CHAPTER xii.

An Act for incorporating the Trustees of the Educational Institution in Glasgow founded under the Will of Professor John Anderson; for altering the Name of that Institution, and the Powers and Duties of the Trustees and Managers thereof; and for other purposes. [17th May 1877.] A.D. 1877.

WHEREAS the now deceased John Anderson, Professor of Natural Philosophy in the University of Glasgow, (hereinafter called "the Founder,") by his will dated the seventh day of May one thousand seven hundred and ninety-five, made provision for the foundation of an educational institution in the city of Glasgow, to be called "Anderson's University," and to be managed by trustees and managers appointed as therein mentioned, with the powers, in the manner, and subject to the provisions therein specified; and inter alia he directed that the said institution should comprehend four colleges, besides a school or academy, viz., a College of Arts, a College of Medicine, a College of Law, and a College of Theology, each consisting of nine professors; which will, so far as it relates to the said institution, is set forth in the first schedule to this Act:

And whereas after the death of the Founder the trustees and managers appointed under the provisions of his will proceeded to carry into effect the purposes thereof as respects the said institution, so far as practicable in the circumstances:

And whereas the funds bequeathed by the Founder for the purposes of the said institution have been from time to time augmented by profitable investments, and by donations and bequests from other persons; and the trustees and managers have, by means thereof, founded three of the professorships in arts contemplated by the Founder, viz., those of physics or natural philosophy, mathematics, and chemistry, and also a professorship of applied mechanics in

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connexion with the said College of Arts, and seven of the professorships in medicine contemplated by him, viz., those of institutes or theory of medicine, practice of medicine, anatomy, practical surgery, the obstetrical art or midwifery, materia medica, and botany, together with two additional professorships in medicine, the one of medical jurisprudence, and the other of ophthalmic medicine and surgery, but the funds in their hands have been insufficient to enable them to found the other professorships in arts and medicine contemplated by the Founder, or any professorships in law or in theology, and no school or academy has been established in connexion with the institution:

And whereas John Freeland, residing in Nice, by deed of trust dated the nineteenth day of November one thousand eight hundred and sixty-one, gave, granted, and assigned the sum of seven thousand five hundred pounds to Walter Crum of Thornliebank, Andrew Bannatyne, writer in Glasgow, William Euing, insurance broker there, and Robert Freeland, merchant there, all now deceased, and to James M'Clelland, chartered accountant in Glasgow, now residing in London, and the survivors or survivor of them continuing to act, and to the managers for the time being of Anderson's University and their successors in office, as trustees for promoting the delivery in the said institution, by professors thereof, or other persons to be appointed by those trustees, of courses of popular lectures on chemistry, on mechanical and experimental physics, and on anatomy and physiology, in the manner and subject to the provisions contained in the said deed of trust, which is set forth in the second schedule to this Act:

And whereas the said now deceased William Euing, by deed of trust dated the thirty-first day of May one thousand eight hundred and sixty-six, gave, granted, and assigned the sum of three thousand pounds to the said Walter Crum, Andrew Bannatyne, James M'Clelland, and Robert Freeland, and himself, the said William Euing, and to the survivors and survivor of them continuing to act, and to the managers for the time being of Anderson's University and their successors in office, as trustees for promoting the delivery in the said institution of courses of popular lectures upon the history and theory of music, and upon the lives of eminent musicians, and also upon such branches of acoustics as may be connected with and illustrate the science and practice of music, in the manner and subject to the provisions contained in the said last-mentioned deed of trust, which is set forth in the third schedule to this Act:

And whereas James Young of Kelly, F.R.S., by deed of trust dated the eighth day of July one thousand eight hundred and seventy, gave, granted, and assigned the sum of ten thousand five

hundred pounds to the trustees thereby appointed, for the purpose of founding and providing for the permanent support of a chair of technical chemistry in connexion with Anderson's University, which last-mentioned deed is set forth in the fourth schedule to this Act:

And whereas the said institution has been and is of great service to the cause of education, and the lectures of the various professors therein are numerously attended, and those of the medical and surgical professors are recognised by the several bodies of physicians, surgeons, and apothecaries in the United Kingdom, entitled by the Medical Acts to grant licenses to practise:

And whereas the usefulness of the institution would be increased and its management facilitated if the trustees thereof were incorporated; and if the powers and duties of the trustees and managers were varied and enlarged as respects the professorships and lectures contemplated by the Founder, and in other particulars; and if certain restrictions imposed by the will of the Founder as respects participation in the management of the institution by persons connected with the University of Glasgow and the government of that city, the mode of appointing professors, the mode of voting, and the place of residence of the managers, were removed; and if the name of the institution were altered so as to correspond more precisely with its character; and if the provisions of the will of the Founder were altered in these and other respects:

And whereas the purposes aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "Anderson's College, Glasgow, Act, 1877."

Interpretation of terms.

2. In this Act the following expressions have the meanings herein-after assigned to them respectively, unless there be something in the subject or context repugnant to such construction; (that is to say,)

The expression "the will" means the will of the Founder, so far as it relates to the institution therein contemplated and is set forth in the first schedule to this Act:

The expression "the deeds of trust" means the deeds of trust executed by the said John Freeland and William Euing, set forth in the second and third schedules to this Act:

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The expression "the institution" means the institution founded under the provisions of the will, and therein called "Anderson's University:"

The expression "the College" means the institution as reconstituted by or under the powers of this Act:

The expression "the trustees" means the trustees who are from time to time appointed under the provisions of the will as altered by this Act, and who are incorporated by this Act:

The expression "the managers" means the managers of the College from time to time appointed under the provisions of the will as altered by this Act:

The expression "the College fund" means the whole property, heritable and movable, real and personal, vested in the trustees by this Act, and any property and funds which may hereafter accrue or belong to them for behoof of the College, by gift, bequest, or otherwise, and the income arising therefrom, excepting the sums granted by the deeds of trust and the property and securities upon which the same are invested, and the income thereof.

Name of institution.

3. The College shall not hereafter be called "Anderson's University," but shall be called "Anderson's College, Glasgow."

Incorporation of trustees.

4. The persons who at the date of the passing of this Act are trustees under the provisions of the will, and their successors in office appointed under those provisions as altered by this Act, are hereby constituted a body corporate, under the name and style of "The Trustees of Anderson's College, Glasgow," and by that name shall have perpetual succession and a common seal, and may sue and be sued, pursue and defend, in any actions, suits, and proceedings in any courts and before any arbitrators, and may hold, manage, and dispose of lands, moneys, and other property, heritable and movable, real and personal, for the purposes of the College and of the deeds of trust, and shall have and enjoy all the rights and privileges of a corporate body, and may exercise all the powers conferred by the will on the trustees therein named, and their successors in office, as the said powers are amended by this Act: Provided always, that nothing in the will or in this Act contained shall authorise the College, or any body connected therewith, to grant degrees in any faculty, or to exercise any other functions peculiar to a university.

Vesting in trustees of property and funds belonging to institution.

5. Subject to the provisions of this Act, all lands and heritages, debts, securities, and other property, heritable and movable, real and personal, vested in the trustees appointed under the provisions of the will, or in any other person or persons on their behalf, or otherwise belonging to the institution, whatsoever may be the terms

in which the titles of the same may have been taken, shall, without any conveyance, assignment, or new investiture thereof, be and the same are hereby vested in the trustees incorporated by this Act, for the ends, uses, and purposes of the will as altered by this Act, and of any deeds, wills, or other instruments or directions under which the same may have been given or bequeathed to or for behoof of the institution; and (subject as aforesaid) all purchases, sales, conveyances, contracts, agreements, leases, proceedings, debts, engagements, liabilities, matters and things, made, executed, entered into, contracted, done, or taken by, or incumbent on the trustees acting under the will, or any of them, before the passing of this Act, shall be good, valid, effectual, and binding on the trustees incorporated by this Act.

Vesting in trustees of funds gifted by John Freeland and William Euing, subject to provisions of their trust deeds.

