ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. 6.

An Act for the Regulation of the *Queen's College* at *Birmingham*, and for incorporating the *Queen's Hospital* at *Birmingham*.

[12th *August* 1867.]

WHEREAS Her Majesty's Attorney General on the Twenty-second Day of *August* One thousand eight hundred and sixty-five filed an Information in the High Court of Chancery in *England* as Informant against the Principal and Council of the *Queen's College* at *Birmingham* as Defendants, which Information was afterwards amended, and showed, amongst other things, That in the Year One thousand eight hundred and twenty-eight Mr. *William Sands Cox*, in conjunction with other Medical Gentlemen, established a School of Medicine in *Birmingham*: That in the Year One thousand eight hundred and thirty-eight the late Dr. *Samuel Wilson Warneford*, who was a Patient and personal Friend of Mr. *Sands Cox*, gave One thousand Pounds for the Foundation of a Prize Essay in this School, and by Indenture dated the Fourteenth Day of *December* One thousand eight hundred and thirty-eight, made between Dr. *Warneford* of the First Part, *William* Earl of *Dartmouth*, *George Augustus Frederick Henry* Earl of *Bradford*, and the Reverend *Vaughan Thomas*, as Trustees, of the Second Part, and the President

of the School and Three Governors by Name of the Third Part, it was declared, that a certain Mortgage Security, wherein the said Sum of One thousand Pounds was invested, should be held upon certain Trusts therein declared for the Institution of a Prize or Prizes to be annually given to Students for the Time being of the said School of Medicine and Surgery, in order to advance the Ends which the said *Samuel Wilson Warneford* had in view, *videlicet*, to combine Religious with Scientific Studies and Pursuits, and to make Medical and Surgical Students good Christians as well as able Practitioners in Medicine and Surgery: That a Hospital called the *Queen's Hospital*, in connexion with this School, was erected by Public Subscription: That the Purchase Money for the Site was Part of a Sum of One thousand Pounds given by Dr. *Warneford* for the Purpose of making Provision for obtaining the Services of a Clergyman or Chaplain for the School and Hospital, who was to read Prayers and preach in the Hospital on *Sundays*, to visit the Patients, and to deliver a Course of Lectures to the Pupils of the School on the Wisdom, Power, and Goodness of God as revealed in Holy Writ; and by an Indenture dated the Thirteenth Day of *January* One thousand eight hundred and forty-two, made between *Edward Townsend Cox* of the First Part, Dr. *Warneford* of the Second Part, Sir *John Eardley Eardley Wilmot*, *James Arthur Taylor*, and *James Prince Lee* of the Third Part, and *Edward Johnstone*, the Reverend *James Thomas Law*, Chancellor of *Lichfield*, *William Sands Cox*, and the Reverend *Vaughan Thomas* of the Fourth Part, Forty Pounds a Year was secured to the Parties of the Third Part, as Trustees, by way of Rentcharge on the Hospital: That in *July* One thousand eight hundred and forty-three a Charter was obtained, converting the School into a College, under the Name of "The *Queen's College, Birmingham*:" That by this Charter, which bears Date the Seventeenth Day of *July* One thousand eight hundred and forty-three, after reciting that the Earl of *Dartmouth* and others, Trustees of the Royal School of Medicine at *Birmingham*, *Edward Johnstone*, Doctor of Physic, President, *James Thomas Law* Clerk, Vice-President, *John Edwards Piercy* Esquire, Treasurer, and *William Sands Cox*, Fellow of the Royal Society, Honorary Secretary of the aforesaid School, had by their Petition represented that a Society was formed in the Town of *Birmingham* in the Year One thousand eight hundred and twenty-eight by a considerable Number of Noblemen, Gentry, Clergy, Physicians, Surgeons, and Merchants, for the Education of Youth for the Professions of Medicine and Surgery, that the Society was honoured by the Patronage of His late Majesty *William* the Fourth, and permitted to bear the Style and Title of "The *Birmingham* Royal School of Medicine and Surgery," that the said Society had expended considerable Sums of Money in the Purchase of Museums of Human and Comparative Anatomy and Natural History, and of a Library, and in the Erection of Lecture Rooms,

Charter, dated 17th July 1843.

Rooms, Chemical Laboratory, Anatomical Rooms, and Clinical Hospital, &c., Her Majesty granted and ordained that the Petitioners and the Honorary Governors, Governors, Professors, and Members of the said Society should be One Body Politic and Corporate by the Name of "The *Queen's College* at *Birmingham*," of which College She thereby declared Herself and Her Successors, if they should think fit, the Patron, by which Name they should have perpetual Succession and a Common Seal, and be able to take, purchase, and enjoy for the Use and Purpose of the said Society, to them and their Successors, any Goods and Chattels whatsoever, and also to take, purchase, and enjoy, to them and their Successors, any Lands, Tenements, and Hereditaments, not exceeding the yearly Value of Two thousand Pounds, and should have full Power to sell, alien, charge, or otherwise dispose of any Real or Personal Property so to be by them acquired, not exceeding the yearly Value aforesaid; and Her Majesty further declared, that the Officers of the Institution should be a Visitor, Principal, Vice-Principal, Treasurer, and Dean of the Faculty, who should be elected annually, and that for the better Management of the said Society its Affairs should be conducted by a Council, to consist of Eighteen Persons, of whom Twelve should be Governors, elected by the Governors present at the Annual General Meeting, Two should be Professors, elected by the Professors from their own Body previous to such General Meeting, together with the Principal, Vice-Principal, Treasurer, and Dean of the Faculty, Five should constitute a Quorum, and the Council should fill up Vacancies in their own Body; and Her Majesty appointed Dr. *Warneford* the First Visitor, Dr. *Edward Johnstone* the First Principal of the said Society, Chancellor *Law* the First Vice-Principal, *John Edwards Piercy* Esquire, Treasurer, *William Sands Cox*, Fellow of the Royal Society, Senior Surgeon of the *Queen's Hospital, Birmingham*, Dean of the Faculty, together with Earl *Howe*, Lord *Lyttleton*, and Twelve other Persons, therein named, the first Council of the said Society; and it was declared that the Governors of the said College should on the last *Wednesday* in *August* in each Year, or as near the same as conveniently might be, meet, and proceed by Ballot to appoint a Visitor, a Principal, Vice-Principal, Treasurer, and Dean of the Faculty, and such Officers and other Members as might, with the Two Professors, form the Number of Eighteen, and that the Council should have Power to make such Byelaws as they should deem proper for regulating the Affairs of the College, the Number and Description of its Professors, the Time and Place and Mode of electing the Professors of the Society, and all such subordinate Servants, Officers, and Attendants as should be deemed necessary and useful; and that the Council should have Power to regulate the Privileges of the Honorary Governors, Governors, and Members of the Society, and also the Amount to be paid upon Admission or otherwise, and to make new

and other Byelaws, not being repugnant to the Charter or to Law: That by Indenture dated the Fifth Day of *June* One thousand eight hundred and forty-four certain Premises situate in *Birmingham*, being the central Portion of the College, together with the Buildings then recently erected, were, in consideration of Two thousand six hundred Pounds, conveyed to the *Queen's College* in Fee: That by Indenture of even Date with the last-mentioned Indenture certain other Premises were conveyed to the College in consideration of One thousand seven hundred and fifty Pounds: That on the Property comprised in this Deed other Part of the College was erected: That the Sum of Two thousand four hundred Pounds was left unpaid, and was secured to Mr. *Sands Cox* and Mr. *Edward Johnstone*, the Vendors, by Indenture of Mortgage dated the Sixth Day of *June* One thousand eight hundred and forty-four: That Mr. *Sands Cox* and Dr. *Johnstone* having Occasion for One thousand Pounds, Part of the unpaid Purchase Money, the One thousand Pounds secured on a Mortgage of the School Estate for the Prizes founded by the Deed of the Fourteenth Day of *December* One thousand eight hundred and thirty-eight was called in and paid over to them, reducing their Mortgage to One thousand four hundred Pounds; and by Indenture of Feoffment, dated the Fourth Day of *January* One thousand eight hundred and fifty-one, made or expressed to be made between the Principal and Council of the College of the First Part, *James Johnstone* and *William Sands Cox* of the Second Part, the Earl of *Dartmouth*, the Earl of *Bradford*, and the Reverend *Vaughan Thomas*, Trustees of the Deed of the Fourteenth Day of *December* One thousand eight hundred and thirty-eight, of the Third Part, and *Clement Mansfield Ingleby* of the Fourth Part, the Site of the College was conveyed to the Use of the Parties of the Third Part in Fee for securing the One thousand Pounds advanced by them, subject to the previous Charge of One thousand four hundred Pounds to Dr. *Johnstone* and Mr. *Sands Cox* for Purchase Money unpaid: That in the Year One thousand eight hundred and forty-four a Chapel was erected for the Use of the College, the Expense being defrayed by Subscription: That by Indenture dated the Sixth Day of *June* One thousand eight hundred and forty-four, and made between the College of the First Part, the said Dr. *Warneford* of the Second Part, and Chancellor *Law*, the Reverend *Vaughan Thomas*, and *William Sands Cox* as Trustees of the Third Part, after reciting the Charter, and that Dr. *Warneford* had paid to the College One thousand seven hundred and fifty Pounds, it was witnessed that the College granted to the Trustees an Annuity of Forty Pounds, and that on the Twentieth *September* in each Year, or within Ten Days after, the Council would elect out of the Pupils or Students in the School of Medicine and Surgery for the Time being resident in the College, and who should have been Pupils or Students for not less than Twelve Calendar Months immediately preceding,

Indenture, dated 5th June 1844.

Indenture, dated 6th June 1844.

