admitt and receive yearly and ilk year after my decease only two Boys yearly ay and while ye said hail number of twenty boys be compleated that by this course they may not only gradually and orderly ascend in learning ay and while they pass the said whole nine years space at the Grammar School and College and so two of them may be received and other two perfyted and discussed yearly and their number twenty still kept compleat as said is but also the superplus of the yearly rent under written of the saids Lands and Barrony that shall not be applied to ye maintenance of the saids twenty boys before their number be compleated be the order immediately before prescribed being rightly improven may much contribute to their better maintainence and subsistance their last four years in the College which requires a better provision Item I appoint and allow to each one of ye saids twenty yearly and ilk year for the space of five years wherein they are to stay at the said Grammar School two Pecks victual weekly for meat and drink and two Bolls Victual for their Clothing out of the first end of the yearly rent of the said Lands and Barrony compting four weeks for the month and thirteen months for the year Item I appoint and allow to the Schoolmasters of Fordyce for the time forty shillings Scots money for ilk ane of the saids twenty boys yearly and ilk year from the time of their respective entries to the said School to the compleating of the five years above written which they are to pass at ye School compting only for such as shall be in that School for ye time and that for the saids Schoolmasters pains in teaching and instructing the saids boys Item I appoint and ordain James Ogilvy of Bankhead son lawfull to John Ogilvy of Smiddie Burn to be Chamberlain of the saids Lands and Barrony during all the days of his lifetime and give full power to him during the said space to intromit with uplift and receive from the Tenants and possessors thereof the Maills farmes profits and duties of the samen and to input Tenants therein and output Tenants therefrae without the advice and consent of the saids patrons and overseers had thereto and to use all action and execution necessar for that effect as accords of the law The said James Ogilvy being always comptable for the whole rent of the said Lands and that ye samen be made forthcoming to the pious use and design above and under written be the advice and at the sight of the saids patrons and overseers hereby appointed and that yearly and ilk year after my decease during all the days of his lifetime and it is hereby expressly provided and declared that the said James Ogilvie shall dwell in the mannour place of Redhyth during all the days of his lifetime and that it shall noways be leesum to him to put or install his father or any other person in his function And in case he do then it is hereby expressly provided that the foresaid patrons shall have power to nominate and appoint any other person they think expedient to be Chamberlain in the said James Ogilvy his place and for his pains and service in that matter and for making up and for holding out of the present Rentall of the saids Lands and Barrony in case it happen to alter or become less I be these presents appoint and allow to him yearly and ilk year of his said Chamberlane and Service Nineteen Bolls and two firlots and two pecks meal of the said Victual and ten pounds Scots of the Silver Rent of the said Lands and Barrony together with the use of the mannour place of Redhyth houses yards and enclosures belonging thereto and that yearly during the said James Ogilvy's his said lifetime and Service and Chamberlainerie in the said Lands And after his decease I appoint and ordain the saids patrons and Overseers and administrators of the foresaid Mortification hereby appointed by me for the time being to nominate chuse and appoint honest Chamberlains from time to time for uplifting the rent of the saids Lands and Barrony with the pertinents setting raising the samen in putting of Tenants therein and Removing therefrae and doing all other Deeds proper for ane good Chamberlain and at the Entry of ilk Chamberlain to take surety and caution from him for making just compt and reckoning and payment of ye rent of ye saids lands according to ye destination and provision of this present rectified mortification at the sight of the saids Patrons and Overseers or major part of them The saids Chamberlains having always yearly allowance and retention of the saids Nineteen Bolls two firlots 2 pecks meal and ten pounds money of the rent of ye saids lands and Barrony with ye use of ye said Mannour place of Redhyth Houses yards and enclosures belonging thereto yearly during the years of Chamberlainrie for their service and pains and making and keeping up the present Rentall and which Manner Place and houses the saids Chamberlains shall be obliged to leave in as good condition at their removal therefrom as ye samen shall be at their entry thereto and because ye present rentall of the saids Lands and Barrony extends to One hundred fourscore nine Bolls two firlots two pecks meal and bear of Victual Rent and One hundred pound money foresaid of Silver rent and that by the said order of presenting and receiving and admitting of the saids twenty boys at their entrie to the said Mortification by two yearly while completing of the said whole number of twenty their will be an yearly superplus of the said Rent during that space over and above what shall be bestowed according to ye allowance and appointment above written and the Schoolmaster and Chamberlain's fees above specified during the first five years after which time the entrants to the College will require a greater allowance Therefore I ordain and appoint the saids patrons and overseers hereby designed by me timeously to uplift receive and uptake the said yearly superplus rent of the saids Lands and Barrony that shall be over and above so much thereof as shall be bestowed and expended at ye allowance above specified upon so many of ye said twenty Boys ay and while their members be compleated by the order above mentioned and specially the first five years of their entry to the Benefite of this present Mortification and over and above the saids Chamberlains and Schoolmasters fees yearly in manner foresaid from the said James Ogilvy and his successors Chamberlains of the saids Lands and Barrony and to cause convert the said yearly superplus Rent in money yearly so long as their shall be any such superplus and that ye said full number of twenty boys be not altogether and at one time entered to ye benefite of this my mortification and to ware bestow and employ the samen upon Land band and rent or other sufficient security in responsall mens hands living within the said presbytrie of Fordyce and to

Deed of Foundation by Walter Ogilvie of Redhyth.

Deed of Foundation by Walter Ogilvie of Redhyth.

take the securities thereof conceived in their own names as Patrons and Overseers above designed for the proper use utility and behoof of the saids eight of the saids twenty boys who after their whole entry to the benefite of this mortification are from time to time appointed to be always in the said College as said is and during that space require a better provision in manner foresaid all which superplus rent during the space foresaid being stocked settled and secured as said is I give full power to the saids Patrons and Overseers hereby appointed by me to divide and distribute equally ye annual rent and profit thereof yearly amongst the eight boys that shall be at ye said College be equal portions not only for their maintenance yearly during their four years time at ye said College but also for furnishing ane sad coloured gown not being black to each of them at their entrie thereto and that by and attour the like allowance of two pecks of victual weekly during the said space for to help their board and two Bolls victual yearly for their cloaths as is allowed to them before their entrie to ye said College and whereof I also ordain them to get payment out of the yearly rent of ye saids lands during their last four years time at ye College And because the provision and allowance appointed for the saids eight poor boys to be educate at ye said College is but small and mean and cannot allow any sallarie or stipend to be paid be the saids boys to their respective regents in ye said College Therefore it is my will desire and request that the Masters and Regents in the said College from time to time in all time coming teach and educate and instruct the saids eight poor boys who are to enjoy the benefite of this my Mortification at ye said College gratis and freely without expecting or exacting any thing therefore Likeas the saids present Masters and Regents by their acceptation hereof oblige them and their successors so to do without prejudice always to them and their said Successors in their respective offices to take ane bond or obligation from the said eight boys or such of them as shall happen to be graduate in the said College that they shall acknowledge their saids Masters for their pains and labour whensoever they shall be in good condition Providing always the said allowance or gratification for which it is hereby declared lawful for the saids Masters to take Bond from any one of the saids boys exceed not the sum of

Scots money and be no ways payable until they be in good condition and capacity Item it is my design and purpose that none but poor boys and such as are not able to be maintained and educate by their own means have the benefite of this my Mortification and therefore I inhibit and discharge the saids patrons and overseers hereby appointed to receive and admitt any thereto but such poor boys and that every one of them be passed the age of eight years before their entry to the said benefite Item it is my will and I declare that of such poor boys as shall seek to be admitted and received to the benefite of this my Mortification these of the Sirname of Ogilvy wheresoever they shall be born or have their residence or that their mother shall be of the Sirname of Ogilvy be preferred in the first place to the said benefite before all others if they timeously make application for the same and therefore I hereby discharge the saids patrons and overseers or the major part of them to present receive or admitt any other poor boys whatsoever to the said benefite so long as there are any poor boys of my own Sirname or that their mothers be of my own sirname who timeously sue therefore and of their offices and patronage in that part in so far as they can hinder or debar these of my own sirname or boys whose mothers are of my own Sirname from being preferred thereto and if no poor boys of my own Sirname or boys whose mothers are of my own Sirname shall in due time appear and crave the benefite of this my Mortification in that case I appoint and ordain poor boys of the Sirname of Sharp who shall be born within the presbetrie of Fordyce allenarly to be preferred thereto before all others and failling those of the Sirname of Sharp I appoint and ordain in the third place poor boys of the Tenants sons of the said Lands and Barrony of Redhyth especially those of the Posterity and succession of these who have been my tenants cotters foremen or grass men to be preferred before all others and failing of such I appoint and ordain poor boys born within the said parioch of Fordyce Inverboyndie Banff Cullen and Deskford to be preferred in the next place and failing of such I appoint and ordain the sons and posterity of those who have been my own domestick servants and in the last place if the said twenty places shall not be filled up with poor boys of the Sirnames and designations above expressed in that case I give full power and warrant to the saids patrons and overseers hereby appointed by me to admitt and receive such other poor boys as they themselves shall think fit and convenient Item I appoint and ordain the saids patrons and overseers hereby appointed by me to examine and take tryal quarterly or yearly as they shall think fit of the progress and furtherance of the said children in their learning and education And in case they shall find any of the saids twenty children after they have passed four years in the said school not to have a genius and inclination for letters and unfit to be Scholars in that case I appoint the saids patrons and overseers to take such boys from the School and to put them to such trades as they shall think fit and for that effect to cause to be given and advanced to them ane years sellary to help them to ane Master and Tradesman and after the expiring of the said one year the sellary whereof is appointed to the saids boys for to be tradesmen I appoint the saids patrons and overseers to fill their rooms for the remanent of the nine years then to run with other poor boys of the Sirnames and designations above written according to the order above prescribed Item I recommend to the saids Masters and Members of the said Kings College of Aberdeen that they take special notice of all actions whether of pursuit or defence for or against this my Mortification or the Mortified Lands and Barrony above written at any time after my decease and I ordain the saids patrons and overseers to cause the expense wared out be the common Procurator in the saids actions to be refunded and repayed to him out of the above rent of the Surplus Money above written appointed to be stocked in manner above specified and for the better prosecuting of the premises and fulfilling this my design and appointment I be thir presents give full power and warrant to the said ministers of the saids Kirks of Fordyce Banff Inverboindie Mortlich and Ordiquhill and the saids Principal Professors Regents Masters of the said Kings College of Aberdeen and their successors Ministers at the saids Kirks and Principal Professors Regent and Masters of the said College from time to time and all time coming Patrons and Overseers hereby appointed by me of my said Mortification to order manage direct and regulate the whole affairs of the said Mortification after my decease according to the Rules orders instructions and appointments hereby given by me to them for that effect sicklike and als freely in all respects as I could do myself if I were in life and for that effect I appoint and ordain the major of the saids Patrons and Overseers agreeing together in one voice to be the only rule and have the only and full force in all determinations Counsels and actions of and concerning the affairs of the