6. Subject to the provisions of this Act, the several sums granted by the deeds of trust, and the properties and securities upon which the same are invested, whatsoever may be the terms in which the titles of the same may have been taken, shall, without any conveyance, assignment, or new investiture thereof, be and the same are hereby vested in the trustees incorporated by this Act, upon whom (subject as aforesaid) all purchases, sales, conveyances, contracts, agreements, leases, proceedings, debts, engagements, liabilities, matters and things, made, executed, entered into, contracted, done, or taken by, or incumbent on the trustees under the deeds of trust, or any of them, before the passing of this Act, shall be good, valid, effectual, and binding; but the said sums, property, and securities shall, in pursuance of the provisions of the deeds of trust respectively, be kept entirely separate from the College fund, and shall be applied in the manner and to the respective purposes specified in those deeds; and separate accounts shall be kept of the funds arising from the said sums, property, and securities, showing the receipts and disbursements on account thereof.

Chair founded by James Young to remain in connexion with the College.

7. The herein-before recited deed of trust granted by the said James Young shall be read and construed as if it had been granted for the purpose of founding and providing for the permanent support of a chair of technical chemistry in connexion with the College, and as if the name of the College had been mentioned therein in lieu of the name of Anderson's University, wherever that name is mentioned or referred to.

Powers of managers, and investment of funds.

8. The persons who at the date of the passing of this Act are the ordinary managers under the provisions of the will, and their successors in office appointed under those provisions as altered by this Act, shall, subject to the provisions of this Act, and to any directions which may from time to time be given to them by any general

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meeting of the trustees, manage the affairs of the College, and perform the duties incumbent on the ordinary managers under the provisions of the will as amended by this Act, and on the trustees under the deeds of trust; and may from time to time sell, call up, and dispose of the College fund, and the sums granted by the deeds of trust, and invest the same in the purchase of heritable or real property in Great Britain, or of feu-duties, ground annuals, or ground rents arising from such property, or upon mortgage or real security over such property, or in the purchase or on the security of mortgages, bonds, or debenture stocks of municipal corporations, or of commissioners or trustees for navigations or other public purposes, or of companies incorporated by Act of Parliament, in Great Britain, provided such companies are at the time of investment paying dividends on their ordinary stock or shares, or in any other manner in which ordinary trustees may at the time be authorised by law to invest trust moneys.

Removal of certain disqualifications under will.

9. No person shall be disqualified from being a trustee or manager of the College, or from holding any office of honour or profit of any kind in connexion therewith, by reason of his holding office in or being in any way connected with the University or College of Glasgow, or the government of the city of Glasgow; and no person shall be disqualified from being a manager by reason of his not being resident in Glasgow.

Voting by ballot no longer imperative.

10. It shall not be imperative on the trustees, or on the several classes of trustees, or on the managers, or on any other bodies named in the will, to vote by ballot in any case, except in the election of professors; but each of those bodies may from time to time determine for themselves whether and in what cases (except as aforesaid) they shall vote by ballot or by open voting, anything contained in the will to the contrary notwithstanding.

Provision in case of failure or delay in appointing trustees or managers, and of vacancies.

11. No failure or delay in appointing any trustee or manager, and no vacancy occurring by reason of the death or incapacity of any trustee or manager, or otherwise, shall prevent the other trustees and managers from acting respectively as the trustees and managers in the execution of the will as altered by this Act, and of the deeds of trust; nor shall any act or proceeding of the trustees or of the managers be invalidated or illegal in consequence of any such vacancy, or of any defect in the appointment of any trustee or manager, or in consequence of any trustee or manager dying or being incapacitated to act as such.

Appointment of professors.

12. The trustees may appoint professors without any recommendation from the Senate, and in case of vacancies as soon after the

occurrence of each vacancy as they may consider expedient; and their power of appointment shall not devolve on any other body or person by reason of it not being exercised within the time specified in that behalf in the will.

Powers of trustees.

13. Except as otherwise provided by this Act, the trustees and the managers respectively shall have all the powers conferred by the will on the trustees and the ordinary managers respectively appointed under the provisions thereof; and the trustees shall further have power, from time to time, by byelaws to be made in manner provided by article eleventh of the will, (except that two thirds of the whole number of trustees need not be present at the meeting at which such byelaws are made,) to alter the courses of lectures prescribed by the will, to abolish any existing professorships, to institute and endow other professorships, to abandon the school or academy for early education contemplated in the will, and to fix, regulate, and alter the times of holding and the mode of calling meetings of the trustees and of the managers, and the quorum and the mode of appointing the chairman of such respective meetings; provided that no byelaw altering any existing courses of lectures, or abolishing any existing professorships, or instituting or endowing other professorships, shall be valid unless made at a meeting of the trustees, of which not less than three weeks notice shall have been given, by circular sent through the post to each trustee, stating the object and the place and date of such meeting; and unless confirmed at another meeting of the trustees held not less than one month after the previous meeting, and of which like notice shall have been given; and the trustees shall also have power from time to time to appoint, and if and when they consider it expedient to suspend or dismiss professors, assistants, secretary, and treasurer, and such other officers and servants as they find necessary; to fix, regulate, and alter the respective salaries or other remuneration of such professors, officers, and servants, the fees payable by students, and the granting of tickets of admission to lectures, and generally to regulate and manage the affairs of the College and the College fund; and to delegate any of such powers to the managers, subject to such restrictions as the trustees may think fit to impose.

Professors to be deemed private teachers for certain purposes.

14. Nothing contained in this Act shall prevent the medical and surgical professors of the College, present and future, from being deemed to be private teachers of medicine, within the meaning of sub-section 5 of section 8 of Ordinance No. 15, made by the Commissioners under the Act of the 21st and 22nd years of the reign of Her present Majesty, chapter eighty-three, dated the 16th day of

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March 1861, and approved by Order in Council dated the 26th day of June 1861.

Execution of deeds by trustees.

15. All deeds and writings to be executed by the trustees shall be sealed with their common seal, and signed by at least two of the managers.

Service of writs on trustees.

16. Any summons, notice, writ, or other document whatsoever to be served upon the trustees may be served by being delivered personally to their secretary or treasurer for the time being, or by being left at the office of the trustees; or in case there shall be no such secretary or treasurer, and no such office, by being delivered personally to any two of the managers.

Provision as to future inquiry and legislation.

17. Nothing contained in this Act shall be deemed to exempt the College from investigation by any Royal Commission, which may from time to time be appointed to inquire into and report upon educational institutions in Scotland, or from the provisions of any general Act relating to educational institutions in Scotland which may be passed during this or any future session of Parliament.

Expenses of Act.

18. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the trustees out of the College fund.

SCHEDULES.

FIRST SCHEDULE.

Will of John Anderson (so far as it relates to the Institution) dated 7th May 1795.

I, John Anderson, Professor of Natural Philosophy in the University of Glasgow, being in soundness and vigour of mind, though reduced in strength of body by sickness, do hereby make my latter will and testament, as follows:

* * * * * *

Article Second.—Except what is contained in the painted chest with three locks, as above narrated, I give, grant, dispone, and convey the whole of my other property, of every sort, to the public, for the good of mankind, and the improvement of science, in an institution to be denominated "Anderson's University," and to be managed by eighty-one trustees, any nine of whom shall be a quorum, or vested with the power of the whole, provided all have been duly summoned to a general meeting.

Article Third.—These trustees shall consist of the nine following classes, and if there are any vacancies in any of them at the time of my death, and when vacancies shall afterwards happen, the remaining part of each of the nine classes, and the surviving acceptors of them, shall fill them up by ballot; and if they shall neglect to do so for a longer time than four calendar months, the vacancies shall be filled up by ballot at the next of the four general meetings of the trustees afterwards to be mentioned; and if the whole nine of any one class should resign or happen to die, the general meeting shall nominate that whole class, which shall enjoy all the rights and privileges of that class, as if they had existed from the beginning of the institution. The classes follow :—

Class First.—Tradesmen, that is, persons eligible to the Convenery, or Trades' House of Glasgow, nine members; viz., Mr. William Lang, smith; Mr. John Paul, leather-cutter; Mr. Robert Craig, baker; Mr. William Meikle, plasterer; Mr. John Fleming, flesher; Mr. William Telfer, mason; Mr. Daniel Kennedy, gardener; Mr. John Maxwell, barber; Mr. John Howie, skinner; this class being the only one, the members of which can be trustees, who are eligible into the government of the city of Glasgow. But if ever the Trades' House of Glasgow shall be dissolved, or shall cease to exist as an incorporation, this class for the time being shall fill up their vacancies by choosing whatever tradesmen or artificers in Glasgow they shall think proper. They are now fixed upon, and this power is given to them, because they, along with many other persons in Glasgow, stood forth publicly for the reformation of abuses in Glasgow College, and in my defence, by sending petitions to London, in order to get a royal visitation of the said College, when its revenue was mismanaged and great injustice was done to me by the Faculty of that College, as appears by the extracts of papers and books and processes contained in the manuscript presses in my house, which are bequeathed to the trustees herein mentioned in article second.

