

FURTHER PAPERS

RELATIVE TO THE

ESTABLISHMENT OF THE NEW ZEALAND UNIVERSITY.

(In continuation of Papers presented 31st October, 1871.)

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF
HIS EXCELLENCY.

WELLINGTON.

—
1872.

FURTHER PAPERS RELATIVE TO THE ESTABLISHMENT OF THE NEW ZEALAND UNIVERSITY.

No. 1.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

SIR,—

Colonial Secretary's Office, Wellington, 6th November, 1871.

I have the honor to acknowledge the receipt of your letter of the 30th ultimo, forwarding, with explanation, a copy of a Resolution passed by the Council of the New Zealand University, relative to the Bill now before the General Assembly, intituled "A Bill to repeal 'The University Act, 1870,'" and, in reply, to inform you that the subject shall receive the consideration of the Government.

H. J. Tancred, Esq.,
Chancellor of the New Zealand University.

I have, &c.,
W. GISBORNE.

No. 2.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 3rd November, 1871.

I have the honor to enclose the accompanying Statutes and Regulations (as noted in the margin) passed by the Council of this University, and to request that the Governor may be advised to assent to the same.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
HENRY JOHN TANCRED,
Chancellor.

Admission of Undergraduates.
Admission of Bachelors of Arts and Masters of Arts.
Full terms not kept.
University Terms.
Affiliated Colleges Examinations.
Residence in affiliated Colleges.
Lectures in affiliated Colleges.
Examination for Scholarships.
Matriculation.

No. 3.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 581.)

SIR,—

Colonial Secretary's Office, Wellington, 14th November, 1871.

I have the honor to acknowledge the receipt of your letter of the 3rd instant, enclosing certain Statutes and Regulations passed by the Council of the New Zealand University, to which you request that His Excellency the Governor may be advised to assent, and to inform you that the subject of your letter will be considered by the Government after the close of the Session.

H. J. Tancred, Esq.,
Chancellor of the New Zealand University, Christchurch.

I have, &c.,
W. GISBORNE.

No. 4.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Christchurch, 23rd January, 1872.

I have the honor again to draw your attention to my letter of 11th July of last year, enclosing certain Regulations relating to "Conditions of Affiliation," "Regulations for Scholarships," and "Appropriation of Funds," passed by the Council of this University during its meeting at Dunedin during the previous month of June, and submitted to the Government for His Excellency's approval; also to my letter of 3rd November of the same year, enclosing certain Statutes and Additional Regulations for a like purpose.

I venture to hope, in again reminding the Government of these documents, that the Government will not think me unduly urgent, but that they will attribute my renewed request that they may be attended to, to my sense of the pressing importance of the case, and to the necessity which exists that some indication should be given as to the views and intentions of the Government, not only with regard to these particular statutes and regulations, but also generally with regard to the whole future position of the University.

You are no doubt aware, as indeed you have already informed me in previous communications, that the Council can exercise none of the powers given to it by the Act, nor can it perform any functions at all, except under regulations or statutes approved of by His Excellency. The Council has done its part in passing statutes and regulations for the organization of the

machinery of the University, but as yet the Governor has not been advised to give them validity by approving or otherwise dealing with them, and thus the Act has been made practically a dead letter. From this it is clear that the delay which has taken place in bringing the Act into practical operation is due, not to any neglect or omission on the part of the Council, but to the fact that the Government, although they have been in consultation over the regulations first passed for a period of more than six months, have been unable to arrive at any definite conclusion.

In your letter of the 12th October of last year, you informed me that the Governor would be advised to assent to the above regulations, and you pointed out the manner in which those relating to scholarships should be limited. In the fullest confidence that the promise contained in that communication would be made good, the Council immediately proceeded to prepare regulations and statutes which imposed the conditions and limitations required by your letter, and, believing that they were about to be placed in a position to do some practical work, they passed certain additional regulations and statutes for settling some minor matters of detail. I need hardly say that it was with surprise and disappointment that the Council learned from your letter of the 17th of the same month that the promise of the 12th was rescinded, and the University was to remain inactive for an indefinite time longer.

I venture to recall these circumstances to your recollection, because I am anxious to point out how important it is that the questions pending should be settled as soon as possible, in order that there may be no further unnecessary expenditure of time and money.

The Council is appointed to meet again on the 10th of April next, at Wellington; but it will be necessary, in case the statutes and regulations are approved, that I should be acquainted some weeks before the above date with the intentions of the Government, in order that I may be in a position, previous to the meeting, to make all the arrangements which I have been directed by the Council to make contingently on the statutes and regulations being assented to.

I think it my duty to urge the Government once more to come to some decision upon the statutes and regulations as soon as they conveniently can do so, on the ground of economy; a considerable expenditure has already been incurred, occasioned by the meetings, each time called at the instance of the Government, without any tangible result.

It has been reported—I cannot say with how much truth, but the account of the debates, as recorded in *Hansard*, appear to favour the supposition—that the Government think it desirable that the University should cease to exist, and that it is proposed in the meantime to retain it in a state of inaction, by withholding His Excellency's assent to the proceedings of the Council.

Considering the earnest advocacy which the present University Act received from the head of the Government, I can hardly credit this report, notwithstanding the reports of the debates and the unwillingness of the Government to give effect to the provisions of the Act; but I feel compelled to allude to the matter, because it is of the greatest importance that the views and intentions of the Government should at once be made known.

In the first place, an authoritative announcement of such a determination on the part of the Government, would probably render unnecessary any further meetings of the Council, and thus save a needless expenditure of public funds.

Secondly, it would determine the plans of those youths in the Colony who have been looking to the University as an institution under which they can prosecute their studies, and by means of which the honors and emoluments of a literary life may be opened to them. I am assured that there are several lads, who have just completed their school course, who are only waiting, before they finally determine upon a career in life, till they can ascertain how far the University can offer encouragement to them to devote themselves to higher studies. It appears to me highly inexpedient, if not somewhat unfair, to keep this class of persons in a state of suspense.

Thirdly, there are various applications from scholastic and collegiate institutions, in all parts of the Colony, for the benefits of affiliation to the University, which only await a favourable decision to provide additional means of instruction in higher subjects, and additional appliances, as well as to contribute towards the establishment of professorships, and the accommodation required for the delivery of lectures. These also should at once be informed of the prospect of their claims being considered and decided upon.

It appears to me, moreover, that the Council of the University has a fair right to be placed in possession of the intentions of the Government. Speaking for myself personally, I cannot but think that I, in accordance with the other members of the Council, have been placed in a false position by the action, or rather by the absence of any action, on the part of the Government. I consented, at the request of the Government, to be nominated a member of the Council under an Act which, as I then understood, had the cordial and hearty approval, not only of the Government as a body, but of every individual member of that Government. I think that under these circumstances I was justified in expecting the co-operation and sympathy and assistance of the Government in the task which, at their request, I as well as the other members had undertaken.

I have attended at very great personal inconvenience two meetings of the Council, solely with a view of promoting what I considered, and what I had reason to suppose the Government considered, a work likely to be a benefit to the Colony. The result, however, has been that the Council has been prevented by the Government from carrying on that work, and the Council

has been reproached for want of activity by those who only look at results, and are unacquainted with the actual facts of the case.

I have, &c.,

HENRY JOHN TANCRED,

Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 5.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 79.)

SIR,—

Colonial Secretary's Office, Wellington, 26th January, 1872.

Adverting to my letter of the 14th November last, I have the honor to inform you that the Statutes and Regulations enclosed in your letter of the 3rd of that month will be submitted to the Governor at the next Executive Council for His Excellency's assent.

I have, &c.,

W. GISBORNE.

The Chancellor of the New Zealand University,
Christchurch.

No. 6.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 83.)

SIR,—

Colonial Secretary's Office, Wellington, 31st January, 1872.

I have the honor to acknowledge the receipt of your letter of the 23rd instant. My letter of the 26th instant, written before your letter was received by me, will have apprised you that the Statutes and Regulations enclosed in your letter of the 3rd of November last would be submitted to the Governor in Council.