Four

Four Pupils or Students who should have distinguished themselves for Attention and good Conduct, and should have availed themselves of the Religious Instruction of the Warden during the whole Twelve Months, and divide the said Annuity of Forty Pounds among the Pupils or Students so elected: That by Indenture made the Sixteenth Day of *October* One thousand eight hundred and forty-four between the College of the First Part, Dr. *Warneford* of the Second Part, and Chancellor *Law*, the Reverend *Vaughan Thomas*, and *William Sands Cox* of the Third Part, after reciting the Charter, and that Dr. *Warneford* had paid to the College One thousand Pounds, it was witnessed, that the College granted unto the Trustees, their Heirs and Assigns, an Annuity of Forty Pounds, to be held upon trust to pay the same to the Warden for the Time being of the College as Chaplain of the Chapel belonging to the College, and then about to be consecrated, such Warden being a Clergyman of the Church of *England*, graduated in the University of *Oxford* or *Cambridge*; provided that every Warden as such Chaplain who should be entitled to receive the said Annuity of Forty Pounds should perform Divine Service in the said Chapel, and should during such Period in each Year as should be appointed for the Purpose by the Council deliver a Course of Lectures on Morals and Theology, open gratuitously to the Pupils or Students of the College: That by Indenture dated the Fourteenth Day of *April* One thousand eight hundred and forty-five, and made or expressed to be made between the College of the First Part, Dr. *Warneford* of the Second Part, and the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox* of the Third Part, reciting the said Charter, and the said Indenture of the Sixteenth Day of *October* One thousand eight hundred and forty-four, and that the said *Samuel Wilson Warneford*, being desirous of augmenting the Stipend of the Warden of the said College, had paid to the College the further Sum of One thousand Pounds, it was witnessed, that *Queen's College* granted unto the Trustees, their Heirs and Assigns, an Annuity of Forty Pounds, in addition to the Annuity of Forty Pounds granted by the recited Indenture of the Sixteenth Day of *October* One thousand eight hundred and forty-four, to be held on the same Trusts as that Annuity: That by Indenture dated the Nineteenth Day of *September* One thousand eight hundred and forty-six, and made or expressed to be made between the College of the First Part, Dr. *Warneford* of the Second Part, and Chancellor *Law*, the Reverend *Vaughan Thomas*, and *William Sands Cox* of the Third Part, reciting the Charter, and that Dr. *Warneford* had paid to the College One thousand Pounds, the College granted to the Trustees, their Heirs and Assigns, an Annuity of Forty Pounds for the Salary of the Medical Tutor of the College, provided he should take his Meals with the Students, should attend Chapel, and should give Instruction in the various Branches of Medicine, Surgery,

Indenture, dated 16th Oct. 1844.

Indenture, dated 14th April 1845.

Indenture, dated 19th Sept. 1846.

Supplemental Charter, dated 15th June 1847.

and Midwifery: That a Second or Supplemental Charter was obtained by the College: That by this Charter, which is dated the Fifteenth Day of *June* One thousand eight hundred and forty-seven, after reciting the Charter of the Seventeenth Day of *July* One thousand eight hundred and forty-three, and that on the Report of the Chancellor, Vice-Chancellor, and Fellows of the University of *London* Her Majesty authorized the said University to admit Students of the said College to be Candidates for the Degrees of Bachelor of Medicine and Doctor of Medicine in the said University, and further, on behalf of the said College, did issue a Warrant under the Sign Manual, authorizing the said College to grant Certificates to the Students of the said College entitling them to be admitted as Candidates for the respective Degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, and Doctor of Laws, to be conferred by the said University on Presentation of such Certificates, and that since the Grant of the Charter the Principal, Vice-Principal, and others constituting the Council of the said College had caused to be erected for the Use of the Students of the said College a Chapel consecrated by the Lord Bishop of the Diocese, wherein daily Prayers were read by a Chaplain licensed by the said Bishop, and Divine Service performed Twice every *Sunday*, with Two Sermons, at which the Students were expected to attend, and that suitable Buildings had been erected for the Residence of Students within the said College, and that a Department had been established in the said College in which the various Branches of Literature, Science, and Art were taught, and also the Doctrines and Duties of Christianity as the same were inculcated in the United Church of *England* and *Ireland*, and Tutors and Masters had been appointed, who resided in the College, for the Purpose of conducting the Education of the said Department, and maintaining Discipline, Order, and Regularity among the Students in the several Departments of the said College, and reciting that Dr. *Warneford* had presented One thousand Pounds for the Endowment of Scholarships, One thousand Pounds for the Endowment of Prize Essays, One thousand Pounds for the Endowment of a Chaplaincy for the said College, One thousand Pounds for securing the Delivery annually of such a regular Course of Divinity Lectures as might seem best calculated to promote the great Christian Ends and Purposes of the said College, and One thousand Pounds for the Endowment of a Medical Tutorship, and that the said Principal, Vice-Principal, and Council had erected or assisted in erecting, by means of public and private Donations and Benefactions, a Hospital, styled by Her Majesty's most gracious Permission "The *Queen's Hospital* at *Birmingham*," (with detached Fever Wards,) capable of containing Two hundred Beds for Patients, wherein the Students in the Medical Department of the said College had received and were receiving from the several Professors, Physicians, and Surgeons

attached

attached to the said College and Hospital Clinical Instruction, and that Dr. *Warneford* had presented One thousand Pounds for the Endowment of a Chaplaincy of the said Hospital, Her Majesty, on the Petition of the Visitor, Principal, Vice-Principal, Treasurer, and Dean of the Faculty, on behalf of the said College, granted, constituted, and declared that the Principal and Council of the said College should be and they were thereby constituted One Body Politic and Corporate by the Name of "The Principal and Council of the *Queen's College* at *Birmingham*," and should by the same Name and for the Purposes aforesaid have perpetual Succession and a Common Seal, and by the same Name they and their Successors should be able to take, purchase, and hold for the Use of the said *Queen's College*, and for the Use of the said *Queen's Hospital*, at *Birmingham*, any Goods, Chattels, or Personal Property whatsoever, and, notwithstanding the Statutes of Mortmain, to take, purchase, and hold to them and their Successors, not only all such Lands, Buildings, Hereditaments, and Possessions as might from Time to Time be exclusively used for the Sites and immediate Purposes of the said College and Hospital respectively, but also, for the Use and Maintenance of the said College, any other Lands, Tenements, Hereditaments, and Possessions whatsoever, not exceeding the annual Value of Two thousand five hundred Pounds, and also, for the Use and Maintenance of the said Hospital, any other Lands, Tenements, Hereditaments, and Possessions whatsoever, not exceeding the annual Value of Two thousand five hundred Pounds, and that the said Principal and Council and their Successors should have full Power and Authority to sell, alien, demise, charge, or otherwise dispose of any Real or Personal Property from Time to Time held for the Benefit of the said College and Hospital respectively; provided nevertheless, that the said Principal and Council and their Successors should not at any Time hold (by virtue of the said original Charter and of the now reciting Supplemental Charter) Lands, Tenements, and Hereditaments exceeding the annual Value of Five thousand Pounds, other than and besides the Lands and Buildings used and occupied for the Sites and immediate Purposes of the said College and Hospital respectively, such annual Value to be calculated and ascertained at the Period of taking, purchasing, or acquiring the same; that after the Decease of the then present Visitor the Lord Bishop of the Diocese for the Time being should be the Visitor of the said College; that the Principal should be a Nobleman, or one of the Honorary Governors, and a Member of the Church of *England*, the Vice-Principal a Dignitary of the Church of *England* residing at or near *Birmingham*, and that the Treasurer, the Dean of the Faculty, and all Classical, Mathematical, and Medical Tutors of the said College should be Members of the Church of *England* and *Ireland* as by Law established; and that the Classical and Mathematical Tutors should be Graduates of the University of

Oxford

Oxford or *Cambridge*; and that the Principal, Vice-Principal, Treasurer, and Dean of the Faculty should hold their respective Offices during the Pleasure of the Council, and that on any Vacancy occurring in such Offices respectively such Officer should from Time to Time respectively be nominated and appointed by the Council, and that, in addition to the Members of the Council constituted by the former Charter, Two Members of the Committee of Council of the said *Queen's Hospital* (to be elected by the Hospital Board previously to the Annual General Meeting of the Governors of the College) should be Members of the Council, and that the Senior Physician and Senior Surgeon of the said Hospital, the Lord Lieutenant and High Sheriff of the County of *Warwick*, the Dean of the Cathedral of *Worcester*, and the Archdeacon of the Archdeaconry of *Coventry*, the Mayor of the Borough of *Birmingham*, the High Bailiff of the Manor of *Birmingham*, and the Rectors of the Parishes of *Saint Martin* and *Saint Philip* in *Birmingham*, for the Time being respectively, should by virtue of their respective Offices be Members of the Council, and that the Principal and Council should have Power to accept on behalf of the College or Hospital Gifts and Endowments for promoting particular Objects of Education, or otherwise in aid of the general Purposes of the College or Hospital, on such Terms and Conditions as might be agreed upon for the Purpose between the said College and the Persons bestowing such Gifts and Endowments; and that the Council should have the Power of making Byelaws for regulating the Affairs of the College, the Number, Description, and Privileges of the Fellows, Professors, Tutors, and Masters, the Place and Mode of electing the same and all subordinate Officers, the same not being repugnant to or subversive of the general Objects of the College, more especially as respects the Provision before contained directing that the Principal, Vice-Principal, Treasurer, Dean of the Faculty, and Classical, Mathematical, and Medical Tutors should be Members of the United Church of *England* and *Ireland*, and that all such Byelaws and Regulations when reduced into Writing, after the Common Seal of the College had been affixed thereto, should be binding on all Members thereof; and that the Council should have Power from Time to Time to elect Noblemen, Civil and Ecclesiastical Dignitaries, Benefactors, and Foreigners distinguished for Scientific Research, to be Honorary Governors of the said College; and that the Council should have Power from Time to Time to elect such Members of the College holding a Diploma in Medicine or Surgery, or being Graduates in Medicine, Law, or Arts, or such Members of the late "*Birmingham* Royal School of Medicine and Surgery," as the Council might by their Byelaws determine to be Fellows of the College, with Power to vote at all Special and General Meetings of the Governors, and with such other Powers and Privileges as might be determined upon from Time