Class Second.—Agriculturists, that is, husbandmen or farmers, including botanists, gardeners, and cultivators of the land of every sort; viz., John Gartshore of Gartshore, Esquire; Mr. Alexander Fisher, at Dechmont; Mr. Robert Austin, gardener in Glasgow; Mr. William Wilson, gardener at Hawkhead; Mr. James M'Ilquham in Anderston; Mr. William Scott, gardener in Gorbals; John Naismith, Esquire, near Hamilton; Mr. Thomas Rowand, at Bellyhouston; and Mr. William Biggar, gardener at Bothwell Castle.

Class Third.—Artists, in which are included all workers in metal, glass, and wood; artizans, and encouragers of the fine arts; viz., Mr. James Tassie, modeller; Mr. John Bogle, miniature painter, both at present in London, but from Glasgow; Mr. James Crichton, senior, physical and manufacturing instrument maker in Charlotte Street of Glasgow; James Crichton, junior, his son; James Fram, wright and cabinet maker in Calton of Glasgow; John Geddes, glassmaker at Vereville, near Glasgow; William Young, potter at the Glasgow delft house; Mr. Robert Gray, jeweller; and Mr. James Stewart, clockmaker, both in Glasgow.

Class Fourth.—Manufacturers or merchants, that is, all ingenious persons who work at manufactures, or who transport them from one place to another; viz., Mr. David Dale, senior; Mr. David Dale, junior; Mr. John Pattison, at Kelvingrove, all manufacturers in Glasgow; Mr. George M'Intosh, at Mount

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Chattan; Mr. William Gillespie, in Anderston; Mr. Patrick Colquhoun, late Provost of Glasgow, at present in London; Mr. Alexander Oswald, of Shieldhall; Mr. Hugh Cross and Mr. George Rutherford, manufacturers and merchants in Glasgow.

Class Fifth.—Mediciners, an old Scotch word, which comprehends doctors of medicine, surgeons, apothecaries, and druggists; viz., Dr. Peter Wright, physician; Mr. James Monteath, surgeon; Mr. William Cooper, his partner; Mr. Charles Wilson, surgeon; Mr. John Scruton, surgeon; Mr. Robert Cowan, surgeon; Mr. John Balmanno, druggist, all in Glasgow; Mr. John Fullarton, son of Gavin Fullarton, late surgeon in Greenock; and Mr. John Cross, surgeon in Hamilton, son of Robert Cross, my late operator.

Class Sixth.—Lawyers; viz., Mr. Matthew Ross, advocate; Mr. Archibald Fletcher, advocate; Mr. John Wilson Rae, advocate; Mr. John M'Nab, clerk to the Signet; and Mr. William Rae, writer, both in Edinburgh; Mr. John M'Ewen, Mr. Thomas Falconer, Mr. William Marshall, and Mr. James Mathie, all writers in Glasgow.

Class Seventh.—Divines, clergymen, or ministers of the Gospel; viz., Dr. Gillies, minister of the Blackfriars' Church; Dr. Porteous, of the Wynd Church; Dr. M'Call, of the Tron Church; Mr. John Burns, of the Barony parish; Mr. Robert Balfour, of the Outer High Church; Mr. M'Intosh, of the Gaelic Chapel; Mr. Falconer, of the English Chapel; Mr. Pirrie, of the Burgher Associate Congregation, all in Glasgow; and Mr. James Stewart, of the Relief Congregation in Anderston.

Class Eighth.—Natural Philosophers; viz., Dr. Gillies, Historiographer to the King, for Scotland; Captain Lieutenant Robert Wright, of the Royal Artillery; Mr. George Wright, his brother; Mr. John Burns, son of the said Reverend Mr. Burns; Mr. John Lawrie, junior, merchant in Glasgow; Mr. John Wilson, factor to Lord Glasgow; Mr. William Reid, printer in Glasgow; James Spreull, Esquire, in Glasgow; and Mr. Charles M'Intosh, son of Mr. George M'Intosh, at Mount Chattan.

Class Ninth.—Kinsmen; viz., Andrew Anderson, James Anderson, my brothers; and James Anderson, William Anderson, George Anderson, Andrew Anderson, and John Anderson, the sons of my brother Andrew; and Andrew Turner, merchant in Greenock, my cousin-german; and Thomas Turner, his son. And if these kinsmen shall not accept, or if kinsmen shall fail in the course of time, then a general meeting shall appoint this class to be of namesakes or Andersons in or near Glasgow, subject to the same laws with the other classes.

Article Fourth.—Besides these eighty-one persons, in whom all my property of every kind, except what is in the painted chest with three locks, is hereby vested for the use of the public, there shall be nine visitors of the conduct of the said eighty-one trustees; viz., the Lord Provost of Glasgow, the eldest Bailie of Glasgow, the Dean of Guild there, the Deacon Convener of the Trades' House there, the Preses of the Faculty of Physicians and Surgeons there, the Dean of the Faculty of Procurators there, the Moderator of the Synod of Glasgow and Ayr, the Moderator of the Presbytery of Glasgow, and the Moderator of the Presbytery of Dumbarton, all and each of them for the time being. Any six of these nine, all the rest being duly summoned, shall constitute a quorum, who are hereby vested with the power of

calling for the records of the eighty-one trustees, and of the committee of ordinary managers afterwards mentioned, of inspecting the apparatus and property belonging to the institution; and where they observe anything managed not agreeably to the intention of the Founder, or to the advantage of the institution, to correct the mismanagement by their orders, and to enjoin and enforce faithful administration.

Article Fifth.—There shall be four general meetings of the whole trustees every year, upon the longest and shortest days, and at the vernal and autumnal equinoxes. When any of these days shall happen to be on Sunday or the Lord's day, the respective meetings shall be held upon the Mondays immediately following; and at these four meetings every thing relative to the interest of the institution shall be considered and debated upon; and an order or resolution shall be entered in the minutes according to the opinion of the majority of those present taken by the ballot. Thus every three months there will be a stated and general meeting of the whole trustees, without the necessity of any summons; and in the meeting which shall be held annually on the longest day, a committee of managers, to be denominated "the ordinary managers," nine in number, resident in Glasgow, shall be elected by ballot from the whole trustees, by the majority of those present. They shall be elected for twelve calendar months only, from that date, and then their office shall be at an end; but they may be re-elected as often as shall be thought proper by the general meeting, provided they are always re-elected for twelve calendar months only, and by the ballot.

Article Sixth.—The nine ordinary managers, to be elected as provided in the last article, shall immediately choose a president and clerk by the ballot; they shall meet upon the first Saturday of every month, and oftener if necessary, in order to see that everything relating to the institution is carried on with propriety, and according to the nature of the institution, and the order of the trustees. They shall correct whatever is amiss, and make a report of their proceedings to each of the four general meetings.

Article Seventh.—These eighty-one trustees are appointed by me, in order to manage an University, or Studium Generale, for the improvement of human nature, of science, and of the country where they live; and they are earnestly requested to accept of the office conferred upon them, for these three reasons. But if from their distance from Glasgow, or from any other cause, they shall find it inconvenient to act as trustees, they are requested to resign speedily, that other persons in or near Glasgow may be elected in their places; and it is hoped that the persons who do accept will reckon it an honour to be trustees, as they will be possessed of the power of managing an institution that may in time be a great benefit to their kindred and their country. If any person appointed a trustee, or elected to be a trustee, shall be absent from six general meetings of the trustees in succession, he shall, ipso facto, cease to be a trustee, and another shall be elected in his place, according to the rules laid down.

