Anno nono

Georgii III. Regis.

An Act for the better Eſtabliſhment of the Foundation of *John Michel* Eſquire, in the *Queen's College* in the Univerſity of *Oxford*, and for other the Purpoſes therein mentioned.

WHEREAS John Michel late of Richmond in the County of Surry Eſquire, deceaſed, by his laſt Will in Writing, bearing Date on Saint Thomas's Day One thouſand ſeven hundred and thirty ſix, did give and deviſe all his Manor and Lands of Horton Kirby, and all his Manor, Lands, and Marſh Lands, in Plumpſtead, and all his Lands and Marſh Lands in Sandwich and Worde, in the County of Kent, and his Lands and Tenements in Old Windſor in the County of Berks (charged with the neceſſary Care and Expence of cleaning, preſerving, and repairing, his Family Monument) unto Queen's College in the Univerſity of Oxford, for ever; to the Intent that, out of the Revenues of thoſe Preamble.

Estates; Eight Master Fellows and Four Bachelor Scholars might be maintained with such competent Allowances as the Income thereof might bear; which by a moderate Computation would amount to Fifty Pounds a Year to each Master, and Thirty Pounds to each Bachelor: And it was by his said Will provided, that, after the Payments to the Master Fellows and Bachelor Scholars were satisfied, there should be a competent Fund reserved to answer extraordinary Occasions, not exceeding Two hundred Pounds; and that all the Surplusages which might arise out of the said Estates by Fine, Improvement of Rents, and Sales of Timber, &c. should be laid out in the Purchase of Advowsons or Presentations to Livings above the yearly Value of One hundred and twenty Pounds, to be annexed for ever to the Fellowships of that Donation; and that the said Masters and Scholars should be elected by the Provost and Fellows of Queen's College out of any other Colleges or Halls within the said University; and that such only should be capable of being elected as should within One Year past have taken the Degree of Master of Arts, or should be within One Year of taking the same; and that the same Qualifications should be observed as to the Bachelor Scholars; and that the Bachelor Scholars should undergo, as near as might be, the same Examinations as are required upon Elections at All Souls College; and that, after such first Election of Masters and Scholars, the Fellowships should be filled up by such Bachelor Scholars as had taken Master of Arts, or should be within One Year thereof, and that other Scholars should be chosen into their Places; and further, that in case any of the said Scholars should take Master before any Vacancy happened in the Fellowships, they should be permitted to continue upon their former Allowances Two Years, and no longer, before any new Election should be made; and that no Master Fellow should continue or remain upon the said Foundation above Eleven Years after taking that Degree, but his Fellowship should be declared void, and within Three Months after filled up by the Election of a Bachelor Scholar, and another Bachelor Scholar should be elected in his Place: And it was by the said Will also provided, that both Masters and Bachelors should be subject to the Statutes and Government of the College, as to all Conformity, Discipline, and Obedience to Superiors, taking Orders by the Masters, and the Exercise of Rendering by the Bachelors, only excepted.

excepted. And the said John Michel by his Will did appoint and ordain, that there should be a Building erected for the Reception of the said Masters and Bachelors, consisting of Two intire and regular Stair-cases, uniform both within and conformable to the new Building without; which should begin from the East Corner of the College next to the High Street, including the Half Stair-case there already built, and go on Northwards towards the Chapel; wherein should be Eight Chambers in the middle Stories for the Fellows, and Four Chambers for the Scholars in the upper or lower Story, and the other Story to be filled with such Under Graduates of the College as they should think fit to place therein to be their Attendants: And that their Allocations in the Chapel and Hall should be appointed suitable to their Rank and Degree, and their Commons allotted as near as might be in the same Proportion as their Fellows and Taberders; And he did also by his said Will appoint and ordain, that from the Time of his Death the Rents and Profits of the said Estates should be received by the Bursar of the College for the time being, always accountable as herein after directed; that is to say, That out of the First Receipts of the Revenues there should be a Sum reserved to repay the College their Expences and Costs for building the Half Stair-case next the Street; and in the next Place, as soon as a competent Sum might be raised, to begin the Foundation of another Half and Whole Stair-case thereunto adjoining, and so that the whole Building might be carried on gradually according as the Rents and Profits might arise: And for the better Accomplishment of his said Intentions, he did by his said Will constitute and appoint Robert Shippen Doctor in Divinity, Principal of Brazen Nose College; John Mather Doctor in Divinity, President of Corpus Christi College; and John Coxed Doctor of the Civil Law, Warden of New College; together with Joseph Smith Doctor in Divinity, Provost of Queen's College; to be Supervisors or Directors of the said Buildings, in such Manner as was above described: And from and after the finishing the said Building his Will was, that the Society might proceed to an Election of proper Persons, under the Regulations and Qualifications before specified: And he did also by his said Will direct, that the College Bursar should keep a distinct Book of Receipts and Disbursements, subject to the Examination of the said Doctor Shippen, Doctor Mather, and Doctor Coxed, whom he did thereby appoint and ordain

to be Visitors of that small Society, with full Power and Authority, Once every Year, by Letter, upon Complaint made by those Fellows or Scholars, or otherwise come to their Knowledge, to hear, adjudge, and finally determine, all such Grievances and Controversies as might arise, not only such as might relate to the Punishment of Misdemeanors by the College, but also Misapplications of the Revenue, contrary to the true Intent and Meaning of the said Donation: For which Purpose he did by his said Will appoint, that from the Time of his Decease the Visitors should meet annually upon Saint Bartholomew's Day at the College, and that the Bursars should then and there lay before them an Account of all Money which had come to their Hands out of the Rents and Profits of the said Estates, to be by them examined and audited, and afterwards transcribed in One or more Books, to be kept distinct from all other Accounts for that Purpose, and signed by the Visitors; who should then give their Directions and Instructions to the Bursars for the Application thereof, so far as related to the said Benefaction, or any other such Money which might probably come to their Hands during the Year ensuing; upon which Day he appointed Twenty Marks (or the greatest Part of it) to be bestowed upon a handsome Dinner for the Visitors, Provost, and Fellows of both Societies; and also Ten Marks to each of the former as a small Fee, which they were desired to accept of from himself as an Acknowledgement for their Care and Attendance; both which Sums he appointed to be paid by the College Bursars out of the Revenue upon the annual Day of their Meeting to settle the Accounts: And, that there never might be wanting a continued Succession of worthy Persons to sustain the visitatorial Power, he by his said Will enjoined, that upon the Demise of any One of the present Visitors, the Two Survivors should within One Month nominate and appoint a Third Visitor to be joined with themselves in the said Trust, the decisive or casting Vote, in case of Difference in Opinion, still resting with the Senior, and that this Method of Nomination and Appointment should be observed as a standing Rule in all Times to come; which Person should be a Doctor in Divinity, or Doctor of the Civil Law, and Head or Fellow of some other College or Hall resident in the University of Oxford. And he concluded the Subject of his said Benefaction, with recommending to the prudent Conduct of the said Visitors, the digesting of the most material

Parts

Parts of that Scheme into Statutes, for the due Regulation of that small Society: And whereas by an Act of Parliament made and passed in the Twenty fourth Year of the Reign of His late Majesty King George the Second, intituled, An Act for the better effecting the Purposes mentioned in the Will of *John Michel* late of *Richmond* in the County of *Surry* Esquire, deceased, for the Benefit and Advantage of *Queen's College* in the University of *Oxford*, reciting (among other Things) the Will of the said John Michel; and also reciting, that the said Robert Shippen and John Mather, being dead, the Reverend Euseby Isham and Robert Leyborne, Doctors in Divinity, had been duly nominated and appointed to join with the said John Coxed in the Exercise of the said visitatorial Power; and that the then Provost and Scholars of the Queen's College aforesaid were willing, for a suitable Recompence to them and their Successors, to grant unto the Fellows and Scholars of the Foundation of the said John Michel, the Use of such of the publick Rooms of the said College, and such other Advantages as are therein mentioned, and also a Part of the Scite of their said College for their Habitations; and also to keep in Repair the Buildings erected or to be erected for the Reception of the said Fellows and Scholars; it was (amongst other Things) enacted, That it should and might be lawful to and for the then Visitors of the said John Michel's Foundation, and their Successors, in the Succession prescribed by the said Will, or the major Part of them, and to and for the said Provost and Scholars of the Queen's College and their Successors, to do all such Acts as should be necessary for the better effecting of the several Purposes mentioned in the Will of the said John Michel; and the said Visitors and their Successors for the time being, or the major Part of them, were thereby impowered to agree with the said Provost and Scholars, and to give them any Sum not exceeding the Sum of Two thousand Pounds, as a Compensation for the Inheritance of the Ground, and for all Claims of or for Ground-rent, and all other Recompence and Demands whatsoever on account of the Ground upon which the Buildings therein recited were then built, and agreed and intended to be built, and also as a full Compensation and Satisfaction for other the Immunities, Privileges, and Advantages, in the said Act mentioned and expressed, and for repairing, maintaining, and upholding, the said Buildings, by them the said Provost and Scholars at their own proper Costs and Charges: And it was thereby also enacted, 24 Geo. II.

ed, That the said Provost and Scholars, upon Payment of the said Sum, should immediately suffer and allow the said Visitors and their Successors, together with the Provost of the said College for the time being, to begin and carry on the said Building; and should from thenceforth, in every Particular, comply with and conform to the true Intent and Meaning of the said Testator expressed in his said Will; and also should use all their Authority and Endeavours to oblige the said Fellows and Scholars of the said John Michel's Foundation, and their Attendants, to conform to such Statutes as, in pursuance of the said Will, should be made and digested by the then Visitors and their Successors, and to such Explications and Determinations as should from time to time be made by the said Visitors and their Successors; so as that the said Statutes should be agreeable to the Laws of the Land, and so as they should not be repugnant or inconsistent with, that Obedience which the said Provost and Scholars of the said College are to pay to their original Statutes in the Government and Discipline of the Members of the old Foundation: And whereas by Indenture of Feoffment, with Livery and Seisin thereon indorsed, dated the Twenty sixth Day of January, One thousand seven hundred and fifty seven, and made, or mentioned to be made, between the said Provost and Scholars of the Queen's College of the One Part, and the said John Coxed and Robert Leyborne, together with John Purnell Doctor in Divinity, the then Visitors of the Foundation of John Michel Esquire in Queen's College aforesaid, of the other Part, reciting (among other Things) the said John Michel's Will, and the said Act of Parliament, it is witnessed, That as well in Consideration of One thousand two hundred and sixty five Pounds, Five Shillings, and Four Pence, thereafore paid to the said Provost and Scholars, to reimburse them their Expences of building the Half Stair-case therein after-mentioned, as for and in Consideration of the further Sum of Two thousand Pounds to the said Provost and Scholars paid by the said John Coxed, Robert Leyborne, and John Purnell, they the said Provost and Scholars did grant, bargain, sell, enfeoff, alien, release, and confirm unto the said John Coxed, Robert Leybourne, and John Purnell, Visitors of the said John Michel's Foundation, and their Successors in the Succession prescribed by the said Will, all that their Piece or Parcel of Ground in the Queen's College aforesaid, containing in Length from the South East Corner of the said College next to the High Street (including the Half

