

ACT No. XXVII of 1857.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 5th September 1857.)

AN ACT to establish and incorporate an University at Madras.

Preamble. WHEREAS, for the better encouragement of Her Majesty's subjects of all classes and denominations within the Presidency of Fort St. George and other parts of India in the pursuit of a regular and liberal course of education, it has been determined to establish an University at Madras for the purpose of ascertaining, by means of examination, the persons who have acquired proficiency in different branches of Literature, Science, and Art, and of rewarding them by Academical Degrees as evidence of their respective attainments, and marks of honor proportioned thereunto; and whereas, for effectuating the purposes aforesaid, it is expedient that such University should be incorporated: It is enacted as follows: (that is to say)—

Incorporation.

I. The following persons, namely,

The Right Honorable GEORGE FRANCIS ROBERT, LORD HARRIS,  
Governor of Fort St. George.

The Honorable SIR CHRISTOPHER RAWLINSON, Knight,  
Chief Justice of the Supreme Court of Judicature at Madras.

The Right Reverend THOMAS DEALTRY,  
Doctor of Divinity, Bishop of Madras, *Ex-officio*.

The Honorable SIR PATRICK GRANT, Lieutenant-General, Knight Commander  
of the Most Honorable Order of the Bath,  
Commander-in-Chief of the Forces in Madras, *Ex-officio*.

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The Honorable WALTER ELLIOT,  
Member of the Council of Madras, *Ex-officio*.

The Honorable SIR HENRY CONYNGHAM MONTGOMERY, Baronet,  
Member of the Council of Madras, *Ex-officio*.

ALEXANDER JOHN ARBUTHNOT, Esquire,  
Director of Public Instruction, *Ex-officio*.

EYRE BURTON POWELL, Esquire,  
Principal of the Presidency College, *Ex-officio*.

HENRY FORTEY, Esquire,  
Acting Principal of the Presidency College, *Ex-officio*.

JAMES KELLIE, Esquire,  
President of the Medical College Council, *Ex-officio*.

The Honorable SIR HENRY DAVISON, Knight,  
Puisne Judge of the Supreme Court of Judicature at Madras.

THOMAS PYCROFT, Esquire,  
Chief Secretary to Government.

EDWARD MALTBY, Esquire,  
Acting Chief Secretary to Government.

JAMES DEWAR BOURDILLON, Esquire,  
Secretary to Government.

HENRY FORBES, Esquire,  
Acting Secretary to Government.

Colonel CHARLES ALFRED BROWNE,  
Secretary to Government.

JAMES BLAIR PRESTON, Esquire,  
Physician General.

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The Reverend ROBERT HALLEY, Master of Arts,  
Principal of the Doveton College.

J. TOWNSHEND FOWLER, Esquire,  
Principal of the Government Normal School.

P. SOOBROYOOLOO NAIDOO,  
President of Patcheapah's Institution.

WILLIAM AMBROSE MOREHEAD, Esquire,  
Provisional Member of the Council of Madras.

GUY LUSHINGTON PRENDERGAST, Esquire,  
Accountant General.

Colonel ARTHUR THOMAS COTTON,  
Commandant of Engineers.

Colonel CHARLES EDWARD FABER,  
Chief Engineer in the Department of Public Works.

Lieutenant-Colonel THOMAS TOWNSEND PEARS, Companion of the Most  
Honorable Order of the Bath,  
Consulting Engineer for Railways.

Lieutenant-Colonel GEORGE BALFOUR, Companion of the Most Honorable  
Order of the Bath.

The Reverend JOHN RICHARDS, Master of Arts.

Lieutenant-Colonel FREDERICK CONYERS COTTON,  
Acting Mint Master.

CHITTUR RENGANADUM SASTRY,  
Head Interpreter in the Supreme Court of Judicature.

JOHN EMELIUS MAYER, Esquire,  
Professor of Chemistry and Pharmacy in the Madras Medical College.

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The Reverend ROBERT KERR HAMILTON, Master of Arts.

The Reverend GEORGE HALL, Master of Arts.

The Reverend PETER SORENSON ROYSTON, Bachelor of Arts.

JAMES SANDERSON, Esquire,  
Surgeon in the Madras Army.

The Reverend JOHN BRAIDWOOD, Master of Arts.

JOHN DAWSON MAYNE, Bachelor of Arts,  
Professor of Law, Moral and Mental Philosophy, and Logic, in the Presidency College.

RICHARD BURGASS, Esquire, Master of Arts,  
First Judge of the Court of Small Causes.

Lieutenant-Colonel JOHN JOSEPH LOSE, Military Auditor General.