This institution is called an University, because that word has long been entirely appropriated to a literary body, and for the purpose of giving degrees; whereas though the word College is often applied to a literary body for the education of youth, yet it is likewise often applied to bodies the object of whose institution is the mechanic arts, or health, or commerce, and many other things totally

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different from learning. This new institution, therefore, is called "Anderson's University." It would not be proper to give it the name of Glasgow, or a word connected with that name, because that would make a constant confusion between it and the old University and College of Glasgow; and it has a better title to my name on account of the property bequeathed, than Mr. Stirling's small donation of books had to perpetuate the name of Stirling's now extensive library, in consequence of large subscriptions made to it. It is to be under the management of the eighty-one trustees above described, and to comprehend four colleges, besides a school or an academy. These four colleges are the College of Arts, the College of Medicine, the College of Law, and the College of Theology. Each college is to consist of nine professors, the senior of whom is to be President or Dean, and the whole, when acting in one body, are to be called by the name of the Faculty of that College: thus, the Faculty of Arts, the Faculty of Medicine, the Faculty of Law, and the Faculty of Theology. Five professors shall make a quorum in each of these faculties, and nine in the Senate of the University. When degrees are to be granted in any of these four faculties, the faculty in which it is asked will meet by itself, examine the candidate, and make a report to all the four when united together, which conjunct body shall be called the Senate of Anderson's University; and which shall have the power of giving degrees by the ballot, and of making proposals to the trustees for the improvement of education. The senior of the four Deans shall be President of the Senate of the University, and degrees shall be given by the Senate in each of the faculties in this manner: In the Arts, the degree of Bachelor of Arts, and Master of Arts; in Medicine, the degree of Bachelor of Medicine, and Doctor of Medicine; in Law, the degree of Bachelor of Law, and Doctor of Law; and in Theology, the degree of Bachelor of Divinity, and Doctor of Divinity. Valeant quantum valere possunt. If they shall have no political effects like the degrees of old universities, they will, however, prove two things, if wisely conferred. The first, that the persons who have received them have made good progress in learning; and the second, that they are persons of worth, and, therefore, they have all the qualifications of those who possess other degrees, excepting merely the forms. Besides this university comprehending four colleges, as now described, there shall be a school or an academy under the management of the said eighty-one trustees, in order to carry on the early part of the education of the youth, and in a manner pointed out in the codicil to this will. I do hereby nominate and appoint the following persons to be professors in the College of Arts: first, Mr. William M'Ilquham, otherwise called William Meikleham, to be Professor of Physics or Natural Philosophy, and Dean of this Faculty, the same person, viz., who is at present my assistant in giving lectures in Glasgow College; second, Mr. James Richardson, student of Divinity, at Clyde Ironworks, to be Professor of Ethics; third, Mr. Robert Kay, student of Divinity, in George Street, Glasgow, to be Professor of Logic and Rhetoric; fourth, Mr. James Jackson, student of Theology in the University of Glasgow, to be Professor of Greek; fifth, the Reverend James Begg, minister at Calton, to be senior Professor of Latin and Polite Literature; sixth, Mr. Archibald Glen, student of Theology in the University of Glasgow, to be junior Professor of Latin and Polite Literature; seventh, Mr. William Nicol, assistant to the Reverend Dr. Gillies, to be Professor of Civil History; eighth, Mr. Robert Lothian, at present

teacher of Mathematics in Glasgow, to be Professor of Mathematics; and ninth, Mr. William Cooper, surgeon in Glasgow, above mentioned, to be Professor of Chemistry. The nine professorships being Physics, Ethics, Logic and Rhetoric, Greek, senior Latin, junior Latin, Civil History, Mathematics, and Chemistry. I do hereby nominate and appoint the following persons to be Professors in the College of Medicine: first, Dr. Peter Wright to be Professor of the Institutes or Theory of Medicine, and Dean of this Faculty; second, Mr. James Montcath to be Professor of the Practice of Medicine; third, Mr. John Burns, son of the said Reverend Mr. Burns, to be Professor of Anatomy and the Theory of Surgery; 4th, Mr. Peter Rolland, surgeon in Glasgow, to be Professor of Practical Surgery; fifth, Mr. William Anderson, surgeon in Glasgow, to be Obstetrical Professor; sixth, Mr. John Balmanno, druggist in Glasgow, to be Professor of Materia Medica; seventh, Mr. John Scruton, surgeon in Glasgow, to be Professor of Clinical Cases; eighth, Mr. Robert Cowan, surgeon in Glasgow, to be Professor of Botany; and ninth, Mr. David Ure, preacher of the Gospel, to be Professor of Natural History. The nine professorships being Institutes of Medicine, Practice of Medicine, Anatomy and Theory of Surgery, Practical Surgery, the Obstetrical Art, Materia Medica, Clinical Cases, Botany, and Natural History. I hereby nominate and appoint the following persons to be Professors in the College of Law: first, Mr. John Wilson Rae, advocate, to be Professor of the Roman Law, and Dean of this Faculty; second, Mr. William Rae, his brother, to be Professor of the Law of Scotland; third, Mr. Thomas Falconer, writer in Glasgow, to be Professor of English Law; fourth, Mr. William Marshall, writer in Glasgow, to be Professor of the Law of Nature and Nations; fifth, Mr. John M'Ewen, writer in Glasgow, to be Professor of Roman Antiquities; sixth, Mr. McGregor, writer in Glasgow, to be Professor of Scottish Antiquities; seventh, Mr. James Mathie, writer in Glasgow, to be Professor of Ecclesiastic Law; eighth, Mr. Archibald Smith, writer in Glasgow, to be Professor of Commercial Law; and ninth, Mr. Robert Park, writer in Glasgow, to be Professor of the Practice in the Courts of Scotland. These nine professorships being Roman Law, Law of Scotland, English Law, Law of Nature and Nations, Roman Antiquities, Scottish Antiquities, Ecclesiastic Law, Commercial Law, and the Practice in the Scottish Courts. I hereby nominate and appoint the following persons to be Professors in the College of Theology: first, Systematic Divinity according to the Church of Scotland, by the Reverend Mr. John Burns, minister of the Barony parish, who is hereby appointed Dean of this Faculty; second, Critical explanations of the Scriptures, by the Reverend Mr. Robert Balfour, of the Outer High Church; third, Church History, by the Reverend Mr. H. Muschet, minister of Shettleston; fourth, Oriental Languages, by the Reverend Mr. James M'Lean, minister in Gorbals; fifth, the Burgher System of Divinity, by the Reverend Mr. Pirrie, minister in Glasgow; sixth, the Anti-Burgher System, by the Reverend Mr. J. Jamieson, son of the late Mr. Jamieson, minister in Glasgow; seventh, the Relief System, by the Reverend Mr. Bell, minister in the Dowhill of Glasgow; eighth, the Gaelic Language, by the Reverend Mr. M'Intosh, minister of the Gaelic chapel in Glasgow; ninth, Sacred Music, by the Reverend Mr. Walter Young, minister in Erskine. These nine professorships being Systematic Divinity according to the Church of Scotland, Critical Explanations of the Scriptures, Church History,

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Oriental Languages, the Burgher System of Divinity, the Anti-Burgher System, the Relief System, the Gaelic Language, and Sacred Music. Though it is probable that many of these thirty-six Professors will not accept, yet it is proper for me to nominate the whole number, that the nature of the four colleges and of the university may be distinctly understood, and in the course of time, perhaps, from these small beginnings this institution may become a seminary of sound religion, useful learning, and liberality of sentiment. When a vacancy shall happen in any of these professorships, by death, resignation, or deprivation, it shall be supplied in the following manner: first, the ordinary managers shall, within nine days after the vacancy, desire the Senate of the University, consisting of all the four faculties, to recommend three persons by ballot, who, in their opinion, are well qualified to supply the vacancy; secondly, this recommendation of three persons by the Senate shall be laid before the first general meeting of the trustees which shall happen not sooner than six weeks after the time of the vacancy, and the said general meeting shall choose one of the three so recommended to them, and shall nominate and appoint him to supply the vacancy. In case the Senate shall not deliver their recommendation of three persons to the said general meeting, then the said general meeting shall choose by ballot, shall nominate and appoint any person whom they shall judge to be best qualified to supply the vacancy. And it is hereby enacted that if the trustees shall not within three calendar months after the said general meeting elect a person to supply the vacancy, then shall their power of election devolve to the faculty of the College in which the vacancy is, which faculty shall elect a professor in the manner above stated within nine days, and if not, their right shall devolve to the junior professor or the last made professor of the whole Senate.