Time to Time by the said Council; and that the Principal and Council of the College should have the Custody of the Common Seal of the College, with Power to use the same for the Affairs and Concerns thereof; and that the Council, subject and without Prejudice to the Power of the Visitor for the Time being, should have the entire Management, Superintendence, and Control over the Affairs, Property, Discipline, and Servants of the College; and in all Cases not provided for by the former or by this Charter it should be lawful for the Council to act in such Manner as should appear to them best calculated to promote the Objects and Interests of the College; and that at every Meeting of the Council the Person to preside as Chairman should be the Principal of the College, or in his Absence, or on his declining to take the Chair, the Vice-Principal, or in case both of them should be absent, or decline to take the Chair, then any One of the Members present to be appointed by themselves; that all Questions before the Council should be decided by a Majority of the Members present, and the Chairman at any such Meeting should have a Vote, and in case of an Equality of Votes a Second or Casting Vote, provided that no Question should be decided at any Meeting of the Council unless Five Members thereof at least should be present at the Time of such Decision; and that the Power of appointing the Chaplain and the Medical and Surgical Officers of the *Queen's Hospital*, from Time to Time as Vacancies occur, should be vested in the Council; and that all Fees from Students for Attendance on the Medical and Surgical Practice of the said Hospital should be paid to the Treasurer of the College for the Use and Purposes of the said Hospital; provided that it should be lawful for the Council from Time to Time to pay over such Proportion of the said Fees as they should think fit to such Medical and Surgical Officers as were engaged in the actual Duties of Professors of the College, and of Medical and Surgical Officers of the Hospital: That in *January* One thousand eight hundred and fifty One thousand Pounds was given to the College by Dr. *Warneford*, for the Creation of Forty Pounds a Year for the Use of a Warden, to be appointed for the Arts Department: That the Trusts of such One thousand Pounds were declared by Indenture dated the Thirtieth Day of *January* One thousand eight hundred and fifty, made or expressed to be made between the Principal and Council of the said College of the First Part, Dr. *Warneford* of the Second Part, and the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox* of the Third Part, whereby, after reciting the Charter and Supplemental Charter, and that Dr. *Warneford* had paid to the College One thousand Pounds, it was witnessed, that the College granted unto the Trustees, their Heirs and Assigns, an Annuity of Forty Pounds, upon trust to pay the same unto the Warden for the Time being of the College, to be appointed as after mentioned, provided that he should be a Member

of the Church of *England* in Priest's Orders, and a Graduate of the University of *Oxford* or of the University of *Cambridge*, that he be appointed by the Council for the Time being of the Arts Department of the College, subject nevertheless to Confirmation by the Annual General Meeting, that he should take his Meals at the Hall at his Pleasure free from Charge, and that in the Absence of the Principal and Vice-Principal of the College he should take the Chair at all Meetings of the Council and Committees, and perform in their Absence all their other Duties, that he should be responsible for the Instruction of the Students in all the Departments of the College in Christian Ethics, Church History, and the Doctrines of the Church of *England*, and that he should examine all the Students coming up for Admission in reference to the Departments in which they respectively propose to enter: That by the First Deed of Endowment of the Theological Department, which bore Date the Twenty-first Day of *August* One thousand eight hundred and forty-nine, and was made between the Principal and Council of the said College of the First Part, Dr. *Warneford* of the Second Part, and the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox* of the Third Part, reciting the Charter and Supplemental Charter, and that the Object of the Corporation was the Education of Youth in the various Branches of Literature, Science, and Art, and also in the Doctrines and Duties of Christianity as the same were inculcated in the United Church of *England* and *Ireland*, and that Dr. *Warneford* had paid to the College Three thousand Pounds, it was witnessed, that the College granted unto the Trustees an Annuity of One hundred and twenty Pounds, upon trust to pay the same to the Professor of Pastoral Divinity for the Time being of the said College, to be appointed as after mentioned, such Professor nevertheless being a Member of the Church of *England*; provided that every Professor of Pastoral Divinity or Pastoral Teacher for the Time being of the College who should be entitled to receive the aforesaid Annuity of One hundred and twenty Pounds should be a Graduate of the University of *Oxford* or of the University of *Cambridge* in Priest's Orders, and should teach such Students who intended to be Candidates for Holy Orders in the Church of *England* the Ministerial Duties in their various Branches, as also the Composition and Delivery of Sermons, the Reading of the Church Service, the History of the Liturgies, the Reason and Use of Rubrics, and all other Matters connected with and subservient to a faithful and efficient Performance of what the Church requires of her Pastors and Ministers for the Edification of their Flocks; provided also, that every such Pastoral Teacher as aforesaid should be appointed by the Visitor (the Bishop of the Diocese) and Warden and Council of the Department of General Literature for the Time being of the College, subject nevertheless to the Confirmation of every such Appointment by the General Annual Meeting

Meeting of the College: That in *May* One thousand eight hundred and fifty the Purchase of certain Premises forming the Site of other Part of the College was completed: That by Indenture dated the Fourth Day of *May* One thousand eight hundred and fifty, and made or expressed to be made between *John Willmore* of the First Part, the Principal and Council of the said College of the Second Part, Dr. *Warneford* of the Third Part, and the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox* of the Fourth Part, reciting that Dr. *Warneford* had paid to the College Four thousand Pounds, and that the College had agreed to secure an Annuity of One hundred and sixty Pounds, and reciting the Purchase of the Site for One thousand six hundred Pounds, and that new Buildings had been erected of the Value of Two thousand four hundred Pounds, being the Remainder of the said Sum of Four thousand Pounds, the Vendor conveyed the Site of the East Wing to the Parties of the Fourth Part, and their Heirs, to the Use that they should receive an Annuity of One hundred and sixty Pounds, with Power of Distress and Entry, and subject thereto the Premises were to go and remain to the Use of the Principal and Council of the Queen's College and their Successors for ever; that the Trusts of the Annuity of One hundred and sixty Pounds were declared to be to pay thereout the yearly Sum of One hundred and twenty Pounds to the Professor of Pastoral Theology for the Time being, to be appointed as thereafter mentioned, upon the Condition that he should deliver in the Lecture Room of the College a Course of Lectures according to such Scheme as might be determined by the Principal and Council, to the Intent that the Students who intended to be Candidates for Holy Orders in the United Church of *England* and *Ireland* might be taught the Duties of a Minister of the said Church in their various Branches, including the Composition and Delivery of Sermons, the Reading of the Church Service, the History of Liturgies, the Reason and Use of Rubrics, and all other Matters connected with and subservient to a faithful and efficient Performance of what the Church requires of her Pastors and Ministers for the Edification of their Congregations; and upon further Trust to pay out of the said Annuity the yearly Sum of Forty Pounds to the Warden for the Time being of the College, provided that he should exercise a general Superintendence over the working of the said College, and perform such other Duties as the Principal and Council for the Time being should direct; provided that every such Professor of Pastoral Theology and Warden should be a Graduate of *Oxford* or *Cambridge* in Priest's Orders, and should be appointed by the Committee of Council of the Department of General Literature for the Time being of the College, subject as to such Appointment to the same being confirmed by the General Annual Meeting of the College: That on the Nineteenth Day of *May* One thousand eight hundred and fifty-one Dr. *Warneford* gave a further Sum of Five hundred

Indenture, dated 4th May 1850.

hundred Pounds to the College on certain Conditions; that the Trusts of this Gift were declared by Indenture dated the Thirtieth Day of *August* One thousand eight hundred and fifty-one, made or expressed to be made between the Principal and Council of the said College of the First Part, Dr. *Warneford* of the Second Part, and the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox* of the Third Part, whereby, after reciting that the said *Samuel Wilson Warneford*, being desirous of increasing the Annuity for the Use of the Warden, had paid to the College the further Sum of Five hundred Pounds, it was witnessed that the College granted unto the Trustees, their Heirs and Assigns, an Annuity of Twenty Pounds, to be held upon the Trusts and Purposes declared in the Indenture of the Thirtieth Day of *January* One thousand eight hundred and fifty of and concerning the Annuity of Forty Pounds therein mentioned, and that the Clauses and Provisions contained in that Indenture with reference to the Qualification, Duties, and Appointment of the Warden should extend to the Annuity of Twenty Pounds: That by Indenture dated the Sixteenth Day of *April* One thousand eight hundred and fifty-one, and made or expressed to be made between the Principal and Council of the said College of the First Part, Dr. *Warneford* of the Second Part, and the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox* of the Third Part, reciting that Dr. *Warneford*, being desirous of increasing the Endowment of the Professorship of Pastoral Divinity in the College, had paid to the College the further Sum of One thousand four hundred Pounds, it was witnessed, that the College granted unto the said *James Thomas Law*, *Vaughan Thomas*, and *William Sands Cox*, their Heirs and Assigns, an Annuity of Fifty-six Pounds, to be held upon the Trusts and Purposes expressed, declared, and contained in the Indenture of the Twenty-first Day of *August* One thousand eight hundred and forty-nine concerning the Annuity of One hundred and twenty Pounds, and that the Clauses and Provisions of that Deed with reference to the Qualification, Duties, and Appointment of the Professor or Pastoral Teacher should extend to the said Annuity of Fifty-six Pounds: That a Third Charter was obtained for the said College, and by this Charter, which is dated the Thirty-first Day of *December* One thousand eight hundred and fifty-one, after reciting the Two former Charters, and that Dr. *Warneford* had (in addition to his former Benefactions) bestowed on the College Four thousand four hundred Pounds to the Endowment of a Professorship of Pastoral Theology, and One thousand five hundred Pounds, in addition to Two thousand Pounds previously bestowed, for the Endowment of a Wardenship, and that the said Principal and Council were desirous of proceeding to the Appointment of a Warden, and the Foundation of a Department of Theology, in conformity with the Endowments and according to the Intents and Purposes of Dr. *Warneford*, Her Majesty granted, constituted,

