CHAPTER 55.

An Act for dissolving Magdalen Hall, in the University of Oxford, and for incorporating the Principal, Fellows, and Scholars of Hertford College; and for vesting in such College the lands and other property now held in trust for the benefit of Magdalen Hall. [7th August 1874.]

WHEREAS Hertford College in the University of Oxford was dissolved on the twenty-eighth day of June one thousand eight hundred and five:

And whereas, in accordance with the provisions of an Act passed in the fifty-sixth year of the reign of His late Majesty King George the Third, intituled "An Act to authorise such person as His Majesty shall appoint to transfer a certain sum in Three Pounds per Cent. Reduced Annuities, now standing in the name of the dissolved College of Hertford, in the University of Oxford, and also to receive dividends due upon such annuities," and of another Act passed in the same year, intituled "An Act to enable His Majesty to grant certain lands, tenements, and hereditaments escheated and devolved to His Majesty by the dissolution of Hertford College, in the University of Oxford, and the site of the said College and buildings thereon, to the Chancellor, Masters, and Scholars of the said University, in trust for the Principal and other members of Magdalen Hall for the purpose of their removing to such site, and to enable the said Chancellor, Masters, and Scholars of the said University, and the President and Scholars of Saint Mary Magdalen College to do all necessary acts for such removal," the land constituting the site of the said Hertford College, together with all other the real and personal property of which the said Hertford College was seised and possessed at the time of its dissolution, was granted, conveyed, and transferred to the Chancellor, Masters, and Scholars of the University of Oxford, in trust for the Principal and other members of Magdalen Hall in the same University, their successors and assigns, for ever: 56 G. 3. c. 95. 56 G. 3. c. 136.

And whereas Magdalen Hall now consists of a Principal, (namely, the Reverend Richard Michell, Doctor in Divinity,) ten Scholars, and certain Graduate and eighty-five Undergraduate Members, and is or claims to be equitably entitled (besides the land and property aforesaid) to other real and personal property of considerable value, now vested in trustees upon various trusts for the benefit of the said Principal and Scholars:

And whereas the Reverend Robert Gandell, M.A., of Magdalen Hall, Laudian Professor of Arabic in the University of Oxford, and the Reverend George Sturton Ward, M.A., of Magdalen Hall, have been appointed to, and have agreed to accept unendowed fellowships in the said College:

And whereas a sum of thirty thousand pounds has been transferred into and is now standing in the name of the present Chancellor of the University of Oxford, upon trust immediately after the passing of this Act to transfer the same into the name of the collegiate body to be hereby incorporated, for the endowment of Fellowships in the said body, and Francis Henry Jeune and Montague Johnstone Muir Mackenzie have been appointed the first holders of two of such Fellowships:

And whereas it will conduce to the advancement of public learning and the welfare of the members of Magdalen Hall that a collegiate body, to be known by the name of Hertford College, should be created and incorporated as a College of the University of Oxford, and that the property of Magdalen Hall should be transferred to and vested in such College, and that the provisions herein-after contained should be made for that purpose:

And whereas the Chancellor, Masters, and Scholars of the University of Oxford, in convocation assembled, at a convocation holden on the second day of June one thousand eight hundred and seventy-four, have given their assent to the dissolution of Magdalen Hall, and to the incorporation of Hertford College, and to the transferring and vesting in such College the lands and property now held in trust for Magdalen Hall:

Be it therefore 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 The Hertford College Act, 1874.

Dissolution of Magdalen Hall and creation of Hertford College.

2. Magdalen Hall is hereby dissolved, and the said Reverend Richard Michell, D.D., the Reverend Robert Gandell, the Reverend George Sturton Ward, Francis Henry Jeune, and Montague Johnstone Muir Mackenzie, and the several persons who immediately before the passing of this Act were Scholars in Magdalen Hall (and all persons who shall hereafter be duly appointed to be Fellows and Scholars respectively of, or in the College hereby created, and their respective successors as Principal, Fellows, and Scholars respectively of or in the said College) are and shall be incorporated into one body corporate, collegiate, and politic, under the name of "The Principal, Fellows, and Scholars of Hertford College, in the University of Oxford," and as such shall have perpetual succession and a common seal, and by that name may sue and be sued, and may purchase, take, hold, and dispose of lands and other property, either absolutely or subject to any trusts, and shall for all purposes be a College of the University of Oxford, and shall possess, exercise, and enjoy all such rights and privileges as are possessed or enjoyed, or can be exercised by other Colleges in the University of Oxford: Provided nevertheless, that up to and until the year 1889 at any election of Proctors by the Halls in the said University, the members of Hertford College shall be entitled to vote as if they were members of a Hall in the said University.