said Mortification the presenting and admitting the saids twenty boys from time to time and doing all other things relating thereto in all time coming the said major part of the saids patrons following and observing always the saids rules and directions hereby given by me to them thereanent as said is and in case the saids patrons and overseers shall be remiss in doing their duty or otherwise shall happen to contraveen or misimprove this my Mortification in that case I appoint and ordain and give full power and warrant hereby to Sir Patrick Ogilvie of Boyne and his heirs male to take notice of their actings and behaviour from time to time therein and to call them to an account and force them to their duties and to all other things for that effect competent for an comptroller the said Sir Patrick and his said heirs getting no benefit for their said pains and whereas when I acquired the saids lands and Barony I gave Back Bond declaring the same to be redeemable by James Earl of Findlater and his heirs Male of his own body allenary by payment of the Sum of Twenty thousand merks with such charges and expenses as I should bestow in repairing the houses yard dykes parks Fish boats and Harbour thereto belonging the said expenses not exceeding four thousand merks therefore if at any time hereafter the said Noble Earl or his said heirs male shall happen to redeem the saids lands by payment making of the said sum together with three thousand merks expended by me upon the foresaid reparation conform to aue particular accompt thereof under my hand then in that case I give full power and warrant after my decease to the said Patrons and Overseers hereby appointed by me or their major part agreeing together in one voice as said is to resign and renounce the saids Lands and Barony so wadset in manner foresaid with the teinds and pertinents thereof in favours of the said Noble Earl and his foresaids and to accept and receive from him or them the said twenty three thousand merks and immediately to ware bestow and employ the samen upon the most convenient Land that may be had within the said pariochin of Fordyce or nearest adjacent thereto and take the rights and security thereof in the terms and conform to the Mortification above written under the which provisions Declarations and conditions particularly above set down this present Mortification and Disposition is granted by me in the terms above set down allenary and no other ways In the which lands Barony and others above written with the teinds and pertinents thereof in corroboration and but prejudice of my said former letter of Mortification with all that has followed or may follow thereupon Except in so far allenary as the same is not altered innovate and discharged in manner above rehearsed and under the reservations and declarations and conditions above specified I bind and oblige me and my foresaids to infest and sease the saids patrons hereby appointed by me and their successors in their respective places and functions for the use utility and behoof of the saids twenty poor boys to be bred and educate in manner above written from time to time in all time coming according to my destination appointment and rules above written heritably and irredeemably as said is be a new due and lawful resignation thereof in the hands of our Sovereign Lord the King's Majesty and his Highness successors my immediate lawful superiors thereof for an new Mortification donation right and infestment of the samen to be made and granted under His Majesties Great Seal upon the provisions declarations qualifications and conditions above mentioned to be contained therein allenary and no other ways to be holden sicklike and als freely in all respects as I held the samen myself and for the better expeding the foresaid Infestment I of new again make and constitute and ilk one of them conjunctly and severally my very lawful and irrevocable Procurators Actors Factors messengers and special errand bearers giving granting and committing to them and ilk ane of them conjunctly and severally as said is my very full power and warrant for me in my name and upon my behalf at whatsome ever time and place convenient to appear before our Sovereign Lord or His Highness said Successors my superiors above written or their Commissioners whatsome ever having power to receive resignation of lands and others holden of His Highness and to grant new infestments thereupon and their with all humility with staff and battoun as use is of new again to resign renounce surrender simpliciter upgive overgive and deliver Likeas I by the tenour hereof as having power to alter the said Mortifications in manner foresaid of new again resign renounce and simpliciter up and overgive and deliver frae me and my foresaids All and Haill the saids Lands and Barrony of Redhyth meikle and Little Bogtowns with the fishings and fish boats of Redhyth with the Mannour Place thereof Houses biggings yards Orchards Dovecoats tofts crofts marshes muirs meadows mosses commonies common pasturages annexis connexis dependencies parts pendicles and pertaints of the samen lying and bounded in manner above written together with Parsonage Teinds of the saids Lands and all right tittle interest claim of right property and possession petitor and possessor whilk I and my foresaids had have or may pretend thereto or to the mails and duties thereof in all time coming after my decease In the hands of our said Sovereign Lord or his highness successors or their Commissioners above written having their power to receive Resignations and to grant new Infestments in their name as said is In favor and for new Infestment Right and Mortification of the same to be made and granted anew again to the said Ministers at the saids Kirks of Fordyce Banff Inverboindie Mortlich and Ordiquhill and their successors serving the cure at the saids Kirks and the saids Principal Professors and Sub-Principal and Regents of the saids Kings College and their Successors in their saids respective offices places and functions Patrons and Overseers of the said Mortification hereby appointed by me in manner foresaid and that for the use of the said twenty young poor boys to be bred and educate at said School of Fordyce and the said King's College in manner and conform to the particular qualifications and provisions and conditions above written to be contained in the said Mortification and Infestment and after the breeding of one twenty in favours of other twenty and after the breeding of the second twenty in favours of other twenty young boys and so furth from twenty to twenty in all time coming by the order particularly above expressed which is holden for repeated in this place under his Majesties Great Seal of this Kingdom in such due and competent form as effeirs Reserving always to me not only my liferent right and frank Tenement of all and haill the saids Lands and Barony with the saids teinds and pertinents during all the days of my lifetime But also full power and liberty to me at any time during my lifetime to alter repeal annull rescind and discharge the foresaid Mortification with all that has followed or may follow thereupon And otherwise to sell and dispone the same Lands and Barrony with the teinds and pertinents thereof or any part of the same to any other person or persons as I shall think expedient and that without seeking or obtaining the advice and consents of the said persons formerly or hereby appointed by me to be patrons or overseers of the said Mortification Sicklike it is hereby as is above provided and declared and shall be provided

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and contained in the infestment to follow hereupon that the saids patrons and overseers of the said Mortification hereby appointed by me and their said successors shall always from time to time in all time coming take special notice of and give obedience to my said will and pleasure in the said Mortification and that they faithfully observe fulfill and follow the Rules orders and injunctions particularly and generally above written given by me to them thereanent which are holden as repeated herein and shall be particularly expressed and set down in the foresaid infestment under the which provisions reservations and conditions above written this present Mortification is granted by me in the terms aforesaid allanarly and no other ways acts instruments documents necessar anent the said Resignation to ask lift and raise and generally all other things to do thereanent which I might do myself if I were personally present or that to the office of procuratorie in such cases is known to appertain Promitting to hold firm and stable all and whatsoever things my saids Procurators or any of them shall lawlie do in the said matter which Mortification Disposition Resignation and Infestment to follow hereupon I bind and oblige me and my foresaids to warrand to be good and valid to the effect and under the provisions above written at all hands and against all Deadly And forsomeikle as I by my said former Letter of Grant and Mortification did make and constitute the Ministers therein named and their successors for the use above written my Cessioners and Assigneys in and to the maills and duties of the said Lands and Barrony with pertaintments in all time after my decease and in and to the whole writes and evidents of the saids Lands and Barrony and hail rights thereof Therefore I not only revoke rescind annull and discharge the foresaids assignation in so far as is conceived in favors of any other persons not hereby named patrons as said is but also I of new again make and constitute the saids patrons and overseers of the said Mortification hereby appointed by me and their said successors for the proper use and behoof above written my very lawful undoubted and irrevocable Cessioners and Assigneys in and to the said maills and duties of the saids Lands and Barrony in all time coming after my decease and in and to the saids rights titles and securities writes evidents of the saids Lands and Barrony with the teinds and pertaintments thereof and hail rights of the same which writes and evidents I appoint and ordain my said heirs and successors to deliver up to the said Masters and Members of the said King's College to be laid up and kept in their Charter Chest for the better preservation thereof and lastly it is hereby provided that this present Mortification and Infestment to follow hereupon being in my custody the time of my decease shall be no cause of the nullitie or reduction thereof Dispensing with the not delivery of the same and with all that may be objected there against and for the more security I am content and consent thir presents be insert and registrate in the Books of Council and Session or any other lawful register within this Realm therein to remain ad futuram Rei Memoriam and if neet be is to have the strength of an Decreet interponed thereto that letters in form as effeirs may pass hereupon and to that effect I constitute George Keith Advocate in Aberdeen my lawful procurators and attour to the effect the saids patrons and overseers above named of this my Mortification or their Successors in the saids places and functions for the proper use and behoof of the saids twenty poor boys to be bred and educate in the manner above appointed may be infest and seased in the Lands Barrony and others above written with the teinds and pertaintments thereof To be holden either of me and my foresaids or from us of my immediate lawful superiors of the same above written and that in corroboration and but prejudice of my former Mortification with that has followed or may follow thereupon except in so far allanarly as the same is not hereby altered innovate and discharged in manner above rehearst and under the provisions declarations and conditions above mentioned I by thir presents make and constitute