Stair-case there already built) Northward towards the Chapel Ninety one Feet or thereabouts, and in Breadth from East to West Thirty seven Feet or thereabouts, together with the said Half Stair-case, Rooms, and Buildings, on Part of the said Ground newly erected; all which Premisses abut on the High Street to the South, on the Lane leading to Saint Peter's Church to the East, and on the great Court or Quadrangle of the same College to the West; and are the same Ground, Buildings, and Premisses, which are mentioned in the said recited Act of Parliament to be intended for the Reception of the said Fellows and Scholars of the said John Michel's Foundation and their Attendants: To be had and holden unto the said John Coxed, Robert Leyborne, and John Purnell, Visitors of the said John Michel's Foundation, and their Successors in the Succession prescribed by the said Will, to the Use and Behoof of the said John Coxed, Robert Leyborne, and John Purnell, and their Successors aforesaid, upon Trust, that they, and the Visitors of the said John Michel's Foundation for the time being, together with Joseph Brown Doctor in Divinity then Provost of the Queen's College aforesaid, and his Successors Provosts of the said College for the time being, should, out of the Rents and Profits of the said John Michel's Estates, erect and finish another Half and Whole Stair-case on the Scite of the said Ground, and prepare and fit the same when built, together with the said Half Stair-case already built, for the Reception of the said Fellows and Scholars of the said John Michel's Foundation, according to the Intention and Meaning of the same Will; so that the said Provost and Scholars of the Queen's College aforesaid might be enabled to proceed to the First Election of the said Fellows and Scholars of the said John Michel's Foundation, under the Regulations and Qualifications specified in his said Will: And from and after the Time when the Whole of the said Buildings should be so fitted, prepared, and finished, and such first Election should be so made, then in Trust to permit and suffer the said Fellows and Scholars of the Foundation of the said John Michel for the time being, and their Attendants, to inhabit, use, and enjoy, the same for ever according to the true Intent and Meaning of the said Will and Act of Parliament. And the said Provost and Scholars thereby covenanted, that the Fellows and Scholars of the said John Michel's Foundation should enjoy all other the Immunities, Privileges, and Advantages, in the said Act mentioned and expressed,

and also that they the said Provost and Scholars should and would repair, maintain, and uphold the said Buildings for ever: And whereas the said Buildings were completed and made fit for the Reception of the said Fellows and Scholars some Time in the Summer of the Year One thousand seven hundred and sixty four; and William Blackstone Esquire, Doctor of the Civil Law, then Principal of New Inn Hall in the said University of Oxford, and now Sollicitor General to Her Majesty; together with Chardin Musgrave Doctor of Divinity, and Provost of Oriel College in the said University; and Benjamin Buckler Doctor in Divinity, and Fellow of All Souls College in the said University of Oxford, being the then Visitors of the said John Michel's Foundation; they the said William Blackstone, Chardin Musgrave, and Benjamin Buckler, on the Twenty fourth Day of August, One thousand seven hundred and sixty four, did (by Deed Poll of that Date under their Hands and Seals) make, publish, and declare, a certain Body of Statutes for the better Government of the said John Michel's Foundation, the Tenor whereof follows in these Words:

TO all Persons to whom these Presents shall come. We *William Blackstone* Esquire, Doctor of the Civil Law, and Principal of *New Inn Hall* in the University of *Oxford*; *Chardin Musgrave* Doctor in Divinity, and Provost of *Oriel College* in the said University; and *Benjamin Buckler* Doctor in Divinity, and Fellow of *All Souls College* in the said University; Visitors of the Foundation of *John Michel* Esquire, in the *Queen's College* within the same University, send greeting in our Lord everlasting.

Whereas the said *John Michel* Esquire, deceased, in and by his last Will Testament in Writing duly executed, bearing Date the Twenty first Day of *December*, which was in the Year of our Lord One thousand seven hundred and thirty six, did give and devise several Lands, Tenements, and Hereditaments, in the said Will mentioned, unto the *Queen's College* aforesaid for ever, to the Intent, that out of the Revenues of those Estates Eight Master Fellows and Four Bachelor Scholars might be maintained in such Manner as in the said Will is directed; and the said *John Michel* did also in his said Will appoint and ordain the Reverend *Robert Shippen* Doctor in Divinity, Principal of *Brazen Nose College* in the said University; *John Mather* Doctor in Divinity, President of *Corpus Christi College* in the said University, and *John Coxed* Doctor of the Civil Law, Warden

Warden of *New College* in the ſaid Univerſity; Viſitors of that ſmall Society: And, that there never might be wanting a continued Succeſſion of worthy Perſons to ſuſtain the viſitatorial Power, he did ſolemnly enjoin, that upon the Demiſe of any One of the then preſent Viſitors, the Two Survivors ſhould, within One Month, nominate and appoint a Third Viſitor to be joined with themſelves in the ſaid Truſt, according to the Form and Qualifications in his ſaid Will expreſſed and contained; which Method of Nomination and Appointment ſhould be obſerved as a ſtanding Rule in all Times to come: And the ſaid *John Michel* in his ſaid laſt Will concluded the Subject of his ſaid Benefaction, with recommending to the prudent Conduct of the ſaid Viſitors the digeſting of the moſt material Parts of the ſaid Scheme into Statutes, for the due Regulation of that ſmall Society.

And whereas in and by a certain Act of Parliament, made in the Twenty fourth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better effecting the Purpoſes mentioned in the Will of* John Michel *late of* Richmond *in the County of* Surry *Eſquire, deceaſed, for the Benefit and Advantage of* Queen's College *in the Univerſity of* Oxford, it is, among other Things, enacted, That it ſhall and may be lawful to and for the ſaid Viſitors of the ſaid *John Michel*'s Foundation, and their Succeſſors, in the Succeſſion prefcribed by the ſaid Will, or the major Part of them, and to and for the ſaid Provoſt and Scholars of the *Queen's College*, and their Succeſſors, to do all ſuch Acts as ſhall be neceſſary for the better effecting of the ſeveral Purpoſes mentioned in the Will of the ſaid *John Michel*; and that the ſaid Provoſt and Scholars ſhall in every Particular comply with and conform to the true Intent and Meaning of the ſaid Teſtator expreſſed in his ſaid Will; and alſo ſhall uſe all their Authority and Endeavours to oblige the ſaid Fellows and Scholars of the ſaid *John Michel*'s Foundation, and their Attendants, to conform to ſuch Statutes as, in purſuance of the ſaid Will, ſhall be made and digeſted by the ſaid *John Coxed*, and by *Euſeby Iſham* and *Robert Leyborne*, (then Viſitors of the ſaid Foundation for the time being) and their Succeſſors, in the Succeſſion preſcribed by the ſaid Will, for the due Regulation of the ſaid Fellows, Scholars, and their Attendants, of the Foundation of the ſaid *John Michel*, and to ſuch Explications and Determinations as ſhall from time to time be made by the ſaid Viſitors and their Succeſſors; ſo as the ſaid Statutes ſhall be agreeable to the Laws of the Land, and ſo as they ſhall not be repugnant to, or inconſiſtent with, that Obedience which the ſaid

ſaid Provoſt and Scholars of the ſaid College are to pay to their original Statutes in the Government and Diſcipline of the Members of the old Foundation.

"And whereas we the ſaid *William Blackſtone*, *Chardin Muſgrave*, and *Benjamin Buckler*, have reſpectively been duly nominated and appointed on the Deceaſes of our ſeveral Predeceſſors to ſuſtain the ſaid viſitatorial Power.

Now know ye, that we the ſaid *William Blackſtone*, *Chardin Muſgrave*, and *Benjamin Buckler*, in purſuance of the ſaid Recommendation of the ſaid *John Michel*, and by virtue of the Powers in us veſted by his ſaid laſt Will and Teſtament, and by the ſaid Act of Parliament, having made, compiled, and digeſted, One complete Body of Statutes for the Purpoſes herein before mentioned, have, with One Conſent and Aſſent, made, publiſhed, and declared, and by theſe Preſents do make, publiſh, and declare the ſame, in Manner and Form following; that is to ſay,

CHAP. I.

Of the Number, Election, and Qualification, of the Fellows and Scholars of the ſaid John Michel's *Foundation.*

FIRST, It is appointed, ordained, and eſtabliſhed, That there ſhall be, from time to time, and at all Times hereafter, Eight Maſter Fellows and Four Bachelor Scholars in the *Queen's College* in the Univerſity of *Oxford*, of and belonging to the Foundation of the late *John Michel*, Eſquire, deceaſed.

ALSO it is appointed, ordained, and eſtabliſhed, That when and as ſoon as the Viſitors of the ſaid Foundation for the time being, or the major Part of them, ſhall have given Notice in Writing to the Provoſt and Scholars of the ſaid *Queen's College* for the time being, that the Whole of the Buildings deſigned for the Habitation of the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation are erected, finiſhed, prepared, and fit for their Reception; the ſaid Provoſt and Scholars (now uſually denominated the Fellows) of the *Queen's College* aforeſaid, within Thirty Days next immediately after the Day of ſuch Notice given, and at a Time and Place within the ſaid College to be prefixed by the ſaid Provoſt, ſhall proceed to the Firſt Election of the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation; the ſaid Provoſt giving Fifteen Days Warning of the Time and Place of Election, by a Paper Writing ſigned by himſelf, and affixed on the Outerſide of the Chapel Door in the ſaid College.

ALSO it is appointed, ordained, and eſtabliſhed, That at the ſaid Firſt Election, all Perſons who ſhall be choſen Fellows of the ſaid Foundation ſhall, at the Time of ſuch Election, be Members of ſome College or Hall in the Univerſity of *Oxford* other than and except the *Queen's College* aforeſaid; and that no Perſon who is a Member of the ſaid *Queen's College* at the Time of the ſaid Election, or who hath, at any Time within Twelve Calendar Months next preceding the Day of the ſaid Election, been in any Reſpect a Member of the ſame, or who hath at any previous Time left the ſaid College with Intention thereby to qualify himſelf as a Candidate, ſhall be capable of being elected a Fellow of the ſaid Foundation. And at the ſaid Firſt and every other Election of the ſaid Fellows, every Perſon ſo to be elected ſhall at the leaſt be a Bachelor of Arts regularly created in the ſaid Univerſity, who hath attained, in point of Standing, the Seventh Academical Term from and after his taking of the ſaid Degree, excluſive of the Term wherein the ſame was taken; and ſhall at the moſt be a Maſter or Bachelor of Arts, who hath not exceeded, in point of Standing, the Thirty fourth Academical Term from his Matriculation in the ſaid Univerſity, including the Term in which he was ſo matriculated: And every Perſon ſo to be elected a Fellow ſhall be unmarried, and ſhall alſo produce to, and leave with, the Provoſt of the ſaid College for the time, being a Teſtimonial or Teſtimonials, ſigned by the proper Officers of his preſent Society, or of any other whereof he hath been heretofore a Member, teſtifying his good Life and Converſation for the Three Years next immediately preceding the Day of Election.