ARTICLE EIGHTH.—There are four essential parts of this institution which I do hereby enact and appoint; viz.,—

First Part.—No person connected with the University or College of Glasgow, as a chancellor, rector, dean, visitor, principal, professor, lecturer, or servant, or connected with it in any other way under any other name or office, as for instance, operator to the Professor of Natural Philosophy, or to the Lecturer on Chemistry, or to any other professor or lecturer, or without the name of an office, as for instance, maker of apparatus for the Professor of Natural Philosophy or Chemistry, or any philosophical or mathematical apparatus for any professor in that university, can be connected with Anderson's University as a trustee, ordinary manager, operator, or maker of instruments, or can enjoy any office of honour, respect, or profit of any kind; the intention of this institution being to keep the two universities completely separated in every respect, from which much good, it is hoped, will ensue. * * * * * *

Second Part.—No person belonging to the government of the city of Glasgow, excepting those of the said first class, shall be capable of holding any office either of honour or profit in Anderson's University; it being the will of the Founder, and for the advantage of the institution, that the visitors shall be a check or control upon the trustees and ordinary managers, and on that account shall have no connexion with the University but by the visitorial power which is given to the visitors, established by the third article.

Third Part.—The professors in this University shall have no incorporate power like the professors of the faculty of Glasgow College, except what is

literary, and for the government of the students. They shall never be trustees nor ordinary managers at the same time that they are professors. Their whole power shall consist in meeting with their respective colleges above described, and in the Senate of the University for the giving degrees and rewards to the students, and in giving lectures and rewards to the students, and in giving lectures and holding examinations of the students as to their progress in learning, the mode of which shall be entirely under the direction of the trustees, or major number of them present at any meeting of the whole to be summoned to attend it. The professors in this University shall not be permitted, * * * * * to be drones or triflers, drunkards, or negligent of their duty in any manner of way, while at the same time the trustees shall give every encouragement to such as are laborious and active in doing their duty. And if any of the said professors shall misbehave, so as to neglect his duty in any manner of way, he shall be tried at a meeting of the ordinary managers, and acquitted, or censured, or suspended, or expelled, according to the nature of his offence, by the majority of votes present given by the ballot by the said ordinary managers; from which sentence he may appeal to the next general meeting of the trustees, which shall be summoned by letters to each of them, and sent four weeks, at least, before the day of trial; and this general meeting shall condemn or acquit by the majority of votes, given likewise by the ballot; and from the decision of this general meeting there shall lie no appeal to any other meeting, court, person, or persons whatever.

Fourth Part.—An accompt of the property and funds of this University, as bequeathed by me to the trustees, will be found in the codicil to this will; and if from very small beginnings they shall increase as much and as speedily as the funds of Stirling's Library in the city of Glasgow have done, and as may, perhaps, be expected from the donations of liberal-minded persons, the capital of this University may, in a short time, arise to a considerable sum, an accompt of which shall be kept with accuracy and simplicity, and balanced at least once every year. No part of these funds shall ever go to any of the trustees, and if additions shall be made to the salaries of any of the professors, it shall be with prudence, and in order to encourage merit. * * * *

Article Ninth.—I appoint the said trustees to observe the following rules and regulations in the management of this institution:

First Rule.—The Professor of Natural Philosophy in this University shall give lectures in the city of Glasgow, to be called the "Mathematical Course," every year from the first day of November to the first day of May, according to the plan which I have long carried on in Glasgow College with great success; the Mondays, Wednesdays, Fridays, and Saturdays being appropriated to the mathematical part of physics, without any experiments; and the Tuesdays and Thursdays being appropriated to the experimental part of physics, without any mathematics; the hours of lecturing and examination to be regulated by the trustees, as well as the honorarium, or fee.

Second Rule.—Besides the above-mentioned course of physical lectures, another course shall likewise be given by the same professor, at least once every year, to be called "The Ladies' Course of Physical Lectures," in which no mathematical reasoning shall be used; and it shall be similar to the course on the Tuesdays and Thursdays above mentioned; but with this difference, that the audience shall consist of both ladies and gentlemen. The time of the year,

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the days of the week, the hours of the day, the honorarium, and every thing relating to it, shall be appointed by the trustees, under the direction of the ordinary managers. The intention of this course of lectures is, that the ladies in Glasgow may have an opportunity, for a small sum, and in the early part of life, of being at several of these courses of lectures, by which their education for domestic affairs will not be interrupted; no pedantic language will be acquired, as is often the case in a more advanced age; and such a stock of general knowledge will be laid in, as will make them the most accomplished ladies in Europe. Nor is this expecting too much, as it is well known that by the course of experiments which I have given annually for many years, according to the plan in my Institutes of Physics, upon the Tuesdays and Thursdays, the manufacturers and artificers in Glasgow have become distinguished in a high degree for their general knowledge, as well as for their abilities and progress in their several arts.

Third Rule.—Of the eighty-one trustees, twenty, if they choose it, shall have gratis tickets to every lecture by rotation, beginning with the seniors; but their tickets shall not be transferable to other persons.

Fourth Rule.—The name of each lady and gentleman, with the signature of the professor, and two of the ordinary managers, shall be written upon their tickets, which shall not be transferable; and the ordinary managers shall have a right to exclude from these lectures, by the ballot, any person whatever, without giving any reason, that no men may be admitted who are disorderly, talkative, ill-bred, or intoxicated, and no women that are giddy, or incorrect in their manners. If they do not like these conditions, they need not apply for tickets; for upon these conditions alone they can be received; and it is better that these nine ordinary managers should sometimes be over severe, than that any disorderly persons of either sex should be admitted.

Article Tenth.—I direct and appoint, first, that the ordinary managers and visitors shall be summoned to each of their meetings by a written notice, specifying the place, day, hour of meeting, with the heads of the business to be transacted, and not less than forty-eight hours, nor more than one hundred and ninety-two hours before the meeting. Secondly, that the summons shall be given upon the application of any three of the ordinary managers to the president of the ordinary managers; and by any three of the visitors to the Lord Provost, who is president of the visitors. In case of sickness, or in the absence of the president of the ordinary managers, or visitors, the next in seniority of the managers, and the eldest bailie, or dean of guild, and so on, of the visitors, shall act as president. Thirdly, these meetings are hereby vested with the power of adjourning themselves from time to time, and of calling pro re nata meetings; and all questions in any of these meetings, excepting as provided in the following article, shall be decided by a majority of the members present, and by ballot.

Article Eleventh.—The said trustees, or two thirds of their number present at any meeting to be called for the purpose, shall have, and are hereby vested with, full power to enact and ordain byelaws, rules, and regulations for the better governing and promoting the purposes of this institution, and to alter, amend, and repeal the same: Provided always, that such byelaws and regulations be not contrary to, nor inconsistent with, the object and design of this institution; and provided likewise, that notice or intimation of these byelaws, or new regulations proposed, shall have been entered in the record six weeks at least before the time of their discussion or enactment.

ARTICLE TWELFTH.—In the event of the said eighty-one trustees not accepting, or dying, or being otherwise reduced below the number nineteen, without being filled up by successors as before provided, I hereby dispone and convey, leave and bequeath the whole subjects I have made over as before to these eighty-one trustees to the Convenery or Trades' House of Glasgow, to the ministers of the Established Church in Glasgow and of the Barony parish, for the time being, to the Faculty of Procurators in Glasgow, and to the Faculty of Physicians and Surgeons in Glasgow, and such of them as shall accept and act as fiduciaries and trustees, for the uses of the said institution; with power to each of these bodies to elect by ballot three persons out of each of their number annually to be ordinary managers; and hereby committing to these bodies, and the acceptors of them, as trustees, and to the ordinary managers to be annually named by them, the whole powers, and subjecting them to the whole rules and regulations before laid down for the direction and management of the foresaid institution.