and ilk ane of them conjunctly and severally my very lawfull and irrevocable Baillies in that part whom I will and require conjunctlie and severally as said is immediately after sight hereof to pass to the saids Lands and Barrony and others above written with the pertaintments and there to give heritable state and sasine real and actual and corporal possession of all and hail the saids Lands and Barrony of Reidhyth comprehending therein the saids Towns and Lands of Reidhyth Meikle and Little Bogtowns with the fishings and fish boats of Reidhyth Mannour Place thereof houses biggings yards Orchyards Dovecoats Mosses muirs meadows common pasturages outsets insetts annexis connexis dependencies tofts crofts parts pendicles and pertaintments of the same lying and bounded in manner above written Together with the parsonage teinds and multure of the saids lands included To the saids Ministers at the said Kirks of Fordyce Banff Inverboyndie Mortlich Ordiequhill and the saids Principal Professors Sub-principal and Regents of the saids King's College of Aberdeen or their successors in their said respective places and functions patrons and overseers hereby appointed by me of the foresaid Mortification for the proper use and behoof of the said twenty young poor boys to be bred and educat at the said School of Fordyce and the said King's College of Aberdeen in manner and conform to the particular provisions qualifications and conditions above set down and after the breeding of one twenty for the proper use and behoof of other twenty poor boys and after the breeding of the second twenty in favour of other twenty young boys and so forth from twenty to twenty in all time coming by the order particularly above expressed and that by delivering to the said patrons and overseers before named or their said successors or to their certain attorneys in their names bearers hereof or any of them of earth and stone of the ground of the saids Lands an handful of corn and straw for the said teind sheaves of ane oar and thole of the saids fish boats as use is To be holden in manner respective before specified Reserving always to me not only my said liferent right and frank Tenement of all and hail the said Lands and Barrony with the teinds and pertaintments during all the days of my lifetime But also full power and liberty to me at any time during my said lifetime to alter repeal rescind annull and discharge the foresaid Mortification with all that has followed or may follow thereupon and to sell and dispoise the samen Lands and Barrony with the Teinds and pertaintments thereof or any part of the same to any other person or persons as I shall think expedient and that without seeking or obtaining the advice of the saids persons either formerly or hereby appointed by me to be patrons and overseers of the foresaid Mortification and under the remanent provisions declarations and conditions above mentioned which are holden as for repeated in this place and that this my saids Baillies on no ways leave undone For doing whereof I give and commit to them and ilk ane of them conjunctly and severally as said is my very full and irrevocable power be thir presents &c.

## DEED OF FOUNDATION by the Reverend JAMES WATT of Snaith, dated 17th June 1623.

OMNIBUS hanc cartam visuris . . . Magister Jacobus Watt minister verbi Dei in ecclesia de Snaith infra regnum Australis Britanniae dominus proprietarius terrarum subscriptarum . . . Salutem Noveritis me cum expressis consensu et assensu honorabilis viri Patricii Gordoun de Birmoore domini mei superioris terrarum subscriptarum ac etiam reverendi in Christo patris Patricii Aberdonensis episcopi domini superioris dicti Patricii Gordoun earundem ex certis causis rationi consonis animum meum ad id moventibus et praesertim pro charitate qua afficior erga gloriosissimam et individuum Trinitatem Patrem Filium et Spiritum Sanctum in promovenda religione orthodoxa in regno Magnae Britanniae nunc publice professae et pro dilectione quam gero erga Universitatem Veteris Aberdoniae et Collegium Regale eiusdem tum denique pro orationibus quas effundent omnes et singuli huius mei beneficii conferendi et per presentes collati participes vel capaces sanctissimo Trinuni Deo pro me dicto Jacobo Watt parentibus fratribus sororibus cognatis amicis et haeredibus meis successive in valle hac lachrymarum militantibus donasse . . . et ad feodifirmam . . . dimisisse in puram et perpetuam eleemosynam . . . Magistro Arthuro Watt Advocato et incolae Veteris Aberdoniae patri meo Magistro Joanni Watt rectori ab ecclesia de East Relford in Britannia Australi praedicto Gulielmo Watt incolae Veteris Aberdoniae praedictae Thomae Watt et Patricio Watt fratribus meis in vitali redditu pro omnibus vitae eorum diebus successive quibus deficientibus Collegio Regali Veteris Aberdoniae et membris eiusdem et in specie scholastico laureato aut saltem baccalaureato theologiae studioso cognomine Watt vel Barclay vel Chalmer vel cuivis alii scholastico laureato theologiae studioso in canonia vel civitate Veteris Aberdoniae nato et eius successoribus fidei et religioni in ecclesia orthodoxa communiter dicta Reformata de praesenti in regno Magnae Britanniae praedicto publice professae et in Universitate praedicta eiusque Collegio a theologiae doctore hebdomadatim publice lectae traditae doctae publicatae actu incumbuntibus quod si professio theologiae ut praefertur defecerit in Universitate praedicta et religio orthodoxa communiter dicta Reformata publice profiteri in hoc Collegio quod absit cessaverit tunc scholastico dicti Collegii cognomine Watt vel Barclay vel Chalmer vel cuivis alii scholastico in canonia vel civitate Veteris Aberdoniae nato philosophiae incumbenti et eius successoribus quod si collegium Regale vel eius membra in hoc defecerint vel praesens beneficium secundum mentem meam non contulerint scholasticis antedictis tunc et in eo casu Praeposito seu Praefecto et Ballivis Veteris Aberdoniae et eorum successoribus in alimoniam et sustentationem honestorum pauperum sive juvenum ut habeant quo operentur sive decrepitorum vel infirmorum ut habeant unde alantur in puram et perpetuam eleemosynam quod si Praefectus et Ballivi Veteris Aberdoniae praedicti in hoc defecerint et praesens beneficium praedictis pauperibus secundum mentem meam non contulerint tunc et in eo casu praefatis Magistro Arthuro Watt haeredibusque eius et assignatis quibuscumque iterum revertendas in perpetuum totam et integram illam riggam seu croftam terrae [*Description of lands conveyed*] Tenendas . . . praefatis Magistro Arthuro Watt patri meo Magistro Joanni Watt Gulielmo Watt Thomae Watt et Patricio Watt fratribus meis in vitali redditu pro omnibus vitae eorum diebus successive quibus deficientibus Collegio Regali Veteris Aberdoniae praedicto et membris eiusdem et in specie scholastico laureato aut saltem baccalaureato theologiae studioso cognomine Watt vel Barclay vel Chalmer vel cuivis alii scholastico laureato theologiae ut praefertur studioso in canonia vel civitate Veteris Aberdoniae praedicta nato et eius successoribus fidei et religioni in ecclesia orthodoxa communiter dicta Reformata de presenti in regno Magnae Britanniae praedicto publice professae et in Collegio praedicto a theologiae doctore hebdomadatim publice lectae traditae doctae publicatae actu incumbuntibus quod si professio theologiae ut praefertur in Universitate praedicta quod absit defecerit et religio orthodoxa communiter dicta Reformata publice profiteri in Collegio praedicto quod absit cessaverit tunc scholastico dicti Collegii cognomine Watt vel Barclay vel Chalmer vel cuivis alii scholastico in canonia vel civitate Veteris Aberdoniae nato philosophiae incumbenti et eius successoribus quod si Collegium Regale vel eius membra praesens hoc meum beneficium scholasticis respective antedictis secundum mentem meam non contulerint tunc et in eo casu Praeposito seu Praefecto et Ballivis Veteris Aberdoniae praedictis et eorum successoribus in alimoniam et sustentationem honestorum pauperum sive juvenum ut habeant quo operentur sive decrepitorum vel infirmorum ut habeant unde alantur in puram et perpetuam eleemosynam quod si Praefectus et Ballivi praedicti praesens hoc meum beneficium praedictis pauperibus secundum mentem meam non contulerint tunc et in eo casu praefatis Magistro Arthuro Watt haeredibusque et assignatis eius quibuscumque iterum revertendas in perpetuum de me haeredibus meis et assignatis in vitali redditu et in pura eleemosyna in perpetuum . . . Reddendo inde annuatim . . . honorabili viro Patricio Gordoun de Birmoore haeredibus suis et assignatis feodifirmam infrascriptam videlicet duas firlotas sufficientis hordei pro dicta crofta sex ulnarum necnon pro dicta crofta seu rigga duodecim ulnarum quindecim batas sufficientis hordei inter Festa Nativitatis Domini et Purificationis Divae Mariae Virginis nomine feodifirmae necnon reddendo annuatim dictum Collegium Regale et eius membra eorumque successores quamdiu terris praedictis fruuntur dicto scholastico cognomine Watt vel Barclay vel Chalmer vel cuivis alii scholastico laureato in canonia vel civitate Veteris Aberdoniae nato eiusque successoribus quatuor bollas seu sexdecim firlotas sufficientis hordei per aequales medias portiones ad duos anni terminos Festa videlicet Sancti Martini in hyeme et Annunciationis Beatae Mariae Virginis quod si contigerit annus in quo non fuerit in Collegio praedicto talis scholasticus cognomine Watt vel Barclay vel Chalmer vel in canonia et civitate praedicta natus theologiae incumbens tunc et in eo casu in eo anno et omnibus et singulis aliis annis huiusmodi toties quoties ad duos anni terminos praedictos praefatum Collegium Regale reddet annuatim dictas quatuor bollas seu sexdecim firlotas sufficientis hordei per aequales medias portiones praefatis Praeposito et Ballivis in usum pauperum honestorum ut praedictum est quiquidem Praepositus et Ballivi vel duo eorum hordeum ad singulos terminos receptum infra quindecim dies receptionis suae fideliter et pie vendent religioseque distribuent proetium praedictis pauperibus videlicet juvenibus bonae indolis ut habeant quo operentur decrepitis et infirmis boni nominis ut habeant unde alantur Sint haec Collegio praedicto eiusque membris Praeposito civitatis praedictae eiusque Ballivis eorumque respective successoribus curae ut Domino Omnipotenti Summo Judici et Deo ultionis in die illa novissimi iudicii respondeant Porro si professio theologiae ut praefertur in Universitate praedicta Veteris Aberdoniae quod absit