ALSO it is appointed, ordained, and eſtabliſhed, That at the ſaid Firſt Election, all Perſons who ſhall be choſen Scholars of the ſaid Foundation ſhall be, at the Time of ſuch Election, Members of ſome College or Hall in the Univerſity of *Oxford* other than and except the *Queen's College* aforeſaid; and that no Perſon who is a Member of the ſaid *Queen's College* at the Time of the ſaid Election, or who hath, at any Time within Twelve Calendar Months next preceding the Day of the ſaid Election, been in any Reſpect a Member of the ſame, and who hath at any previous Time left the ſaid College with Intention thereby to qualify himſelf as a Candidate, ſhall be capable of being elected a Scholar of the ſaid Foundation. And at the ſaid Firſt, and every other Election of Scholars aforeſaid, every Perſon ſo to be elected ſhall at the leaſt, in Point of Standing, have attained the Twelfth Academical Term after his Matriculation in the ſaid Univerſity, including the Term in which he was ſo matriculated;

lated; and ſhall not at the moſt have exceeded, in Point of Standing, the Twenty third Academical Term after his ſaid Matriculation, including the Term in which he was ſo matriculated. And to prevent all Doubt and Diſpute concerning the Time when any Perſon ſhall be held to have attained or exceeded, in Point of Standing, any given Academical Term mentioned and expreſſed in this or in any ſubſequent or preceding Clauſe of the preſent Statutes, it is hereby declared and determined, that any Perſon or Perſons ſhall be held to have attained any given Academical Term on the Firſt Day of the ſame Term, and to have exceeded any given Academical Term on the Firſt Day of the next ſucceeding Term, and not ſooner. And every Perſon ſo to be elected a Scholar ſhall be unmarried, and ſhall alſo produce to, and leave with, the Provoſt of the ſaid College for the time being, a Teſtimonal or Teſtimonials, ſigned by the proper Officers of his preſent Society, or of any other whereof he hath been heretofore a Member, teſtifying his good Life and Converſation for the Three Years next immediately preceding the Day of Election, or (if he hath not ſo long been a Member of the ſaid Univerſity) then for the whole Time during which he hath been a Member of the ſame. And to the end that a reaſonable and proper Regard may be paid to the Learning and Scholaſtic Merit of ſuch as may be Candidates for Scholarſhips upon this Foundation, there ſhall, previous to every Election for the ſame, be had a publick and open Examination, in the Common Hall of the ſaid College, of all and every the Candidate and Candidates for any Scholarſhip or Scholarſhips aforeſaid, before all the Electors who chuſe to be preſent at the ſame, on Three ſeveral Days, to be appointed by the Provoſt of the ſaid College; on the Firſt of which Days every Candidate ſhall in the Morning compoſe a Theme or ſhort Eſſay in the *Latin* Tongue, and in the Afternoon of the ſame Day ſhall tranſlate into the ſame Language ſome Portion of an *Engliſh* Author; and in the Morning of the Second Day ſhall be examined in Philoſophy, by way of Diſputation or otherwiſe, and in the Afternoon of the ſame Day ſhall tranſlate a Portion of ſome *Latin* Author into the *Engliſh* Tongue (the Subjects of ſuch Theme and Philoſophical Examination, and the Portions of the Authors before-mentioned, to be given out and aſſigned by the Dean of the ſaid College, with the Approbation of the Provoſt for the time being); and on the Third Day the ſaid Candidate ſhall interpret, render, or conſtrue, ſuch of the *Greek* and *Latin* moſt approved and Claſſical Authors as any of the Electors ſhall think proper to tender to him: And in caſe of

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any gross or notorious Deficiency in any of the Branches of Learning before recited, the Person or Persons so deficient shall be utterly incapable of being elected for that Time and Turn.

ALSO it is appointed, ordained, and established, That at the Time and Place so to be prefixed as aforesaid, the Provost, and all the Fellows of the said *Queen's College* then resident in the same, shall proceed to the First Election of each and every of the said Fellows and Scholars of the said *John Michel's* Foundation, severally, by filling up One Place at a Time; each of the said Fellows of the said *Queen's College* giving their Voices openly to the Provost who shall collect the same, beginning with the Junior, and ascending according to Seniority, and shall lastly declare his own Suffrage; and on whomsoever the Majority of them the said Provost and Fellows shall happen to fall, he shall be declared duly elected; saving all Right of Appeal to the Visitors of the said Foundation, against any Election alledged to be unduly made; which Appeal shall be interposed within Fifteen Days next after the Grievance complained of shall happen, or else shall not be received. And if it shall happen, that at any Election the Number of Voices shall be so divided, that a Majority of the Whole shall not appear in favour of any Candidate, then that Candidate who hath the fewest Votes shall be dropped and set aside for that Turn, and the other Candidates only shall be put in Nomination, and voted for again; and so from time to time till a Majority of the whole Number of Voices shall fall upon some One Candidate, or till equal Moieties of such whole Number shall respectively appear in favour of Two several Candidates. And if at any Time, or in any Part or Stage of any Election, an equal Number of Voices, not being the Moiety of the Whole, shall appear in favour of Two or more Candidates, the said Provost shall have Authority to reject, set aside, and strike off, such One of those Candidates, as in his own Discretion shall seem meet, provided there be no other Candidate, who hath fewer Votes than the several Persons in whose Favour such equal Number of Voices shall respectively appear. And if at any Time, or in any Part or Stage of any Election, equal Moieties of the whole Number of Voices shall respectively appear in favour of Two several Candidates, the Provost shall have the casting and decisive Vote, with Power to prefer which of the said Candidates he shall think proper. Provided always, and it is the true Intent and Meaning of these Presents, That no Person shall be finally elected a Fellow or Scholar aforesaid, unless

left by and with the Consent of the major Part of the Electors then present, or by and with the Consent of a Moiety of the said Electors, of which Moiety the Provost for the time being shall be One; And within Three Days after the said Elections are determined, the Fellows and Scholars so elected shall be admitted to the said Fellowships and Scholarships respectively, and shall take a corporal Oath before the said Provost and Fellows, at the Time of their respective Admissions, to obey the Statutes of the *Queen's College*, and those of Mr. *Michel's* Foundation, so far as they legally may, and so far as the same shall come to their Knowledge.

ALSO it is appointed, ordained, and established, That from and after the said First Election of Fellows of the said *John Michel's* Foundation, whenever any Fellowship shall happen to become void by Death, Resignation, Cession, Amotion, or otherwise, the said Provost for the time being, and all the Fellows of the original Foundation, of the said *Queen's College*, or such of them as shall be resident in the same, within the Space of Three Calendar Months next immediately after such Vacancy, and at a Time and Place within the said College to be prefixed by the said Provost, shall proceed to the Election of a new Fellow, in the same Manner and Form as is herein before ordained upon the First Election of the Fellows of the said Foundation; the said Provost giving One Calendar Month's Notice of the Time and Place of Election, by a Paper Writing signed by himself, and affixed on the Outerside of the Chapel Door in the said College: And the said Provost and Fellows shall, in the First Place, be bound to elect and admit into the said vacant Fellowship One of the Scholars of the said *John Michel's* Foundation for the time being who hath taken the Degree of Bachelor of Arts, and who at least hath attained, in Point of Standing, the seventh Academical Term from and after his taking of the said Degree, exclusive of the Term wherein the same was taken: And if none such can be found among the said Scholars, then the said Provost and Fellows shall elect some other Person at their Discretion, who is not, at the Time of the said Election, nor hath, at any Time within Twelve Calendar Months next preceding the Day of any such Election, been in any Respect a Member of the *Queen's College* aforesaid; and who hath not at any previous Time left the said College with Intention thereby to qualify himself as a Candidate: Provided always, That every such Candidate shall also be qualified, in all other Respects, as the Fellows to be elected at the First Election are herein before directed and required to be qualified.

ALSO it is appointed, ordained, and eſtabliſhed, That from and after the ſaid Firſt Election of Scholars of the ſaid *John Michel's* Foundation, whenever any Scholarſhip ſhall happen to become void by Death, Reſignation, Promotion to a Fellowſhip, Ceſſion, Amotion, or otherwiſe, the Provoſt for the time being, and all the Fellows of the Original Foundation of the ſaid *Queen's College*, or ſuch of them as ſhall be reſident in the ſame, within the Space of Three Calendar Months next immediately after ſuch Vacancy, and at a Time and Place within the ſaid College to be prefixed by the ſaid Provoſt, ſhall proceed to the Election of a new Scholar in the ſame Manner and Form as is herein before ordained upon the Firſt Election of the Scholars of the ſaid Foundation; the ſaid Provoſt giving One Calendar Month's Notice of the Time and Place of Election, by a Paper Writing ſigned by himſelf, and affixed on the Outerſide of the Chapel Door in the ſaid College, at which ſaid Election, the ſaid Provoſt, and Fellows ſhall elect ſome Perſon into the ſaid vacant Scholarſhip who is not at the Time of the ſaid Election, and hath at any Time within Twelve Calendar Months next preceding the Day of any ſuch Election, been in any Reſpect a Member of the *Queen's College* aforeſaid, and who hath not at any previous Time left the ſaid College with Intention thereby to qualify himſelf as a Candidate: Provided always, That every ſuch Candidate ſhall alſo in all other Reſpects be qualified, as the Scholars to be elected at the Firſt Election are herein before directed and required to be qualified.

LASTLY, it is appointed, ordained, and eſtabliſhed, That if, upon any Vacancy of a Fellowſhip or Scholarſhip of the ſaid *John Michel's* Foundation, the ſame ſhall not in any Manner whatſoever be filled up by them the ſaid Provoſt and Fellows within the Time herein before limited and prefcribed, the Nomination and Election for that Time and Turn ſhall devolve to the Chancellor of the Univerſity of *Oxford* for the time being, who may, in ſuch Caſe, appoint a new Fellow or Scholar, obſerving the ſame Qualifications as are herein before directed to be obſerved in caſe of an Election by the ſaid Provoſt and Fellows. But, in caſe of an undue Election by them the ſaid Provoſt and Fellows, the ſaid Viſitors of the ſaid Foundation of the ſaid *John Michel* ſhall do Right and Juſtice therein, by annulling the ſaid pretended Election, and ſhall either direct the College to proceed to a new Election, or ſhall put the Party Appellant into the vacant Place, as the Merits of the Caſe ſhall require; yet in caſe of a ſecond undue

undue Election upon One and the ſame Vacancy (if there be no Party Appellant who hath a Right to ſucceed to the ſame) the Nomination and Election for that Time and Turn ſhall then devolve to the ſaid Chancellor of the ſaid Univerſity for the time being, in Manner and Form and under the Reſtrictions aforeſaid. Provided always, That in caſe of any ſuch Devolution as aforeſaid, if the ſaid Chancellor of the ſaid Univerſity ſhall not fill up the ſaid vacant Place within Three Calendar Months next after the ſaid Devolution ſhall happen, the Nomination and Election to the ſaid vacant Place ſhall revert and return to them the ſaid Provoſt and Fellows, who ſhall then be at Liberty to ſupply the ſame, under the Conditions and Qualifications herein before ſpecified and expreſſed; any thing herein contained to the contrary thereof notwithſtanding.