I cannot admit the assumption which pervades your letter, that the delay which has taken place in the action of the Council of the University has resulted altogether from the neglect of the Government. I will shortly recapitulate facts which prove how unfounded that assumption is.

"The New Zealand University Act, 1870," under which the Council was constituted, omitted to provide for its first meeting, and the Governor was advised to remedy that defect by summoning it himself. The Council met in Dunedin, and on the 7th of June last, as the first step essential to the conduct of its business, elected the Chancellor, and on the following day the Government remitted to the University Account the sum of £3,000 allocated by the Act. The Council in the course of that month forwarded certain resolutions, and proposed statutes and regulations to which His Excellency's assent was desired. In my letter of the 3rd of July, I intimated to you the irregularities and illegalities to which, as the Government were advised by the Attorney-General, the course taken by the Council would lead; and on the 15th of July, I stated that, "after careful consideration of all the circumstances arising out of the recent meeting of the Council of the University of New Zealand, and of legal difficulties connected therewith, the Government have decided on submitting the whole question to the further consideration of the General Assembly in its approaching Session," and His Excellency was advised to sanction the statute convening future sessions of the Council, in order that the Council might meet at Wellington while Parliament was sitting, and thus a satisfactory solution of existing difficulties be facilitated.

The whole question occupied the attention of Parliament during the entire course of the Session, and it was not until its close that it became evident that there was no probability of any satisfactory result. In fact, on the 13th of November last (three days before prorogation), the House of Representatives passed a resolution (by a majority of 32 to 14), instructing the Committee of the House in the following words, namely, "to so amend the Bill (University) as to make it repeal 'The University Act, 1870;' and the House gives this instruction on the understanding that if, during the present Session, the Bill is not passed, the House recommends the Government to withhold payment of any portion of the three thousand pounds (£3,000) subsidy to the New Zealand University, beyond the amount required for the payment of liabilities to date."

I would also remind you that, in my letter of the 17th of October last, I pointed out to you the opinion of the Attorney-General, that the unqualified assent (promised by me in my letter of the 12th of that month, without, I admit, sufficient consideration of all the consequences) to the regulations enclosed in your letter of the 4th of October would create further complications, and I requested you to inform me which of the three alternative courses suggested by that officer in respect of those regulations you would prefer to be adopted. To that letter you replied that the Council preferred the first alternative, and proposed altering the regulations as to the duration of the scholarships and lectureships. I have, however, received from the Council no such alteration, and have been unable to advise His Excellency to assent to the regulations in their present form. Moreover, in face of the above-quoted resolution of the House, passed since my letter of the 17th of October, the Government would not be justified in assenting to

regulations, whether for establishing scholarships or for other purposes, involving appropriations for a longer period than one year.

Since the close of last Session (16th November, 1871) the Government have had under their consideration your letter of the 3rd of November and its enclosures, and I have to express my regret that the pressure of business consequent on the close of the Session, and the necessity of careful legal consideration of the question, have delayed the decision of the Government thereon. That delay, however, I am sure you will admit, does not of itself justify the charge implied in your letter.

I have no wish to disclaim any responsibility duly attaching to the Government in the matter of the New Zealand University; but I feel sure that a careful and impartial consideration of the facts related above, conclusively shows that the Government are not justly open to the imputation which your letter conveys.

H. J. Tancred, Esq.,
Chancellor of the New Zealand University, Christchurch.

I have, &c.,
W. GISBORNE.

No. 7.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 84.)

SIR,—

Colonial Secretary's Office, Wellington, 2nd February, 1872.

Adverting to my letter dated 26th ultimo, I have the honor to transmit to you the accompanying Statutes and Regulations, passed by the Council of the New Zealand University, and forwarded in your letter of the 3rd November last, which were signed by His Excellency the Governor in Council on the 1st instant.

The Chancellor of the New Zealand University,
Christchurch.

I have, &c.,
W. GISBORNE.

Enclosures in No. 7.
G. F. BOWEN, Governor.
STATUTE.

ANY person may be admitted without examination as an undergraduate member of the Universities of New Zealand who shall have kept any number of terms at any of the under-mentioned Universities, namely, Oxford, Cambridge, Glasgow, Aberdeen, St. Andrews, Edinburgh, Dublin, Durham, London, Queen's University of Ireland, Sydney, or Melbourne; and shall be considered of the same standing as if he had been during the same time an undergraduate member of the New Zealand University: Provided always, that he shall give to the Registrar, to be submitted to the Council, evidence of good conduct at any such University.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

STATUTE.

ANY person who shall have been admitted to the degree of Bachelor of Arts in either of the Universities of Oxford, Cambridge, Glasgow, Aberdeen, St. Andrews, Edinburgh, Dublin, Durham, London, Queen's University of Ireland, Sydney, or Melbourne, may be admitted by the Council to such degree in the New Zealand University.

Any person who shall have been admitted to the degree of Master of Arts in either of the Universities of Oxford, Cambridge, Glasgow, Aberdeen, St. Andrews, Edinburgh, Dublin, Durham, London, Queen's University of Ireland, Sydney or Melbourne, may be admitted by the Council to such degree in the New Zealand University.

Proof of having complied with these terms shall be to the satisfaction of Council.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.
STATUTE.

ANY person who shall have passed the examination for the degree of Bachelor of Arts in the Universities of Oxford, Cambridge, Glasgow, Aberdeen, St. Andrews, Edinburgh, Dublin, Durham, London, Queen's University of Ireland, Sydney or Melbourne, but may not have gone through the form of taking that degree, on account of not having kept the last required term, subsequently to each examination, may be granted such term by the Council, and be admitted to the degree of Bachelor of Arts in the New Zealand University.

Proof of compliance with these terms shall be to the satisfaction of the Council.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

RESOLUTION.

THAT the academic year shall contain three terms, that is to say—Lent Term, commencing on the second Monday in February, and terminating with the first week in May, with an interval (not exceeding fourteen days) at Easter; Trinity Term, commencing on the third Monday in June, and terminating with the second week in August; Michaelmas Term, commencing on the first Monday in October, and terminating with the last week in November.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

REGULATION.

THAT each affiliated College shall hold an examination during the last fortnight of the Michaelmas Term of each year, in each of the subjects in which it has been required by the condition of the affiliation to teach. That after examination the names of the undergraduates shall be arranged in classes, and in order of merit. That the class lists, together with the papers set and the answers thereto, shall be forwarded forthwith to the Registrar.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

REGULATION.

THAT residence in an affiliated College shall not be necessarily required for the keeping of terms; but any student matriculated to the University, and whose name shall be upon the books of an affiliated College, and who shall have passed the yearly College examination, shall be deemed to have kept the three terms of that year.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

REGULATION.

THAT the lectures, if delivered in an affiliated College, of any Professor who shall derive his stipend, in part or in whole, from the University, shall be open to any person not upon the books of such College, desirous to attend, on prepayment of such fee, not exceeding two guineas, as may be determined by the governing body of such College, for each course; a course to comprise the lectures delivered by such Professor during one term.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

G. F. BOWEN, Governor.

REGULATIONS *re* SCHOLARSHIP EXAMINATIONS.

No person shall be admitted to a Scholarship unless he shall have matriculated as a member of the University.

Scholarship Examinations shall be held at any place within the Colony where a person appointed by the Chancellor, to be termed a Superior, can be found to see that the rules for examination are complied with.

Scholarship Examinations shall be conducted by means of papers, to be severally prepared by the Examiners.

Candidates shall write out answers to the questions set, in the presence of the Superior, and in accordance with such detailed instructions as may be furnished by the Chancellor or the Chancellors appointed.

The written answers shall be transmitted by the Superior to the Examiners—that is to say, each answer to the Examiner who set the paper—who shall examine them, and report thereon to the Council.

The Examiners and Superiors shall severally receive such remuneration for their services as the Council shall in each case determine.

The Council shall appoint Examiners to conduct the examinations; and in the event of any Examiner notifying to the Chancellor that he will not be able to fulfil his functions, another Examiner shall be appointed by the Chancellor in his stead.