WILLIAM JUDSON VANSOMEREN, Esquire, Doctor in Medicine,  
Professor of Anatomy and Physiology in the Madras Medical College.

SAMUEL JESUDASEN, Native Surgeon.

Major JOHN MAITLAND, Superintendent Gun-carriage Manufactory.

The Reverend A. BURGESS,

The Reverend W. GRANT,

being the first Chancellor, Vice-Chancellor, and Fellows of the said University, and all the persons who may hereafter become or be appointed to be Chancellor, Vice-Chancellor, or Fellows as hereinafter mentioned, so long as they shall continue to be such Chancellor, Vice-Chancellor, or Fellows, are hereby constituted and declared to be one Body Politic and Corporate by the name of the University of Madras; and such Body Politic shall by such name have perpetual succession, and shall have a common seal, and by such name shall sue and be sued, implead and be impleaded, and answer and be answered unto, in every Court of Justice within the territories in the possession and under the Government of the East India Company.

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II. The said Body Corporate shall be able and capable in law to take, <sup>Power to hold and dispose of property.</sup> purchase, and hold any property, moveable or immoveable, which may become vested in it for the purposes of the said University by virtue of any purchase, grant, testamentary disposition, or otherwise; and shall be able and capable in law to grant, demise, alien, or otherwise dispose of, all or any of the property, moveable or immoveable, belonging to the said University; and also to do all other matters incidental or appertaining to a Body Corporate.

III. The said Body Corporate shall consist of one Chancellor, one Vice-Chancellor, and such number of ex-officio and other Fellows as the Governor of Fort St. George in Council hath already appointed, or shall from time to time, by any order published in the *Fort St. George Gazette*, hereafter appoint; and the Chancellor, Vice-Chancellor, and Fellows for the time being shall constitute the Senate of the said University. Provided that, if any person being Chancellor, Vice-Chancellor, or Fellow of the said University, shall leave India without the intention of returning thereto, his Office shall thereupon become vacant. <sup>Constitution of Body Corporate.</sup> <sup>Senate.</sup> <sup>Office vacated by leaving India.</sup>

IV. The Governor of Fort St. George for the time being shall be the Chancellor of the said University, and the first Chancellor shall be the Right Honorable George Francis Robert, Lord Harris. <sup>Chancellor.</sup>

V. The first Vice-Chancellor of the said University shall be Sir Christopher Rawlinson, Knight. The Office of Vice-Chancellor shall be held for two years only; and the Vice-Chancellor herein-before nominated shall go out of Office on the first day of January 1859. Whenever a vacancy shall occur in the Office of Vice-Chancellor of the said University by death, resignation, departure from India, effluxion of time, or otherwise, the Governor of Fort St. George in Council shall, by notification in the *Fort St. George Gazette*, nominate a fit and proper person, being one of the Fellows of the said University, to be Vice-Chancellor in the room of the person occasioning such vacancy. Provided that, on any vacancy in the said Office which shall occur by effluxion of time, the Governor of Fort St. George in Council shall have power to re-appoint the Vice-Chancellor herein-before nominated or any future Vice-Chancellor to such Office. <sup>Vice-Chancellor.</sup>

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VI. The

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VI. The Chief Justice of Her Majesty's Supreme Court of Judicature, the Bishop of Madras, the Members of the Council of Madras, the Director of Public Instruction, the Principal and Acting Principal of the Presidency College, the President of the Medical College Council, all for the time being, shall, while filling such Offices, be ex-officio Fellows of the said University. The whole number of the Fellows of the said University, exclusive of the Chancellor and Vice-Chancellor for the time being, shall never be less than thirty; and whenever the number of the said Fellows, exclusive as aforesaid, shall, by death, resignation, departure from India, or otherwise, be reduced below thirty, the Governor of Fort St. George in Council shall forthwith, by notification in the *Fort St. George Gazette*, nominate so many fit and proper persons to be Fellows of the said University, as, with the then Fellows of the said University, shall make the number of such Fellows, exclusive as aforesaid, thirty. But nothing herein contained shall prevent the Governor of Fort St. George in Council from nominating more than thirty persons to be Fellows of the said University if he shall see fit.

VII. The Governor of Fort St. George in Council may cancel the appointment of any person already appointed or hereafter to be appointed a Fellow of the University, and as soon as such order is notified in the *Gazette*, the person so appointed shall cease to be a Fellow.