ARTICLE THIRTEENTH.—I ordain and appoint my said trustees and executors, or such of them as shall accept, to apply to the City Council of Glasgow for a charter, or seal of cause, erecting and constituting the said trustees and ordinary managers, and visitors, into a corporation and body politic, for the more effectually vesting in the trustees the property of the subjects hereby conveyed and bequeathed; and communicating to them and to the visitors legal powers of administration, and of check and control for the benefit and advantage of the institution.

ARTICLE FOURTEENTH.—I do hereby constitute and appoint Mr. John Parsell, my amanuensis and operator, during his residence in Glasgow, or its vicinity, to be clerk to the general meetings of the trustees, to the meetings of the ordinary managers, and to be operator to Mr. Meikleham, the Professor of Natural Philosophy; he in all these situations behaving as becometh, according to the judgment of the ordinary managers.

ARTICLE FIFTEENTH.—I nominate and appoint the said Dr. Peter Wright; Mr. John Wilson, town clerk; the Reverend Mr. John Burns; Mr. James Monteath, surgeon; Mr. James Crichton, senior, in Charlotte Street; Mr. James Fram, in Calton; Mr. William Reid, printer in Glasgow; Mr. William Meikleham, my assistant; and Mr. John Parsell, my amanuensis and operator, and the major number of the acceptors and survivors of them, to be my executors, with all the powers by law belonging to that office; declaring them liable for intromissions only, and each for his own actings only. Immediately upon my death, they shall act according to a codicil to be annexed; and in default thereof, according to their legal powers; and their powers of acting for the benefit of the institution shall not only exist till there shall be held a general meeting of the trustees, and till the nine ordinary managers shall begin their operations, by carrying all the parts of the institution into effect in the best and speediest manner, but for a whole year afterwards, that the ordinary managers may have the advantage of their aid and advice, as several of them are well acquainted with the apparatus, the furniture and books, and every part of the institution. And I reserve my own liferent of the premises, and full power and faculty at any time of my life, etiam in articulo mortis, to revoke, alter, or qualify these presents. And I dispense with the delivery hereof, and declare that these presents, though found in my own possession, or in the custody of any other person to

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whom I shall commit the keeping hereof, as intimated to the executors by letters from me, shall have all the force of a delivered deed, any law or practice to the contrary notwithstanding. And I consent to the registration hereof in the books of Council and Session, or of any other competent court, therein to remain for preservation, and thereto constitute Mr. Charles Hay, advocate, prors. In witness whereof these presents (written on this and the seven preceding pages of stamped paper by Hugh Kerr, clerk to John Wilson, town clerk of Glasgow) are subscribed by me at Glasgow, the seventh day of May one thousand seven hundred and ninety-five years, before these witnesses, John Malcolm, shoemaker, in High Street of Glasgow, and the said Hugh Kerr.

JOHN ANDERSON.

HUGH KERR, witness.
JOHN MALCOLM, witness.

SECOND SCHEDULE.

DEED OF TRUST OF JOHN FREELAND, DATED 19TH NOVEMBER 1861.

I, John Freeland, Esquire, residing in Nice, being desirous to settle, in manner underwritten, the sum of seven thousand five hundred pounds for the purpose of promoting the permanent establishment, in Anderson's University, of popular lectures on certain subjects herein-after specified, do therefore hereby give, grant, and assign the said sum of seven thousand five hundred pounds to Walter Crum, of Thornliebank; Andrew Bannatyne, writer in Glasgow, William Euing, insurance broker there; James M'Clelland, chartered accountant there; and Robert Freeland, merchant there, and the survivors or survivor of them continuing to act, and to the managers for the time being of Anderson's University, and their successors in office, as trustees, for the ends, uses, and purposes after expressed; but declaring always, that until the trustees above named and designed are, by death, resignation, or other disqualification reduced to three, these trustees shall act exclusively as trustees under these presents; and the appointment as trustees of the said managers for the time being of Anderson's University, and their successors in office, shall, until that event, be and remain in abeyance; and further declaring that, until the trustees above named and designed are reduced as aforesaid to three, a majority of their number shall be a quorum; but thereafter when the said managers are associated with them, as well as after the death of the said trustees above named and designed, any five shall be a quorum; but the said sum of seven thousand five hundred pounds is given and shall be accepted in trust always and only for the ends, uses, and purposes after expressed; that is to say, in the first place, for payment out of each year's income thereof of the expenses of every kind, whether chargeable to capital or income, that may be incurred by the trustees during that year, it being hereby expressly provided and declared that on no account or pretext whatever shall the capital of the said sum of seven

thousand five hundred pounds be encroached upon for any purpose whatever; in the second place, if and when the said trustees shall see fit, they shall be entitled and they are hereby authorised, out of each or of any year's income, to set apart and apply, or accumulate, such portion thereof as in their discretion they may consider expedient for the purpose of purchasing apparatus, in order the better to illustrate all or any of the courses of lectures herein-after specified, or for the purpose of otherwise promoting the utility and success of all or any of the said courses; and in the third place, the said trustees shall each year distribute, in such proportions as they shall see fit, the remainder of each year's income of the said capital sum among such of the professors of Anderson's University as shall be appointed by the said trustees to deliver annually or periodically in that university separate courses of popular lectures on the three following subjects, or any of them; viz., (first) Chemistry, (secondly) Mechanical and Experimental Physics, and (thirdly) Anatomy and Physiology; but providing always and declaring, as it is hereby expressly provided and declared, that none of the professors of Anderson's University shall have any vested interest in the said income or any part thereof; and that the said trustees, if and when they see cause, shall be entitled and are hereby authorised, instead of appointing such professors to deliver the said lectures, to appoint for any year or for any course any other lecturer or lecturers, and to pay such other lecturer or lecturers such portion of the said income as to the said trustees shall seem meet; and for the better enabling the said trustees to carry the purposes of this trust into effect, I do hereby empower them to invest the said capital sum, or any part thereof, in the purchase of feu duties, or of ground annuals, or of perpetual debenture railway stock, or upon loan upon heritable security, or on the security of the bonds, mortgages, or debentures of any incorporated company, and to realise the investments, and re-invest from time to time as aforesaid; but I expressly direct and appoint the said trustees to take every investment in their own names as trustees, for the ends, uses, and purposes foresaid, and on no account, either temporarily or permanently, to allow the same to be mixed up with the funds of Anderson's University, or lent to the managers thereof: And I farther empower the said trustees, herein-before named and designed, notwithstanding of anything herein-before contained, even although their number is not reduced to three, to assume as trustees alongst with them the managers for the time being of Anderson's University, and their successors in office; but such assumption shall be competent only in the event of the trustees herein-before named and designed being unanimously of opinion that such assumption will be for the interest of the trust; and in case of such assumption, five shall be a quorum: And I expressly provide and declare, that it shall not be competent to assume into this trust any parties as trustees except the managers for the time being of Anderson's University, or their successors in office, it being my intention that on the death, resignation, or other disqualification of the trustees herein-before named and designed the management of this trust shall devolve upon the said managers and their successors in office: And I farther empower the said trustees to appoint any one of their own number or any other person to be secretary and cashier to this trust, with such moderate annual allowance for his trouble as the said trustees shall consider proper; and it shall be the duty of the said secretary and cashier to keep a correct minute book of the proceedings of the trustees, and a cash book con-