CHAP. II.

Of the State and Condition of the ſaid Fellows and Scholars in the ſaid College.

FIRST, it is appointed, ordained, and eſtabliſhed, That the Fellows of the ſaid Foundation of *John Michel* Eſquire ſhall, in the Chapel, Hall, and other publick Places of the ſaid College, rank with and be reputed on the ſame Footing as the Fellows of the Old Foundation, except in ſuch Matters and Things as reſpectively relate to the ſaid Old Foundation or to the ſaid New Foundation only; and the Fellows of each Foundation ſhall mutually take and give Place according to their ſeveral Academical Degrees, and, among thoſe of equal Degree, according to the Priority of their reſpective Matriculations in the ſaid Univerſity of *Oxford*.

ALSO it is appointed, ordained, and eſtabliſhed, That the Scholars of the ſaid Foundation of *John Michel* Eſquire ſhall, in the Chapel, Hall, and all other publick Places of the ſaid College, rank with and be reputed on the ſame Footing as the Taberdars on the Old Foundation, except in ſuch Matters and Things as reſpectively relate to the ſaid Old Foundation or to the ſaid New Foundation only; and the ſaid Scholars and Taberdars ſhall mutually take and give Place according to their ſeveral Academical Degrees, and, among thoſe of equal Degree, or among Under Graduates, according to the Priority of their reſpective Matriculations in the ſaid Univerſity of *Oxford*.

LASTLY,

LASTLY, it is appointed, ordained, and eſtabliſhed, That the ſaid Fellows and Scholars of the Foundation of the ſaid *John Michel* Eſquire, and their Attendants, ſhall have and enjoy the ſame Immunities, Privileges, and Advantages, in the free Uſe and Enjoyment of the Publick Library, Chapel, Hall, Kitchen, Buttery, and Cellars, of the ſaid College, and in the Uſe of the Furniture and Goods in common Uſe in the ſaid College, and in the Attendance and Service of all the Officers, Lecturers, Readers, Moderators, and Servants, and in the Uſe of the Garden, Quadrangles, Courts, and other publick Places in the ſaid College, and all other Common Advantages and Emoluments, as the Fellows and other Members of the like Rank and Degree on the Old Foundation of the ſaid College do or ſhall have and enjoy; the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation reſpectively paying, in reſpect of any of the ſame, only ſuch Fees, and ſo much for Decrements, as the Fellows and other Members of the like Rank and Degree on the Old Foundation of the ſaid College do or ſhall pay for the ſame: Provided nevertheleſs, That this ſhall not extend to any Allowances for Commons, Over-commons, or Exceedings, or any Advantages or Emoluments conſiſting in Money, Salaries, or Proviſions, which the Members of the Old Foundation, or any of them, do at preſent or may hereafter enjoy by virtue of their Original Foundation, or of any ſubſequent Benefaction to the ſame; unleſs the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation do and ſhall reſpectively agree to pay for the ſame ſo much as they ſhall be reaſonably worth; in which Caſe only, the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation ſhall be intitled to the ſame Allowances and Advantages therein as the Members of the Old Foundation.

CHAP. III.

Of the Manners and Demeanor of the ſaid Fellows and Scholars in the ſaid College.

FORASMUCH as the Statutes of the Old Foundation of the *Queen's College* aforeſaid are found, by Experience, to contain very good and wholeſome Regulations with reſpect to the Morals, Behaviour, and Learning, of the Perſons who are ſubject to their Coercion; it is therefore appointed, ordained, and eſtabliſhed, That the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation

Foundation ſhall be reſpectively ſubject to the ſaid Statutes of the Old Foundation, and the Government of the ſame, with regard to all Conformity of Diſcipline and Obedience to Superiors; except, that neither the ſaid Fellows nor Scholars ſhall be obliged to enter into Holy Orders, nor ſhall the ſaid Scholars be obliged to perform the Exerciſe uſually known by the Name of *Rendering*; and alſo except and reſerved ſuch Matters and Things as are otherwiſe ordered and provided for by theſe preſent Statutes, or any Chapter or Section of the ſame; in all and every of which Caſes, the ſaid Fellows and Scholars ſhall not be obliged to conform to the Statutes of the Old Foundation, nor be liable to any Manner of Cenſure for ſuch their Want of Conformity.

CHAP. IV.

Of the Diſpoſal of the Chambers.

WHEREAS the Two Southern Stair-caſes of the Eaſtern Side of the New Square in the *Queen's College* aforeſaid, containing Twelve Sets of Chambers beſides Garrets, were erected, at the Expence and out of the Produce of the Eſtate of the ſaid *John Michel* Eſquire, for the Reception of the Fellows and Scholars of his Foundation and Attendants; it is therefore appointed, ordained, and eſtabliſhed, That the Four Sets of Chambers on the Ground Floor of the ſaid Buildings ſhall be appropriated to and occupied by the Four Scholars of the ſaid *John Michel's* Foundation for the time being, the ſame to be choſen by the Four firſt and original Scholars reſpectively, according to their Rank and Precedence aforeſaid; and that the Eight Sets of Chambers on the Two upper Floors ſhall be appropriated to and occupied by the Eight Fellows of the ſame Foundation for the time being, the ſame to be choſen by the Eight firſt and original Fellows reſpectively, according to their Rank and Precedence aforeſaid; and the Four Garrets ſhall be occupied by ſuch Under Graduates, Members of the ſaid *Queen's College* attending on the ſaid Fellows and Scholars, as the Four Fellows of the ſaid *John Michel's* Foundation who ſhall occupy the uppermoſt Sets of Chambers immediately under each the ſaid Garrets reſpectively, ſhall gratuitouſly appoint or place therein, without taking any Rent or other Conſideration for the ſame; and in Defect of ſuch Appointment or Placing, the Uſe of the ſaid Garrets, till ſuch

such Appointment or Placing is made, shall be allowed to such of the Scholars of the said *John Michel's* Foundation as shall occupy the Ground Chambers immediately beneath such respective Garret.

ALSO it is appointed, ordained, and established, That the Provost and Scholars of the Old Foundation of the *Queen's College* aforesaid shall, from time to time, and at all Times hereafter, at their own proper Costs and Charges, repair, support, maintain, and uphold, both within and without, the Buildings aforesaid, in like Manner as the same shall be finished at or before the First Election of Fellows and Scholars on the said Foundation: Provided always, That nothing herein contained shall extend to any Hangings, Paintings, or other mere ornamental Parts of the same. And, that none of the said Chambers may be neglected, or suffered to decay by the Inhabitants thereof, through a Prospect of changing for better, it is appointed, ordained, and established, That upon every Election which shall happen after the said first and original Election, all and every of the said Fellows and Scholars respectively shall succeed to the same Sets of Chambers which belonged to their immediate Predecessors in their several Fellowships or Scholarships; and shall, during the Term of their several Fellowships or Scholarships, remain and abide in the same identical Sets of Chambers which were respectively allotted to each of them at their First Admission to their respective Fellowships or Scholarships, without any future Change or Alteration; and if any Damage shall happen to any of the said Chambers, through the wilful Act or Default of any of the Occupiers thereof, he or they, by whose Act or Default such Damage shall be occasioned, shall, at his and their own proper Costs and Charges, repair and make Satisfaction for the same: Provided always, and it is hereby appointed, ordained, and established, That none of the said Fellows or Scholars shall be at Liberty to let or lend their respective Chambers, or to make any Use of them other than for their own Habitation, without the express Consent of the Provost of the said College for the time being.

CHAP. V.

Of the Residence of the Fellows and Scholars.

FORASMUCH as the beneficent and salutary Purposes of this Foundation, the Advancement and Encouragement

of Learning, may be totally fruſtrated by the Non-reſidence of the Fellows and Scholars of the ſame, it is appointed, ordained, and eſtabliſhed, That yearly and in every Year (to be computed from the Date of the reſpective Admiſſion of each Fellow and Scholar) every Fellow ſhall perſonally reſide One hundred and twenty Days, and every Scholar One hundred and eighty Days, within the *Queen's College* aforeſaid, upon pain that for the Firſt Offence ſuch Fellow or Scholar ſhall be regiſtered by the Provoſt for ſuch his Non-reſidence, and for the Second Offence ſhall be removed from his Fellowſhip or Scholarſhip; unleſs in either Caſe he be abſent upon ſome good and ſufficient Reaſon, to be previouſly approved by the Viſitors of the ſaid Foundation, or any Two of them, and alſo by the Provoſt of the ſaid *Queen's College*.

CHAP. VI.

Of the Stipends of the Fellows and Scholars, and the Diſpoſal of the Reſidue of the Rents and Profits of the ſaid Foundation.

ALSO it is appointed, ordained, and eſtabliſhed, That the clear neat Revenue, Income, and Produce, after all neceſſary Payments and Deductions made, of the Eſtate and Benefaction of the ſaid *John Michel*, ſhall be applied in Manner following (that is to ſay) In the Firſt Place, to raiſe and pay the annual Sum of Five hundred and Twenty Pounds, clear of all Taxes and Deductions, among the Fellows and Scholars of the ſaid Foundation for the time being, in the following Proportions; namely, To each Fellow the Sum of Fifty Pounds by the Year, and to each Scholar the Sum of Thirty Pounds by the Year, and ſo in proportion for any leſs Time or Portion of a Year, during which he or they may reſpectively continue a Fellow or Scholar of the ſaid *John Michel's* Foundation. And if in any Year the Revenues ſhall prove inſufficient for theſe Purpoſes, then a rateable Deduction ſhall be made from the Stipend of each Fellow and Scholar, equal in the Whole to the Deficiency that ſhall appear; each and every of the Fellows contributing thereto in the Proportion of Five Pounds for every Contribution of Three Pounds by each and every of the Scholars.

ALSO it is appointed, ordained, and eſtabliſhed, That if any Surplus or Surpluſſes ſhall at any Time remain, over and above the ſtated Payments to the Fellows and Scholars

Scholars aforeſaid, it ſhall from time to time be applied, in the firſt Place, towards raiſing and continuing the principal Sum of Two hundred Pounds; which Sum ſhall be reſerved to anſwer extraordinary Occaſions, at the Diſpoſal and Diſcretion of the ſaid Viſitors of Mr. *Michel's* Foundation, or any Two of them; and, in caſe of any Diminution thereof, ſhall, from time to time, be kept up, ſupplied, and replaced, out of the ſaid annual or caſual Surpluſſes which at any Time hereafter may ariſe out of the ſaid Eſtates.