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tion by Rev. James  
Watt.

defecerit et religio orthodoxa communiter dicta Reformata publice profiteri in Collegio praedicto quod absit cessaverit tunc reddendo annuatim inde dictum Collegium Regale eiusque membra eorumque successores praefato scholastico cognomine Watt vel Barclay vel Chalmer vel cuius scholastico in canonia vel civitate praedicta nato philosophiae apto eique incumbenti eiusque successoribus quatuor bollas seu sexdecim firloas sufficientis hordei per aequales medias portiones ad duos anni terminos praedictos quod si contigerint anni vel annus in quo vel in quibus (post eclipsin quod absit publicae professionis theologiae in Collegio Regali praedicto) non fuerit in Collegio praenominato scholasticus cognomine Watt vel Barclay vel Chalmer vel scholasticus in canonia vel civitate praedicta natus philosophiae incumbens tunc et in eo casu in illo vel illis anno vel annis et omnibus et singulis aliis annis huiusmodi toties quoties praefatum Collegium Regale eiusque membra eorumque successores praedictas quatuor bollas seu sexdecim firloas sufficientis hordei per aequales medias portiones [reddent] praenominatis Praeposito et Ballivis eorumque successoribus in usum pauperum ut praedictum est ad duos anni terminos praedictos quod si Collegium Regale eiusque membra praedicta eorumve successores praesens hoc meum beneficium secundum mentem meam non contulerint scholastico vel scholasticis ut praefertur theologiae studiosis vel philosophiae incumbents eorumque successoribus et in aliquo horum omnium defectu sive scholastici theologiae studiosi durante feliciter in Collegio praedicto theologiae professione sive philosophiae studiosi cognomine Watt vel Barclay vel Chalmer vel in canonia vel civitate praedicta nati et Praeposito et Ballivis praedictis eorumque successoribus in usum pauperum honestorum ut praedictum est non contulerint annum redditum praedictum quatuor bollarum seu sexdecim firloarum sufficientis hordei, quamdiu hoc meo beneficio scienter abutuntur eodem postea in perpetuum privabuntur Deinceps reddendo inde annuatim praefati Praepositi et Ballivi civitatis praedictae eorumque successores praefatis honestis pauperibus sive juvenibus bonae indolis ut habeant quo operentur sive decrepitis et infirmis boni nominis ut habeant unde alantur proetium verum et legitimum quatuor bollarum seu sexdecim firloarum sufficientis hordei bene et fideliter appretiarum sine ullo dolo vel fraude per aequales medias portiones ad duos anni terminos praedictos quod si praedicti Praefectus et Ballivi abusi fuere (quod absit) hoc meo beneficio nec annum redditum praedictum quatuor bollarum sufficientis hordei secundum mentem meam pauperibus non contulerint vel eius proetium pauperibus honestis non distribuerint sine dolo vel fraude tunc et in eo casu praefati Praepositi et Ballivi eorumque successores terris praedictis usu et usufructu earundem privabuntur et deinceps terrae praedictae cum earum pertinentiis et annuis redditibus earundem erunt in usum et commodum praefati Magistri Arthuri Watt eiusque haeredum et assignatorum in perpetuum . . . Proviso tamen non obstantibus praemissis ego praefatus Magister Jacobus Watt . . . constituo creo et ordino . . . praefatum reverendum in Christo patrem Patricium Aberdonensem episcopum et suos successores Aberdonenses episcopos et Decanum et Capitulum cathedralis ecclesiae Aberdonensis et eorum successores meos indubitatos patronos ad exequendum et prosequendum praefatas voluntates desiderium et dispositionem meam modo et forma ut in praedicta carta respective et successive latius continetur ut gloriosissimae Trinitati cui haec devovi in iudicii extremi die illa respondebunt . . . In cuius rei testimonium &c.

# 11. ORDINANCE AS TO THE FOUNDATION OF WALTER OGILVIE OF REDHYTH, DISALLOWED BY ORDER IN COUNCIL DATED 20TH MARCH 1863.

*At Edinburgh, the Eleventh Day of April Eighteen hundred and sixty-two Years.*

Ordinance, No. 52.  
Aberdeen, No. 32.  
[Redhyth Founda-  
tion.]

WHEREAS, by an Act passed in the twenty-first and twenty-second years of the reign of Her present Majesty, chapter eighty-three, intituled, 'An Act to make provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen,' the Commissioners under the said Act are empowered to revise the respective foundations, mortifications, bursaries, and donations bestowed on any of the Universities or Colleges mentioned in the said Act, or for the benefit of any Professors, students, or others therein; and further, if, in the case of any such gift or endowment which has taken effect for more than fifty years, and has been held by any of the said Universities or Colleges, or by any other person in trust for or on behalf of the same, or of any person therein, it shall appear to the Commissioners that the interests of religion and learning, and the main design of the donor, so far as consistent with the promotion of such interests, may be better advanced by an alteration of the conditions or directions affecting such gift or endowment, to alter or modify such conditions or directions, and to frame a new Statute or Ordinance for the application of such gift or endowment, in such manner as may better advance the purposes thereof: And whereas, by deed of mortification, dated the sixteenth day of September sixteen hundred and seventy-eight, Walter Ogilvie of Redhyth mortified his lands of Redhyth, and other property, for the use, utility, and behoof of twenty young boys, to be bred and educated respectively at the school of Fordyce and the King's College of Aberdeen, in the manner and subject to the conditions in the said deed more particularly set forth: And whereas, since the date of the said deed, additions have been made to the property included in the said mortification, and the value of the lands and other property pertaining thereto has greatly increased, and it appears to the Commissioners that the interests of religion and learning, and the main design of the donor, would be better advanced by an alteration of the conditions and directions affecting the said mortification, in manner hereinafter provided: And whereas King's College and Marischal College of Aberdeen are now united and incorporated into one University and College under the style and title of the University of Aberdeen: The Commissioners statute and ordain, with reference to the said mortification, as follows:—

- I. There shall hereafter, as prescribed by the said deed, be at one time no more than twelve bursars on the said foundation at the school of Fordyce, and no more than eight at the University of Aberdeen.
- II. No boy shall be presented to a bursary at the said school, until the number of bursars in the school has been reduced below twelve; and, as soon as the number is so reduced, as many boys shall be presented to bursaries as shall raise the number in the school to twelve, and so on thereafter, as often as the number shall be reduced below twelve.

III. Every boy, who shall hereafter be presented to a bursary at the said school, shall be entitled to hold the same therein during the period of five years, and no longer, as provided by the said deed.

IV. Every boy, hereafter presented to a bursary at the school, who shall, as a bursar on the said foundation, have given regular attendance at the school for not less than three years, shall be entitled to proceed to the University of Aberdeen, as a bursar on the said foundation, provided there be at the time a sufficient number of vacancies on the foundation in the University, to allow each bursar from the school, who has not ceased to hold his bursary therein for more than eighteen months, and who proposes to enter, or is attending, the University, and has not obtained a bursary on the said foundation therein, to succeed to a bursary therein; and provided also, that every person so succeeding to a bursary in the University shall pass such entrance examination, as may for the time be required by the University of presentation bursars; and thereupon he shall be entitled to hold a bursary on the foundation in the University for four years, and no longer, subject to the farther condition, that he shall proceed through the curriculum in Arts, and shall pass the examinations required by the University of students proceeding to the degree of Master of Arts: Provided always, that, if he shall fail to pass such entrance examination at the University as aforesaid, or shall fail to pass any of the above-mentioned subsequent examinations, or shall discontinue his attendance at the University as a student in Arts, he shall forfeit his bursary: Provided also, that, in case of any gross misconduct on the part of a University bursar, it shall be in the power of the Senatus Academicus, with the approval of the University Court, to suspend him from, or to deprive him of, his bursary.

