

REPORT

OF

THE SELECT COMMITTEE

ON THE

PROCEEDINGS TAKEN UNDER “THE NEW ZEALAND
UNIVERSITY ACT, 1870.”

REPORT BROUGHT UP 19TH SEPTEMBER, 1871, AND ORDERED TO BE PRINTED.

WELLINGTON.

—
1871.

REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER AND REPORT
UPON PROCEEDINGS TAKEN UNDER "THE NEW ZEALAND UNIVERSITY ACT,
1870."

YOUR Committee have to report that, in conference with the Committee of the Legislative Council, they have carefully considered the questions remitted to them, and are of opinion—

1. That the amalgamation of the University of New Zealand and the University of Otago is of great importance to the interests of higher education.

2. That in order to effect this amalgamation, and with a view to rendering the Act more complete, they recommend the alterations which are annexed.

3. They also recommend that a clause should be introduced providing, in case of the dissolution of the University of Otago, by amalgamation with the New Zealand University; that provision should be made for the former University to be constituted a body politic and corporate, by the name of the "University College of Otago," having the usual powers, entire administration of its own affairs, and sole control of its own property; and, further, that the "no religious test" clause of the Otago Provincial Ordinance should be inserted therein.

4. They also propose that effect be given to these recommendations by Legislative enactment.

G. MAURICE O'RORKE,
Chairman.

RESOLUTIONS ADOPTED BY THE JOINT COMMITTEE ON THE NEW ZEALAND UNIVERSITY.

THAT the following alterations and additions be made to "The University Act, 1870":—

Clause 8.

To add the words—

"That Trustees be appointed by the University Council for all real and personal property, anything in "The University Endowment Act, 1868," notwithstanding. The said Trustees to manage the property independently of the Governor and the Executive Council.

Clause 9.

To add after the word "letter" in line 3 the words "or by telegram."

Clause 11.

To add after the word "any" in line 2 the word "incorporated."

To strike out the words "or educational establishment" in lines 2 and 3, and "or establishment" in line 4.

To add the word "any" after "in" in line 6.

To strike out the words "and educational establishment" in line 6.

To add "or the endowments or property of the same."

And further to add the following words:—"Provided that it shall be lawful for the said University from time to time to add, alter, vary, and amend, by striking out, the lists of such affiliated Colleges."

Clause 12.

To strike out of the first and second lines the following words: "when approved and sanctioned by the Governor in Council;" and

To add the following proviso: "Provided that it shall be lawful for the Governor, at any time within three months after any such Statutes or Regulations shall have been received by him, to declare by Proclamation his disallowance of such Statutes or Regulations, and such disallowance shall make void and annul the same from and after the date of such Proclamation, or any subsequent day to be named therein." (New Zealand Constitution Act, clause 29.)

Clause 15.

To strike out of line 6 the words "in the affiliated Colleges."

To add after the word "University" in line 9 the words "or in any College affiliated thereto."

To strike out the words "the same" and to insert the words "the said University" in lieu thereof.

Clause 17. New Clause to follow Clause 17.

The University Council, in session assembled, shall convene and appoint the time and place of meeting of the said Council, and of the Senate, when constituted, for each succeeding session, and so on from session to session.

New Clause.

The Chancellor or the Vice-Chancellor, or in the absence of both the Registrar, shall convene a meeting of the Council upon the written requisition of not less than ten members, setting forth the objects for which the meeting is required to be convened, and the meeting shall be convened not less than thirty days after the receipt of such requisition.

New Clause.

The University Council shall appoint the time and place of all examinations, but the degrees shall be conferred at the place where the University shall be constituted.

New Clause.

That the Chancellor have power to delegate to the Vice-Chancellor all or any of his powers or duties.

New Clause.

That for the purpose of the tenure of Scholarships, Professorships, Lectureships, &c., incorporated Colleges in the Colony may be affiliated which shall fulfil these conditions :—

- (a.) They may possess suitable buildings, class-rooms, and apparatus.
- (b.) That they have a curriculum of study, embracing systematic instruction in Classics, English, Mathematics, Natural Philosophy, Mental Science, Moral Philosophy, and at least one branch of the Physical Sciences, say Chemistry, and that University Scholars be required to attend classes and lectures on these subjects.
- (c.) That all Professors and Lecturers in affiliated Colleges drawing their stipend in part or in whole from the University, as also University Scholars, and all Students, have the protection of a conscience clause.

Clause 18.

To strike out all the words after “Otago” in line 5 down to “such” in line 8, and insert “on” in lieu thereof.

To strike out “consistently with the provisions of this Act” in line 9.

To strike out all the words after “dissolved” in line 15 to the end of the clause.

Clause 19.

In line 2 to strike out “six months” and insert “two years” in lieu thereof.

In lines 3 and 4 to strike out “and for the transfer of its endowments.”

New Clause.

That provision be made for granting degrees to any Students who may present themselves for examination on their duly satisfying the Examiners, and paying such fees as the Council may determine.

G. MAURICE O’RORKE,
Chairman.

MINUTES OF PROCEEDINGS OF THE JOINT COMMITTEE ON THE NEW ZEALAND UNIVERSITY.

TUESDAY, 5TH SEPTEMBER, 1871.

The Joint Committee of both Houses met pursuant to notice.

PRESENT :

Legislative Council.

Hon. Dr. Buchanan,
Hon. Dr. Grace,
Hon. Major Richardson,
Hon. Mr. Sewell,
Hon. Mr. Stokes,
Hon. Mr. Waterhouse.