The Chancellor is hereby empowered to make rules or orders for such matters of detail as may be required for the actual carrying out of the foregoing regulations.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

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G. F. BOWEN, Governor.

REGULATIONS FOR MATRICULATION.

ANY candidate for Matriculation may be admitted as a student in the University on producing to the Registrar a certificate from some person to be appointed on that behalf by the Chancellor, that he has received systematic instruction in the following subjects:—

English Grammar and Composition.

Arithmetic.

Ancient and Modern History.

And at least one of the following subjects:—

French or German Languages.

Greek and Latin Languages.

Algebra, to Simple Equations, inclusive.

Geometry, first book of Euclid.

Mental Philosophy and Logic.

Natural Philosophy.

Experimental Physics.

Political Geography.

Physical Geography.

Jurisprudence.

Approved in Council, 1st February, 1872.

FORSTER GORING,
Clerk of the Executive Council.

No. 8.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Christchurch, 8th February, 1872.

I have the honor to acknowledge the receipt of your letter of the 31st ultimo, in reference to the representations made in my letter of the 23rd.

I understand that the sole objection on the part of the Government to advising His Excellency to assent to the regulations passed at Dunedin is, that those regulations do not limit the tenure of scholarships and professorships to a definite time; and you state, that in view of the action taken by the House of Representatives during last Session, the Government will not assent to regulations involving appropriations for a longer period than one year.

You remark further, that although the Council, out of three alternatives proposed by the Government, elected to pass a regulation by which a limitation of time should be fixed, yet no regulation has been submitted for approval to effect this. The Council, by a resolution, pledged itself to do this, and I assumed that, on the strength of that pledge, the Government would have procured the Governor's assent.

I may remark, however, that your letter did not specify any definite time for the duration of the tenure, but only that some limit should be fixed. The limit which the Council, as I believe, contemplated, was three years; but it now appears that that limit would not have been assented to, as the Government has resolved upon a limit of one year. The practical result would therefore have been the same.

Such being the case, and considering the pressing importance of the case, I would respectfully but earnestly urge upon the Government to adopt the second alternative suggested by you, and that in the Order in Council approving of the regulations in question, namely:—"Conditions of Affiliation," "Regulations for Scholarships," and "Appropriation of Funds," the required limitation as to the time during which they shall be in operation should be final.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 9.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 138.)

SIR,—

Colonial Secretary's Office, Wellington, 27th February, 1872.

I have the honor to acknowledge the receipt of your letter of the 8th instant, and, in reply, to enclose a *New Zealand Gazette*, No. 10, of 26th February, 1872, containing an Order in Council assenting to certain regulations of the Council of the New Zealand University, with the limitation that such sanction and approval shall continue in operation only for one year from the 12th day of October last. I also enclose the original Order in Council.

Since I suggested, on the 17th of October last, a limit as to the tenure of scholarships, &c., the House of Representatives passed the resolution to which I referred in my letter No. 83, of the 31st January last, and it became necessary to guard as much as possible, in the event of probable changes affecting the position of the New Zealand University, against the creation of

vested interests, which would embarrass the Legislature in dealing with the subject, and with that view the limit specified in the Order in Council has been prescribed.

It would be advisable that the Council should, in order to remove possibility of question, pass, in accordance with its pledge, a limiting regulation, and, if so, the limit should of course be the same as in the Order in Council.

The Chancellor of the New Zealand University,
Christchurch.

I have, &c.,
W. GISBORNE.

No. 10.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 12th April, 1872.

I have the honor to draw your attention to the form in which "Regulations for Scholarships," for "Conditions of Affiliation," and for "Appropriation of Funds," have received approval of His Excellency the Governor.

The instrument on which that approval is notified consists of a printed slip from the Government *Gazette*, setting forth the Order in Council. You will observe that, by the 12th section of the New Zealand University Act, it is provided that regulations passed by the Council require, in order to become valid, to be reduced to writing.

It is true that these regulations have been reduced to writing, but it appears that the Governor's approval was given on the printed and not on the written copy.

I should feel obliged if you would request the Attorney-General to advise as to whether the printed copy transmitted in your letter of the 27th February last fulfils the requirements of the section above alluded to; also whether it is one to which the seal of the University should be affixed. No. 10, of Feb. 26, 1872.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 11.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 282.)

SIR,—

Colonial Secretary's Office, Wellington, 24th April, 1872.

I have the honor to acknowledge the receipt of your letter of the 12th instant, requesting the opinion of the Attorney-General as to whether the mode of approval of the regulations fulfils the requirements of the 12th section of the New Zealand University Act, and, in reply, to inform you that your letter having been submitted to the Attorney-General, his opinion is, that the Act provides that "the regulations, when sanctioned by the Governor in Council," shall be reduced to writing, and that the instrument by which the Governor's approval is notified is sufficient, although partly in print, but that now these statutes should be reduced by the Council to writing, and sealed.

I have, &c.,

W. GISBORNE.

The Chancellor of the New Zealand University,
Wellington.

No. 12.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 13th April, 1872.

I have the honor to state that the question has been raised whether the *ad eundem* degrees which, by the 13th section of the New Zealand University Act, the Council of this University is empowered to confer, gives to graduates so admitted the right to sit as members of the Senate, and to participate in the exercise of the functions and powers of that body, and to request that you will submit the question to the Attorney-General for his opinion.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 13.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 279.)

SIR,—

Colonial Secretary's Office, Wellington, 22nd April, 1872.

I have the honor to acknowledge the receipt of your letter of the 13th instant, transmitting a question, for the opinion of the Attorney-General, relative to *ad eundem* degrees,

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which by the 13th section of the New Zealand University Act, the Council is empowered to confer, and, in reply, to inform you that the Government is advised that all persons, howsoever admitted to degrees, are members of the Senate, and have a right to vote therein. The Act provides for "the admission" to degrees without examination *ad eundem*, and all persons admitted to degrees are members of the Senate.

The Chancellor of the New Zealand University,
Wellington.

I have, &c.,
W. GISBORNE.

No. 14.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 15th April, 1872.

I have the honor to enclose several regulations, as per accompanying list, passed by the Council of this University, and request that you will submit them to His Excellency the Governor for his approval.

I have &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

A.—REGULATION.

THAT the powers of the New Zealand University Council in the matter herein under specified, may be exercised until next meeting of the Council by an Executive Committee; such Committee to consist of the Chancellor, the Right Rev. the Bishop of Christchurch, Mr. Rolleston, and Mr. Acland—three to be a quorum.

1. The management of the landed endowments belonging to the University, so far as provision shall not have been made in that behalf.

2. The giving effect to, and bringing into practical operation, all resolutions, statutes, or regulations of the Council.

Extracted from Minutes of April, 1872, by J. RIGG.

B.—RESOLUTION.

THAT this Council, acting on the expressed opinion of the Government that, until the University of New Zealand shall have been established at some given place, "it is open to grave doubt whether as yet the University is capable of exercising its functions in the manner and to the extent which it has purported and proposed to do," hereby do request the Governor to exercise the power conferred upon him by Act of the General Assembly, by establishing the University of New Zealand at Wellington.

Extracted from the Minutes of 12th April, 1872, by J. RIGG.

C.—REGULATION.

THAT the following Regulation, as approved by the Governor in Council, viz., "That no candidate under sixteen years of age shall be admitted to the examination for a scholarship, and no successful candidate be entitled to hold a scholarship unless he shall enter his name upon the books of some affiliated institution, and attend regularly the course of studies and lectures prescribed by that institution or the Council," be amended as follows:—

1. By substituting the word "fifteen" for "sixteen."

2. By inserting after the words "affiliated institution," the words "or matriculated in Otago University."

3. By omitting the words "that institution," and inserting the words "such institution," respectively.

Extracted from the Minutes of Meeting of 12th April, 1872, by J. RIGG.

D.—REGULATION.