Indenture, dated 16th April 1851.

constituted, and declared that the Power of appointing the Warden, from Time to Time as Vacancies should occur, should be vested in the *ex-officio* Members of the Council, as constituted by the former and Supplemental Charters, to be called the Committee of Council of the Arts Department, and that the said Warden should be a Clergyman of the Church of *England* in Priest's Orders, and a Graduate of the University of *Oxford* or *Cambridge*, and that the said Warden should be a Member of the said Council and Committee of Council of the said *Queen's College ex officio*, and that whenever, in the Opinion of the Committee of Council of the Arts Department, the Warden ought to be removed by reason of Neglect of Duty, Incapacity from permanent Illness, or other sufficient Cause, a Report to that Effect was to be laid by the Committee of Council before a Special General Meeting of the Governors, and Two Thirds of the Persons present at such Meeting should have the Power of removing such Warden, the Votes of such Meeting to be taken by Ballot, and that the Professor of Pastoral Theology should be a Clergyman of the Church of *England* in Priest's Orders, and a Graduate of the Universities of *Oxford* or *Cambridge;* that the Appointment of the Professor of Pastoral Theology should from Time to Time as Vacancies should occur be vested in a Committee of Council, to be called "The Committee of Council of the Theological Department," and that such Committee of Council of the said Theological Department should consist of the Principal, the Vice-Principal, the Warden, the Treasurer, the Dean of the Faculty, the Lord Bishop of the Diocese, the Dean of the Cathedral of *Worcester*, the Archdeacon of the Archdeaconry of *Coventry*, the Rector of the Parish of *Saint Martin*, and the Rector of the Parish of *Saint Philip* in *Birmingham*, all for the Time being; and that the Committee of Council of the Theological Department should have the entire Management, Superintendence, and Control over the Affairs of the said Department of Theology, and over the Discipline of the Students belonging thereto, anything in the previous Charter and Supplemental Charter notwithstanding; and in all Cases unprovided for by this Supplemental Charter it should be lawful for the Committee of Council to act in such Manner as should appear to them best calculated to promote the Purposes intended by the said Department; and that, in addition to the Members of the Council as previously constituted by the Charter and Supplemental Charter, Two Members of the Institution of Mechanical Engineers, Two Members of the Architectural Society established in *Birmingham*, and Two Members of the Law Society established in *Birmingham*, to be elected by their respective Societies previously to the Annual General Meeting of the Governors of the said College, should be Members of the Council; and reciting that subsequently to the granting of the said Charter and Supplemental Charter an East Wing had been erected in the said

Queen's College for the Reception of Students in the Engineering and Architectural Department, and also Lecture Rooms and an Engineering Workshop; and that it was proposed to open the said Department of the College forthwith for the Reception of Students; Her Majesty's Pleasure was, that Students who had completed not less than a Three Years Course of Instruction in the Engineering and Architectural Department in the College, and had passed, to the Satisfaction of the Examiner or Examiners to be appointed by the Council, Three public Examinations, should be entitled to the Academic Rank of Civil Engineers in the said College, and receive from the Principal a Diploma under the Seal of the College: That in the Months of *April* and of *October* One thousand eight hundred and fifty-two Dr. *Warneford* gave to the College Twelve thousand Pounds Four Pounds Ten Shillings Perpetual *Great Western* Railway Preference Stock, whereof Six thousand five hundred Pounds was for the Warden, Two thousand five hundred Pounds for the Professor of Pastoral Theology, One thousand Pounds for Four Divinity Scholarships, and Two thousand Pounds for Classical and Mathematical Tutors: That the Trusts were declared by the following Deeds; (that is to say,) that by Indenture dated the Fifteenth Day of *April* One thousand eight hundred and fifty-two, and made or expressed to be made between Dr. *Warneford* of the First Part, the said *James Thomas Law* and *Vaughan Thomas*, *William Dickins*, and the said *William Sands Cox* of the Second Part, and the Principal and Council of the said College of the Third Part, reciting the said Charter and Two Supplemental Charters, and the said Indentures of the Sixteenth Day of *October* One thousand eight hundred and forty-four, Fourteenth Day of *April* One thousand eight hundred and forty-five, Thirtieth Day of *January* One thousand eight hundred and fifty, and Nineteenth Day of *May* One thousand eight hundred and fifty-one, and that Dr. *Warneford* had purchased with his own Monies in the Name of the said Parties of the Second Part Six thousand five hundred Pounds Fixed Four Pounds Ten Shillings *per Centum* Stock of the *Great Western* Railway Company, it was witnessed and declared, that the said Railway Stock was so purchased upon trust to pay and apply the Dividends, Interest, and annual Income in permanently increasing the Stipend or Salary of the Warden for the Time being of the said College; provided that every such Warden should be duly qualified to fill such Office according to the special Directions in that Behalf contained in the before-mentioned Charters or either of them, or any or either of the before-mentioned Indentures, and also at all Times diligently, faithfully, and efficiently fulfil the Duties of that Office or in any way connected therewith; provided, that in case the said *James Thomas Law* and *William Sands Cox* should during their joint Lives (but no longer), or at any Time or Times during that Period,

Period, think fit, and so direct in Writing, that the whole or any Part of the annual Income which should arise from the said Trust Fund of Six thousand five hundred Pounds thereby settled, or any Part thereof, should be applied for the Advancement and general Purposes of the Theological Department of the said College, then that the same should so long, during the joint Lives of the said *James Thomas Law* and *William Sands Cox*, as they at their Discretion should think expedient, be so paid and applied, instead of increasing the said Warden's annual Stipend as before mentioned; provided that every future Warden who should be or become entitled to receive the said Annuities payable under the said recited Indentures, and the Income which should arise from the Trust Fund and Monies settled by the now-stating Indenture, or any Part thereof respectively, should be appointed by the Committee of Council of the Arts Department as constituted by the said recited Charters; provided also, and it was further declared, that the several Clauses and Provisions in the said before-mentioned Charters and Indentures respectively contained, either expressly or by Reference, in relation to the Qualification and Duties of the said Warden, should extend and be applicable to the said Railway Stock thereby settled: That by Indenture made the Fifteenth Day of *April* One thousand eight hundred and fifty-two between Dr. *Warneford* of the First Part, the said *James Thomas Law*, *Vaughan Thomas*, *William Dickins*, and *William Sands Cox* of the Second Part, and the Principal and Council of the said College of the Third Part, reciting the Charter and First Supplemental Charter, the Indentures of the Twenty-first Day of *August* One thousand eight hundred and forty-nine and the Sixteenth Day of *April* One thousand eight hundred and fifty-one, and the Second Supplemental Charter, and that the said *Samuel Wilson Warneford* had purchased with his own Monies in the Names of the Parties of the Second Part Two thousand five hundred Pounds Fixed Four Pounds Ten Shillings *per Centum* Stock of the *Great Western* Railway Company, it was witnessed, that the Trustees should be possessed of the same upon trust to pay the Dividends, Interest, and annual Income in permanently increasing the yearly Stipend or Salary of the Professor of Pastoral Divinity of the College; provided that every such Professor should be duly qualified to fill such Office according to the special Directions in that Behalf contained in the before-mentioned Charters or either of them, or any or either of the before-mentioned Indentures, and also at all Times diligently, faithfully, and efficiently fulfil the several Duties of that Office or in any way connected therewith; provided also, that the several Clauses and Provisions in the said before-mentioned Charters and Indentures respectively contained, either expressly or by Reference, in relation to the Appointment, Qualification, and Duties of the said Professor, should extend and be applicable as well to the said Railway Stock as to the aforesaid Annuities of One hundred and twenty Pounds and

Fifty-

Indenture, dated 15th April 1852.

Fifty-six Pounds respectively: That by Indenture made the Fifteenth Day of *April* One thousand eight hundred and fifty-two between Dr. *Warneford* of the First Part, the said *James Thomas Law*, *Vaughan Thomas*, *William Dickins*, and *William Sands Cox* of the Second Part, and the Principal and Council of the said College of the Third Part, after reciting the Charter and Supplemental Charters, and that Dr. *Warneford* had purchased with his own Monies in the Names of the Parties of the Second Part the Sum of One thousand Pounds Fixed Four Pounds Ten Shillings *per Centum* Stock of the *Great Western* Railway Company, it was witnessed, that the said Railway Stock was so purchased that the Trustees should be possessed of the same upon trust to pay and divide the Dividends, Interest, and annual Income to and among the Pupils and Students for the Time being resident in the said College as were after declared to be qualified and entitled to receive the same, and that the Committee of Council of the Theological Department for the Time being of the College should, on the Thirty-first Day of *July* in each Year, or within Twenty-eight Days thereafter, elect and nominate, from out of the Pupils or Students for the Time being resident in the College, and who should have been such Pupils or Students for a Period not being less than Twelve Calendar Months immediately preceding such Election and Nomination, Four Pupils or Students who should in the Judgment and absolute Discretion of the Committee of Council have most distinguished themselves for their Attention, Regularity, and Assiduity in the Prosecution of their professional Studies in the Theological Department of the College, and for their uniform good Conduct in observing the Rules and Regulations for the Time being of the College, and immediately or within Fourteen Days after such Election and Nomination the said annual Income which should have arisen from the said Trust Railway Stock, Monies, and Funds, in respect of the Year then immediately preceding, should be divided amongst the Pupils or Students so elected and nominated, either equally, or, if the said Committee of Council should at any Time or Times think fit, in such other Proportions as they should for the Time being deem expedient, or the same annual Sum might, at the Discretion of the Trustees thereunder, be applied in diminution of the College Expenses of such Students; provided that it should be lawful for the Committee of Council from Time to Time to institute and require, and also in their Discretion to vary, such Examination Certificates and other Evidence and Information as they might deem expedient with reference to the Qualifications and Conduct of the respective Candidates for the Receipt of the said Annuity or yearly Sum: That by Indenture dated the Fifteenth Day of *October* One thousand eight hundred and fifty-two, and made or expressed to be made between Dr. *Warneford* of the First Part, the said *James Thomas Law*, *Vaughan Thomas*, *William Dickins*, and *William Sands Cox* of the Second Part, and the