Transfer of property from trustees to Hertford College.

3. All lands, messuages, tenements, and hereditaments, and all rentcharges, sums of money, stocks, funds, and other securities, together with all dividends due or accruing thereon, and all other property whatsoever, of or to which any person or persons or any corporation or corporations, whether sole or aggregate, was or were immediately before the passing of this Act seised or possessed, or otherwise entitled upon any trust for Magdalen Hall aforesaid, or for the Principal or any of the Scholars thereof as such, shall immediately upon the passing of this Act vest absolutely in the Principal, Fellows, and Scholars of Hertford College, in the University of Oxford, and shall thenceforth be held, possessed, and enjoyed by them, their successors and assigns, for the same estates and under the same titles for and under which the same are now held, and upon the same trusts and for the same intents and purposes, and subject to the same rents, conditions, encumbrances (if any), powers, and provisoes upon, for, and subject to which the same would now be held if in the several instruments by virtue of which the same are now held respectively, the name of Hertford College had been inserted instead of that of Magdalen Hall, or the Principal, Fellows, and Scholars thereof, as the case may be, had been named instead of Magdalen Hall, or the Principal and Scholars thereof; and the Principal, Fellows, and Scholars of Hertford College shall be and are hereby authorised to give full and sufficient receipts for all moneys paid to them in respect of the future rents and profits of the said lands and every part thereof, and in respect of the said rentcharges and the dividends or annual proceeds of the said stocks, funds, and other securities; and such receipts shall be in all respects effectual and binding.

Members of Magdalen Hall to become members of Hertford College.

4. All persons who immediately before the passing of this Act were members of Magdalen Hall, or held any office of honour or emolument therein, shall, immediately on the passing of this Act, become and be members of, or, as the case may require, holders of the like offices in Hertford College, and shall (subject to any alterations which may hereafter be made by or according to the provisions of the statutes for the time being of the said College) be entitled to and have the like rights, privileges, honours, and emoluments respectively, and shall be subject to the like rules and regulations, and shall hold their respective offices in the said College upon the like terms as they would respectively have been subject to and would have held office in the said Hall if the same continued to exist unaffected by this Act.

Power to make statutes.

5. Subject to any Act for the time being in force for the government of the said University or of the Colleges therein, the Principal and Fellows for the time being of the said College may from time to time make, rescind, and vary such regulations, ordinances, and statutes for the government of the said College and the good discipline thereof, and the election of the Fellows and Scholars thereof as to them shall seem meet: Provided that no such regulations, ordinances, or statutes shall alter the trusts, intents, purposes, conditions, powers, or provisions mentioned in the third section of this Act, or shall have

any effect until the same have been confirmed by the Chancellor of the said University as visitor of the College, and shall also have received the approbation of Her Majesty, to be signified by an Order in Council, and forthwith published in the London Gazette, and shall have been laid before Parliament.

Preparation of statutes.

6. Statutes for the purposes above mentioned made by the Principal and Fellows of the said College, shall, after they shall have been confirmed by the Chancellor as aforesaid, be submitted for the approval of Her Majesty in Council, and it shall be lawful for Her Majesty in Council to alter and amend the same; and in case statutes are not so made and submitted on or before the first day of March one thousand eight hundred and seventy-six, it shall be lawful for Her Majesty in Council to cause statutes to be prepared for the said purposes, and any such last-mentioned statutes shall be forthwith published in the London Gazette, and at the same time laid before both Houses of Parliament if Parliament be then sitting, or if not, then within three weeks after the commencement of the next ensuing session of Parliament; and unless an address is within forty days presented by one or other of the said Houses, praying Her Majesty to withold Her consent from such statutes, or any part thereof, it shall be lawful for Her Majesty by Order in Council to declare Her approbation of the same, and such statutes shall thereupon have effect as if they had been statutes made by the said Principal and Fellows, and confirmed by the said Chancellor, and approved by Her Majesty in Council.