THAT persons who have been admitted to the degree of Bachelor or Doctor of Medicine, Bachelor of Laws, or Bachelor of Music, in any one of the Universities of Oxford, Cambridge, Glasgow, Aberdeen, St. Andrews, Edinburgh, Dublin, Durham, London, Queen's University of Ireland, Sydney, or Melbourne, may, on producing evidence of the same, satisfactory to the Council, be admitted to the degree of Bachelor or Doctor of Medicine, Bachelor of Laws, or Bachelor of Music, as the case may be, in the New Zealand University, on attaining the standing and fulfilling the conditions, except as to fees, which would entitle them to that degree in their own University.

Extracted from Minutes of 12th April, by J. RIGG.

No. 15.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 283.)

SIR,—

Colonial Secretary's Office, Wellington, 24th April, 1872.

I have the honor to acknowledge the receipt of your letter of the 15th instant, transmitting certain regulations passed by the Council of the New Zealand University to be submitted to His Excellency for approval, and, in reply, to inform you that the Government is advised that Regulation A is invalid, inasmuch as the Council cannot delegate any powers to a Committee. A Committee, no doubt, may be appointed to make inquiries or do things not having any binding effect, but, without express legislative enactment, the Council itself must do the necessary acts, and for this purpose six members must meet. The language of the regulation would admit of the Committee doing practically all the work of the Council (except that of making regulations), even that of giving degrees, &c.

It appears that without any express regulation, the officers of the University may do much of the administrative part of the work of the Council.

The other regulations and resolution will be considered by the Cabinet.

The Chancellor of the New Zealand University,
Christchurch.

I have, &c.,
W. GISBORNE.

No. 16.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 17th April, 1872.

I have the honor to call your attention to clause 16 of "The New Zealand University Act, 1870," which provides that a report containing a full statement of the income and expenditure of the University shall be presented to His Excellency the Governor in the month of April of each year, and that such account shall be audited in such manner as His Excellency shall direct.

I have accordingly the honor to request that you will inform me in what manner His Excellency directs that such accounts shall be audited.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
HENRY JOHN TANCRED,
Chancellor.

No. 17.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 284.)

SIR,—

Colonial Secretary's Office, Wellington, 24th April, 1872,

I have the honor to acknowledge the receipt of your letter of the 17th instant, and, in reply, to inform you that the Auditor-General has been appointed to audit the accounts of the New Zealand University.

The Chancellor of the New Zealand University,
Christchurch.

I have, &c.,
W. GISBORNE.

No. 18.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 18th April, 1872.

I have the honor to enclose two Regulations (as noted in margin) passed by the Council of the University, and request that you will present the same to His Excellency the Governor for his approval.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
HENRY JOHN TANCRED,
Chancellor.

E.—Matriculation Fees.
F.—No Examination required for Matriculation.

E.—REGULATION.

THAT the matriculation fee shall be one guinea.

Extracted from Minutes of 17th April, 1872, by J. RIGG.

F.—REGULATION.

THAT, until further provision shall have been made in this behalf, no examination shall be required for matriculation, but that intending students shall be admitted to the University on written application, production of the required certificate, and payment of matriculation fee :

FURTHER PAPERS RELATIVE TO

Provided always that successful candidates for scholarships shall be exempt from this fee and from the obligation to produce the certificate.

Extracted from Minutes of 17th April, 1872, by J. RIGG.

No. 19.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 19th April, 1872.

I have the honor, by order of the Council of the University, to request that you will obtain the opinion of the Attorney-General as to whether the management of the landed endowments of the University rests with the Government under "The University Act, 1868," or with the Council under "The University Act, 1870," section 8.

I have, &c.,

HENRY JOHN TANCRED,

Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 20.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 281.)

SIR,—

Colonial Secretary's Office, Wellington, 23rd April, 1872.

I have the honor to acknowledge the receipt of your letter of the 19th instant, requesting the opinion of the Attorney-General whether the management of the landed endowments of the University of New Zealand rests with the Government under "The University Act, 1868," or with the Council under "The University Act, 1870."

The Attorney-General is of opinion that the Governor in Council is to have the management of the landed endowments in question till the General Assembly divests the lands from the Crown; and that, until an Act has been passed by that Legislature declaring in terms of the 6th section of "The University Endowment Act, 1868," the present University of New Zealand to be endowed with the lands reserved under the last-named Act, the University has no claim to the lands or proceeds thereof as University endowments.

I have, &c.,

W. GISBORNE.

The Chancellor of the New Zealand University,
Wellington.

No. 21.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 19th April, 1872.

I have the honor to enclose sundry Regulations, as noted in the margin, passed by the Council of the University, and request that you will submit them to His Excellency the Governor for his approval.

I have also herewith the honor to enclose a resolution explanatory of the circumstances under which the regulations limiting the time during which the regulations published in the Government *Gazette* of 26th February, 1872, shall be in force.

I have, &c.,

HENRY JOHN TANCRED,

Chancellor.

The Hon. the Colonial Secretary, Wellington.

REGULATION.

THE Chancellor is hereby empowered to make rules or orders for such matters of detail as may be required for the effectual carrying out of any of the statutes or regulations of the Council.

Extracted from Minutes of 17th April, 1872, by J. RIGG.

REGULATION.

THAT the Council's Regulations published in the Government *Gazette* of 26th February, 1872, shall be in force only until the 12th day of October, 1872.

Extracted from Minutes of 17th April, 1872, by J. RIGG.

REGULATION.

THAT persons who have matriculated shall be required to present themselves annually for examination by the University at the Lent Term; and if any absent themselves from such examination or fail to pass it satisfactorily, they shall, at the discretion of the Council, be required to keep additional terms before proceeding to a B.A. Degree.

Extracted from Minutes of 17th April, 1872, by J. RIGG.

Chancellor empowered to make Rules.

Regulations to remain in force till Oct. 12, 1872.

Annual Examinations.

No person under 15 years of age to matriculate.

Declaration to be made at Matriculation.

REGULATION.

THAT no person shall be allowed to matriculate who shall not have completed the age of fifteen years.

Extracted from Minutes of 17th April, 1872, by J. Rigg.

REGULATION.

THAT every student shall at matriculation make the following declaration:—

I do solemnly promise that I will faithfully obey the Statutes and Regulations of the University so far as they may apply to me; and I hereby declare that I believe myself to have attained the age of fifteen years.

Extracted from Minutes of 17th April, 1872, by J. Rigg.

RESOLUTION.

Resolved, That in compliance with the conditions imposed by the Government, before advising the Governor to confirm the Council's Regulations published in the *Gazette* of 26th day of February, 1872, a further regulation ought to be made, enacting that the said regulations shall be in force only till the 12th day of October, 1872.

Extracted from the Minutes of 17th April, 1872, by J. Rigg.

No. 22.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,— University of New Zealand, Wellington, 19th April, 1872.
I have the honor to enclose three sets of Regulations passed by the Council of the University, as noted in the margin; and request that you will submit the same to His Excellency the Governor for his approval.

Scholarships.
Affiliations of
Institutions.
Appropriation
of Funds.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

REGULATIONS FOR SCHOLARSHIPS.

THAT no candidate under fifteen years of age shall be admitted to the examinations for a scholarship, and no candidate be entitled to hold a scholarship, unless he shall enter his name upon the books of some affiliated institution or of the Otago University, and attend regularly the course of studies and lectures prescribed by such institutions or the Council.

That all scholars be subject to the supervision and control of the authorities of the institutions at which they have entered, in accordance with section 11 of "The New Zealand University Act, 1870."

That no person be admitted to a scholarship unless he shall have matriculated as a member of the University.

That these regulations come into force on the 13th day of October, 1872.

REGULATIONS FOR THE AFFILIATION OF SCHOLASTIC OR COLLEGIATE INSTITUTIONS.

THAT scholastic or collegiate institutions in the Colony be affiliated on the following conditions:—

I. That such institutions provide, for the purposes of teaching and lecturing, lecture-rooms with suitable apparatus and appliances.

II. That at such periods of the year as may be determined upon by the Council, lectures be regularly given by the teachers and lecturers of these institutions.