ALSO it is appointed, ordained, and eſtabliſhed, That when and as ſoon as ſuch principal Sum of Two hundred Pounds ſhall ſo be raiſed, continued, kept up, ſupplied, and replaced; then the ſaid Surpluſſes, if any ſuch there be, ſhall be applied to the Purchaſe or Purchaſes of ſuch competent Number of Advowſons, or Perpetual Preſentations to Benefices, of more than the clear yearly Value of One hundred and twenty Pounds each, as can be reaſonably had for the ſame, and can be appropriated for the Uſe and Advantage of the ſaid Fellows and Scholars, conſiſtently with the Law of the Land: And after any ſuch Advowſon or Advowſons ſhall be ſo purchaſed and ſettled, to and for the Uſe and Advantage of the Fellows and Scholars of the ſaid Foundation, it is hereby appointed, ordained, and eſtabliſhed, That when and as often as the ſeveral Benefices or Livings ſhall reſpectively become vacant, the Perſon or Perſons, Bodies Politick or Corporate, in whom the legal Intereſt of ſuch Advowſon or Advowſons ſhall then be veſted, ſhall preſent to the ſaid Benefice or Living ſuch Fellow of the Foundation of the ſaid *John Michel*, as, at the Time when ſuch Preferment becomes vacant, ſhall be the abſolute Senior, in Point of Admiſſion to his Fellowſhip, and ſhall at that Time alſo be in Holy Orders, and ſhall be willing and deſirous to accept of the ſame: And in caſe ſuch Senior Fellow ſhall not be in Holy Orders at the Time aforeſaid, or ſhall refuſe to take the Preſentation to ſuch Benefice or Living, or ſhall be rightfully and legally refuſed and rejected by the Ordinary; then the Preſentation of the ſame ſhall be given and made to the Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth, Fellows of the ſaid Foundation, ſeverally and ſucceſſively as they ſhall be in Seniority and Priority of Admiſſion; the Senior of ſuch Fellows being always to be preferred and preſented before the Junior, provided he be in Holy Orders at the Time when ſuch Benefice or Living becomes vacant, and be willing and deſirous to accept of the ſame: And in caſe none of the ſaid

Fellows

Fellows ſhall be in Holy Orders at the Time of ſuch Vacancy as aforeſaid, or ſhall be willing and deſirous to accept of the ſaid Preſentation, or if all and every of the ſaid Fellows ſo preſented ſhall be rightfully and legally refuſed and rejected by the Ordinary; then the Preſentation of the ſame ſhall be given and made to the Firſt, Second, Third, and Fourth Scholars of the ſaid Foundation, ſeverally and ſucceſſively as they ſhall be in Seniority and Priority of Admiſſion; the Senior of ſuch Scholars being always to be preferred and preſented before the Junior, provided he be in Holy Orders at the Time when ſuch Benefice or Living becomes vacant, and be willing and deſirous to accept of the ſame: And in caſe none of the ſaid Scholars ſhall be in Holy Orders at the Time when ſuch Benefice or Living becomes vacant, or ſhall be willing and deſirous to accept thereof; or if all and every of the ſaid Scholars ſo preſented ſhall be rightfully and legally refuſed and rejected by the Ordinary; then the Preſentation of the ſame ſhall be given and made to ſuch Perſon (being duly qualified) as the Viſitors of the ſaid Foundation, or any Two of them, ſhall nominate, direct, and appoint; and in Defect of ſuch Nomination, Direction, and Appointment, by the ſaid Viſitors, or Two of them, then to ſuch Perſon (being duly qualified) as the Senior of the ſaid Viſitors (in reſpect of his Nomination to the ſaid Office) ſhall nominate, direct, and appoint.

CHAP. VII.

Of taking Degrees by the Fellows and Scholars of the ſaid Foundation.

ALSO it is appointed, ordained, and eſtabliſhed, That the Fellows and Scholars of the ſaid *John Michel's* Foundation ſhall reſpectively proceed to their ſeveral Degrees of Bachelor and Maſter of Arts, as ſoon as they are of the proper Standing required by the Statutes of the Univerſity for thoſe reſpective Degrees, or at the fartheſt within One Term after, upon pain of immediate Amotion from their Fellowſhips or Scholarſhips, in caſe of their Non-compliance; unleſs for ſome good and ſufficient Reaſon to be previouſly approved by the Viſitors of the ſaid Foundation, or any Two of them.

CHAP.

CHAP. VIII.

Of the Cauſes of Ceſſion or Amotion from the Fellowſhips and Scholarſhips of the ſaid Foundation.

ALSO it is appointed, ordained, and eſtabliſhed, That if any of the Fellows or Scholars of the ſaid Foundation (or any other Perſon in Truſt for him) ſhall be ſeiſed or poſſeſſed of, or otherwiſe beneficially intitled to, any Eſtate of Inheritance, or for the Life of the ſaid Fellow or Scholar, or for any abſolute Term of more than Forty Years, or for any longer Term determinable upon the Life of the ſaid Fellow or Scholar, in any Lands, Tenements, or Hereditaments; or ſhall be promoted to any Office or Preferment, Civil, Eccleſiaſtical, or Military, for the Term of his natural Life, to be exerciſed out of the Precincts of the Univerſity of *Oxford*; which Eſtate, Office, or Preferment, ſhall be of the yearly Value of One hundred Pounds clear of all Deductions (Salaries to Deputies excepted); ſuch Fellow or Sholar ſhall be allowed to retain his Fellowſhip or Scholarſhip for One whole Year to be accounted from ſuch his Acquiſition or Promotion, and thenceforward his Fellowſhip or Scholarſhip ſhall be to all Intents and Purpoſes completely void. And if any of the ſaid Fellows or Scholars ſhall marry during the Term of his Fellowſhip or Scholarſhip reſpectively, ſuch Fellow or Scholar ſhall be allowed to retain his Fellowſhip or Scholarſhip for Six Calendar Months to be accounted from the Day of his Marriage, and thenceforward his Fellowſhip or Scholarſhip ſhall be to all Intents and Purpoſes completely void. And when and as ſoon as any of the Fellows of the ſaid Foundation ſhall have exceeded, in Point of Standing, Forty four full Terms from and after his Preſentation to the Degree of Maſter of Arts, excluſive of the Term in which he was preſented to the ſame, his ſaid Fellowſhip ſhall thenceforward be abſolutely and completely void. And when and as ſoon as any of the Scholars of the ſaid Foundation ſhall have exceeded, in Point of Standing, Eight full Terms from and after his Preſentation to the ſaid Degree of Maſter of Arts, excluſive of the Term in which he was preſented to the ſame, his ſaid Scholarſhip ſhall thenceforwards be abſolutely and completely void. And if any of the ſaid Fellows or Scholars ſhall be guilty of Neglect, in Point of Reſidence, or in Point of taking his reſpective Degrees, in Manner and Form herein before

ſet forth and preſcribed, his Fellowſhip or Scholarſhip ſhall be abſolutely and completely void. And if any of the Fellows or Scholars aforeſaid ſhall be legally convicted, by due Courſe of Law, of Treaſon, Felony, Perjury, or other groſs or enormous Crime, or ſhall be expelled and baniſhed from the Body of the Univerſity of *Oxford* for any groſs or enormous Crime, his Fellowſhip or Scholarſhip, from the Time of ſuch Conviction or Expulſion, ſhall be abſolutely and completely void. And if any of the Fellows or Scholars aforeſaid ſhall commit any other notorious Crime, by which great Scandal may ariſe to the Society whereof he is a Member, and ſhall be duly convicted thereof by the Judgement of the major Part of the Provoſt and Fellows of the Original Foundation of the ſaid *Queen's College*; or, laſtly, if any of the Fellows or Scholars of the ſaid *John Michel's* Foundation ſhall be unreaſonably and notoriouſly contumacious to his Superiors in the ſaid College, in Matters of Diſcipline and Conformity of Manners, and ſhall perſiſt in ſuch his Contumacy for Eight whole Days; it ſhall and may be lawful for the major Part of them, the ſaid Provoſt and Fellows of the ſaid Original Foundation, immediately upon Conviction of ſuch notorious Crime, or upon the Ninth Day of ſuch unreaſonable and notorious Contumacy, to puniſh the Fellow or Scholar ſo offending by perpetual Amotion or temporary Suſpenſion from his Fellowſhip or Scholarſhip, according to the Nature and Degree of his Offence; and in caſe of any temporary Suſpenſion as aforeſaid, a rateable Share of the Profits of the Fellowſhip or Scholarſhip of the Perſon ſo ſuſpended ſhall be forfeited, and applied, at the Diſcretion of the ſaid Viſitors or any Two of them, to the Benefit of the ſaid *John Michel's* Foundation: Provided always, That no Oath of Purgation from any ſuſpected Crime ſhall, upon any Account whatſoever, be adminiſtered to any of the Fellows or Scholars of the ſaid *John Michel's* Foundation: Provided alſo, and it is the true Intent and Meaning of theſe Preſents, That all Benefit of Appeal in the Premiſſes, by either the Accuſer or Accuſed, from the Judgement of the ſaid Provoſt and Fellows to the Judgement of the Viſitors of the ſaid *John Michel's* Foundation, is and ſhall be hereby expreſly reſerved, eſtabliſhed, and confirmed.

CHAP.

CHAP. IX.

Of the Visitors of the said Foundation, and the annual Audit of Accounts.

ALSO it is appointed, ordained, and established, That the said *William Blackstone*, *Chardin Musgrave*, and *Benjamin Buckler*, and their Successors, in the Succession herein after set forth and declared, shall be the true, lawful, and only Visitors of the Fellows and Scholars of the said *John Michel's* Foundation, and shall have, use, and exercise, full visitatorial Power over them, and every of them, with Authority to correct, deprive, redress, or restore them, or any of them, as the Justice and Merits of the Case may from time to time require; and they, or any Two of them, shall have full Power and Authority, Once every Year, or oftener (as well upon their own Knowledge and mere Motion as upon the Complaint of any of the said Fellows or Scholars) to examine into, hear, adjudge, and finally determine, all Grievances and Controversies which may arise as well between the said Fellows and Scholars among themselves, as also between the said Fellows and Scholars of the said *John Michel's* Foundation, and the said Provost and Scholars of the Old Foundation in the *Queen's College* aforesaid, touching the Punishment of any Misdemeanors supposed to be committed by the said Fellows or Scholars of the said *John Michel's* Foundation, or any of them, or touching the supposed Misapplication of the Revenues belonging to the said *John Michel's* Foundation, contrary to the true Intent and Meaning of the said Donation.

ALSO it is appointed, ordained, and established, That the said Visitors shall meet annually at the *Queen's College* aforesaid on the Feast of Saint *Bartholomew* the Apostle, unless the same shall happen on a *Sunday*, and then on the *Monday* following (or oftener if they shall see Occasion); and they, or any Two of them, shall then and there examine, audit, and, when approved, shall sign the Accounts of the Bursars of the said College relating to the said Foundation; and shall cause the same to be transcribed into Three several Books to be respectively kept by the Three Visitors of the said Foundation for the time being; and shall, at the same Time or Times, give Direction and Instruction to the Bursars of the said College with regard to the Application of such Monies as may probably arise from the Revenues of the said Foundation, within

within One Year then next enſuing; and, on the ſaid annual Day of Viſitation the Sum of Twenty Marks, or the greateſt Part of it, ſhall, out of the Revenues of the ſaid Foundation, be beſtowed in providing a handſome Dinner for the Viſitors, Provoſt, and Fellows of both Societies, as well of the Old as of the New Foundation; and on the ſaid Day there ſhall annually be given to each of the ſaid Viſitors the Sum of Ten Marks, as an Acknowledgement for their Care and Attendance; and there ſhall be annually allowed to the Burſar of the ſaid College for the time being (if the ſaid Viſitors, or any Two of them, ſhall annually approve of the ſame) the Sum of Fifteen Marks, for his Care and Trouble in receiving the Rents, paying the Stipends and Expences, and keeping the Accounts of the ſaid Foundation: And it is moreover appointed, ordained, and eſtabliſhed, That the ſaid Viſitors, and their reſpective Succeſſors, ſhall, out of the Revenues belonging to the ſaid Foundation, be repaid and reimburſed all Coſts, Charges, Damages, and Expences, that they reſpectively ſhall or may ſuſtain, or be put unto, in and about the Execution of the viſitatorial Power in them reſpectively repoſed.