V. In the event, at any time, of there being fewer bursaries vacant on the said foundation in the University than the number of bursars from the school eligible as aforesaid, all the bursars from the school so eligible shall be entitled to compete for the bursary or bursaries then vacant; and the successful candidate or candidates shall be entitled to hold the same for the like period, and subject to the same conditions, as are hereinbefore prescribed with regard to persons succeeding to bursaries in the University.

VI. In the event, at any time, of there being more bursaries vacant on the said foundation in the University than the number of bursars from the school eligible as aforesaid, the vacant bursary or bursaries in the University above such number shall be kept vacant, until there shall be a bursar or bursars from the school so eligible: Provided always, that no bursary shall be so kept vacant for a longer period than one year, after which it shall be competent to present thereto any person, although he may not have been educated at the school of Fordyce, and the person so presented shall then be entitled to hold his bursary for the like period, and subject to the same conditions as aforesaid.

VII. Each bursar on the said foundation at the school shall receive annually, as at present, eight and a half bolls of meal, or the value thereof, besides two pounds sixteen shillings and eightpence in money; and the master of the school of Fordyce shall receive annually twenty-four pounds in full of all fees or charges for the education of the bursars attending the said school.

VIII. Each bursar on the said foundation at the University shall receive annually twenty-five pounds in money; and he shall not be exempted from payment of any fees payable by other students in the University.

IX. After setting aside in each year, from the income of the property included in the mortification, such a sum as may be necessary to provide for the payment of the bursars on the foundation for the time, and of all other burdens, the surplus shall be applied in manner hereinafter provided.

X. There shall hereafter be four scholarships in the University of Aberdeen, to be called the Redhyth Scholarships; and each Redhyth scholar shall annually, during his tenure of his scholarship, receive the sum of sixty pounds from the said surplus income: Provided always, that, in the event of the surplus in any year being insufficient to afford such payment of sixty pounds to each scholar, the stipends of the scholars then on the foundation shall suffer such equal abatement as the Senatus Academicus shall deem necessary.

XI. Each scholarship shall be tenable for four years.

XII. An appointment shall be made for the first time to one of the said scholarships in the year eighteen hundred and sixty-four, and thereafter an appointment shall be made to one scholarship, but no more, in each year.

XIII. The patronage of the said scholarships shall be vested in the patron of the Redhyth Bursaries for the time being; and on each occasion of an appointment to a scholarship, if there be any person, not already the holder of a Redhyth or any other scholarship in the University, who is or has been a Redhyth bursar either at the University or at the school of Fordyce, and who has, either in the year in which the appointment falls to be made, or in the immediately preceding year, obtained the degree of Master of Arts with honours in the University of Aberdeen, the Patron shall appoint such person, or, if there be more than one, one of such persons, to the vacant scholarship; but, in the event of there being no person so qualified, it shall then be in the power of the Patron to appoint to the vacant scholarship any person, not already the holder of any scholarship as aforesaid, who has within the said period obtained the degree of Master of Arts with honours in the University.

XIV. The Senatus Academicus shall, after the ordinary period of graduation in each year, beginning with the year eighteen hundred and sixty-four, transmit to the Patron a classified list of the persons who have graduated in Arts with honours in the University in such year and in the preceding year, and shall indicate in the list the names of those who have been Redhyth bursars either at the University or at the school of Fordyce; and it shall be the duty of the Patron, within three months after such list shall have been transmitted by the Senatus Academicus, to intimate to the Senatus his appointment of scholar from among the persons in such list; and, in the event of his failing to do so, the right of appointment shall for that time be transferred to, and devolve upon, the Senatus, who shall have the power of appointing to the vacant scholarship any person, whether a Redhyth bursar or not, who has graduated in Arts with honours in the University in either of such years as aforesaid, and who is not already the holder of any scholarship in the University.

XV. In the event of a vacancy occurring in any scholarship during the currency of the four years for which the same is tenable, it shall be kept vacant for the remainder of such four years then unexpired, and the income thereof during the vacancy, and also the residue of the surplus income after pro-

Ordinance, No. 52.

Aberdeen, No. 32.

[Redhyth Foundation.]

Ordinance, No. 52.

Aberdeen, No. 32.

[Redhyth Foundation.]

viding for the stipends of the scholars on the foundation for the time, shall be paid into, and form part of, the common bursary fund of the University.

XVI. Nothing herein contained shall extend to, or affect, the interests of any bursars now on the said foundation, either at the school of Fordyce or the University of Aberdeen.

In witness whereof, these presents are sealed with the seal of the Commission.

JOHN INGLIS, *Chairman.*

L. S.

## 12. CORRESPONDENCE WITH THE PRESIDENT OF THE ROYAL COLLEGE OF SURGEONS OF EDINBURGH, AS TO THE REGULATION OF THE PRIVILEGE OF EDINBURGH UNIVERSITY LIBRARY ENJOYED BY FELLOWS OF THAT COLLEGE.

### (1.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
10th March 1860.*

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

SIR,—The Universities Commissioners, in considering what arrangement shall be made for the future management of the Library of the University of Edinburgh, have had their attention directed to a privilege of borrowing books, which has now for a considerable time been enjoyed by Fellows of your College, under an agreement with the Senatus in 1764, regarding which your College is no doubt possessed of full information.

The Commissioners are informed, that at present every member of your College—now a rapidly increasing body—is allowed, wheresoever resident, to borrow books to the extent of twenty-five volumes at a time from the University Library. To compensate the University for this great interference with the proper use of the Library by the Professors and students, the only advantage which the University enjoys is the payment of a sum of L.5 a year from your College,—the Library of your College, which was at the time of the agreement handed over to the University, being of little value, and no use, as the Commissioners are assured, being now made of it.

This state of matters it appears to the Commissioners impossible to defend or sanction; and looking, as they are bound to do, to the interests of the University, they think it right frankly to make this statement of their opinion, before considering whether they should adopt the course of putting an end altogether to this connection, as was recommended by the last Royal Commission of Inquiry into the Universities of Scotland. The Commissioners are desirous of affording to your College an opportunity, if they are disposed to avail themselves of it, of suggesting any arrangement which they may consider practicable for placing the relations between them and the University on a more equitable and reasonable footing; as, for example, by providing for the payment of an adequate subscription by Fellows using the Library, and by limiting the privilege now enjoyed, and subjecting it to reasonable conditions.

The Commissioners, therefore, desire me to request the favour of your bringing this subject before the College of Surgeons at the earliest convenient opportunity.—I have, etc.,

ROBERT BERRY, *Secretary.*

• The President of the Royal College of Surgeons, Edinburgh.

### (2.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*Surgeons' Hall, Edinburgh, 4th April 1860.*

SIR,—I had the honour to receive your communication of date the 10th ultimo, calling the attention of the Royal College of Surgeons to the subject of their privilege of borrowing books from the University Library.

In making this communication, I am inclined to believe that the Honourable Commissioners can neither have been aware of the precise nature of the transaction under which the privilege in question was acquired, nor of the causes which led to it; and most certainly this could not have been properly understood by the Royal Commission of Inquiry, in framing their Report of 1827, to which your letter refers. I therefore consider it necessary now to bring these circumstances under your notice.

Going back to a date prior to the agreement, it appears that the Surgeons, among other modes of benefiting the Medical School of Edinburgh, had under their consideration various plans for making their Medical Library available for the use of the students; and in the records of 22d July 1761 there is the following entry:—‘The Incorporation taking under their consideration the advantage that would be reaped by the students of Physick and Surgery having a public Medicinal Library, from which they might be entitled to borrow any books they wanted to look into, upon their paying a small sum annually; they therefore propose, as the basis of such a Library, to assign over the Surgeons' Library to the present managers of the Infirmary and their successors in office, the Incorporation reserving to their own members the privilege of borrowing any book from this new Library, upon the footing of the other persons entitled to borrow, but without being liable in any payment whatever: And that the sum annually gained by the payments of the students shall be applied to purchasing such books as are best adapted to their use, at the direction of the said Managers or the Professors of Medicine and Anatomy: And desire the Deacon to communicate the above proposals to the Managers of the Infirmary.’

Whether, at that early date, any Medical Library existed within the walls of the University avail-

able for the use of students, I am not prepared positively to say; but there appear to be good grounds for inferring, from the terms of this minute, that nothing of the kind existed.

For some reasons which do not appear in the Minutes of this College, the arrangement with the Infirmary was not carried out; and, within two years afterwards, the negotiation for transferring the Library to the University was taken up on the failure of the other. The following are the minutes bearing on this subject:—

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

*'Sederunt, 8th April 1763.*

*'The Deacon proposed that the Corporation should take under their consideration, if it would not be for the advantage of the Society to join their Library to that of the University, as the scheme for the Medical Library in the Infirmary had not taken effect; and also to have their curiosities joined to the University Museum. Which being reasoned upon, the meeting appointed the Deacon, Treasurer, Mr Rattray, Mr Russel, and Mr Balfour, as a Committee, to commune with the members of the University upon the subject, and endeavour to put matters upon such a footing, as that the next meeting may be enabled to come to a resolution about it.'*

*'Sederunt, 31st May 1763.*

*'The Deacon reported that the Committee, appointed to commune with the members of the University anent joining the Corp<sup>n</sup> Library and Curiosities to the University Library and Museum, had met with the Principal and Professors, who had agreed to accept the Library and Curiosities, and to admitt the members of the Corp<sup>n</sup> to be Cives of the University Library and Museum, provided the Corp<sup>n</sup> paid them five pounds sterling annually towards increasing the Library: And further reported that it is the opinion of the Committee, that it will be very beneficial for the Society to have this plan carried into execution. The Deacon, after the meeting had reasoned upon the subject of his report, put the question, whether it was the opinion of the Corp<sup>n</sup> that they should join their Library to that of the University, and their Curiosities to the Museum? The meeting unanimously agreed that it would. But, before they take any further step towards it, they appoint the former Committee to continue, and desire that they would consider the proper regulations under which the junctions ought to be made, and to report in writing to the next meeting.'*

It has always been understood, that the proposal to unite the Library of the Surgeons with that of the University emanated from Principal Robertson,—at all events, he took a very active interest in the arrangement; and it would seem, that the precise amount of the Surgeons' annual money contribution to the Library was that *proposed* by him on the part of the University. Subsequently the negotiations assumed the form embodied in the agreement, and were deliberately and formally ratified by the Town Council as Patrons of the University, and embodied in an Act of Council, of date 7th September 1763, of which I send herewith copy extract.