Indenture, dated 15th Oct. 1852.

the Principal and Council of the said College of the Third Part, after reciting the Charter and Two Supplemental Charters, and that Dr. *Warneford* had purchased with his own Monies in the Names of the Parties of the Second Part Two thousand Pounds Fixed Four Pounds Ten Shillings *per Centum* Stock of the *Great Western* Railway Company, it was witnessed and declared, that the Trustees should be possessed of the same upon trust to pay in equal Shares the Dividends, Interest, and annual Income of the said Railway Stock to the Professor of Classical Literature for the Time being of the College who should be duly qualified to instruct the Students of the said College both in the Senior and Junior Departments thereof in the *Greek* and *Latin* Languages, according to the Schemes of Instruction laid down and adopted by the Council and Committees of Council of the College, and carried out under the Superintendence of the Reverend the Warden, and more particularly to instruct the Students of the Theological Department in such a Knowledge of those Languages as was necessary for reading and understanding the Holy Scriptures in the original *Greek* or in the *Greek* and *Latin* Versions, and to the Professor of Arts and Sciences for the Time being of the College who should be duly qualified to instruct the Students of the said College both in the Senior and Junior Departments thereof in Pure and Mixed Mathematics, Natural Philosophy, and such of the Branches of Arts and Sciences as were required by the Schemes of Instruction laid down and adopted by the Council and Committees of Council of the College, and carried out under the Superintendence of the Warden, with a view to fit and prepare such Students for obtaining the Certificates of the College, and for the Rank, Degree, or Diploma of Bachelor of Arts in the said *Queen's College*, in order thereby more effectually to carry out the Objects of the College with reference to the Preparation of the Students in the Theological Departments thereof; provided that every such Professor should be and continue a Member of the Church of *England*, and have graduated and obtained Degrees at the University of *Oxford* or *Cambridge*, and should be otherwise duly qualified to fill the aforesaid Professorships, according to the Directions and Terms contained in the before-mentioned Charters or either of them, and should at all Times diligently, faithfully, and efficiently fulfil the several Duties of their respective Professorships: That Byelaws were made from Time to Time for the Government of the College: That the Charity Commissioners for *England* and *Wales* caused an Inquiry to be instituted by One of their Inspectors into the State of the said College, and as the Result of such Inquiry it appeared in effect that the College had fallen into a State of Decay, and was on the Verge of Bankruptcy; that the Buildings were suffering from Want of Funds for Repairs, and the Students diminishing, and that the College could not be made effective, and answer the Purpose for which it was

founded, without the Interference of the Court of Chancery, and that the present Constitution of the said College was defective: And that the Charity Commissioners, by their Certificate dated the Third Day of *June* One thousand eight hundred and sixty-five, certified the Case of the College to the Informant with the view to the Institution of Legal Proceedings; and the Informant by the said Information prayed that all necessary and proper Accounts might be taken of the Income and Expenditure of the said College, and that the Property then subject to Trusts for the Benefit of the said College might be ascertained, and that a Scheme might be settled for the future Administration of the Trusts of the said Charity; and if it should be found necessary and for the Benefit of the Charity that a fresh Charter should be applied for and obtained, or that an Act of Parliament should be applied for, for the future Regulation of the said Charity, that such Charter or Act of Parliament might be applied for under the Direction of the said Court:

And whereas the Defendants to the said Information duly appeared and put in their Answers thereto:

And whereas, by a Decree of the Court made in the Cause on the Twenty-second Day of *December* One thousand eight hundred and sixty-five, it was ordered that a Scheme for the future Administration of the Trusts of the said College be approved and settled by the Judge at Chambers:

And whereas, by an Order of the said Court made in the said Cause on the Sixteenth Day of *March* One thousand eight hundred and sixty-six, upon the Petition of the said *William Sands Cox*, it was ordered that the Petitioner should be at liberty to attend the Proceedings under the said Decree:

And whereas, by another Order of the said Court made in the said Cause on the Nineteenth Day of *March* One thousand eight hundred and sixty-six, upon the Petition of the said *James Thomas Law*, it was ordered that the Petitioner should be at liberty to attend the Proceedings under the said Decree:

And whereas, by another Order of the said Court made in the said Cause on the Twenty-seventh Day of *April* One thousand eight hundred and sixty-seven, upon the Petition of the said *William Dickins*, it was ordered that the Petitioner should be at liberty to attend the Proceedings under the said Decree:

And whereas, by another Order of the said Court bearing Date the Twenty-seventh Day of *February* One thousand eight hundred and sixty-seven, and made by his Lordship the Master of the Rolls at Chambers in the Matter of the *Queen's Hospital* at *Birmingham* in the County of *Warwick*, and in the Matter of the Charitable Trusts Acts, 1853, 1855, and 1860, in pursuance of Proceedings commenced by Her Majesty's Attorney General for that Purpose, it was ordered that a proper Scheme for the future Management and Regulation of

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the *Queen's Hospital, Birmingham*, in the County of *Warwick*, be settled and approved by the Judge:

And whereas, in pursuance of the said Decree dated the Twenty-second Day of *December* One thousand eight hundred and sixty-five, and the said Order dated the Twenty-seventh Day of *February* One thousand eight hundred and sixty-seven, a Scheme was accordingly on the Seventh Day of *May* One thousand eight hundred and sixty-seven settled and approved and signed by his Lordship the Master of the Rolls in testimony of his Approval thereof:

And whereas, by an Order of his Lordship the Master of the Rolls made in the said Cause and Matters on the Eighth Day of *May* One thousand eight hundred and sixty-seven, it was ordered that Her Majesty's Attorney General be at liberty to apply to Parliament for an Act to carry into effect the Scheme so approved and signed, and filed in the Report Office of the Court:

And whereas, by an Order of the Lords Justices of Appeal bearing Date the Twenty-seventh Day of *May* One thousand eight hundred and sixty-seven, made in the said Cause and Matters, it was ordered that the said Scheme be varied in manner therein mentioned, and that Her Majesty's Attorney General be at liberty to apply to Parliament for an Act to carry into effect the said Scheme as so varied, the Draft of the Bill for the said Act to be settled by the Judge:

And whereas by a Certificate of the Chief Clerk of his Lordship the Master of the Rolls, made in the said Cause and Matters on the Thirtieth Day of *May* One thousand eight hundred and sixty-seven, he certified that the Draft of a Bill for the said Act had been settled and approved by the Judge, and was identified by his Signature in the Margin thereof, and that the several Instruments, Facts, and Events recited in the Preamble to the Bill before the Recital of the said Certificate had been proved in the said Cause and Matters:

And whereas the said Certificate became absolute on the Fifteenth Day of *June* One thousand eight hundred and sixty-seven:

And whereas the said *William* Earl of *Dartmouth* died on the Twenty-second Day of *November* One thousand eight hundred and fifty-three, and the said *Vaughan Thomas* died on the Twenty-sixth Day of *October* One thousand eight hundred and fifty-eight, and the said *George Augustus Frederick Henry* Earl of *Bradford* died on the Twenty-second Day of *March* One thousand eight hundred and sixty-five, having by his Will, dated the Fifth Day of *November* One thousand eight hundred and forty-nine, devised all Estates which at his Decease might be vested in him upon any Trust or by way of Mortgage, and the Appurtenances, unto *Orlando George Charles* now Earl of *Bradford* (therein called Viscount *Newport*), his Heirs, Executors, Administrators, and Assigns, according to the Nature of the same respectively, which Devise was confirmed by a Codicil, dated the Eighth Day of *July* One thousand eight hundred and fifty-two, to

the said Will, and the said Trust Estate is now vested in the said *Orlando George Charles* Earl of *Bradford*:

And whereas the said Sir *John Eardley Eardley Wilmot* died on the Third Day of *February* One thousand eight hundred and forty-seven, and the said *James Arthur Taylor* and *James Prince Lee* (now the Bishop of *Manchester*) are the Trustees of the said Rentcharge of Forty Pounds a Year secured by the said Deed of the Thirteenth Day of *January* One thousand eight hundred and forty-two:

And whereas, the said *Vaughan Thomas* having died as aforesaid, the said *James Thomas Law* and *William Sands Cox* are the Trustees of the said Annuities of Forty Pounds, Forty Pounds, Forty Pounds, Forty Pounds, Forty Pounds, One hundred and twenty Pounds, Fifty-six Pounds, and Twenty Pounds, created by the said Indentures of the Sixth Day of *June* One thousand eight hundred and forty-four, the Sixteenth Day of *October* One thousand eight hundred and forty-four, the Fourteenth Day of *April* One thousand eight hundred and forty-five, the Nineteenth Day of *September* One thousand eight hundred and forty-six, the Thirtieth Day of *January* One thousand eight hundred and fifty, the Twenty-first Day of *August* One thousand eight hundred and forty-nine, the Fourth Day of *May* One thousand eight hundred and fifty, the Sixteenth Day of *April* One thousand eight hundred and fifty-one, and the Nineteenth Day of *May* One thousand eight hundred and fifty-one; and the said *James Thomas Law*, *William Dickins*, and *William Sands Cox* are the Trustees of the said Twelve thousand Pounds *Great Western* Preference Stock, of which the Trusts are declared by the said Three Indentures of the Fifteenth Day of *April* One thousand eight hundred and forty-two and the said Indenture of the Fifteenth Day of *October* One thousand eight hundred and fifty-two:

And whereas the Reverend *Thomas Espinell Espin* is the present Warden and Professor of Pastoral Theology in the said College, and the Reverend *Henry George Cundy* is the present Professor of Classical Literature, and the Reverend *William Henry Poulton* is the present Professor of Mathematics, both in the said College:

And whereas the Objects of the said Scheme cannot be obtained without the Authority of Parliament, and for the better Regulation of the said Charities it is expedient that the said Scheme, as the same is amended and set out in the Schedule to this Act, and is herein-after called the Scheme, be carried into effect:

And whereas, for giving Effect to the Scheme, it is expedient that the *Queen's Hospital* in *Birmingham* should be incorporated separately from the said College, and the Governors and Members of the said Hospital are desirous that Effect should be given to the Scheme so far as relates to the said Hospital:

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

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 for all Purposes be cited as "The *Queen's College, Birmingham*, Act, 1867."