ALSO it is appointed, ordained, and eſtabliſhed, That whenever any of the ſaid Viſitors, or their Succeſſors, ſhall happen to depart this Life, or ſhall, by Writing under his Hand and Seal (to be delivered to the Senior in point of Nomination of the Two remaining Viſitors) reſign his ſaid Office of Viſitor; the ſaid Two remaining Viſitors ſhall, within Twenty eight Days next after his Deceaſe or Reſignation and Delivery of the ſame as aforeſaid, nominate and appoint a Third Viſitor to be joined with themſelves in the Execution of the ſaid viſitatorial Truſt; the deciſive or caſting Vote (in caſe of any Difference of Opinion) ſtill reſting with ſuch of the Two remaining Viſitors as ſhall be the Senior in reſpect of his Nomination and Appointment to execute the ſaid Truſt: And the Perſon ſo to be nominated and appointed ſhall be either a Doctor of Divinity or a Doctor of the Civil Law, regularly created in the ſaid Univerſity of *Oxford*; and ſhall be, at the Time of his Nomination, a Reſident, Head, or Fellow, of ſome College or Hall in the ſaid Univerſity, other than and except the *Queen's College* aforeſaid; no Provoſt or Fellow of which, nor any Perſon who hath at any Time been a Member of either the Original Foundation or the Foundation of the ſaid *John Michel* in the ſaid College, ſhall be capable to be nominated and appointed a Viſitor of the ſaid *John Michel's* Foundation.

LASTLY,

LASTLY, it is appointed, ordained, and eſtabliſhed, That a true and perfect Copy of this preſent Body of Statutes ſhall be kept and remain in the publick Library of the ſaid College, and that every Member of the ſaid *John Michel's* Foundation ſhall have free and unreſtrained Acceſs to the ſame; and that the Provoſt and Scholars of the ſaid *Queen's College*, and their Succeſſors, ſhall in every Particular comply with, and conform to, the true Intent and Meaning of the ſaid *John Michel's* Will, as the ſame is ſet forth, interpreted, and declared, in this and the foregoing Statutes; and ſhall uſe all their Authority and Endeavours to oblige the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation to comply with and conform to the ſame: And as well the ſaid Provoſt and Scholars of the Old Foundation, as the ſaid Fellows and Scholars of the ſaid *John Michel's* Foundation, ſhall comply with, and conform to, ſuch Explications, Determinations, and Orders, as ſhall from time to time be made by the ſaid Viſitors or their Succeſſors, or any Two of them the ſaid Viſitors or their Succeſſors, in all Controverſies, Matters, and Things, that may ariſe touching the ſaid *John Michel's* Foundation, or any Part or Member of the ſame; ſo far as the ſaid Explications, Determinations, and Orders, ſhall be agreeable to the Laws of the Land, and ſhall not be repugnant to, or inconſiſtent with, that Obedience which the ſaid Provoſt and Scholars of the ſaid College are to pay to their original Statutes, in the Government and Diſcipline of the Members of the Old Foundation.

ALL which ſaid Statutes, and every Part, Portion, and Article thereof, We the ſaid *William Blackſtone*, *Chardin Muſgrave*, and *Benjamin Buckler*, have approved, ratified, and confirmed, and by theſe Preſents do approve, ratify, and confirm, for ever.

IN Witneſs whereof, to theſe Preſents we the ſaid *William Blackſtone*, *Chardin Muſgrave*, and *Benjamin Buckler*, our Hands and Seals have ſubſcribed and ſet this Twenty fourth Day of *Auguſt*, in the Fourth Year of the Reign of our Sovereign Lord *George* the Third, by the Grace of God of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and ſo forth, and in the Year of our Lord Chriſt One thouſand ſeven hundred and ſixty four.

All which ſaid Statutes were accepted and received, and have ever ſince been acted under, by the ſaid Provoſt and Scholars; and in purſuance of the ſame, Eight Maſter Fellows and Four Bachelor Scholars were elected by the ſaid Provoſt and Scholars ſoon after the Publica-

tion thereof: And all Parties are willing and desirous that the same may be confirmed and established by the Authority of Parliament, as a perpetual Rule for the Government of the said Foundation in all future Times, except so far as the same or any Part thereof shall be varied or altered by this present Act; And whereas the Honourable and Reverend John Tracy Doctor in Divinity, and Warden of All Souls College in the said University, hath been duly nominated and appointed to join with the said William Blackstone and Benjamin Buckler in the Exercise of the said visitatorial Power on the Decease and in the Room of the said Chardin Musgrave; And whereas the annual Expences of the said Foundation, according to the Will of the said John Michel, amount to the Sum of Five hundred fifty three Pounds, Six Shillings, and Eight Pence, which, together with the annual Sum of Fifteen Marks allowed by the said Statutes to the Bursar of the said College for receiving the Rents and keeping the Accounts of the said Foundation, and other small contingent Expences, not exceeding in the Whole the Sum of Six Pounds, Thirteen Shillings, and Four Pence, per Annum, will amount to the Total Sum of Five hundred and seventy Pounds per Annum; and the Estates of the said John Michel, on an Average of Fourteen Years last past, have produced, communibus Annis, no more than the Sum of Five hundred and thirty seven Pounds, Nine Shillings, and Two Pence; so that there hath been an annual Deficiency of Thirty two Pounds, Ten Shillings, and Ten Pence, or thereabouts; whereby the Fund appropriated by the Will of the said John Michel for the Purchase of Advowsons is totally sunk and annihilated: And whereas by several Accidents and unforeseen Delays in carrying the Will of the said John Michel into Execution, a large Sum of Money hath been accumulated out of the Rents and Profits of the said Estates, Part whereof hath been vested in the Purchase of Nine thousand six hundred Pounds in the Joint Stock of Three per Centum Consolidated Annuities transferrable at the Bank of England, in the Name of the said Provost and Scholars; and there remains in the Hands of the Bursar of the said College the Sum of Two hundred Pounds so directed by the said John Michel to be reserved for extraordinary Occasions, and also the further Sum of Three hundred and forty five Pounds, Twelve Shillings, and Two Pence; all which said Sums are at the Disposal of the said Visitors and their Successors,

for the Benefit of the said John Michel's Foundation: And whereas Part of the said Lands and Tenements of the said John Michel in Old Windsor in the County of Berks, consisting of Eleven Acres of Meadow Land or thereabouts, and the Scite and Materials of an old ruined House, now let together at the yearly Rent of Sixteen Pounds Ten Shillings, or thereabouts, and herein after particularly mentioned, are contiguous to the House and Lands of Hugh Hamersley of Old Windsor aforesaid Esquire, who hath proposed to the said Provost and Scholars to purchase the said Premisses for the Sum of Six hundred Pounds, which (being more than the Value thereof) the said Provost and Scholars have agreed to, as far as by Law they are enabled; and the said Hugh Hamersley, in pursuance of the said Agreement, hath vested the said Six hundred Pounds in the Purchase of Six hundred and seventy six Pounds, One Shilling, and Three Pence, in the said Joint Stock of Three per Centum Consolidated Annuities, in the Name of the said Provost and Scholars; which, together with the said Sum of Nine thousand six hundred Pounds, amounts to the Sum of Ten thousand two hundred and seventy six Pounds, One Shilling, and Three Pence, Three per Centum Consolidated Annuities, now standing in the Name of the said Provost and Scholars for the Uses of the said John Michel's Foundation; but the said Provost and Scholars cannot by Law carry the said Agreement into Execution, without the Aid and Authority of Parliament, although the same would be for the Benefit and Advantage of the said Foundation: And whereas the Foundation of the said John Michel is not completely calculated to answer all the Purposes of a learned Education, inasmuch as the Benefits thereof are confined by his said Will, and the Statutes made in pursuance of the same, to Persons of at least Three Years Standing in the University, when the most expensive and most important Parts of Academical Education are past; in Consideration whereof, the said Visitors have agreed (after setting apart, out of the Savings so accumulated as aforesaid, a competent Sum for supplying the Deficiencies aforesaid) to apply the Sum of Eighty Pounds per Annum, to arise out of the annual Produce of other Part of the said accumulated Savings, in the Founding of Four Exhibitions or Scholarships for Under-Graduate Scholars in the said College, in Manner herein after mentioned, who may be eligible into the said Bachelor Scholarships of the said John Michel's

Michel's Foundation, if the said Provost and Scholars shall think fit; and afterwards to apply the Residue of the said accumulated Savings, or some Part thereof, in the Purchase of Four Perpetual Advowsons or Patronages of Livings of the Value of One hundred and twenty Pounds per Annum, or upwards, for the Benefit of the Fellows and Scholars of the said John Michel's Foundation; but the said Provost and Scholars of the said Old Foundation in the said Queen's College, being already seised of more Advowsons than are equal to a Moiety of the Fellows of the said Old Foundation, are (it is apprehended) incapable by Law of purchasing or holding any Advowson for the Benefit of the said Fellows of Mr. Michel's Foundation; and the said Visitors, not being a Body Corporate, are incapable of purchasing and taking in Succession any such Advowson or Advowsons: And it may also be doubted how far, under the general Words of the said recited Act of Parliament, they are capable of taking in Succession the Scite of the Buildings erected for the Reception of the said Fellows and Scholars, whereof their Predecessors were enfeoffed as aforesaid; And whereas it may also happen (through the Shortness of the Time limited in the said Will and Statutes for supplying the Vacancies of the said Visitors) that by various Accidents the said Trust may be dissolved, or in imminent Danger of Dissolution: And whereas none of the said Defects or Disabilities can be supplied, nor can any of the Purposes before mentioned be effectually carried into Execution, without the Aid and Authority of Parliament: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all that Messuage or Tenement, with the Yard, Garden, and Orchard thereunto belonging, containing by Estimation One Acre more or less, with their and every of their Appurtenances, situate, standing, and being in Old Windsor aforesaid; and also all that Piece or Parcel of Meadow Land in Old Windsor aforesaid, containing by Estimation Six Acres, be the same more or less, abutting on the North upon the Parish Platts, on the South upon Lands of the said Hugh Hamersley, on the West on Lands of the said Provost and Scholars, now in the Tenure or Occupation of the said Hugh Hamersley, being the Four Acres next after mentioned,