For many years subsequent to this time, communications continued to be received annually from the Reverend Principal, stating the progress of the Library, and the amount of funds collected in the Medical and general departments respectively, frequently accompanied by inquiries, what Medical works the Surgeons desired to have purchased for the University Library; and invariably indicating that the arrangement was one operating for the mutual benefit of both parties.

Whether such a transaction, thus solemnly ratified by competent authority, is one deserving of being stigmatized in the unguarded language of the late Professor Leslie (whose exaggerated and indeed ludicrous assertions are quoted with apparent approval in the former Commissioners' Report), the College will now leave it to the Honourable Commissioners (with more full information than was possessed by their predecessors) themselves to say.

I apprehend that, whether viewed in respect of its *objects*, the *provisions* embodied in it, or the *manner* in which it was *carried into effect*, the transaction can neither be regarded as 'illegal' nor 'unwarrantable.' That it is not, in all its details, an arrangement which the Commissioners (were matters still entire) might wish to sanction, or to say (in the language of the former Commissioners' Report) that, '*were it practicable*' now to dissolve the connection, it would be desirable to do so, is quite intelligible; and in that respect it is not unlike most other transactions, which come to be reviewed at the lapse of a century, but which the representatives of the parties never, for that reason, imagine the possibility of unsettling. It does not appear to be one of the objects of the present Honourable Commissioners' appointment, to set aside, of their own will, and without the forms of legal procedure, bygone transactions affecting University property with parties beyond its walls, and entered into under competent authority, as in the present instance; and I must candidly state, that the College, over which I have now the honour to preside, only consent to entertain the matter referred to in your communication upon the understanding, that their *legal rights* under the agreement referred to are distinctly recognised by the Honourable Commissioners.

That the College have not hitherto invidiously stood upon the *letter* of the agreement, may be seen from the following Excerpt Minute of 8th December 1820:—

*'Mr Law stated to the College, that, as by an agreement entered into many years ago between the Royal College and the Curators of the University Library, the whole members of this College are entitled to the use of that Library, for the payment only of the small sum of L.5 per annum from the funds of the College; that, since the time of that agreement being made, this Royal College has increased very much in numbers, and the Library of the University has increased, and is yearly increasing,—in consequence of which, the value of the privilege thus secured to this Royal College is enhanced in a twofold proportion; that the annual payment of L.5—though it might have been thought sufficient at the time it was fixed—is now not an adequate consideration for so valuable a privilege; and that, as he was happy to say, the funds of the College are well able to afford an additional payment, he thought it would be conducive to the honour and dignity of the Royal College, voluntarily to offer*

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

to the Curators of the University Library to increase the annual payment to something more nearly equal to the value of the privilege. He therefore moved, that a sum not exceeding £15 *per annum* be paid from the funds of the College to the Curators of the University Library, in addition to the present payment of £5,—the said additional sum to commence with the next annual payment, and to continue only during the pleasure of the College; which motion, being seconded by Mr Abercrombie, was appointed to lie over till next meeting.

This additional payment continued to be made down to the year 1850, at which time—the funds of the College being in a depressed state—they found it necessary, not only to curtail every item of expense not absolutely necessary,—and, on that ground, to withdraw for a time the *extra* payment to the University Library,—but even to discontinue for some years the payment of the usual fees to those of their number who discharged the onerous duty of Examinators. This state of matters had arisen in consequence of the College having not only expended their whole available funds, but incurred a considerable amount of debt in the purchase of, and in building suitable accommodation for, a very extensive Anatomical and Pathological Museum, which has always been thrown open to the profession at large, and to students of Medicine, besides being made easily accessible to the public. The debt is now almost entirely redeemed; and it has always been the intention of the College, so soon as that should be the case, to resume the increased annual grant to the University Library.

With regard, again, to the increased numbers of the College,—that increase has recently been solely among the non-resident Fellows, the greater number of whom are at such a distance that they cannot possibly make any use of the privilege. Since the year 1820, the number of *resident* Fellows has not increased, but the contrary; and there is no present probability of any material change in their number. But, however that may be, I am persuaded that, provided their legal rights are acknowledged and preserved, the College are quite ready, in the same spirit as dictated the former voluntary increased payment, now to reconsider the conditions, both as regards payment and privilege of borrowing, on which they have access to the Library, and to accede to such regulations as may be considered necessary for the beneficial management of the Library.

In conclusion, I may remark that your letter refers to the old Library of the College, as if it had never been incorporated with the other books in the University Library (which in the circumstances seems exceedingly improbable), as being of little value, and never referred to. The books are now of course all a hundred years old, and it is not to be expected that professional works of any kind, of that ancient date, should often be referred to; but as to its *original* value, I can only say that it was the collection of more than half a century, enriched by numerous donations from members and others, and considered of sufficient importance to be placed under the special charge of Alexander Monro, *Primus*, Joseph Gibson, the first Professor of Midwifery in the University, and other distinguished luminaries of the Edinburgh School of Medicine.—I have, etc.

DOUGLAS MACLAGAN, *President*.

Robert Berry, Esq., Secretary, Scottish Universities Commissioners, Moray Place.

(3.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons, Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
11th May 1860.*

SIR,—The Universities Commissioners desire me to acknowledge receipt of your letter of the 4th ultimo, on the subject of the privilege enjoyed by members of your College of borrowing books from the University Library; and in which, after detailing certain circumstances connected with the transaction under which that privilege is enjoyed, you intimate on the part of your College, that, provided their legal rights under the agreement are acknowledged and preserved, they are ready in the same spirit which dictated the former voluntary increased payment mentioned in your letter, now to reconsider the conditions, both as regards payment and privilege of borrowing, on which they have access to the Library, and to accede to such regulations as may be considered necessary for the beneficial management of the Library.

The Commissioners, while they have every confidence in the disposition of your College to deal fairly in the matter, desire me to state, that it would be impossible for them to recognise as legal, and as perpetually binding on the University, such an agreement as that between the *Senatus* and your College. Nor is the view of the Commissioners, in regard to this question, at all affected by the circumstance of the interposition of the Act of the Town Council, the then governing body of the University, of which you have enclosed a copy, and of the existence of which the Commissioners were previously fully aware.

The Commissioners, however, looking to the peculiar circumstances of the case, and the length of time during which the members of your College have enjoyed the privilege, are unwilling to be reduced to the necessity of considering the subject on the mere ground of legality or illegality. Their wish has been, and still is, to invite you to make some proposal, which may form the basis of a reasonable arrangement, at once fair for the interests of the University, and convenient for the members of your College. The Commissioners, therefore, desire me to say that they are still willing and desirous to receive such a proposal.

I am further to state, that the Commissioners were fully acquainted with the whole history of the transaction at the time when they formerly directed me to address you on this subject; and there is no reason to suppose that the Royal Commissioners of 1826 were less fully informed, or were labouring under any misunderstanding, when they expressed the opinions to which you refer.—I have, etc.

ROBERT BERRY, *Secretary*.

The President of the Royal College of Surgeons, Edinburgh.

## (4.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*Royal College of Surgeons, Edinburgh, 31st May 1860.*

SIR,—I have duly laid before the College of Surgeons your letter to me of the 11th instant, in reply to mine of the 4th ultimo, regarding the privileges enjoyed by the Fellows of this College of borrowing books from the University Library; and I am now instructed to express the regret which the College feel, on learning that the Commissioners decline to acknowledge the legality of the right so long exercised by the Fellows of the College. I have also to express the regret of the College, that the Universities Commissioners should not have offered to the College the least explanation of the grounds, on which they have come to the conclusion that this right is not legal.

The College, on being informed by your letter of 10th March, that, in the opinion of the Commissioners, it was required by the interests of the University that there should be some modification of this privilege, readily consented in this view to reconsider the terms of the agreement; and, in doing so, I humbly submit, showed that they had no desire to attempt to enforce a bargain which, even if admitted to be perfectly just at the time when it was made, might not now be so advantageous for the University as it was originally thought to be. The College, however, in so doing, guarded themselves against any admission that their right is not perfectly legal; and from this position they feel that they cannot resile, without derogating from their own character as a College (as they would do, by appearing to yield to an assumed legal necessity, what they are perfectly willing to concede as a measure of public utility), and casting a slur upon their predecessors, who they are persuaded entered upon this agreement in perfect good faith, and with the belief that the arrangement was for the advantage of both the contracting parties. The College, therefore, however willing to do what is thought to be for the good of the University, in the welfare of which they are, and always have been, deeply interested, feel that they cannot take any step which can be construed into an admission of the illegality of their agreement with the University; and therefore, *in hoc statu*, they must respectfully decline to submit to the Commissioners any proposals for modifying their privilege.