Schedule to be Part of Act.

2. The Schedule to this Act annexed shall be deemed Part of this Act.

Confirmation of Scheme in Schedule.

3. The Scheme which is set forth in the Schedule to this Act annexed is by this Act confirmed, and the Provisions thereof enacted and made binding on all Parties interested, and from and after the passing of this Act the *Queen's College* at *Birmingham* to which the Scheme relates, and also the *Queen's Hospital* at *Birmingham* so far as the Scheme relates thereto, shall be respectively governed and regulated, and the Estates belonging thereto respectively shall be managed, and the Revenues thereof respectively shall be applied and disposed of, in accordance with such of the Provisions of the Scheme, and such Rules and Orders made under this Act as from Time to Time are in force.

Court of Chancery empowered to alter Scheme, on Petition.

4. It shall be lawful for the High Court of Chancery from Time to Time, upon a Petition or Petitions to be preferred in a summary Way by Her Majesty's Attorney General, or by the College, or by the Hospital, with the Sanction of the Attorney General, to make any fresh Rules and Regulations either in lieu of or in addition to any of the Rules and Regulations contained in the Scheme in such Manner as to the said Court shall seem fit, having regard to the original Foundations, and the Scope and Intention of the Scheme, and in the Exercise of its ordinary Jurisdiction over Charities; and the fresh Rules and Regulations when so made shall be the Rules and Regulations according to and under which for the Time being the Charity to be affected thereby shall be held, administered, and managed under or by virtue of this Act, notwithstanding any Clause, Matter, or Provision contained in this Act or the Schedule thereto.

Applications to Court for Purposes of Act.

5. All Applications from Time to Time made to the Court for any of the Purposes of this Act may be made upon Petition, Motion, or Summons "In the Matter of the *Queen's College* at *Birmingham*," or "In the Matter of the *Queen's Hospital* at *Birmingham*," as the Case may be, and "In the Matter of the *Queen's College, Birmingham* Act, 1867," and the Orders of the Court thereon made in a summary Way, in Chambers or otherwise, as the Court may think fit to direct.

General Saving.

6. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all Persons and Bodies Politic and Corporate, and their respective Heirs, Successors, Executors, and Administrators, (other than the several Persons and Bodies Corporate who by this Act are expressly excepted out of this General Saving,) all such Estate, Right, Title, Interest, Property, Benefit, Claim, and Demand whatsoever of, in, to, or out of the Estates, Property, and Revenues of the said Charities or either of them, or any Part thereof, as they or any of them had before the passing of this Act, or would, could, or might have, hold, or enjoy if this Act were not passed.

Persons bound by Act.

7. The Persons following, and their respective Heirs, Successors, Executors, Administrators, and Assigns, are by this Act excepted out of the General Saving in this Act contained, and are the only Persons bound by this Act:

(1.) All Persons and Bodies Corporate now or hereafter claiming or entitled to claim any Right, Title, Interest, Power, Authority, Privilege, Benefit, or otherwise under or by virtue of any of the Deeds, Charters, or other Instruments recited or mentioned in the Preamble to this Act, their respective Heirs, Successors, Executors, and Administrators:

(2.) The *Queen's Hospital* at *Birmingham*, and all Governors, Officers, Members, and Students thereof.

Act as printed by Queen's Printers to be Evidence.

8. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

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The SCHEDULE to which the foregoing Act refers.

SCHEME.

1. The existing Charters of the College, dated respectively the Seventeenth Day of July One thousand eight hundred and forty-three, the Fifteenth Day of June One thousand eight hundred and forty-seven, and the Thirty-first Day of December One thousand eight hundred and fifty-one, shall be wholly repealed, and the Corporations established by the Two first-mentioned Charters respectively shall be dissolved.

2. The Right Honourable Thomas George Anson Earl of Lichfield, the Honourable and Reverend Grantham Munton Yorke, and all other Persons hereby named Governors, or who shall hereafter become Governors of the College, shall be united into a Corporation, and shall be incorporated by the Name of the Queen's College at Birmingham, and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to take and hold Lands to the annual Value of Five thousand Pounds at the Time of the Acquisition thereof by the College.

3. All Property now vested in or belonging to or held in trust for "The Queen's College at Birmingham," or the "Principal and Council of the Queen's College at Birmingham," or for any Purposes in connexion with those Corporations or either of them, (except Property held in trust for the Queen's Hospital at Birmingham,) shall be vested in the new Corporation of the Queen's College at Birmingham, and their Successors, (herein-after called "the College,") for the Purposes of this Scheme, but free from all other Trusts. The Trustees of certain Sums of Great Western Railway Stock, amounting together to Twelve thousand Pounds, held upon Trusts respectively for or for the Benefit of the Warden, the Professor of Pastoral Divinity, the Professor of Classical Literature, the Professor of Arts and Sciences, and Students in the Theological Department of the College, and the Trustees of any other Stock, or of any Shares, Debentures, or Property of a like Nature, held in trust for the College, or for any Purposes in connexion therewith (except Property held in trust for the Queen's Hospital at Birmingham), shall transfer the same into the Name of the College, to be dealt with as herein-after mentioned, and shall pay to the College any Dividends in respect thereof not yet applied in accordance with the Trusts.

4. No Alienation, Charge, Demise, or other Disposition of any Hereditaments belonging to the College shall be valid unless made with the Sanction of the Charity Commissioners for England and Wales (herein-after called the Charity Commissioners) or of the Court of Chancery (except Leases for Terms of Years not exceeding Twenty-one Years in Possession at Rackrent).

5. The College, subject to the special Provisions herein-after contained with reference to the Theological Department, shall be under the Management and Control of a Council consisting of the President, Vice-President, Warden, and Twelve other Persons. The President shall be a Member of the Church of England, and either a Nobleman or a Governor, the Vice-President shall be a Member of the Church of England, and a Clerk in Holy Orders, residing in or near Birmingham, and the Twelve other Persons shall be elected by the Governors, and are herein-after called Ordinary Members of the Council. Until the Election of such Council, the Government of the College shall remain in the present

present Governing Body, and the present Warden, Professors, Tutors, Lecturers, and other Officers of the College shall retain their respective Appointments in the same Manner as if this Scheme had not come into operation.

6. The First President, Vice-President, and Ordinary Members of the Council shall be elected by the Governors at a General Meeting to be held within Three Calendar Months after the passing of the Act of Parliament confirming this Scheme.

7. The First President and Vice-President, and One Third of the First Ordinary Members of the Council, shall hold Office until the Third Annual General Meeting of the Governors. One Third of the First Ordinary Members of the Council shall vacate Office at the First Annual General Meeting, and the remaining One Third at the Second Annual General Meeting. The Council shall determine amongst themselves in what Order they shall vacate Office under the above Provision. All future Members of the Council, including Presidents and Vice-Presidents, but excepting the Warden, shall hold Office until the Third Annual General Meeting subsequent to their Election. All Members of the Council vacating Office (unless disqualified) shall be eligible for Re-election.

8. The following Persons shall be Governors of the College during their Lives; viz., William Sands Cox, Esquire, Fellow of the Royal Society, the Reverend Chancellor James Thomas Law, and William Dickins, Esquire, the Reverend Egerton Bagot, Charles Holte Bracebridge, Thomas Bagnall, Joseph Barrows, William Bamford, the Reverend T. Cox, Cornelius Cartwright, Lucas Chance, James Campbell, John Birt Davies, William Henry Dawes, Firmstone Edward Gem, Charles Grove, Samuel Goddard, Samuel Vincent Horton, William Sextus Harding, Edward Johnstone, James Johnstone, Henry Jephson, the Reverend Doctor Kennedy, T. G. Lloyd, the Reverend W. M. Lawson, the Reverend T. Moseley, George Perton, Charles Ratcliffe, R. W. Scott, John Breasley Payn, Edmund Stinge, James Turner, T. S. Uphill, Frederick Isaac Welch, Robert Webb, the Reverend William Wakefield, Robert Wood, Henry Van Wart, George Paulson Wragge, George Wingfield Digby, the Right Honourable Earl of Harrowby, and Major General Whylock; and all Persons who shall have already given or who before the First Day of January One thousand eight hundred and sixty-eight shall give to the College Twenty-five Pounds or more in One Sum, or who subsequently to that Date shall give to the College Fifty Pounds or more in One Sum, shall also be Governors of the College during their Lives; and all Persons who after the First Day of January One thousand eight hundred and sixty-eight shall give to the College Twenty Pounds in One Sum, and an annual Subscription of not less than Two Pounds Two Shillings, shall be Governors of the College during the Period of such Subscription.

9. The Council, with the Approval of a General Meeting of the Governors, may elect eminent Persons to be Governors during their Lives, and may make Regulations for the Admission of distinguished Students of the College as Governors during their Lives, upon such Conditions as the Council may think fit.

10. A Register of the Names and Addresses of the Governors shall be kept under the Superintendence of the Council, and no Person whose Name does not appear on the Register shall be deemed to be a Governor.

11. The Bishop of the Diocese for the Time being shall be the Visitor of the College.

12. An Annual General Meeting of the Governors shall be held in the Month of October in every Year on a Day to be fixed by the Council, or if no Day is fixed then on the Third Tuesday in that Month. At such Meeting a Report shall

shall be made by the Council to the Governors of the Condition and Prospects of the College in all its Branches.

13. At all General Meetings the President, and in his Absence the Vice-President, shall preside; in the Absence of both, the Governors present shall elect a Chairman. All Questions shall be decided by the Votes of a Majority of the Governors present. In case of Equality of Votes the Person presiding shall have a Second or Casting Vote. At any General Meeting Five Governors shall be a Quorum.