Confirmation of the Sale made by the Provost and Fellows of the *Queen's College Oxford*, of certain Lands and Tenements to *H. Hamersley* Esquire, Part of the Estate of the late *J. Michel* Esquire, deceased:

mentioned, and on the East to the Lands of the said Provost and Scholars, now or late in the Occupation of Arthur West and Penyston Powney Esquire, which Messuage or Tenement and Lands last mentioned are now in the Tenure or Occupation of Andrew Miles Yeoman; and also all that Piece or Parcel of Meadow or Pasture Land, commonly called The Four Acres, lying and being in Old Windsor aforesaid, heretofore in the Possession of the said Andrew Miles, and now of the said Hugh Hamersley, and lying adjacent to the Lands of the said Hugh Hamersley, together with all Barns, Stables, Outhouses, Edifices, Buildings, Backsides, Ways, Easements, Common and Common of Pasture, Profits, Commodities, and Appurtenances whatsoever to the said Messuage or Tenement, Lands, and Premisses, belonging or in any wise appertaining, or accepted, reputed, or taken as Part, Parcel, or Member thereof; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits, of all and singular the same Premisses; and all the Estate, Right, Title, Interest, Inheritance, Use, Trust, Property, Possession, Claim, and Demand whatsoever, either at Law or in Equity, of them the said Provost and Scholars aforesaid, of, in, to, or out of the same Premisses, and every Part and Parcel thereof, shall, from and after the Twenty fifth Day of March, in this present Year of our Lord One thousand seven hundred and sixty nine, be settled upon, and vested in, and the same and every of them are hereby from thenceforth settled upon, and vested in, the said Hugh Hamersley, his Heirs, and Assigns, to the only proper Use and Behoof of the said Hugh Hamersley, his Heirs and Assigns for ever, freed and absolutely acquitted, discharged, exempted, and exonerated, of, from, and against all and every the Estate or Estates, Right, Title, Interest, Use, Trust, Property, Claim, and Demand whatsoever, either in Law or Equity, of the said Provost and Scholars of the Queen's College aforesaid, or any of them, their or any of their Successors, or any other Person or Persons whomsoever, claiming or to claim by, from, or under them, by virtue of the said Will of the said John Michel, or the aforesaid Act of Parliament, or either of them, or otherwise howsoever.

Reservation of Rights with respect thereto.

Provided nevertheless, and it is hereby declared, That nothing in this Act contained shall prejudice, impeach, or defeat, any Lease made of the same Premisses,

misses, or any Part thereof, other than to the said Hugh Hamersley (which may be now subsisting and undetermined) or any Estate, Right, Title, Interest, Claim, or Demand, of any Person or Persons, or any Body or Bodies Politick or Corporate whatsoever (other than and except the Provost and Scholars aforesaid and their Successors, and the said Visitors of the said John Michel's Foundation, and their Successors) which they, every or any of them, had before the passing of this Act, of, in, to, or out of, the same Premisses and Hereditaments herein before vested as aforesaid, or any Part thereof, or might or could have had, held, or enjoyed, in case this Act had not been made.

Confirmation of the recited Statutes.

And be it further enacted, That the said herein before recited Body of Statutes made and published by the said William Blackstone, Chardin Musgrave, and Benjamin Buckler, and bearing Date the said Twenty fourth Day of August One thousand seven hundred and sixty four (except so far as the same, or any Part thereof, is or shall be varied or altered by this Act) shall, from and after the passing hereof, be confirmed, ratified, and established for ever.

The Visitors of Mr. *Michel's* Foundation incorporated.

And be it further enacted, That from and after the passing of this Act the said William Blackstone, Benjamin Buckler, and John Tracy, Visitors of the Foundation of the said John Michel Esquire in the Queen's College aforesaid, and their Successors, shall continue for ever, and shall be, and they are hereby declared and adjudged to be, One Body Corporate and Politick, in Deed and in Law, by the Name of The Visitors of the Foundation of *John Michel* Esquire in the *Queen's College* in *Oxford*;

Their Stile.

and that by the same Name they shall have perpetual Succession, and a Common Seal, with Power to change, alter, break, and renew, the same from time to time as they shall judge expedient; and they and their Successors, by the same Name, may sue and be sued, implead or be impleaded, answer and be answered unto in all or any Court or Courts of Record and Places of Judicature; and that they, by the Name aforesaid, shall be able and capable in Law to have, hold, receive, possess, enjoy, and retain, to them and their Successors, any Sum or Sums of Money, and any Security or Securities for any Sum or Sums of Money, and any Public Stocks or Funds, or other Government Securities; and that they, by the Name aforesaid, shall and may, without any Licence of Mortmain, purchase, take, receive, hold and retain any Lands, Tenements, or Hereditaments,

Certain Powers vested in them for the Benefit of the said Foundation.

Hereditaments, or any Estate or Interest arising or derived out of any Lands, Tenements, or Hereditaments, for the Benefit of the said John Michel's Foundation.

The Corporation impowered to continue their Succession, by nominating and appointing other Visitors in the Room of such as shall die or resign.

And be it further enacted, That whenever any of them the said William Blackstone, Benjamin Buckler, and John Tracy, or their Successors, shall happen to die, or to resign their respective Offices as Visitors of the said Foundation, in such Manner as in the said herein before recited Statutes is particularly mentioned; then, in case the Two surviving or remaining Visitors shall not, within Twenty eight Days next after such Death or Resignation, duly nominate and appoint a Successor, duly qualified according to the said Statutes, in the Room or Place of the Person so dying or resigning; the Right of Nomination and Appointment shall devolve, for that Time or Turn, upon such One of the said surviving or remaining Visitors as shall be the Senior, in respect of the Time of his Nomination and Appointment to execute the said Trust; or, in case at any One Time there shall be Two Vacancies by Death or Resignation as aforesaid, the Right of Nomination and Appointment to both the said Vacancies shall devolve upon the only surviving and remaining Visitor.

On Failure of so doing within a limited Time, the Right of nominating and appointing for every such Turn devolves upon the Lord High Chancellor;

Provided always, That if the said Senior or only surviving or remaining Visitor shall not, within Twelve Calendar Months after the Death or Resignation of such Visitor or Visitors so respectively dying or resigning, nominate and appoint some other Person or Persons, duly qualified as aforesaid, to succeed him or them respectively; the Right of Nomination or Appointment shall, for each respective Time or Turn, devolve upon the Lord High Chancellor of Great Britain, or the Lord Keeper or the First Commissioner for the Custody of the Great Seal, for the time being, who is hereby impowered to nominate and appoint One or more new Visitor or Visitors, as the Case shall happen, duly qualified as aforesaid, to be joined with the said surviving or remaining Visitor or Visitors in the Execution of the said visitatorial Power.

and so in Cases of Abeyance, where all the Visitors shall have resigned, or died, without Appointment of a Successor.

And be it further enacted, That if at any Time it shall happen, that all the said Visitors shall have resigned or departed this Life without any Successor, duly nominated and appointed as aforesaid, to succeed them, or any of them, the said Corporation or Body Politick shall not be thereby dissolved, but shall only be in Abeyance; and in such Case it shall and may be lawful to

and

and for the Lord High Chancellor of Great Britain, or the Lord Keeper or the First Commissioner for the Custody of the Great Seal, for the time being, to nominate and appoint Three new Visitors, duly qualified as aforesaid, to exercise the said visitatorial Power: And the said new Visitors, so to be appointed as aforesaid, shall, from and after such Nomination and Appointment, be and be adjudged to be lawful Members of the said Corporation or Body Politick herein before erected and created; and shall sustain, keep up, and support the said Corporation, in like Manner as if they had been severally nominated and appointed in and by a regular and uninterrupted Succession.

Certain Premisses vested in the Visitors,

And be it further enacted, That from and after the passing of this Act, all that Piece or Parcel of Ground in the Queen's College aforesaid, particularly described in the said herein before recited Indenture of Feoffment of the Twenty sixth Day of January, One thousand seven hundred and fifty seven, and which in and by the same Indenture was conveyed to and vested in the said John Coxed, Robert Leyborne, and John Purnell, and their Successors, upon the Trusts therein and herein before mentioned, together with all the Buildings thereupon now erected, standing, and being, and all Ways, Easements, Profits, Commodities, Advantages, and Appurtenances whatsoever, thereunto belonging or in any wise appertaining, shall be, and they are hereby declared to be settled upon and vested in the said Visitors and their Successors, to the only Use and Behoof of them the said Visitors and their Successors for ever: In Trust nevertheless to permit and suffer the said Fellows and Scholars of the said John Michel's Foundation for the time being, and their Attendants, to inhabit, use, and enjoy the same, in such Manner as in the said herein before recited Statutes is particularly mentioned and declared.

in Trust, for the Benefit of the Fellows and Scholars of Mr. *Michel's* Foundation.

6,000 *l.* in the 3 *l. per Cent.* Bank Consolidated Annuities to be transferred to the Provost and Scholars and Visitors, in Trust,

And be it further enacted, That within One Calendar Month from and after the passing of this Act, the said Provost and Scholars shall transfer, or cause to be transferred, into the Name of themselves and the said Visitors and their Successors, the capital Sum of Six thousand Pounds of the Joint Stock of Consolidated Three per Centum Annuities transferrable at the Bank of England; which said capital Sum of Six thousand Pounds shall be so vested in them the said Provost and Scholars, and also the said Visitors and their Successors, in Trust, out of the annual Dividends, Produce,

and Proceed thereof, to pay, apply, and diſpoſe of a competent and adequate Sum, yearly and every Year, for and towards the ſupplying and making up the Deficiencies (if any ſuch there ſhall be) of the ſaid Fellowſhips and Scholarſhips of the ſaid John Michel's Foundation; and after full Payment and Supply thereof, upon further Truſt, to pay and apply, and diſpoſe of, the yearly Sum of Eighty Pounds (other Part of the ſaid annual Dividends, Produce, and Proceed of the ſaid capital Sum of Six thouſand Pounds) to and for the Maintenance of Four Under Graduate Scholars or Exhibitioners in the ſaid Queen's College for ever, in Manner herein after mentioned; and if there ſhall be any Surplus or Surpluſſes of the ſaid annual Dividends, Produce, and Proceed, after ſupplying the ſaid Deficiencies, and Payment of the ſaid annual Sum of Eighty Pounds, then in Truſt to pay and apply ſuch Surplus or Surpluſſes to and for the Benefit of the ſaid John Michel's Foundation, in ſuch Manner as the ſaid Viſitors, or any Two of them, ſhall from time to time appoint.

for making good Deficiencies of the Fellowſhips and Scholarſhips;

and Payment of Exhibitions to Four Under Graduates, &c.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Provoſt and Scholars, and alſo the ſaid Viſitors and their Succeſſors reſpectively, from time to time, to ſell out, transfer, or diſpoſe of, the ſaid Six thouſand Pounds capital Stock, or any Part thereof, and place out the Monies ariſing from ſuch Sale or Transfer, in and upon any other Government Securities or Parliamentary Funds at their Diſcretion, and ſo from time to time as often as they ſhall ſee Occaſion; and the Intereſt, Dividends, and yearly Produce and Proceed of the Monies ſo veſted in ſuch new Securities as aforeſaid, and every Part thereof, ſhall from time to time be paid and applied to and for ſuch Uſes, Intents, and Purpoſes, and in ſuch Courſe, Order and Manner, as the annual Dividends, Produce, and Proceed of the ſaid capital Sum of Six thouſand Pounds Conſolidated Three per Centum Annuities are herein before directed to be paid and applied: And alſo that it ſhall and may be lawful to and for the ſaid Provoſt and Scholars, and alſo the ſaid Viſitors and their Succeſſors reſpectively, to lay out and diſpoſe of the Monies which ſhall or may ariſe by any ſuch Sale or Transfer, or any Part thereof, in One or more Purchaſe or Purchaſes of Freehold Lands, Tenements, or Hereditaments, of an Eſtate of Fee-ſimple in Poſſeſſion, within that Part of Great Britain called England, to be veſted

Power given them to ſell out, and transfer the ſame, or any Part thereof, and place out the Monies on other Government Securities;

and to apply the Intereſt to the like Uſes and Purpoſes as aforeſaid;

or they may inveſt the ſame in the Purchaſe of Lands, &c.

vested in them the said Visitors and their Successors, to the only Use and Behoof of them the said Visitors and their Successors for ever; in Trust nevertheless to pay, apply, and dispose of the clear yearly Rents and Profits of the same, to and for such Uses, Intents, and Purposes, and in such Course, Order, and Manner, as the said annual Dividends, Produce, and Proceed, of the said capital Sum of Six thousand Pounds Consolidated Annuities, are herein before directed to be paid, applied, and disposed of.

and apply the Rents in like Manner.

