

**CHAPTER xiii.**

An Act to incorporate the Owens College Manchester with the Victoria University of Manchester and to transfer all the property and liabilities of the College to the Victoria University of Manchester and for other purposes. A.D. 1904,

[24th June 1904.]

WHEREAS the institution situated in the city of Manchester and known as the Owens College was founded by or under the will of John Owens of Manchester merchant deceased dated the thirty-first day of May one thousand eight hundred and forty-five and it was prescribed by the said will as a fundamental condition that if and so often as the number of applicants for admission to the institution as students should be more than adequate to the means of the institution a preference should in all cases be given to the children of parents residing or who if dead or the survivor of whom resided when living within the limits then comprised in the parliamentary borough of Manchester or within two miles from any part of such limits and secondly to the children of parents residing or who or the survivor of whom when living resided within the limits comprised in the parliamentary district or division of South Lancashire :

And whereas the said College is incorporated under the style of "the Owens College Manchester" and regulated pursuant to the provisions of an Act intituled the Owens Extension College Manchester Act 1870 as amended by the Owens College Act 1871 and the Owens College Act 1899 :

And whereas by Royal charter dated the twentieth day of April one thousand eight hundred and eighty the Victoria University was constituted and founded having its seat in the city of Manchester

A.D. 1904. — with power to confer degrees and other distinctions except in medicine and surgery unless and until authority in that behalf should be given by a further charter or by Act of Parliament which authority was given by a supplemental charter dated the twentieth day of March one thousand eight hundred and eighty-three :

And whereas by the said charter of 1880 the Owens College Manchester was constituted a college in the Victoria University and it was provided that other colleges might from time to time be admitted as colleges in the University in the manner and subject to the conditions prescribed in the said charter :

And whereas Royal charters dated respectively the twentieth day of March one thousand eight hundred and eighty-three and the third day of June one thousand eight hundred and ninety-eight were granted supplemental to the said charter of 1880 :

And whereas in the year one thousand eight hundred and eighty-four University College Liverpool was admitted to be a college in the Victoria University :

And whereas in the year one thousand eight hundred and eighty-seven the Yorkshire College Leeds was also admitted to be a college in the Victoria University but no other college has been admitted :

And whereas on the petition of the Owens College Manchester praying that a new or supplemental charter might be granted so as to constitute and continue the Victoria University as a university in Manchester in association with the Owens College alone and on the petition of the University College Liverpool praying for the grant of a charter establishing a university in Liverpool His Majesty in Council approved the grant of a charter constituting the Victoria University in Manchester an independent university under the style of "the Victoria University of Manchester" and of a charter establishing a university in Liverpool under the style of "the University of Liverpool" :

And whereas by Royal charter dated the fifteenth day of July one thousand nine hundred and three (hereinafter referred to as "the charter of 1903") it was ordained that the Victoria University constituted by the charters granted by Her late Majesty should thereafter be called "the Victoria University of Manchester" having its seat in the city of Manchester and under the name and style of "the Victoria University of Manchester" should remain and continue one body politic and corporate with the powers in the said charter prescribed and ordained including the power to take by

gift or otherwise purchase and hold and also to grant demise and otherwise dispose of real and personal property free from liability to admit or to remain in association with any college other than the Owens College and during the term therein mentioned the Yorkshire College :

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And whereas it was provided by the charter of 1903 that the University College Liverpool should on the first day of October one thousand nine hundred and three cease to be a college of the said university and that on the first day of October one thousand nine hundred and four or on the grant of a charter establishing a university having its seat in Leeds or elsewhere in Yorkshire which should first happen the Yorkshire College should cease to be a college of the said university :

And whereas the charter of 1903 directs that the Victoria University of Manchester shall have power to provide for instruction in such branches of learning as it may think fit and also to make provision for research and for the advancement and dissemination of knowledge :

And whereas the governing body of the Owens College are desirous and it is expedient that the said college should cease to be a separate corporate body and that its property rights and privileges and liabilities should be transferred to and vested in the Victoria University of Manchester as constituted by the charter of 1903 :

And whereas it is expedient that the before-mentioned condition of the will of the said John Owen should remain in full force and effect and apply to the Victoria University of Manchester and that the other provisions contained in this Act should be made :

And whereas the objects of this Act cannot be attained without the 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 as follows (that is to say) :—

1. This Act may be cited as the Victoria University of Manchester Act 1904. Short title.

2. In this Act the expressions "the University" means the Victoria University of Manchester "the college" means the Owens College Manchester. Interpretation.