14. Notice of all General Meetings shall be sent to the registered Addresses of each Governor at least Five Days previously to the Day of Meeting, and in the Case of Special General Meetings the Notice shall specify the Object for which the Meeting is called. All General Meetings shall, except in case of Necessity, be held within the College.

15. Special General Meetings of the Governors may be called at any Time by the Council. The Council, upon the Requisition in Writing of at least Twenty Governors, shall be bound to call forthwith a General Meeting to consider any Matter specifically stated in such Requisition.

16. All future Presidents, Vice-Presidents, and other Members of the Council shall be elected by the Governors at a General Meeting. If at any Time a Vacancy shall occur in the Office of President or Vice-President, or if the Number of Members of the Council shall be reduced below Eight, a General Meeting shall be forthwith called for the Purpose of supplying the Vacancy or Vacancies. In all other Cases Vacancies in the Council shall be filled up at the Annual General Meeting. Due Notice shall in all Cases be sent to the registered Address of each Governor of all Vacancies in the Council to be filled up at any General Meeting.

17. Byelaws may be made from Time to Time by the College in manner herein-after mentioned upon Matters relating to the Affairs and Concerns of the College, and of the Conduct and Management of the Business thereof, and may in like Manner be from Time to Time revoked or altered; but no Byelaw shall be made contrary to any of the Provisions of this Scheme, or to the Objects and Purposes of the College, and if so made the same shall be null and void.

18. No Byelaw, or Alteration or Repeal of a Byelaw, shall be valid unless sanctioned by a Resolution passed by a Majority of not less than Three Fourths of the Governors of the College present at a General Meeting of which Notice specifying the Intention to propose such Resolution has been sent to the registered Address of each Governor at least Five Days before the Day of such Meeting, and such Resolution shall have been confirmed by a Majority of the Governors present at a subsequent General Meeting of which the like Notice has been given, held at an Interval of not less than Ten Days nor more than Twenty-eight Days from the Date of the Meeting at which such Resolution shall have been first passed, nor unless the same shall be approved by the Charity Commissioners. A Copy of every Byelaw shall be printed and annexed to or embodied in every Copy of this Scheme that may be issued after such Approval.

19. The Council shall meet once at least in every Quarter, and at such other Times as they shall think fit. Five Members shall be a Quorum. The President, and in his Absence the Vice-President, shall preside at Meetings of the Council. In the Absence of both, the Members present shall elect a Chairman. All Questions shall be decided by the Votes of a Majority of the Members present. In case of Equality of Votes the Chairman shall have a Second or Casting Vote.

20. Any Member of the Council who (except only as a Shareholder in an incorporated Company) shall be concerned or participate in the Profits of any

Work done or Materials provided for the College shall vacate Office, but no Member of the Council shall vacate or be ineligible for Office by reason of his being a Professor or Tutor or holding any other Office of Emolument in the College.

21. Subject to the Provisions of this Scheme, and to the Byelaws, if any, the Council shall have the entire Control and Superintendence of the Affairs and Concerns of the College, and the Management of the Property and Income thereof, and the Regulation and Determination of the various Branches of Literature, Science, and Learning to be taught therein, and shall have the Custody of the Common Seal of the College, and may do all such Acts and Things as shall appear to them necessary for carrying into effect the Objects and Purposes of the College.

22. Subject to the Provisions of this Scheme, the Council shall determine from Time to Time the Number, Duties, and Emoluments of the Professors, Tutors, Lecturers, and others engaged in the Instruction of the College, and shall appoint the Warden, Professors, Tutors, Lecturers, and others engaged in the Instruction of the College, and may assign to them from the general Funds of the College such Stipends or Emoluments as the Council shall think fit.

23. The Council (subject to an Appeal to the Visitor of the College) may, at a Special Meeting summoned by Circular Seven Days previously thereto, and specifying the Object of the Meeting, by a Majority of not less than Three Fourths of the Members present at such Meeting, terminate the Engagement of the College with the Warden, or any Professor, Tutor, Lecturer, or other Person engaged in the Instruction of the College, by giving him Three Calendar Months Notice in Writing, or Three Calendar Months Stipend in lieu of such Notice. The Council shall determine the Amount and Disposition of all Fees and Payments to be received for Instruction or otherwise from Students of the College. The Council may appoint, and at Pleasure remove, a Secretary, and all other necessary Officers of the College, and may assign to them such Remuneration as the Council shall think fit.

24. The Council shall have Power to accept Gifts or Endowments for promoting particular Objects of Education, or otherwise in aid of the general Purposes of the College, on such Terms and Conditions, not inconsistent with the Provisions of this Scheme, as may be agreed upon between the Council and the Persons bestowing such Gifts or Endowments, and shall also have Power to accept Legacies bequeathed for the Objects or Purposes aforesaid, or any of them.

25. The Council, with the Approval of a General Meeting of the Governors, and with the Approval of the Charity Commissioners, may make Regulations empowering Governors of the College or certain Classes of the Governors to nominate Students at reduced Fees upon such Terms and Conditions as the Council shall think fit.

26. The Banking Account of the College shall be kept in the Corporate Name. All Fees and other Payments to be received from Students shall be paid into the Banking Account of the College. All Cheques drawn on the College Account shall be signed by the Secretary and by One or more Members of the Council, under such Regulations as the Council shall make in that Behalf. The Accounts of the College shall be audited annually by an Auditor, who shall be appointed and be removable, and whose Remuneration shall be fixed by the Governors at a General Meeting. A Statement of the annual Accounts as audited, accompanied by a Statement of the Income and Expenditure, Assets and Liabilities, of the College, made up to the preceding First Day of September, shall

shall be laid before the Governors at the Annual General Meeting, and a Copy thereof, together with a Copy of the Annual Report, shall be sent to every Governor and Member of the Council Five Days at least previous to the Meeting.

27. The College shall contain the following Departments, viz., Theology, Medicine, Arts, and such other Departments, if any, as the Council, with the Approval of the Charity Commissioners, shall from Time to Time see fit to establish and maintain.

28. The Warden of the College shall be the resident Head of all the Departments. He shall be a Clergyman of the Church of England in Priest's Orders, and shall have taken the Degree of Master of Arts at the University of Oxford or Cambridge.

29. There shall be a Professor of Theology in the College, who shall be a Clergyman of the Church of England in Priest's Orders, and shall have taken the Degree of Master of Arts at the University of Oxford or Cambridge. Until a Sum equal to the Amount realized by the Sale or Mortgage of such of the Great Western Railway Stock as shall be sold or mortgaged for the Purpose of paying off the Debts of the College shall have been fully recouped to the College, as herein-after provided, the Offices of Warden and Professor of Theology shall be held by the same Person. As soon as such Sum shall have been fully accumulated, the Council shall declare One of the Two Offices to be vacant, and they shall be thenceforward held by separate Persons, and any Vacancy in the Office of Professor of Pastoral Theology shall then and thenceforward be filled by some Person possessing the Qualifications aforesaid, who shall be appointed by the President, Vice-President, and Visitor of the College.

30. The Warden and the Professor of Theology shall respectively reside in the College, unless the Council shall consent to their residing elsewhere within Ten Miles from the College; and no Warden or Professor of Theology, other than the Gentleman who is now the Warden and Professor of Theology, if he should be re-appointed to those Offices or either of them, shall hold any Ecclesiastical Preferment incompatible with such Residence.

31. In addition to the Warden and Professor of Theology, there shall always be a Professor of Classics and a Professor of Mathematics, who shall respectively have taken the Degree of Bachelor of Arts at least at some University in Great Britain or Ireland, and a Medical Tutor, who shall be a Member of the College of Surgeons of England, Ireland, or Scotland, or a Graduate of a University in Great Britain or Ireland. The Medical Tutor shall give all necessary Instruction to the Medical Students, except the Clinical Instruction to be given to them at the Hospital. The Number and Nature of the other Professorships, Tutorships, Lecturerships, and other Offices of Tuition (if any) shall be determined by the Council.

32. The Warden shall be responsible for the Celebration of Divine Service in the College Chapel according to the Order of the Church of England on Sundays and Week Days during Term Time, and shall have the Control of the Arrangement of the Chapel, and herein shall be subject to the Visitor only.

33. The Warden shall have the sole Control of the Discipline of the College. He shall admit Students to the Privileges of the College, and have Power to suspend from those Privileges, or to rusticate or expel, without Appeal, except to the Visitor. He shall assign Rooms in the College to the resident Students, make Arrangements for their Attendance at Chapel, and generally take such Proceedings as he shall deem necessary to preserve Order and good Conduct in the College; and the Porters and other Servants of the College shall be appointed and removed by him.

34. The

34. The Instruction given in the Theological Department shall be regulated by the Warden, subject to the general Superintendence of the President and Vice-President. The Warden shall report to the Visitor what Course of Lectures are to be given in the Department each Term. In all Questions which may arise touching the Doctrine or Discipline of the Church of England Reference shall be made to the President and Vice-President, and from them, if need be, to the Visitor, whose Decision shall be final.

35. Subject to the general Control of the Council, the internal Arrangements of the other Departments, and the Instruction to be given therein, shall be regulated by the Warden, with the Advice and Assistance of the Professors and Tutors actually engaged in the Instruction of each Department respectively. The Instruction in all the Departments shall be given within the College, unless the Council, with the Approval of the Charity Commissioners, shall otherwise determine.

36. No Student shall be admitted into the Theological Department who shall not have passed some public accredited Classical Examination the Standard of which shall be considered by the Council as sufficient for this Purpose, or have passed through the Arts Department of the College; provided that the Council may dispense with a public Examination, and may substitute therefor a Classical Examination in the College for so long a Term as they shall consider it necessary for the Interests of the College.