New Establishment of Four Exhibitioners, with 20 *l. per Annum* each;

And be it further enacted, That from and after the Tenth Day of October, One thousand seven hundred and sixty nine, there shall be Four Scholars or Exhibitioners in the Queen's College aforesaid for ever, to be called The Exhibitioners of the Foundation of *John Michel* Esquire; who shall each receive the Sum of Twenty Pounds by the Year from and out of the Monies aforesaid, and so rateably for any Part or Portion of a Year in which he shall be or continue One of the said Exhibitioners; and the said Exhibitioners shall be elected by the said Provost and Scholars of the Old Foundation in the Queen's College aforesaid, in the same Manner, and subject to the same Regulations, as in the herein before recited Statutes are appointed with regard to the Election of the Bachelor Scholars of the said Mr. Michel's Foundation; except as the same are or shall be hereinafter otherwise declared and appointed.

to be elected by the Provost and Scholars of the Old Foundation:

Their Qualification for Election.

And it is hereby enacted, declared, and appointed, That every Person who shall be chosen into any of the said Exhibitions shall be a Native of the Province of Canterbury, and shall then have attained the full Age of Fifteen, and not have then exceeded the Age of Twenty Years, and shall be unmarried; and that every such Person shall be examined with respect only to his Proficiency in Classical Learning, and in such Manner as the said Provost and Scholars shall think fitting; and shall be a matriculated Member of the University of Oxford at the Time of such his Election, or shall become a matriculated Member of the same within One Week next ensuing such Election; and shall not have been matriculated longer than Twelve Calendar Months before the Day of Election.

Persons disqualified:

And it is hereby further enacted, declared, and appointed, That no Person who is or hath been at any Time a Member of the said Queen's College shall be capable of being elected an Exhibitioner of the said Foundation;

Foundation; but that every such Exhibitioner, notwithstanding his Entrance and Residence within the Queen's College aforesaid, in consequence of his said Election shall be eligible into any of the Bachelor Scholarships of the said John Michel's Foundation, in case the said Provost and Scholars shall think fit to elect him, and in case he be duly qualified according to the said Statutes in other Respects; any Thing in the said Will or Statutes to the contrary thereof notwithstanding.

They are eligible into Bachelor Scholarships of Mr. *Michel*'s Foundation;

And it is hereby further enacted, declared, and appointed, That in case of an undue Election of any such Exhibitioner, or if any vacant Exhibition shall not be filled up within the Space of Three Calendar Months next immediately after such Vacancy, the Right of Nomination for that Time and Turn shall devolve to the said Visitors for the time being; who, or any Two of them, or (in case of their total Disagreement) the Senior of the said Visitors for the time being, shall and may nominate and appoint an Exhibitioner, duly qualified in the Manner aforesaid, in the Room or Place of such Exhibitioner so unduly elected as aforesaid, or to succeed to such vacant Exhibition.

and in Cases of undue Election, or Neglect of filling up Vacancies, the Right of Nomination for such Turns devolves to the Visitors.

And it is hereby further enacted, declared, and appointed, That the said Exhibitioners shall be subject to the said visitatorial Power of the said Visitors only, and to no other; and that they shall wear Commoners Gowns, and shall rank with, and be reputed on, the same Footing, and shall be subject to the same Discipline only as the other Commoners of the said College; and also that they shall each of them reside in the said College for One hundred and eighty Days in every Year, on pain of immediate Removal from their several Exhibitions; unless upon some good and sufficient Reason, to be previously approved by the Provost of the said College, and any One of the Visitors of the said John Michel's Foundation.

They are subject to the visitatorial Power only; and are to be on the same Footing as Commoners, &c.

but are to reside 180 Days in each Year.

Provided always, and it is hereby declared and enacted, That in order to prevent Confusion in computing the Time of Residence, as well of the said Fellows and Scholars of the said John Michel's Foundation as of the said Exhibitioners, the Years within which they shall respectively keep their Residence prescribed by the said Statutes and this Act, shall from and after the Twenty fourth Day of August, One thousand seven hundred and sixty nine, begin and end at the said Twenty fourth Day of August yearly; and that the Bursar of

The Time of Residence of Fellows, Scholars, and Exhibitioners, to be computed from 24 *August* yearly;

A List of them, and the Time of their respective Residence, to be laid annually before the Visitors.

of the said College shall lay before the said Visitors at their annual Visitation on the said Twenty fourth Day of August, a List of all the Fellows, Scholars, and Exhibitioners of the said John Michel's Foundation, distinguishing the Times during which they have respectively resided in the said College in the Course of the preceding Year.

Exhibitioners subjected to certain Penalties for not taking Degrees, &c.

And it is hereby further enacted, declared, and appointed, That the said Exhibitioners shall be subject and liable to the same Penalties for not taking their Degrees, and the same Causes of Cession and Amotion, as the said Fellows and Scholars of the said John Michel's Foundation are subject and liable unto by the Statutes herein before recited and confirmed, except with regard to the Time when their said Exhibitions shall respectively cease and determine; and that when any of the said Exhibitioners shall have exceeded, in Point of Standing, the Twenty third Academical Term after his Matriculation in the said University, including the Term in which he was so matriculated, his said Exhibition shall immediately cease and be void.

Exhibitions when to cease.

Such further Sums as remain, to be applied, *viz.*

And be it further enacted, That the Residue of the said Capital Sum of Ten thousand two hundred seventy six Pounds, One Shilling, and Three Pence, Consolidated Three per Centum Annuities, after Transfer made of the said Capital Sum of Six thousand Pounds as aforesaid, and the Income and Produce of the same, and the said Sum of Three hundred and forty five Pounds, Twelve Shillings, and Two Pence, now remaining in the Hands of the said Bursar for the time being; and all other Sums which shall hereafter remain in his Hands for the Use of Mr. Michel's Foundation, shall in the first Place be applied in discharging the Expences of procuring and passing this Act; and in the next Place in defraying the Charges which they the said Visitors and their Successors, or any of them, shall and may be put unto in and about the Execution of the Trusts reposed in them by the said Will, the said recited Act of Parliament, and this Act; and afterwards shall and may be paid and applied, at the Discretion of the said Visitors and their Successors, or the major Part of them, in the Purchase of any Number (not exceeding Four) of Perpetual Advowsons, or Presentations to Ecclesiastical Benefices, within England or Wales, of the Annual Value of One hundred and twenty Pounds per Annum or upwards, which shall be conveyed to and vested in them the said Visitors and their Successors, to the

in discharging the Expences of procuring and passing this Act,

executing the Trust,

and Purchase of Perpetual Advowsons, &c. (not exceeding Four.)

only Use and Behoof of them the said Visitors and their Successors for ever; in Trust nevertheless, that they the said Visitors and their Successors shall, upon every Avoidance of every such Ecclesiastical Benefice, present to the same such Clerk or Clerks, as is or are appointed and directed in such Case in and by the said Statutes herein before recited and confirmed, and to, for, and upon, no other Use or Trust whatsoever. And the said Visitors and their Successors are hereby impowered and enabled to purchase, take, hold, and retain, any such Advowson or Advowsons (not exceeding the Number of Four) to and upon the Trusts herein before mentioned; any Law, Statute, Usage, or Custom, to the contrary thereof notwithstanding.

Visitors to present to vacant Benefices according to the Statute.

And be it further enacted, That if after the Purchase of the said Advowsons there shall be any Surplus remaining of the said Capital Sum of Ten thousand two hundred and seventy six Pounds, One Shilling, and Three Pence, Consolidated Three per Centum Annuities, or of any other Stocks or Securities which may hereafter be purchased out of the Monies arising or to arise from the Benefaction of the said John Michel, or of the Income or Produce of the said Estates, or of the said Capital Sum, or such other Stocks or Securities, or of the said Monies now remaining, or which hereafter shall remain, in the Hands of the Bursar for the time being for the Use of Mr. Michel's Foundation; the said Surplus shall be applied to such Uses and Purposes, for the Benefit of the said Foundation, as the said Visitors and their Successors, or the major Part of them, shall in their Discretion, from time to time, appoint and direct.

All Surplus Monies to be applied as the Visitors shall direct.

And it is hereby further enacted and declared, That neither the said Provost and Scholars or their Successors, nor the Visitors of the Foundation of the said John Michel or their Successors, shall be answerable or accountable for any Money to be received by virtue of or under the Trusts hereby in them reposed, other than what they shall actually receive; and that they shall not be answerable or accountable for all or any Part thereof, in case the same shall happen to be lost by the Failure of any Purchase or Security, or of any Banker, Broker, Factor, or Scrivener, concerned in transacting the same, or with whom any Monies shall be lodged for Safe Custody, unless it be through their wilful Default or Neglect: And also that they the said Visitors and their Successors shall and may, by and out of the Sums to be reserved

The Provost, Scholars, and Visitors, made accountable only for such Monies as they shall receive;

without being answerable for Losses by Failure, &c. in others,

unless through their wilful Default or Neglect.

3

Visitors to reimburse themselves their Charges in executing this Act.

served or applied to or for the Use of the said Mr. Michel's Foundation, retain and reimburse themselves all Costs, Charges, and Expences, that they or any of them respectively shall or may sustain, expend, or be put unto, in or about the Execution of the Trusts hereby in them reposed.

Publick Act.

And be it further enacted, That this Act shall be, and shall be deemed and taken to be, a Publick Act; and shall be judicially taken Notice of as such, by all Judges and Justices in all Courts, without specially pleading the same.

FINIS.