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taining all his intromissions with the trust funds, which cash book shall be examined, and, if correct, docquetted once a year, or oftener, by the said trustees; but the said office of secretary and cashier shall be held only during the pleasure of the trustees, and they shall be entitled to suspend and dismiss him, without reason assigned, at pleasure, and to appoint another in his stead: And I farther empower the said trustees, annually or periodically, to appoint the lecturers who are to deliver the foresaid courses, and to fix upon the description and number of lectures to be so delivered, and the time and place of delivery, and the fees to be paid by students for attendance, and generally the whole arrangements of the courses: And I farther direct that, upon the requisition of the convener for the time being, or of any two of the trustees, the trustees shall hold meetings from time to time, as occasion may require; but at all events they are hereby required to meet once a year on the twenty-second day of June, if not a Sunday, or if a Sunday upon the Monday following that day, for the purpose of making arrangements for the next ensuing course of lectures, at which meeting they shall also appoint a convener for the ensuing year, and such convener, if present, shall be chairman of the meetings of the trustees, but if absent, the meeting shall elect their chairman: And I farther direct that at all meetings of the trustees where a quorum is present, a majority of those present shall rule the minority; and in case of equality, the chairman shall have both a deliberative and a casting vote: And I farther empower the said trustees at any meeting to appoint and elect committees of their number, either permanent or temporary, for all or any of the objects of the trust; and I declare that the trustees herein-before named shall be entitled, if and when they see fit, to resign the office of trustees, notwithstanding of having accepted thereof: And I farther declare that none of the trustees shall be responsible for loss or depreciation of investments, or for the solvency of the parties to whom they may lend any part of the trust funds on heritable security, or for the solvency or fidelity of any secretary and cashier they may appoint, nor for the intromissions of each other, but each only for his actual intromissions; and I consent to the registration hereof for preservation. In witness whereof these presents, written upon this and the two preceding pages of paper, to be duly stamped, by William Barr Crawford, apprentice to Andrew Bannatyne and Anderson Kirkwood, writers in Glasgow, are signed, sealed, and delivered by me at Nice aforesaid, upon the nineteenth day of November in the year eighteen hundred and sixty-one, before these witnesses, Jean Honore Gastand, banker, Nice, and William Larke, landowner there.

Signed, sealed, and delivered by the said John Freeland before and in presence of Jn. Hre. Gastand, banker, witness. William Larke, landowner, witness. } John Freeland. (L.S.)

THIRD SCHEDULE.

DEED OF TRUST OF WILLIAM EUING, DATED 31ST MAY 1866.

I, William Euing, insurance broker in Glasgow, being desirous to settle in trust, in manner underwritten, the sum of three thousand pounds for the purpose of permanently establishing in Anderson's University popular lectures on the subject herein-after specified, do therefore hereby give, grant, and assign the said sum of three thousand pounds to Walter Crum, of Thornliebank; Andrew Bannatyne, writer in Glasgow; James M'Clelland, chartered accountant there; Robert Freeland, merchant there; and to myself, the said William Euing, and to the survivors and survivor of them and me continuing to act, and to the managers for the time being of Anderson's University, and their successors in office, as trustees for the ends, uses, and purposes after expressed; but declaring always, that until the five trustees above specially named and designed are, by death, resignation, or other disqualification, reduced to three, these trustees shall act exclusively as trustees under these presents, and the appointment as trustees of the said managers for the time being of Anderson's University, and their successors in office, shall, until that event, be and remain in abeyance; and further declaring that until the trustees above named and designed are reduced as aforesaid to three a majority of their number shall be a quorum; but thereafter, when the said managers are associated with them, as well as after the death of the said trustees above named and designed, any five shall be a quorum: but the said sum of three thousand pounds is given and shall be accepted in trust always and only for the ends, uses, and purposes after expressed; that is to say, in the first place, the said trustees shall set apart the capital sum of two hundred and fifty pounds, and shall apply the same or such portion thereof as from time to time they may see fit, for the purpose of purchasing musical instruments, books upon music or containing music, and musical apparatus, in order the better to illustrate the courses of lectures herein-after specified: In the second place, the said trustees shall, out of each year's income of the farther capital sum of two hundred and fifty pounds, pay the expenses of every kind, whether properly chargeable to capital or income, that may be incurred by the trustees during that year; and I expressly provide and declare that on no account or pretext whatever shall the said farther capital sum of two hundred and fifty pounds be encroached upon for any purpose whatever: In the third place, the said trustees shall each year set apart and pay the whole, or so much as they may see fit, of each year's income of the remaining capital sum of two thousand five hundred pounds, under such conditions as they may provide, to some properly qualified person or persons who shall be chosen and appointed by them each year to deliver courses of popular lectures in Anderson's University upon the History and Theory of Music, and upon the lives of eminent musicians, and also upon such branches of Acoustics as may be connected with and illustrate the science and practice of music: And in the fourth place, the said trustees, if they shall not expend the whole of any year's income of the said farther capital sum of two hundred and fifty pounds, or if they shall not set

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apart and pay the whole of any year's income of the said remaining capital sum of two thousand five hundred pounds to the lecturer or lecturers so chosen and appointed, shall retain and hold the balance unexpended or unpaid for the purposes of this trust, to be applied by them in future years either to the purchase of musical instruments and others as mentioned in the first article hereof, or otherwise, as they shall see fit: And for the better enabling the said trustees to carry the purposes of this trust into effect, I do hereby empower them to invest the said capital sums or any part thereof in the purchase of feu duties or ground annuals, or of the debentures or stocks of any railway or canal company, or upon loan upon heritable security, or on the security of the bonds, mortgages, or debentures of any incorporated company, and at discretion to realise the investments, and re-invest from time to time as aforesaid; but I expressly direct and appoint the said trustees to take every investment in their own names as trustees, for the ends, uses, and purposes foresaid, and on no account, either temporarily or permanently, to allow the same to be mixed up with the funds of Anderson's University, or lent to the managers thereof: And I farther empower the said trustees herein-before named and designed, notwithstanding of anything herein-before contained, even although their number is not reduced to three, to assume as trustees alongst with them the managers for the time being of Anderson's University and their successors in office; but such assumption shall be competent only in the event of the trustees herein-before named and designed being unanimously of opinion that such assumption will be for the interest of the trust; and in case of such assumption, five shall be a quorum: And I expressly provide and declare, that it shall not be competent to assume into this trust any parties as trustees except the managers for the time being of Anderson's University, or their successors in office, it being my intention that, on the death, resignation, or other disqualification of the trustees herein-before named and designed, the management of this trust shall devolve upon the said managers and their successors in office: And I further empower the said trustees to appoint any one of their own number, or any other person, to be secretary and cashier to this trust, with such moderate annual allowance for his trouble as the said trustees shall consider proper; and it shall be the duty of the said secretary and cashier to keep a correct minute book of the proceedings of the trustees, and a cash book containing all his intromissions with the trust funds, which cash book shall be examined, and, if correct, docquetted once a year, or oftener, by the said trustees; but the said office of secretary and cashier shall be held only during the pleasure of the trustees, and they shall be entitled to suspend and dismiss him, without reason assigned, at pleasure, and to appoint another in his stead: And I farther empower the said trustees, annually or periodically, to fix upon the description and number of lectures to be so delivered, and the time and place of delivery, and the fees to be paid by students for attendance, and generally the whole arrangements of the courses: And I farther direct that, upon the requisition of any two of the trustees, the trustees shall hold meetings from time to time as occasion may require, at which meetings a chairman shall be elected, and where a quorum is present a majority of those present shall rule the minority, but in case of equality the chairman shall have both a deliberative and a casting vote: And I farther empower the said trustees at any meeting to appoint and elect committees of their number, either permanent or temporary, for all or any of the objects of the

trust: And I declare that the trustees herein-before named shall be entitled, if and when they see fit, to resign the office of trustees, notwithstanding of having accepted thereof: And I farther declare that none of the trustees shall be responsible for loss or depreciation of investments, or for the solvency of the parties to whom they may lend any part of the trust funds on heritable security, or for the solvency or fidelity of any secretary and cashier they may appoint, nor for the intromissions of each other, but each only for his actual intromissions: And lastly, in respect the institution of a lectureship on Music is to some extent experimental, I reserve power to myself, at any time during my life, to revoke this deed, whereupon the trust hereby constituted shall eo ipso come to an end, and the trustees shall be obliged to denude themselves of the trust funds and estate in my favour; and I bind myself and my heirs and executors to free and relieve them of all obligations they may have legally undertaken in the premises; and I consent to the registration hereof for preservation. In witness whereof these presents, written upon this and the two preceding pages by John Lockhart, clerk to Bannatynes, Kirkwood, & M'Jannet, writers in Glasgow, are subscribed by me at Glasgow, upon the thirty-first day of May in the year one thousand eight hundred and sixty-six, before these witnesses, David M'Cowan and John Guthrie Smith, both insurance brokers in Glasgow.