Power to accept endowments.

7. The said Principal, Fellows, and Scholars may from time to time accept, hold, and enjoy such gifts and endowments as may be made to them for the endowment, improvement, establishment, or maintenance of the Principalship, Fellowships, Professorships, Tutorships, Lectureships, or Scholarships within the said College, or for any other lawful purpose, upon such terms and conditions as may, with the sanction of the Chancellor of the said University, be agreed on between them and the respective donors.

Saving rights of Chancellor of the University.

8. The Principal of Hertford College shall, when and as often as a vacancy shall occur, be appointed by the Chancellor for the time being of the University of Oxford, and the Chancellor for the time being of the said University shall continue to have and exercise with respect to Hertford College all such rights and privileges, both as visitor and otherwise, as he has hitherto had and exercised with respect to Magdalen Hall aforesaid.

Saving rights of the University.

9. Except as by this Act expressly provided, nothing in this Act contained shall take away, diminish, or impede the exercise of any privilege or right whatever of the said University, or of any of the magistrates, officers, ministers, or servants thereunto belonging and now existing, and the said University, their magistrates, officers, members, or servants, shall have and exercise all such and the same privileges and rights in and over the said Hertford College as they are entitled to exercise in or over other Colleges of the said University.

Actions and other proceedings not to abate.

10. No action, suit, or other proceeding, whether at law or in equity, commenced before the passing of this Act and then pending by or against the Principal, Scholars, or other members of the said Hall, or any of them, shall abate, determine, or be otherwise impeached or affected by the passing of this Act, but every such action, suit, or other proceeding may be continued by or against the said Principal, Fellows, and Scholars of Hertford College as though they had been originally named therein; and any notice, fine, requisition, warrant, summons, pleading, writ, or other process, record, deed, contract, agreement, writing, or instrument made, issued, written, or commenced at the time of the passing of this Act shall be as valid and effectual for, against, and with relation to the said Principal, Fellows, and Scholars of Hertford College as though the same Principal, Fellows, and Scholars had been named therein instead of the Principal, Scholars, or other members of Magdalen Hall.

General saving of rights.

11. Notwithstanding the provisions of this Act everything before the passing thereof done, suffered, or confirmed by or on behalf of the Principal and other members of the said Hall, or any of them, shall be as valid as if this Act were not passed, and the passing of this Act shall not prejudice anything so done, suffered, or confirmed before the passing thereof, or any rights, liabilities, claims, or demands, present or future, which

if this Act had not been passed would be incident to or consequent on anything so done, suffered, or confirmed.

Validity of deeds and instruments preserved.

12. All deeds, wills, instruments, purchases, sales, and contracts made before the passing of this Act in which the Principal and members of Magdalen Hall aforesaid. or any of them, are named shall be as effectual to all intents and purposes in favour of or against and with respect to the Principal, Fellows, and Scholars of Hertford College as if they respectively had been named therein instead of the Principal and Scholars or other members, as the case may be, of Magdalen Hall, and as if the words Hertford College had been inserted therein instead of Magdalen Hall.

Not to repeal provisions of 34 & 35 Vict. c. 26.

13. Nothing in this Act contained shall be construed to repeal any of the provisions of the "University Tests Act, 1871."

CHAPTER 56.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-five, and to appropriate the Supplies granted in this Session of Parliament. [7th August 1874.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech 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:

Grant out of Consolidated Fund.

Issue of 25,497,568*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-five, the sum of twenty-five million four hundred and ninety-seven thousand five hundred and sixty-eight pounds.

Power for the Treasury to borrow.

2. The Commissioners of Her Majesty's Treasury may borrow from time to time on the credit of the said sum of twenty-five million four hundred and ninety-seven thousand five hundred and sixty-eight pounds, any sum or sums of equal or less amount in the whole, and shall repay the moneys so borrowed, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund at any period not later than the next succeeding quarter to that in which the said sums were borrowed.

Any sums so borrowed shall be placed to the credit of the account of Her Majesty's Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to Her Majesty, amounting, as appears by the said Schedule, in the aggregate to the sum