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Dissolution
of Owens
College and
transfer of
property to
Victoria
University.

3. From and after the passing of this Act the college shall cease to exist as a separate corporation and shall be merged in the University and all property real and personal of every description (including things in action and the right to receive and give good discharges for any grants or contributions which may have been voted or otherwise promised to the college) and all rights powers and privileges of the college which on or immediately before the passing of this Act belonged to or were vested in the college shall be by virtue of this Act without any conveyance assurance or other instrument transferred to and become vested in the University for all the estate and interest therein respectively of the college and shall be applied for the objects and purposes for which the University is incorporated and the arms of the college shall be adopted by and become the arms of the University Provided that notwithstanding anything in this Act contained the buildings in Manchester which have been erected by and which immediately before the passing of this Act belonged to the college may continue to be known and designated by the name or style of "the Owens College" Provided further that if and so often as the number of applicants for admission to the University as students shall be more than adequate to the means of the University a preference shall in all cases be given to the children of parents residing or who if dead or the survivor of whom resided when living within the limits comprised in the parliamentary borough of Manchester as it existed at the date of the death of the founder of the college or within two miles from any part of such limits and secondly to the children of parents residing or who or the survivor of whom when living resided within the limits comprised within the parliamentary district or division of South Lancashire.

Transfer of
liabilities.

4. From and after the passing of this Act all debts and liabilities of the college shall by virtue of this Act be transferred and attached to the University and shall thereafter be discharged and satisfied by the University.

Saving for
agreements
deeds actions
&c.

5. All agreements awards contracts deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the commencement of this Act were existing or pending in favour of or against the college shall continue and may be carried into effect enforced and prosecuted by or in favour of or against the University to the same extent and in like manner as if the University had been party to or interested in the same respectively.

6. The council of the University and the council of the Liverpool University and the council of the Yorkshire College or of the university which may be established having its seat in Leeds or elsewhere in Yorkshire or any of them may by agreement adjust and settle all questions arising with respect to any endowments property powers privileges authorities debts liabilities obligations or expenses in which the parties to the agreement are interested and also with respect to any examinations degrees and other university and college matters.

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Adjustment
of property
liabilities &c.

7. The president of the college the Most Noble Spencer Compton Duke of Devonshire shall be the first president of the University and may in the absence of the chancellor preside at meetings of the court and council of the University and may confer degrees of the University on persons qualified to hold the same.

Appointment
of president
of university.

8. All professors and other members of and persons attached to the teaching staff of the college and all salaried and paid officers or servants of the college shall hold as nearly as practicable the same offices and places in the University as they held in the college immediately before the passing of this Act and upon the same terms and conditions and all associates of the college shall be entitled to enjoy in the University similar privileges to those which immediately before the passing of this Act they enjoyed in the college Provided that nothing herein contained shall extend to authorise associates of the college to elect members of the court of the University.

Saving for
existing
officers and
associates of
Owens
College.

9. Any power or right of the college or of the council or other governing body on behalf of the college to appoint or nominate a member of the governing body of any educational charitable or other institution committee or association shall from and after the passing of this Act be transferred to and may be exercised by the council of the University save and except that if any such power or right is expressly conferred upon the senate of the college then such power or right shall be transferred to and shall be exercised by the senate of the University.

Transfer of
powers to
nominate
members of
certain
governing
bodies.

10. Any will deed or other document whether made or executed before or after the passing of this Act which contains any bequest gift or trust in favour of the college shall on and after the passing of this Act be read and have effect as if the University were therein named instead of the College.

Construction
of bequests
in favour of
Owens Col-
lege.

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As to jurisdiction
of Board of Edu-
cation.

Costs of Act.

11. The Charitable Trusts Acts 1853 to 1894 shall not extend to the University.

12. The costs charges and expenses of and incidental to preparing obtaining and passing of this Act shall be defrayed by the University out of the capital or income of the property by this Act transferred to or out of any other moneys belonging to the University as the council of the University may determine.

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