Wm. Euing.

Dav. M'Cowan, witness.
J. Guthrie Smith, witness.

FOURTH SCHEDULE.

Deed of Trust of James Young, dated 8th July 1870.

I, James Young, of Kelly, being desirous to settle, in manner underwritten, the sum of ten thousand five hundred pounds sterling for the purpose of founding and providing for the permanent establishment and support, in connexion with Anderson's University of Glasgow, of a Chair of Technical Chemistry, to be denominated "The Young Chair of Technical Chemistry," do therefore hereby give, grant, and assign the said sum of ten thousand five hundred pounds sterling to James Young, junior, residing at Limefield; William Euing, insurance broker, Glasgow; Alexander Harvey, dyer, Govanhaugh, Glasgow; Hugh Bartholomew, gas engineer, Glasgow; and James Napier, chemist, Glasgow; and to myself, the said James Young, and the survivors or survivor of them and me continuing to act, and to such other person or persons as may be appointed trustees under these presents, and that as trustees, for the ends, uses, and purposes after expressed, the majority of the said trustees acting for the time being always a quorum: but the said sum of ten thousand five hundred pounds is given, and shall be accepted, in trust always and only for the ends, uses, and purposes after expressed; that is to say, first,

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for payment out of each year's income thereof of the expenses which may be incurred by my said trustees during that year in the management of the trust hereby created; second, my said trustees shall hold five thousand pounds of the said sum of ten thousand five hundred pounds, and apply the income and revenue thereof (under deduction of a relative proportion of the expenses, as provided for by the first purpose hereof) in the purchase of apparatus and other articles requisite for the prosecution of said study, as well as in the leasing, providing, and fitting up, and rendering suitable, or assisting to provide and fit up, and render suitable, for the accommodation of the professor and students, any apartments devoted to the prosecution of said study; with power, however, to my said trustees to apply the principal or capital of the said sum of five thousand pounds, but to the extent of four thousand pounds, and to that extent only, and from time to time, as they shall see fit or shall find necessary, in the purchase or erection or fitting up of such premises or such accommodation, or in the purchase of such apparatus and other articles as may be requisite for the prosecution of said study; third, my said trustees shall each year pay over the income or revenue arising from the sum of five thousand pounds, part of the said sum of ten thousand five hundred pounds, (under deduction of a relative proportion of the expenses, as provided for under the first purpose hereof,) to the professor to be appointed in manner herein-after mentioned to the said Chair of Technical Chemistry, such payments to be made half yearly at the terms of Whitsunday and Martinmas in each year; fourth, the sum of five hundred pounds, being the remainder of said sum of ten thousand five hundred pounds, shall be appropriated by my said trustees, but always at their own absolute discretion, and to the extent of not more than one hundred pounds in any single year, in supplementing from time to time the amount to be paid as aforesaid to the said Professor of Technical Chemistry, or in otherwise meeting the expenses or advancing the interests of the said Chair: declaring, as it is hereby expressly provided and declared, that the person to be first nominated and appointed to the said Chair of Technical Chemistry in connexion with the said Anderson's University shall be nominated and appointed by my said trustees, with my consent and approval, and shall hold the said appointment from year to year, but shall not be removable therefrom during my lifetime without my consent and approval; and that the right to all future nominations and appointments to the said Chair on the death, resignation, or removal of the person to be first appointed thereto, as above provided, shall vest in, and belong to, and be exercised by my said trustees, but always with my consent during my life; fifth, my said trustees shall have the whole power to regulate and control the practical working of the Chair hereby founded, and they shall accordingly, if and when they see fit, fix and regulate all or any of the arrangements connected with the classes and laboratory operations (including the fees to be charged from students), and generally everything they think proper for the efficient working of said Chair; sixth, my said trustees shall have power to accept bursaries and scholarships in connexion with the study of Technical Chemistry in the said University under the professor or professors to be appointed in virtue hereof, and shall also have power from time to time to make such regulations or arrangements, in connexion with the disposal of said bursaries or scholarships, as the donors may have provided and empowered or requested them to make, and as my said trustees may think fit and proper

and for the better enabling my said trustees to carry the purposes of this trust into effect, I do hereby empower them to invest the said sum of ten thousand five hundred pounds, or any part thereof, in the purchase of feu duties or of ground annuals, or of perpetual debenture railway stock, or upon loan upon heritable security, or on the security of the bonds, mortgages, or debentures of any incorporated company, and to realise such investments, and re-invest, in whole or in part, from time to time; but I expressly direct and appoint my said trustees to take every such investment in their own names as trustees foresaid, for the ends, uses, and purposes foresaid, and on no account, either temporarily or permanently, to allow the same to be mixed up with the funds of the said Anderson's University or lent to the managers thereof: And I hereby empower my said trustees to appoint and assume as trustees alongst with them, from time to time as vacancies occur through the death or resignation of my said trustees, or otherways, such of the trustees for the time being of the said Anderson's University as they think proper, declaring, however, that the number of trustees under these presents shall at no time be more than six, and that no person who is not at the time a trustee of said University shall be eligible to be assumed as a trustee under these presents; and declaring farther that on any trustee assumed under these presents becoming disqualified from being a trustee of the said Anderson's University, he shall instantly, on his becoming so disqualified, cease to be a trustee under these presents: Farther, it being my anxious desire to secure the harmonious working of the existing Chair of Chemistry in the said University and the Chair of Chemistry hereby created, I direct my trustees, with the view of promoting this object, at the outset and from time to time to confer with the managers of said University, and to communicate to the said managers a copy of the report of their whole proceedings annually: And I empower my said trustees to appoint any one of their own number, or any other person, to be secretary and cashier to this trust, with such moderate annual allowance for his trouble as my said trustees shall consider proper; and it shall be the duty of the said secretary and cashier to keep a correct minute book of the proceedings of the trustees, and a cash book containing all his intromissions with the trust funds, which cash book shall be examined, and, if found correct, docquetted once a year, or oftener, by my said trustees or any one appointed by them so to do; but the said office of secretary and cashier shall be held only during the pleasure of my said trustees, who shall be entitled to suspend and dismiss the occupant thereof, without reason assigned, at pleasure, and to appoint another in his stead: And I further direct that upon the requisition of any two of the trustees, the trustees shall hold meetings from time to time as occasion may require, at which meetings a chairman shall be elected, and where a quorum is present a majority of those present shall rule the minority, but in case of equality the chairman shall have both a deliberative and a casting vote: And I further empower my said trustees at any meeting to appoint and elect committees of their number, either permanent or temporary, for all or any of the objects of the trust: And I further declare that none of my trustees shall be responsible for loss or depreciation of investments, or for the solvency of the parties to whom they may lend any part of the trust funds on heritable security, or for the solvency or fidelity of any secretary and cashier they may appoint, nor for the intromissions of one another, but each only for his actual intromissions: But these presents are granted under

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the special declaration and provision that it shall be in the power of me, the said James Young, at any time of my life, but always with the consent and approval of the said trustees, to modify, alter, or innovate the above conditions and provisions, as to the proportions of the trust funds to be devoted to the several purposes above referred to, or otherwise, but always so as to retain and secure the application of all sums accruing to my said trustees under this deed, to the permanent establishment and support in connexion with Anderson's University of a class of Technical Chemistry; and I consent to the registration hereof for preservation. In witness whereof these presents, written upon this and the three preceding pages of stamped paper by John Thomson, clerk to Thomas Nicolson, writer in Glasgow, are subscribed by me at Glasgow, the eighth day of July eighteen hundred and seventy, before these witnesses, Alexander Moore, chartered accountant in Glasgow, and Robert Paterson, clerk to Moore and Brown, chartered accountants in Glasgow.

JAMES YOUNG.

ALEX. MOORE, witness.
ROBERT PATERSON, witness.

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