III. That it be shown to the satisfaction of the Council that such institutions are competent to supply, through their teachers and lecturers, adequate instruction in at least three of the following branches of education, or in such other branches as may be determined upon by the Council, namely—

- | | |
|---|-------------------------------------|
| 1. Classics. | 5. English Language and Literature. |
| 2. Mathematics and Natural Philosophy. | 6. General History. |
| 3. Modern Languages other than English. | 7. Moral Philosophy and Logic. |
| 4. Physical Science. | 8. Jurisprudence. |

That these regulations come into force on the 13th day of October, 1872.

REGULATIONS FOR THE APPROPRIATION OF FUNDS.

THAT £1,000 be appropriated for the establishment of twenty scholarships, to be awarded for proficiency in one or more of the following subjects:—

1. Classics. 2. Mathematics. 3. Physical Science. 4. Modern Languages other than English; History and English Literature.

That there shall be one scholarship in each of the above-mentioned branches of study of the value of £70, and that the remainder be of the value of £45; and that the tenure of each scholarship be for the term of the University course.

That the balance of the £3,000 be appropriated to the payment of the incidental expenses of the Council.

That these regulations come into force on the 13th day of October, 1872.

No. 23.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 300.)

SIR,—

Colonial Secretary's Office, Wellington, 29th April, 1872.

Scholarships.
Affiliation of
Institutions.
Appropriation of
Funds.

I have the honor to acknowledge the receipt of your letter of the 19th instant, enclosing three sets of Regulations on the subjects noted in the margin, passed by the Council of the University of New Zealand.

The regulations will be submitted to the Cabinet, but I would draw your attention to the circumstance that those appropriating funds purport to come into force on the 13th day of October, 1872, and therefore would be inconsistent with the views of the Government, as stated to you in my letter No. 83, of 31st January last, and No. 138, of the 27th February last, that the Government could not at present assent to regulations involving appropriations for a longer period than one year from the 12th day of October last.

I have, &c.,
W. GISBORNE.

The Chancellor of the New Zealand University,
Christchurch.

No. 24.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 20th April, 1872.

Scholarships not
tenable after 21
years of age.
Nine Terms must
be kept before
Degree of B.A.
Matriculated
Students must
present them-
selves annually
for Examination.

I have the honor to enclose, as noted in the margin, three Regulations passed by the Council of the University, and request that you will submit the same to His Excellency the Governor for his approval.

I have, &c.,
HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

REGULATION.

THAT no scholarship shall be tenable by any person after the completion of the age of twenty-one years.

Extracted from Minutes of 15th April, 1872, by J. RIGG.

REGULATION.

THAT no undergraduate of the University of New Zealand be admitted to the degree of Bachelor of Arts until he have kept nine terms and have passed the examination required by the University: Provided, nevertheless, that undergraduates of the University of New Zealand who shall study at the University of Otago shall be admissible to a B.A. degree in the University of New Zealand, after having kept three years' terms in accordance with the regulations of the University of Otago.

Extracted from Minutes of 15th April, 1872, by J. RIGG.

REGULATION.

THAT, in the opinion of this Council, students who have matriculated, other than those who are holding University scholarships, are not required to enter their names upon the books of any affiliated institution, or to attend the lectures of such institution, provided that they present themselves annually for the University examination, as prescribed by regulation in that behalf.

Extracted from Minutes of 19th April, 1872, by J. RIGG.

No. 25.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 297.)

SIR,—

Colonial Secretary's Office, Wellington, 29th April, 1872.

Scholarships not
tenable after 21
years of age.
Nine Terms must
be kept before
Degree of B.A.

I have the honor to acknowledge the receipt of your letter of the 20th instant, forwarding the regulations noted in the margin for approval by His Excellency the Governor.

In reply I have to inform you that the Government is advised that the second regulation, viz., "nine terms must be kept before degree of B.A.," is not clear, and it should be made more apparent whether or not the intention is that Otago students are to pass the University examination. (As at present drawn it would seem not.)

The third regulation, "Matriculated students must present themselves annually for examination," the Government is advised, is framed in the language of a resolution, not as a regulation. It seems to me that some explanation is required on the following points:—

1. Whether it is intended that a matriculated student not holding a scholarship shall be bound to come up every year for University examination, whether attending lectures and at affiliated institution or not.

2. What is to be the penalty or result of not coming up for annual examination.

I am advised that it would have been better to make the proviso a substantive regulation, defining the result of disobedience of the regulation.

If the intention is that unless the student comes up for annual examination, that the year's terms are not to count as qualifying for degrees, then this, if intended, should be expressed.

The first regulation, "Scholarships not tenable after twenty-one years of age," will be submitted to cabinet, and I shall be glad to receive some explanation on the points referred to by me in respect of the other regulations, before they are similarly submitted.

The Chancellor of the New Zealand University,
Christchurch.

I have, &c.,
W. GISBORNE.

No. 26.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 22nd April, 1872.

I have the honor to call your attention to an error contained in the Order in Council of 19th February, 1872, published in *Gazette* No. 10, of 26th February.

In that order it is stated that the sum of £3,000 has been paid to the University out of the Consolidated Fund in and for the year ending 30th June, 1872.

No such payment has however been yet made to the University, the only sum paid to it from the Consolidated Fund having been paid on the 10th June, 1871, in and for the financial year ended 30th June, 1871, to which year alone it by law strictly was applicable.

You will at once recognize this on referring to the correspondence between the Chancellor of the University and Mr. Sewell, the Acting Colonial Treasurer, and to the Public Accounts of the Colony, when the only payment to the University will be found included in the expenditure for the financial year ended 30th June, 1871.

I have, &c.,
HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

No. 27.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 290.)

SIR,—

Colonial Secretary's Office, Wellington, 26th April, 1872.

I have the honor to acknowledge the receipt of your letter of the 22nd instant, and to thank you for calling my attention to an error contained in one of the recitals in the Order in Council noted in the margin, in which it is stated that the sum of £3,000 has been paid to the University out of the Consolidated Fund "in and for the year ending 30th June, 1872." The words should have been "in the year ending 30th June, 1871."

I am advised by the Attorney-General that the endowment in question is not by law payable "for" any financial year, but during each year of the existence of the University, and that at all events the University did not come into existence till June last, when the Chancellor was chosen. The first year, then, of the existence of the University will expire in June next, and the Attorney-General is of opinion that the annual sum of £3,000 for the second year is not payable until after the commencement of the second year of the existence of the University, and that it is payable at any time within that year; and that "The New Zealand University Act, 1870," will be satisfied if it is paid at any time before the expiration of that year.

The Chancellor of the New Zealand University,
Christchurch.

I have, &c.,
W. GISBORNE.

No. 28.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Wellington, 24th April, 1872.

I have the honor herewith to enclose report of the proceedings of the New Zealand University, as mentioned in the report.

The vouchers mentioned therein have been sent to the Auditor-General for convenience sake, to await instructions by the Governor as to the mode of audit.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
HENRY JOHN TANCRED,
Chancellor.

REPORT.

IN compliance with section 16 of "The University Act, 1870," I forward a report of the proceedings of the University of New Zealand during the past year, containing an account of the income and expenditure, with the supporting vouchers, which, in the absence of the directions from the Governor required by the Act as to the mode of audit, are not audited.

The University met for the first time at Dunedin, on the 31st day of May, 1871, and adjourned on the 15th day of June, 1871.

During this meeting the Council was engaged mainly in forming the machinery necessary for giving practical effect to the intentions of the Act.

The Council regret that, owing to the continued delay on the part of the Government in confirming the regulations adopted with that object, the action of the University was necessarily suspended.

A considerable portion of the time was also occupied in communicating with the University of Otago, with a view of ascertaining whether terms could be agreed upon under which the two institutions might be amalgamated.

The full report of the proceedings on these subjects will be found in the minutes appended; also the several statutes and regulations which were made, and transmitted for the approval and sanction of the Governor.