VIII. The Chancellor, Vice-Chancellor, and Fellows for the time being, shall have the entire management of and superintendence over the affairs, concerns, and property of the said University; and in all cases unprovided for by this Act, it shall be lawful for the Chancellor, Vice-Chancellor, and Fellows to act in such manner as shall appear to them best calculated to promote the purposes intended by the said University. The said Chancellor, Vice-Chancellor, and Fellows shall have full power from time to time to make and alter any bye-laws and regulations (so as the same be not repugnant to law or to the general objects and provisions of this Act) touching the examination for degrees and the granting of the same, and touching the examination for honors and the granting of marks of honor for a higher proficiency in the different branches of Literature, Science, and Art; and

and touching the qualifications of the candidates for degrees and the previous course of instruction to be followed by them, and the preliminary examinations to be submitted to by them; and touching the mode and time of convening the meetings of the Chancellor, Vice-Chancellor, and Fellows; and, in general, touching all other matters whatever regarding the said University. And all such bye-laws and regulations, when reduced into writing, and after the common seal of the said University shall have been affixed thereto, shall be binding upon all persons, members of the said University, and all candidates for degrees to be conferred by the same, provided such bye-laws and regulations shall have been first submitted to, and shall have received the approval of, the Governor of Fort St. George in Council.

IX. All questions which shall come before the Chancellor, Vice-Chancellor, and Fellows, shall be decided at a meeting of the Senate Meetings of the Senate. by the majority of the members present; and the Chairman at any such meeting shall have a vote, and, in case of an equality of votes, a second or casting vote. No question shall be decided at any meeting, unless the Chancellor, or Vice-Chancellor, and five Fellows, or, in the absence of the Chancellor and Vice-Chancellor, unless six Fellows at the least shall be present at the time of the decision. At every meeting of the Senate, the Chancellor, or in his absence the Vice-Chancellor, shall preside as Chairman; and in the absence of both, a Chairman shall be chosen by the Fellows present, or the major part of them.

X. The said Chancellor, Vice-Chancellor, and Fellows for the time being shall have full power from time to time to appoint Appointment and removal of Examiners and Officers. and, as they shall see occasion, to remove all Examiners, Officers, and servants of the said University.

XI. The said Chancellor, Vice-Chancellor, and Fellows shall have power, Power to confer degrees. after examination, to confer the several degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, Licentiate of Medicine, Doctor of Medicine, and Master of Civil Engineering; they shall also have power, after examination, to confer upon the candidates for the said several degrees, marks of honor for a high degree of proficiency in the different branches of Literature, Science, and Art, according to rules to be determined by the bye-laws

bye-laws to be from time to time made by them under the power in that behalf given to them by this Act.

XII. Except by special order of the Senate, no person shall be admitted as a candidate for the degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, Licentiate of Medicine, Doctor of Medicine, or Master of Civil Engineering, unless he shall present to the said Chancellor, Vice-Chancellor, and Fellows, a certificate from one of the Institutions authorized in that behalf by the Governor of Fort St. George in Council, to the effect that he has completed the course of instruction prescribed by the Chancellor, Vice-Chancellor, and Fellows of the said University, in the bye-laws to be made by them under the power in that behalf given by this Act.

XIII. The said Chancellor, Vice-Chancellor, and Fellows shall cause an examination for degrees to be held at least once in every year; on every such examination, the candidates shall be examined either by Examiners appointed for the purpose from among the Fellows by the said Chancellor, Vice-Chancellor, and Fellows, or by other Examiners so to be appointed; and on every such examination the candidates, whether candidates for an ordinary degree, or for a degree with honors, shall be examined on as many subjects and in such manner as the said Chancellor, Vice-Chancellor, and Fellows shall appoint.

XIV. At the conclusion of any examination of the candidates, the Examiners shall declare the name of every candidate whom they shall have deemed entitled to any of the said degrees, and his proficiency in relation to other candidates; and also the honors which he may have gained in respect of his proficiency in that department of knowledge in which he is about to graduate; and he shall receive from the said Chancellor a certificate, under the seal of the said University of Madras, and signed by the said Chancellor or Vice-Chancellor, in which the particulars so stated shall be declared.

XV. The said Chancellor, Vice-Chancellor, and Fellows shall have power to charge such reasonable fees for the degrees to be conferred by them, and upon admission into the said University,



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University, and for continuance therein, as they, with the approbation of the Governor of Fort St. George in Council, shall from time to time see fit to

impose. Such fees shall be carried to one General Fee  
Annual accounts.

Fund for the payment of expenses of the said University under the directions and regulations of the Governor of Fort St. George in Council, to whom the accounts of income and expenditure of the said University shall once in every year be submitted for such examination and audit as the said Governor of Fort St. George in Council may direct.