37. Subject to the Provisions of this Scheme, the Council may from Time to Time make and vary Rules and Regulations respecting the Admission of Students, and their Attendance at the College, their annual or other Examinations, and the Appointment and Payment of Examiners, and the Rents to be paid for the Rooms, and may assign Rooms to Students free of Rent. The Council may bestow such pecuniary and other Rewards on the Students as the Council may think fit, and may, with the Sanction of the Court of Chancery or the Charity Commissioners, establish Scholarships or Exhibitions from the Funds of the College.

38. The Debts now due from the Queen's College at Birmingham, or from the Principal and Council of the Queen's College at Birmingham, or from any Trustees or Trustee for those Corporations or either of them, or for any Purposes connected therewith respectively as such Trustees or Trustee, shall be forthwith discharged, under the Direction of the said Court or Commissioners, by means of the Mortgage of the aforesaid Sum of Twelve thousand Pounds Great Western Railway Stock for such a Sum as, together with the Money to be received from Donations, and any other available Funds of the College, shall be sufficient to discharge the same, or by the Sale of so much of the said Stock as, together with such Money and Funds, shall be necessary for that Purpose. If such Sum shall be raised by Mortgage, the Council shall, out of the annual Income of the College, pay the annual Interest upon the said Mortgage, and shall also thereout set aside annually as a Sinking Fund a Sum of Money equal to One Thirtieth of the Sum which shall have been so borrowed as aforesaid, and which Sum shall be annually invested by the Council in or upon any of the Parliamentary Stocks or Public Funds; and the Dividends of the Money so invested, when and as the same shall become due, shall be received and invested in like Manner, in order that the Monies so set aside and invested may accumulate at Compound Interest; and when such last-mentioned accumulated Fund shall amount to a Sum which, in the Opinion of the Council, can be conveniently applied for that Purpose, the Stocks, Funds, and Securities whereon the same shall stand invested shall be sold, and the Monies arising from such Sale shall be applied in Payment, so far as the same will extend, of the said Principal

Monies

Monies charged upon and owing on the Security of the said Railway Stock, and so from Time to Time until the whole of the said Principal Monies shall be discharged. If the Sum required for Payment of the said Debts shall be raised by Sale of Part of the said Railway Stock, a Sum equal to at least One Thirtieth of the Amount so raised shall be annually set apart by the Council, and invested in manner aforesaid, as a Replacement Fund, until a Sum equal to the entire Amount realized by the Sale of such Stock shall have been accumulated. The Council may, if and when they shall consider it expedient, sell the Remainder of the said Sum of Great Western Railway Stock, and invest the Proceeds in or upon any of the Stocks, Funds, or Securities lastly herein-before mentioned, and they may from Time to Time vary and transpose any such Investments into or for others of the like Nature.

39. The Council shall yearly out of the Funds of the College, other than the Income of the said Sum of Twelve thousand Pounds Great Western Railway Stock, so far as the same will extend, pay at least One hundred and forty Pounds to the Warden, One hundred and seventy-six Pounds to the Professor of Theology, and Forty Pounds to the Medical Tutor of the College, for the Time being, and shall apply Two annual Sums of Forty Pounds each as Prizes for Students of Medicine and Surgery in the College, and the Council may award the whole of either of the said Sums to One Student, or may divide either or both of the said Sums among several Students, and may either give the Amount in Money or Books, or partly in Money and partly in Books, and in applying the said Sums the Council shall have regard to the Purposes expressed by the late Dr. Warneford in establishing those Prizes, viz., of combining Religious with Scientific Studies and Pursuits, and of making Medical and Surgical Students good Christians as well as able Practitioners in Medicine and Surgery.

40. The Income of the said Sum of Twelve thousand Pounds Great Western Railway Stock, or of so much thereof as shall for the Time being remain, and of the said Funds to be accumulated by way of Replacement thereof, and of all Stocks or Investments for the Time being representing such Trust Funds respectively, shall, after Payment of the Interest upon any such Mortgage, and providing for such Sinking or Replacement Fund (as the Case may be), be paid and applied in manner following; videlicet,—Thirteen Twenty-fourth Parts shall be paid to the Warden, Five Twenty-fourths to the Professor of Theology, Two Twenty-fourths to the Professor of Classics, and Two Twenty-fourths to the Professor of Mathematics for the Time being; the remaining Two Twenty-fourth Parts shall be applied for Students Prizes in the Theological Department; and the President, Vice-President, and Warden may award the whole of such last-mentioned Two Twenty-fourth Parts to One Student, or divide it among several, and may either give the Amount in Money or Books, or partly in Money and partly in Books.

41. Any ultimate Surplus which may remain of the general Income of the College, after Payment of all Expenses of the Administration and carrying on of the College, shall be applied in such Manner as the Charity Commissioners or the Court of Chancery shall sanction, in furtherance of the general Objects and Purposes of the College.

42. Students who have completed or who shall hereafter complete not less than a Three Years Course of Instruction in the Engineering and Architectural Department in the College, and who have passed or who shall hereafter pass, to the Satisfaction of the Examiner or Examiners to be appointed by the Council, Three Public Examinations, shall be entitled to the Academic Rank of Civil Engineer in the College, and receive from the President or Vice-President a Diploma under the Common Seal of the College.

43. Gold Medals, or Prizes of the aggregate Value of Twenty Guineas, or One Medal or One Prize of that Value, shall be annually awarded in the Medical Department of the College, under such Conditions as the Council shall direct, bearing the Name of "The Sands Cox Medal," or "The Sands Cox Prize," in commemoration of the Exertions of Mr. William Sands Cox in founding and supporting the College.

44. The Museums of Anatomy and of Natural History, and the Models of Machinery and Philosophical Apparatus, collected by Mr. William Sands Cox, shall be preserved in the College, and be open free of Charge from Time to Time to such Inhabitants of the Town of Birmingham and District adjoining, and under such Arrangements, as the Council may from Time to Time direct.

45. The Sum of One thousand Pounds given by Dr. Warneford for making Provision for a Chaplain shall be forthwith repaid by the Hospital to the College, to be dealt with as Part of the general Funds of the College, and the College shall cease to be Trustees of the Property of the Hospital, and to have any Control over the Appointment or Duties of the Chaplain or any of the Medical or Surgical Officers of the Hospital, and shall release and be released from all present and future Claims in respect of Fees for Instruction heretofore given in the Hospital.

46. The said William Sands Cox, the Founder, and James Thomas Law, together with Morris Banks, Ambrose Biggs, John Thackray Bunce, John Cornforth, Hector Richard Cooksey, George Dixon, Robert Fletcher, Edwin Gwyther, Daniel Sidney Hasluck, Samuel Vincent Horton, George James Johnson, George Lloyd, M.D., the Reverend George Burton Potts Latimer, John William M'Cardie, Jacob Phillips, William Pearce, Charles Ratcliff, William John Beach Scott, James Fitzjames West, John St. John Wilders, the Reverend Charles Thomas Wilkinson, the Reverend William Wilkinson, D.D., and Edwin Yates, and all other Persons who are now or shall hereafter be Governors of the Queen's Hospital at Birmingham, shall be united into a Corporation, and shall be incorporated by the Name of "The Queen's Hospital at Birmingham," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to take and hold Lands to the annual Value of Two thousand five hundred Pounds at the Time of the Acquisition thereof by the Hospital.

47. All Property now belonging to or held in trust for the Queen's Hospital at Birmingham shall, subject to the Payment of the said Sum of One thousand Pounds, be vested in the new Corporation of the Queen's Hospital at Birmingham, and their Successors, (who are herein-after called "the Hospital,") as to such Part thereof as is subject to the Trusts of a certain Indenture dated the Fourteenth Day of July One thousand eight hundred and fifty-six, made between Frederick Isaac Welch and others of the one Part, and Lord Ward and others of the other Part, upon the Trusts of such Indenture, and as to the Remainder of such Property for the Purposes of the Hospital, free from all other Trusts, and from the Rentcharge of Forty Pounds secured by the said Deed of the Thirteenth Day of January One thousand eight hundred and forty-two.

48. The Hospital may make such Regulations for its Government, and for the Management and Conduct of its Property and Affairs, and for the Qualification and Registration of its Governors and Managing Body, as it may from Time to Time think fit.

49. The Hospital shall forthwith appoint a Clergyman of the Established Church of England to be the Chaplain of the Hospital, and when and so often as a Vacancy shall occur shall forthwith thereafter make a similar Appointment. If no Chaplain is appointed within Two Calendar Months after the passing of the

the Act of Parliament confirming the Scheme, or if at any Time thereafter the Office of Chaplain shall be vacant for a like Period of Two Calendar Months, the Visitor of the College may appoint a Chaplain for the Hospital. The Hospital shall at all Times pay to the Chaplain at least Forty Pounds per Annum.

50. The Hospital shall be maintained as a Clinical Hospital, and afford every Facility for Clinical Instruction; and such Persons shall from Time to Time be appointed to be Physicians and Surgeons of the Hospital whose Certificates as to Clinical Instruction shall be accepted by the Medical Examining Boards of the United Kingdom; and such Physicians and Surgeons shall hold their respective Offices on Condition of giving to all Students of the College such Clinical Instruction in Kind and Quantity and in such Manner as shall from Time to Time be required by the said Medical Examining Boards.

51. The Students of the College shall at all Times have free Access to the Hospital for the Purposes of Clinical Instruction, upon Payment of such Fees and on such other Terms and Conditions as shall be from Time to Time agreed upon between the Council and the Hospital. Any Dispute between the College and the Hospital regarding such Fees, Terms, or Conditions, or otherwise regarding the Privileges to be enjoyed by the Students of the College under this Clause or the preceding Clause, or any Dispute between the Hospital and any Physician or Surgeon thereof as to the preceding Clause, shall be referred to the Visitor of the College, whose Decision shall be binding on the Parties to the Dispute.

52. This Scheme shall be printed, and a Copy thereof shall be given to every Member of the Council, and to the Warden and each of the Professors and Tutors in the College, and every Governor shall be entitled to a Copy on Payment of such Sum, not exceeding One Shilling, as the Council may from Time to Time determine.

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