The Council met again on the 23rd day of August, 1871, and adjourned on the 30th day of October, 1871. Again the Council were unable to make much progress (notwithstanding the great length of the session), owing to the continued delay of the Governor in confirming the regulations of the Council adopted in the previous session. The Council was paralyzed by an intimation from the Government, that there was doubt as to the legality of their proceedings so long as the University should not be established at some given place. This the Council had no power to effect, the power being committed to the Governor under section 19 of "The University Act, 1870;" also the Council felt that the framing of additional regulations, while former regulations remained unconfirmed, might be nugatory. Nevertheless, in the hope that the impediments would be finally removed, the Council did what little they could towards advancing the business before them, as will be seen by the appendix.

The Council deem it unnecessary to recapitulate the correspondence between the Government and the Chancellor during the recess, for that no additional information would be thereby conveyed to the Governor.

It suffices to observe that the Governor was advised to confirm the regulations, with a limitation, however, in regard to some of them, on an understanding that the Council would in the following session take such steps as would legalise or overcome the irregularity of qualifying a regulation.

The Council met again on the 10th day of April, 1872, at Wellington. One great difficulty in the way of their proceedings having been removed, they addressed themselves to the removal of the other. Acting on the expressed opinion of the Government, that "until the University of New Zealand shall have been established at some given place it is open to grave doubt whether as yet the Council is capable of exercising its functions in the manner and to the extent which it has purported and proposed to do," they addressed the Government recommending that the University of New Zealand should be established at Wellington. The Council took many important steps towards placing the University on a stable basis, by affiliating colleges admitting to *ad eundem* degrees making provision for examinations, and other regulations appended hereto. The Council felt itself somewhat impeded by difficulties in the interpretation of the University Act, in which they sought the assistance of the Attorney-General; they regret, however, that the communications made to the Government remain altogether unacknowledged.

In making financial arrangements, the Council have devoted as much of the funds at their disposal as was possible to scholarships, and in aid of affiliated colleges.

The income of the University ought to be capable of increase from the landed endowments, but owing to the alleged conflict of two Acts of the Assembly, namely, "The University Endowment Act, 1868," and "The University Act, 1870," a doubt has been raised by the Government whether the endowments are under the management of the Council or of the Governor; consequently they still remain unutilized. The opinion of the Attorney-General has been requested on this point also, but no answer has been received.

In regard to both points of difference between the Council and the Government, arising out of conflicting interpretations of the University Act, the Council have endeavoured, in framing regulations, to act in conformity with the opinion expressed by the legal adviser of the Government.

A former regulation admitting students in the University of Otago to the enjoyment of the New Zealand University scholarships having been deemed *ultra vires*, the Council have endeavoured to effect the desired object by regulations which, they trust, will now be held to come within the letter of the law.

Should the Government desire further information or explanation, the Chancellor is empowered to make a supplementary report.

Wellington, 23rd April, 1872.

HENRY JOHN TANCRED,
Chancellor.

P.S.—Since the above report was agreed to and ordered to be forwarded by the Council, I have received two letters from the Hon. the Colonial Secretary, of the 22nd and 23rd instant respectively, giving the opinion of the Attorney-General as to the validity of *ad eundem* degrees, and the management of the University endowments.

24th April, 1872.

HENRY JOHN TANCRED, Chancellor.

No. 29.

Mr. H. J. TANCRED to Dr. KNIGHT.

SIR,—

University of New Zealand, Wellington, 24th April, 1872.

I have the honor to enclose thirty-eight vouchers of expenditure by the University. The balance sheet has been sent to the Colonial Secretary as part of the report required by the University, but the instruction as to mode of auditing the same has not yet been given by the Governor.

I have, &c.,

The Auditor-General, Wellington.

HENRY JOHN TANCRED, Chancellor.

Enclosure in No. 29.

STATEMENT of INCOME and EXPENDITURE of the University of New Zealand for the Year ending 23rd April, 1872, inclusive.

1871.	Dr.	£	s.	d.	1871.	Cr.	£	s.	d.
June 16.	To grant from General Government,	3,000	0	0	June 16.	By stamped cheque book	0	4	2
" "					" "	1. Rev. W. Johnston, attendance, &c.	18	5	0
" "					" "	2. Hon. Dr. Grace, attendance, &c.	30	0	0
" "					" "	3. H. J. Miller	17	15	0
" "					" "	4. W. Rolleston	19	0	0
" "					" "	5. H. Carleton	49	10	0
" "					" "	6. H. J. Tancred	19	0	0
" "					" 17.	7. E. W. Stafford	35	1	0
" "					" "	8. R. Whitworth, drawing seals and colouring	2	2	0
" "					" "	9. R. Whitworth, printing, &c.	1	1	0
" "					" "	10. <i>Otago Daily Times</i> , advertising	5	1	0
" "					" "	11. G. Whybrow, services as Secretary	6	0	0
" 30.					" "	12. F. Leach, copying minutes for printer	3	0	0
Aug. 8.					Aug. 8.	13. J. B. Acland, attendance, &c.	21	0	0
" "					" "	14. Bishop of Christchurch, attendance, &c.	24	0	0
" "					" "	15. Matheson, hire of, &c.	0	19	6
" "					" "	15a. Livingston, Council Minute Book	1	0	6
" "					" "	16. <i>Evening Post</i> Wellington, advertising	2	14	0
" 16.					" "	17. <i>Lyttelton Times</i> , printing minutes, advertising	21	4	6
" "					" "	18. <i>Southern Cross</i> , Auckland, advertising	2	14	0
" "					" "	19. <i>Herald</i> , Napier, advertising	2	11	0
" "					" "	20. <i>Nelson Examiner</i> , advertising	2	7	6
" "					" "	21. <i>Wellington Independent</i> , advertising	2	19	0
Sept. 9.					Sept. 9.	22. <i>Southland News</i> , advertising	2	9	6
" "					" "	23. Maitland, services as Clerk	9	0	0
Oct. 13.					Oct. 13.	24. Fergusson and Mitchell, seal	32	10	0
" "					" "	25. Mills and Co., printing for Council at Dunedin	3	12	8
" "					" "	26. <i>Taranaki Herald</i> , advertising	4	1	0
" "					" "	27. <i>Evening News</i> , Auckland, advertising	1	19	0
" 21					" "	28. Maitland, services as Clerk	15	17	6
" 28					" "	29. H. Carleton, attendance, &c.	93	5	0
Nov. 1.					Nov. 1.	30. R. Burrett, stationery	2	15	11
" 3					" "	31. Gascoine and Parsons, chest for seal	1	17	0
" 4					" "	32. Maitland, services as Clerk	4	10	0
Dec. 18.					Dec. 18.	33. James Hughes, printing minutes of proceedings	53	12	6
" "					" "	33a. R. Burrett, envelopes, &c.	0	16	0
" "					" "	34. Proprietor <i>Nelson Colonist</i>	2	2	0
1872.					1872.				
Mar. 18.					Mar. 18.	35. W. P. Blanchard, copying Circulars	1	1	0
" "					" "	36. Captain Fraser, repayment of account paid for advertising	2	7	6
						Balance in hands of New Zealand, Dunedin	2,481	4	3
		£3,000	0	0			£3,000	0	0

April 23rd, 1872.

HENRY JOHN TANCRED, Chancellor.

FURTHER PAPERS RELATIVE TO

No. 30.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

(No. 313.)

SIR,—

Colonial Secretary's Office, Wellington, 3rd May, 1872.

I have the honor to acknowledge the receipt of your letter of the 24th ultimo, enclosing a report of the proceedings of the New Zealand University, and stating that the vouchers mentioned therein had been sent to the Auditor-General for convenience, to await instructions by the Governor as to the mode of audit.

The Warrant appointing the mode of audit was signed by His Excellency the Governor on the 23rd ultimo, and on the following day I wrote to you accordingly. I enclose a *New Zealand Gazette* No. 21, of 29th April, 1872, in which the Warrant is published.

The Government are advised that the audit should take place, as described by the Governor's Warrant and by the Act, notwithstanding that the time intended by the Act has elapsed, and I shall therefore, on your behalf, forward the report to the Auditor-General for audit.