The College, however, beg to express their willingness to consider any proposals emanating from the Commissioners, to modify the terms on which the College exercise this right, so as to promote the interests of the University, and enhance the privileges of other parties who have access to the Library. This result, they respectfully submit, may be accomplished with the full admission that their right to this privilege is legal, and that, in assenting to a modification of its terms, the College do so on considerations of public good, and not from a sense of weakness in their title to continue to enjoy those privileges which they have exercised for a century. The College acted upon this principle in 1820, when they spontaneously quadrupled the sum which they were bound to pay to the funds of the Library; and they are ready to act in this spirit now, did not the attitude assumed by the Commissioners compel them to abstain from moving further in the matter at present.—I have, etc.

*DOUGLAS MACLAGAN, President, Royal College of Surgeons.*

Robert Berry, Esq., Secretary, Scottish Universities Commission.

## (5.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
25th June 1860.*

SIR,—The Universities Commissioners desire me to acknowledge receipt of your letter of the 31st May, on the subject of the privilege of the University Library at present enjoyed by members of your College. In that letter, after expressing regret on the part of your College that the Commissioners decline to acknowledge the legality of the agreement under which the privilege subsists, you state that your College, on learning from my letter of the 10th March, that, in the opinion of the Commissioners, it was required by the interests of the University that there should be some modification of the privilege, readily consented to reconsider the terms of the agreement, but in so doing guarded themselves against any admission that their right was not perfectly legal; and that the College, feeling that they cannot take any step which can be construed into an admission of the illegality of the agreement, must now, and in consequence of the attitude assumed by the Commissioners, decline to submit any proposals for modifying the privilege.

With reference to this matter, the Commissioners think it necessary to remind your College, that in communicating, by your letter of the 4th of April, their views in regard to the privilege in question, your College did not merely guard themselves against an admission that the agreement was not legal, but stated that they would consent to reconsider the conditions of the privilege, only upon the understanding that their legal rights under the agreement were distinctly recognised by the Commissioners. To this, as you are aware, the Commissioners replied by my last letter of the 11th of May; and in that letter, so far from intimating a wish that your College should make any admission of the illegality of the agreement, they stated that, while it was impossible for them to recognise its legality, they were unwilling to be reduced to the necessity of considering the subject on the mere ground of legality or illegality, and hoped still to be favoured with proposals from your College, which might lead to a satisfactory arrangement.

Under these circumstances, the Commissioners hope that, with the assurance of the absence of any intention on their part to seek for an admission of the illegality of the agreement, your College will be disposed to favour them with proposals for a modification of the privilege, on the understanding that these should be made apart from all considerations of legality or illegality.—I have, etc.

ROBERT BERRY, Secretary.

The President of the Royal College of Surgeons of Edinburgh.

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

- (6.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
22d December 1860.*

SIR,—The Universities Commissioners desire me to ask the attention of your College to the circumstance, that as yet the Commissioners have received no answer to their letter of the 25th June last, on the subject of the privilege of the University Library at present enjoyed by members of your College.—I am, etc.

ROBERT BERRY, *Secretary.*

The President of the Royal College of Surgeons of Edinburgh.

- (7.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*The Royal College of Surgeons, Edinburgh, 22d December 1860.*

SIR,—I am duly favoured with your letter of this day, reminding me that no reply has been made by the Royal College to the letter from the Universities Commissioners of 25th June last, in reference to the College Library. I have to apologize to the Hon. Board for the delay, and beg to say that I had so far anticipated your letter of this day, as to have set down the subject for the consideration of a special meeting of my Council, which I propose to hold in the course of the ensuing week. I shall do my utmost to avoid all further delay in replying to your communication of 25th June.—I have, etc.

DOUGLAS MACLAGAN.

Robert Berry, Esq.

- (8.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*28, Heriot Row, Edinburgh, 27th December 1860.*

SIR,—Referring to my letter to you of 22d instant, I beg that you will inform the Universities Commissioners, that the subject of the privileges connected with the University Library enjoyed by Fellows of this College was last night under the consideration of a special meeting of my Council.

I am requested to state, as expressing the feeling of the President's Council, and they believe of the Fellows generally, that there would not be any difficulty in making such modifications of this privilege, as would be satisfactory both to the Commissioners and the Fellows of the College, were the College in possession of any information as to the grounds on which the Commissioners view this privilege, as being not only inexpedient, but of questionable legality. The College has already, by my letter of 4th April last, intimated their willingness to reconsider the terms on which they enjoy this privilege; and the President's Council, at their meeting last night, with an earnest desire to settle this question, but with full reservation of their belief in the legality of their privilege, endeavoured to come to some determination as to the kind and amount of modification of the privilege, which might be made so as to meet the views of the Commissioners. When they came to details, however, they found that their ignorance of the grounds, on which the privilege is objected to, was an obstacle to their arriving at satisfactory conclusions.

As the President's Council must, before taking any further steps with a view to the settlement of this question, report their opinions to the College, and receive its formal sanction, they feel that, under present circumstances, they cannot hope to obtain the approval of Fellows of the College to any proposals which they can make, when these are open to the objection, that the College cannot have the least idea whether or not they at all touch the grounds, on which the Commissioners deny the expediency and question the legality of the privilege.

The Council therefore request, that the Honourable the Commissioners will allow a deputation of two members of the Council to have a short conference with some of their Honourable Board, at such time as may be convenient for them. The Council neither desire nor expect such of the Commissioners as might meet them, to enter off-hand into any agreement with them, as the Council have no power to act to this extent; but they believe that, by a conference, they would be able so far to understand the objections of the Commissioners, as to be enabled to frame a scheme of modification which they could submit to the College with reasonable hopes of its meeting with the approval of the Fellows.—I have, etc.

DOUGLAS MACLAGAN, *Pres. R.C.S.*

Robert Berry, Esq., Secretary, Scottish Universities Commission,  
Moray Place, Edinburgh.

- (9.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
22d January 1861.*

SIR,—The Universities Commissioners desire me to acknowledge receipt of your letter of the 27th December last, on the subject of the privilege of the Library of the University of Edinburgh now enjoyed by members of your College; and in reference to the request therein contained, that two members of your Council should have a conference with some of the Commissioners, the Commissioners desire me to intimate their readiness to have a conference with two members of your Council, on the subject of a modification of the privilege in question.

The Commissioners have made arrangements for the conference to take place here on Saturday next, the 26th instant, at half-past one o'clock, and they desire me to request the favour of your stating, whether this will suit the members of your Council who are to form the deputation.—I am, etc.

ROBERT BERRY, *Secretary.*

The President of the Royal College of Surgeons, Edinburgh.

- (10.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

*The Royal College of Surgeons, Edinburgh, 23d January 1861.*

SIR,—I have the honour to acknowledge your letter of yesterday, intimating that the Universities Commissioners have appointed Saturday, 26th instant, at half-past one, for conferring with a deputation from the Council of this College as to the University Library; and I have to inform you that Dr Andrew Wood and myself will wait upon the Hon. the Commissioners at 36 Moray Place, at the hour named.—  
I have, etc.,

DOUGLAS MACLAGAN.

Robert Berry, Esq.

- (11.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*The Royal College of Surgeons, Edinburgh, 17th July 1861.*

SIR,—I am instructed, on behalf of the Royal College of Surgeons, to address to you the following communication regarding the privilege enjoyed by Fellows of the Royal College of borrowing books from the University Library.

This communication is made in reference to what passed at a conference, with which the Commissioners honoured a deputation of the College on 26th January last.

The principal objections, as appears to the College, which the Commissioners have to the manner in which this privilege has hitherto been exercised, are,—

1. The increased number of individuals to whom, as Fellows, this privilege is open.

2. The inconvenience which might arise from the privilege being exercised by non-resident Fellows, now a numerous body.

3. The number of volumes which each Fellow is allowed to borrow at one time.

4. The inadequacy of the annual payment by the College.

On these various points, I beg leave, on behalf of the Royal College, to offer the following observations:—

*First,* As to the increased number of individuals to whom, as Fellows, the privilege is open, the College deem it right to state, that, although the total number of Fellows has of late years considerably increased, this increase has taken place solely in the non-resident Fellows, who amount to 115, of whom six reside within ten miles of Edinburgh, whilst the present number of resident Fellows is 64, including four Professors of the University.

*Second,* With regard to the inconvenience which might arise from the privilege being exercised by non-resident Fellows, the College at once admit that it would be an abuse of the privilege, that books should be allowed to be taken to distant parts of the country; and, therefore, they are inclined at once to concede, that the privilege should not be exercised by Fellows who reside at more than ten miles from Edinburgh. Only six persons, not actually residing within the limits of Edinburgh, would thus make use of the Library.

*Third,* With regard to the number of volumes which each Fellow is allowed to borrow at one time, the College readily admit that twenty-four volumes at a time is more than is either useful or reasonable, and are quite willing that it should be restricted to ten volumes at a time.

*Fourth,* With regard to the inadequacy of the annual payment made by the College, the Commissioners are already aware, that the College have long considered that the sum of £5 is an inadequate equivalent for the privilege enjoyed. The College would willingly make a liberal annual contribution to the funds of the University Library, but regret that their present financial position, the causes of which have been already stated to the Commissioners, does not permit them to offer what they would otherwise desire to give. The College therefore, in consideration of the present state of their funds, have, in regard to this point, felt themselves constrained to adopt the following resolution:—‘That in addition to the payment of the £5, for which they are liable under the agreement with the University, the sum of £15 be voted as a donation from the College to the funds of the University Library for the current year; the College, in respect of the present uncertain state of its funds, reserving consideration of its action as to payment for future years.’