I have, &c.,

W. GISBORNE.

The Chancellor of the New Zealand University,
Christchurch.

Enclosure in No. 30.

G. F. BOWEN, Governor.

WHEREAS by the sixteenth section of "The New Zealand University Act, 1870," it is enacted that the Council of the said University shall, during the month of April in every year, report the proceedings of the University during the previous year to the Governor, and such Report shall contain a full account of the income and expenditure of the said University, audited in such manner as the Governor may direct, and a copy of every such Report, and all Statutes and Regulations of the University, shall be laid in each year before the General Assembly:

Now therefore, I, Sir George Ferguson Bowen, G.C.M.G., the Governor of the Colony of New Zealand, do hereby, in exercise and pursuance of the power and authority conferred on me by the said Act, direct that the said account of the said University shall be annually audited by the Auditor-General in the manner following, that is to say:—The said Council shall at some time in the month of April forward to the said Auditor a copy of the said account for the year ending the 31st day of March then preceding, and the Treasurer or other proper officer of the said University shall at such time within the month of April, and at such place as shall be appointed by the said Auditor, attend before the said Auditor, and the said Auditor shall, in the presence of the said Treasurer or other proper officer aforesaid, if he desire to be present, proceed to audit the said account of the year ending on the thirty-first day of March then preceding, and the Council of the said University shall by such treasurer or other officer aforesaid, produce and lay before the Auditor the said account, accompanied with proper vouchers in support of the same, and all books, papers, and writings in the custody or power of the said Council relating thereto, and if the said account be found correct the Auditor shall sign the same in token of the allowance thereof; but if the Auditor think there is just cause to disapprove of the said account, or any part of the said account, he may signify his disapproval thereof on the said account or otherwise in such manner as he may find most convenient.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued at Wellington, this twenty-third day of April, in the year of our Lord one thousand eight hundred and seventy-two.

W. GISBORNE.

No. 31.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,—

University of New Zealand, Christchurch, 8th May, 1872.

I have the honor to acknowledge your letter of the 29th ultimo, No. 300, in reply to a letter from me of the 19th of the same month, enclosing three sets of Regulations noted in the margin.

In the letter under acknowledgment you draw my attention to the fact that these regulations, inasmuch as they purport to appropriate funds beyond the 12th October next, are inconsistent with the view of the Government as expressed in your letter No. 83, of the 31st of January last, to the effect that the Government could not at that time advise His Excellency to approve of regulations involving an appropriation extending to a later date than the year ending the 12th of October next.

The object of the Government in arriving at this conclusion was, as understood by the Council, that stated in your letter of 27th February following, No. 138, viz., to guard against the creation of vested interests which might embarrass the action of the Legislature, in the event of its appearing expedient to effect changes in the position of the University.

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A resolution passed by the House of Representatives, recommending the Government to withhold the payment secured by law to the University, appears to have led the Government to think that some such change was not improbable, and therefore to consider it undesirable to take any steps which might prejudice the state of the question.

These appeared to the Council to be the considerations which influenced the Government in assenting provisionally to the regulations, but declining to make them permanent until, as the Council inferred from the correspondence, the Government had had another opportunity of more fully testing the feeling of the General Assembly as a whole, and not of only one branch of the Legislature.

Thus it was presumed to be the intention of the Government, in fixing the limit of the 12th of October to the operation of the regulations, to leave the whole question as much as possible an open one for the present, the final decision being reserved for further consideration.

The Council was guided in the action taken by it in reference to these regulations by this assumption as to the views and intentions of the Government; but it never occurred to the Council that the limit imposed on the operations of these regulations expressed the final determination as to the action of the Government in the future. On the contrary, had the Council supposed that it was to be rendered powerless at the end of the term fixed upon, and so to become altogether and finally incapable of carrying out the work which it has begun, and which the provisional assent given to the regulations seemed to invite it to begin, it is not probable that it would have considered it worth while to hold its last meeting at Wellington, for the purpose of holding out hopes to individuals and institutions which were not to be realized.

The Council considering that those feelings of opposition to this University, which had hitherto embarrassed the Government, were only of a temporary nature, and that any changes such as those suggested by you were not to be expected, felt itself bound to act on the assumption that after the 12th of October the obstacles which have for so long impeded its proceedings would be finally disposed of, and that the regulations under which alone it can take any action would be agreed to.

The object then for which the regulations now in question were framed and submitted for the approval of His Excellency, was to revive those which are made to expire on the 12th October. They are substantially to the same effect as those already in operation to which the Government has given its assent.

Had the Council omitted to perform its part, by thus reviving the regulations, it would, notwithstanding a favourable decision on the part of the Legislature, have become unable on the 12th October to carry on its functions, and it would moreover have failed in its engagements to those who relied on the continuance of the powers of the University.

The new regulations, which are so framed as only to come into force on the 13th of October, that is to say, on the day after the expiry of the original regulations, will, if assented to at any time before that date, enable the Council to continue the work which it has commenced.

I have been careful to explain the exact state of the case to the authorities of those institutions which have become affiliated to the University, and they are therefore quite aware of the possibility of the grant which they are now receiving from the University being withdrawn. The candidates for scholarships have also been informed to the same effect; but I have ventured to express it as my opinion, which is shared by the other members of the Council assembled lately at Wellington, that it is not probable that the Government will eventually take steps to deprive them of the benefit which they now enjoy. You will, however, perceive that the Council would itself have deprived them of this benefit had they allowed the power which it now possesses to lapse, by failing to perform its part in reviving the regulations.

I have, &c.,

HENRY JOHN TANCRED,

The Hon. the Colonial Secretary, Wellington.

Chancellor.

No. 33.

Mr. H. J. TANCRED to the Hon. W. GISBORNE.

SIR,— University of New Zealand, Christchurch, 9th May, 1872.

I have the honor to acknowledge your letter of the 29th ultimo, No. 297, in reference to regulations noted in the margin.

I have the honor, in reply to the questions asked by you, to state as follows:—

With regard to the third regulation, which, as the Government is advised, is framed in the language of a resolution, not as a regulation, it occurs to me that some mistake must have been made by the Clerk of the Council, either in copying it, or in the made of transmitting it. In order to clear the matter up, I enclose a copy of the regulation, as adopted, which appears to me not open to the objection.

With regard to the second regulation, which, you remark, is not clear because it does not state whether or not Otago students (that is, as I understand, students of the University of Otago) are to pass the prescribed examination, I have to state that it is not meant that these students should be required to observe this condition. The reason for this exemption is that it is assumed that the University of Otago will test the proficiency and progress of its own students with

Scholarships not
tenable after 21
years of age.
Nine Terms must
be kept before
Degree of B.A.
Matriculated
Students must
present them-
selves annually
for Examination.

sufficient care, without the necessity for an additional test on the part of the University of New Zealand.

In the second place, it was considered that, inasmuch as the terms in the University of Otago do not correspond with those fixed for this University, such an examination, if insisted upon, might prove an inconvenience to the University of Otago.

With regard to the specific questions, as numbered, I have to reply as follows:—

1. It is intended that all matriculated students, whether holding scholarships or not, and whether attending lectures, and at affiliated institutions or not, shall be bound to present themselves annually for examination.

2. The penalty for not coming up for annual examination would be that those who failed would not be allowed admission to a B.A. degree until they had kept such additional terms as the Council might require in each case.

I have, &c.,

HENRY JOHN TANCRED,
Chancellor.

The Hon. the Colonial Secretary, Wellington.

Enclosure in No. 33.

REGULATION.

Matriculated Students must present themselves for Examination.

THAT persons who shall have matriculated shall be required to present themselves annually for examination by the University at Lent term; and if any absent themselves from such examination, or fail to pass it satisfactorily, they shall, at the discretion of the Council, be required to keep additional terms before proceeding to a B.A. degree.

No. 34.

The Hon. W. GISBORNE to Mr. H. J. TANCRED.

SIR,—

Colonial Secretary's Office, Wellington, 4th July, 1872.