I have to request that you will submit this communication to the Universities Commissioners; and I have, etc.

DOUGLAS MACLAGAN, *President.*

Robert Berry, Esq., Secretary, Scottish Universities Commission, 36, Moray Place.

- (12.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
31st October 1861.*

SIR,—The Universities Commissioners desire me to state to you, for the information of the Royal College of Surgeons of Edinburgh, that they have had under consideration your letter of the 17th July, on the subject of the privilege of the Edinburgh University Library, now enjoyed by members of your College.

The Commissioners regret that the only arrangement, which your College proposes for the future, is one which, more especially in regard to the payment to be made to the University, they find it impossible to accept as satisfactory. Under these circumstances, they conclude that the only course which now remains to them is to deal with the subject by Ordinance.—I am, etc.

ROBERT BERRY, *Secretary.*

The President of the Royal College of Surgeons, Edinburgh.

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

- (13.) LETTER, The President of the College of Surgeons of Edinburgh to the Secretary of the Commission.

*The Royal College of Surgeons, Edinburgh, 4th November 1861.*

SIR,—I have to acknowledge receipt of your letter of the 31st October, regarding the privilege enjoyed by the Fellows of this College of borrowing books from the University Library. I shall duly lay your communication before the College.—I am, etc.

P. NEWBIGGING, *President.*

Robert Berry, Esq.

- (14.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*The Royal College of Surgeons, Edinburgh, 21st November 1861.*

SIR,—Since my last communication, acknowledging your letter of the 31st October, a meeting of the Council of the Royal College of Surgeons has been held, at which the subject of your letter was considered. The Council regret that the proposal, which they made, has not met the approval of the Commissioners of the University.

As the Council is desirous that some amicable arrangement, if possible, should be come to in this matter, they will feel obliged if the Commissioners will be so good as indicate any arrangement which they would consider satisfactory.

May I request that you will lay this communication before the first meeting of the Commissioners?—I remain, etc.

P. NEWBIGGING, *President of the Royal College of Surgeons.*

Robert Berry, Esq.

- (15.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
26th November 1861.*

SIR,—The Universities Commissioners desire me to acknowledge receipt of your letter of the 21st instant, expressing regret on the part of your Council that the proposals made on their part, in regard to the privilege of the University Library now enjoyed by members of your College, had not met with the approval of the Commissioners, and requesting the Commissioners to indicate any arrangement which they would consider satisfactory.

In reference to this request, the Commissioners must remind your Council, that they first brought this subject to the attention of your College so long ago as the 10th of March 1860; and that, in their letter of that date, they pointed out those features in the present arrangements which they regarded as unsatisfactory, indicating in particular the inadequacy of the payment made by your College; that, after some correspondence which ensued on the subject, the Commissioners were obliged, on the 22d December last, to ask the attention of your College to the circumstance that they had, since the 25th of June preceding, been without an answer to a letter on their part, expressing a hope that your College might be disposed to favour them with proposals for a modification of the privilege; that, upon this, a request was made on the part of your College, that two members of the Council might have a conference with the Commissioners, with the view, as was stated, of enabling the Council to frame a scheme of modification, which they could submit to the College with reasonable hopes of its meeting with the approval of the Fellows; that a conference accordingly took place on the 26th of January last, at which the Commissioners made the members of your deputation fully aware of the points, to which they were desirous that any scheme of modification should be directed; and that then, after an interval of nearly six months, the letter of your late President, of the 17th July, was addressed to the Commissioners, containing the proposals on which your College had resolved, and which the Commissioners, after taking them into consideration at the earliest opportunity, on resuming their meetings after the autumn recess, informed you, by my letter of the 31st October, that it was impossible for them to accept as satisfactory. In those proposals, as you are aware, your College made an express reservation of the question as to the payment to be made for the future, to which the Commissioners had, from the outset, intimated that they attached a very great importance.

Looking at these circumstances, and at the long period over which the correspondence on this subject has now extended, and considering the limited time which remains for the Commissioners to deal with the matter by Ordinance, in the event, which the terms proposed by your College render nearly certain, of its being found impossible to come to an agreement respecting it, they desire me to say, that, while they are still ready, before finally issuing an Ordinance, to receive and to give every consideration to any farther proposals which your College may desire to make, they do not think it would lead to any practical result, while it would certainly cause additional delay of a serious nature, were they to reopen a correspondence with your College on the subject.—I have, etc.

ROBERT BERRY, *Secretary.*

The President of the Royal College of Surgeons, Edinburgh.

- (16.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*The Royal College of Surgeons, Edinburgh, 28th November 1861.*

SIR,—I am in receipt of your communication of 26th November, from the Scottish Universities Commission, and shall lose no time in laying it before an early meeting of this College. Meantime, may I request that the Commissioners will be so good as to delay their decision, until I have an opportunity

of communicating the result of the meeting of the College, which I shall do as soon as possible?—I am,  
etc. P. NEWBIGGING.

Robert Berry, Esq.

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

- (17.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
2d December 1861.*

SIR,—Referring to your letter of the 28th November, requesting the Universities Commissioners in the meantime to delay their decision with reference to the privilege of the University Library now enjoyed by members of your College, I am directed to inform you, that they will not come to any decision regarding it for a fortnight—I am, etc.

ROBERT BERRY, Secretary.

The President of the Royal College of Surgeons, Edinburgh.

- (18.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*The Royal College of Surgeons, Edinburgh, 9th December 1861.*

SIR,—Referring to the previous correspondence between this College and the Hon. the Commissioners of the Scottish Universities, as to the privilege so long enjoyed by Fellows of this College of borrowing books from the University Library, I have to request you to inform the Hon. Board that I brought your letter of the 26th November under the notice of the Royal College on the 4th December. The College then, as on every previous occasion on which this subject has been under consideration, expressed an earnest desire that some arrangement might be come to, which the Commissioners might accept as satisfactory to them.

The College, as our previous correspondence has made the Commissioners fully aware, regrets that the state of its finances does not permit it to make such a contribution to the funds of the University Library, as the College would otherwise wish to give.

It has appeared, however, to the College, on again considering the subject, that an arrangement such as the following might meet the views of the Commissioners:—

That the College shall continue to pay from its funds, as a corporation, annually, the sum of five pounds (L.5), which formed a part of the original agreement; and that, in addition, each Fellow of the College, who avails himself of the privilege, shall pay to the funds of the Library one guinea (L.1, 1s.) per annum, so that the contributions to the Library funds will thus be directly proportioned to the demands made by the Fellows of the College upon the resources of the Library and the labour of the officials. I am authorized, by a resolution of the College, to submit this proposal to the Commissioners, and to express the hope that this may prove satisfactory to the Hon. Board.—I remain, etc.

P. NEWBIGGING, President.

Robert Berry, Esq.

- (19.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
10th June 1862.*

SIR,—As directed by the Scottish Universities Commissioners, I forward to you a copy of an Ordinance of the Commissioners (Ordinance No. 68, General No. 6), regarding the management of the University Libraries, in which you will find (s. x. 3) a provision for placing the use of the Library of the University of Edinburgh by the Fellows of your College on the footing proposed in your letter of the 9th December last, taken in connection with the letter of your predecessor, dated the 17th July 1861.—I am, etc.

ROBERT BERRY, Secretary.

P. S. K. Newbigging, Esq., M.D., President of the  
Royal College of Surgeons, Edinburgh.

- (20.) LETTER, The President of the Royal College of Surgeons of Edinburgh to the Secretary of the Commission.

*29, Heriot Row, 15th July 1862.*

DEAR SIR,—I beg to enclose an excerpt from the Minutes of the Royal College of Surgeons, relative to the University Library, and will feel obliged by your communicating it to the next meeting of the Scottish Universities Commissioners.—I remain, etc.

P. NEWBIGGING.

Robert Berry, Esq.

EXCERPT from Minutes of the Royal College of Surgeons of Edinburgh, 7th July 1862.

Resolved,—

‘That the part of the Ordinance of the Universities Commissioners, which relates to the use of the Library of the University by Fellows of the College, be entered on the Minutes; and that the College

Correspondence as to privilege of Edinburgh University Library enjoyed by Fellows of College of Surgeons.

'record its satisfaction, that an amicable arrangement of this matter has been come to between the College and the University.'

Extracted from the Minutes by order of  
15th July 1862.

P. NEWBIGGING, *President.*

(21.) LETTER, The Secretary of the Commission to the President of the Royal College of Surgeons of Edinburgh.

*Scottish Universities Commission, 36, Moray Place, Edinburgh,  
22d July 1862.*

DEAR SIR,—I have the honour to inform you, that I have laid before the Universities Commissioners the Minute of the Royal College of Surgeons of the 7th instant, relative to the arrangement which Ordinance No. 68 provides as to the use of the Edinburgh University Library by the Fellows of your College.

The Commissioners desire me to ask the favour of your informing the College, that the Commissioners have been glad to be instrumental in carrying out this arrangement, and that they have received with pleasure the expression of satisfaction contained in the Minute of the College.—I am, etc.,

ROBERT BERRY.

P. S. K. Newbigging, Esq., M.D., President of the  
Royal College of Surgeons, Edinburgh.