Adverting to your letters of the dates quoted in the margin, I have the honor to inform you that the regulations passed by the Council of the New Zealand University, and forwarded with the above-quoted letters, and of which copies are herewith enclosed, as per annexed schedule, shall be submitted for approval by His Excellency, and published in an early issue of the *New Zealand Gazette*.

With regard to the resolution marked B, enclosed in your letter of the 15th of April, requesting "the Governor to exercise the power conferred upon him by Act of the General Assembly, by establishing the University of New Zealand at Wellington," the Government are of opinion that, as the General Assembly are so soon to meet, and may legislate again on the subject of the New Zealand University, this resolution should not be considered until after the approaching Session of Parliament.

With regard to the Regulations for Appropriation of Funds, enclosed in your letter of 19th April last, the Government will also, for the reason alleged above, not determine upon that regulation until after the ensuing Session.

The Government are advised that Regulation A, enclosed in your letter of 15th April, providing that the powers of the Council, in certain specified matters, may be exercised by a Committee until next meeting of the Council, is invalid, as the Council cannot delegate any powers to a Committee. A Committee may, no doubt, be appointed to inquire, or to do matters not having any binding effect; but, without express legislative enactment, the Council itself must do the necessary acts, and for this purpose six members must attend. The language of the regulation would admit of the Committee doing practically all the work of the Council (except that of making regulations), even that of giving degrees, &c. It appears, however, I would submit, that the officers of the University may, without any express regulation, do much of the administrative part of the work of the Council.

The regulation enclosed in your letter of 19th April, by which the Chancellor is "empowered to make rules or orders for such matters of detail as may be required for the effectual carrying out of any of the statutes or regulations of the Council," is, as the Government are advised, of doubtful validity, and I do not, therefore, feel justified in advising His Excellency to assent to it.

With regard to the regulation enclosed in your letter of the 20th April, prescribing the terms to be kept by students before the degree of "B.A." can be conferred, the Government are advised that, as the regulation in question professes to provide that students of the University of Otago are not to be required to pass the prescribed examination, this regulation ought not to be assented to by the Governor, because the University Council have not the power to confer degrees without examination, except in the case of an *ad eundem* degree, as provided in section 13 of "The New Zealand University Act, 1870."

I have, &c.,

W. GISBORNE.

H. J. Tancred, Esq.,
Chancellor of the New Zealand University, Christchurch.

Scholarships not tenable after 21 years of age.
Nine Terms must be kept before Degree of B.A.
Matriculated Students must present themselves annually for Examination.

SCHEDULE.

1. Regulations for scholarship.
2. Regulations for the affiliation of Scholastic or Collegiate Institutions.
3. Council's regulations published in *Government Gazette* of 26th February, 1872, shall be in force only until the 12th day of October, 1872.
4. Persons who have matriculated shall be required to present themselves annually for examination by the University at the Lent Term.
5. No person under 15 to matriculate.
6. Declaration to be made at matriculation.
7. Scholarships not tenable after 21 years of age.
8. Matriculated students must present themselves annually for examination.
9. Matriculation fees.
10. No examination required for matriculation.
11. Amended regulation *re* age, &c., of candidates for scholarships.
12. Admission to degrees by persons holding a degree of other University.

Regulations for Scholarships.

THAT no candidate under 15 years of age shall be admitted to the examination for a scholarship, and no candidate be entitled to hold a scholarship unless he shall enter his name upon the books of some affiliated institution or of the Otago University, and attend regularly the course of studies and lectures prescribed by such institutions or the Council.

That all scholars be subject to the supervision and control of the authorities of the institutions at which they have entered, in accordance with section 11 of "The New Zealand University Act, 1870."

That no person be admitted to a scholarship unless he shall have matriculated as a member of the University.

That these regulations come into force on the 13th day of October, 1872.

N.—Regulations for the Affiliation of Scholastic or Collegiate Institutions.

THAT scholastic or collegiate institutions in the Colony be affiliated on the following conditions :—

I. That such institutions provide, for the purposes of teaching and lecturing, lecture-rooms with suitable apparatus and appliances.

II. That, at such periods of the year as may be determined upon by the Council, lectures be regularly given by the teachers and lecturers of these institutions.

III. That, it may be shown to the satisfaction of the Council that such institutions are competent to supply, through their teachers and lecturers, adequate instruction in at least three of the following branches of education, or in such other branches as may be determined upon by the Council, namely—

1. Classics.
2. Mathematics and Natural Philosophy.
3. Modern Languages other than English.
4. Physical Science.
5. English Language and Literature.
6. General History.
7. Moral Philosophy and Logic.
8. Jurisprudence.

That these regulations come into force on the 13th day of October, 1872.

H.—Regulations.

THAT the Council's regulations, published in the *Government Gazette* of 26th February, 1872, shall be in force only until the 12th day of October, 1872.

Extracted from Minutes of 17th April, 1872, by J. Rigg

I.—Regulations.

THAT persons who have matriculated shall be required to present themselves annually for examination by the University at the Lent Term, and if any absent themselves from such examinations, or fail to pass it satisfactorily, they shall, at the discretion of the Council, be required to keep additional terms before proceeding to B.A. degree.

Extracted from Minutes of 17th April, 1872, by J. Rigg.

K.—Regulations.

THAT no person shall be allowed to matriculate who shall not have completed the age of fifteen years.

Extracted from Minutes of 17th April, 1872, by J. Rigg.

L.—*Regulations.*

THAT every student shall at matriculation, make the following declaration :—

“I do solemnly promise that I will faithfully obey the statutes and regulations of the University, so far as they may apply to me, and I hereby declare that I believe myself to have attained the age of fifteen years.”

Extracted from Minutes of 17th April, 1872, by J. Rigg.

D.—*Regulations.*

THAT no scholarship shall be tenable by any person after the completion of the age of twenty-one years.

Extracted from Minutes of 15th April, 1872, by J. Rigg.

F.—*Regulation.*

THAT until further provision shall have been made in this behalf, no examination shall be required for matriculation, but that intending students shall be admitted to the University on written application, production of the required certificates, and payment of matriculation fee: Provided always that successful candidates for Scholarships shall be exempt from this fee, and from the obligation to produce the certificate.

Extracted from Minutes of 17th April, 1872, by J. Rigg.

E.—*Regulations.*

THAT the matriculation fee shall be one guinea.

Extracted from minutes of 17th April, 1872, by J. Rigg.

Regulation.—Matriculated Students must present themselves Annually for Examination.

THAT persons who shall have matriculated shall be required to present themselves annually for examination by the University at Lent term; and if any absent themselves from such examination, or fail to pass it satisfactorily, they shall, at the discretion of the Council, be required to keep additional terms before proceeding to a B.A. degree.

C.—*Regulation.*

THAT the following Regulation, as approved by the Governor in Council—namely,

“That no candidate under sixteen years of age shall be admitted to the examination for a scholarship, and no successful candidate be entitled to hold a scholarship unless he shall enter his name upon the books of some affiliated institution, and attend regularly the course of studies and lectures prescribed by that institution or the Council”—

be amended as follows :—

1. By substituting the word “fifteen” for “sixteen.”
2. By inserting after the words “affiliated institution” the words, “or matriculate in the Otago University.”
3. By omitting the words “that institution,” and inserting the words, “such institutions respectively.”

Extracted from Minutes of Meeting of 12th April, 1872, by J. Rigg.

D.—*Regulation.*

THAT persons who have been admitted to the degree of Bachelor or Doctor of Medicine, Bachelor of Laws, or Bachelor of Music, in any one of the Universities of Oxford, Cambridge, Glasgow, Aberdeen, Saint Andrews, Edinburgh, Dublin, Durham, London, Queen’s University of Ireland, Sydney, or Melbourne, may, on producing evidence of the same satisfactory to the Council, be admitted to the degree of Bachelor or Doctor of Medicine, Bachelor of Laws, or Bachelor of Music, as the case may be, in the New Zealand University, on attaining the standing and fulfilling the conditions, except as to fees, which would entitle them to that degree in their own University.

Extracted from Minutes of 12th April, by J. Rigg.