House of Representatives.

Hon. Mr. Fox,
Mr. Macandrew,
Mr. McGillivray,
Mr. O'Rorke,
Hon. Mr. Stafford,
Mr. Studholme.

Proposed by the Hon. Major Richardson, That the Hon. Mr. Fox take the chair. Carried.

Order of reference of both Houses read.

On the motion of the Hon. Major Richardson, *Resolved*, That this Committee records its regret that the amalgamation of the New Zealand University and the University of Otago, as provided for by "The University Act, 1870," was not effected.

On the motion of the Hon. Mr. Waterhouse, seconded by the Hon. Major Richardson, *Resolved*, That the Vice-Chancellor of the University of Otago be summoned to attend this Committee.

The Committee then adjourned.

TUESDAY, 12TH SEPTEMBER, 1871.

The Joint Committee of both Houses met pursuant to notice.

PRESENT :

Legislative Council.

Hon. Dr. Buchanan,
Hon. Dr. Grace,
Hon. Major Richardson,
Hon. Mr. Sewell,
Hon. Mr. Stokes,
Hon. Mr. Waterhouse.

House of Representatives.

Hon. Mr. Fox (Chairman),
Mr. Haughton,
Mr. Macandrew,
Mr. Reader Wood,
Mr. Reynolds,
Mr. O'Rorke.

The minutes of the preceding meeting were read and confirmed.

Memorial of the Chancellor, Vice-Chancellor, and Members of the University of Otago, read.

To the Honorable the SPEAKER and the Honorable the MEMBERS of the LEGISLATIVE COUNCIL
of NEW ZEALAND,

*The Humble Memorial of the Chancellor, Vice-Chancellor, and Members of the Council of the
University of Otago :*

SHREWETH,—

That the General Assembly of New Zealand, by "The New Zealand University Act, 1870," provided an annual payment of £3,000 out of the Consolidated Revenue of the Colony for maintaining the University of New Zealand, and towards defraying the several stipends of the Professors, officers and servants of such University, and for the establishment of lectures in the affiliated Colleges, and towards defraying the expense of such Fellowships, Scholarships, Prizes, and Exhibitions, as should be awarded for the encouragement of Students of such University, and towards providing a Library for the same, and towards defraying all necessary charges connected with the management thereof—

And that the Council of the University of New Zealand has apportioned the above sum for the current year in the following manner, namely, £1,000 for the establishment of twenty Scholarships, £1,500 for the establishment and subsidizing, in the affiliated Institutions, of such Professorships or Lectureships as may be determined on, and £500 for the payment of the incidental expenses of the Council.

And that the University of Otago has been deemed to have, for the purpose of tenure of Scholarships only, the privileges of an affiliated Institution.

We therefore pray that the University of Otago may share with the other Provinces in the distribution of the grant out of the Consolidated Revenue, on the principle laid down in the Capitation Grants of the last Session of the General Assembly.

J. L. C. RICHARDSON,
Chancellor, University of Otago.

The Hon. Major Richardson handed in the following Memorandum, being an abstract of the notes of a Conference held between the Chancellors and Vice-Chancellors of the New Zealand University and of the University of Otago on the amalgamation of the two Universities:—

1. The University of Otago to be henceforth termed "University College," and to be affiliated.
2. No longer to have the power of conferring degrees.
3. All endowments now or hereafter available for the purposes of any institution affiliated, or to be affiliated, to remain the sole property of such institution, and subject to its control.
4. The reconstruction of the Council of the New Zealand University no longer insisted on.
5. The New Zealand University to be situated at Dunedin.

6. Degrees to be conferred at Dunedin.
 7. Examinations for scholarships at the most convenient places in the Colony.
 8. The New Zealand University Council to meet where most convenient.
 9. The property of the New Zealand University to become the property of the Council.
 10. The statutes and regulations of the Council to be in force until vetoed by the Governor.
 11. The Government to insist on sufficient reserves in every Province being made under the University Endowment Act.
 12. Present Act to be altered so as to admit of scholarships being held in affiliated institutions.
 13. Any discrepancy between the 7th and 8th clauses of the University Endowment Act and the 8th clause of the New Zealand University Act to be adjusted.
 14. All appropriation for scholarships, lectureships, prizes, &c., to be applicable to affiliated institutions.
 15. That affiliated institutions provide, for the purposes of teaching and lecturing, lecture-rooms with suitable apparatus and appliances.
- One only dissenting, because no clause was introduced constituting the University an examining body only, and not a teaching body.
- Three of the four agreed that a conscience clause should be one of the conditions of affiliation.

Mr. Tancred
examined.

Mr. Tancred, the Chancellor of the New Zealand University, attended.

Hon. Major Richardson.] 1. Is this, in your opinion, a correct abstract of the views entertained at the meeting of the Chancellors and Vice-Chancellors yesterday?—Yes.

2. Will you state to the Committee your reasons for desiring a conscience clause?—My reason for supporting a conscience clause was solely as a concession to public opinion, and because I expected there would be no practical difficulty. In the Canterbury College, all boys attend the Church of England, but such attendance is not compulsory, so far as I know.

Hon. Dr. Buchanan.] 3. What standard of education do you propose for affiliated colleges?—It is recorded in the minutes of the New Zealand University Council.

Hon. Major Richardson.] 4. Do you recommend, in case of amalgamation, that the affiliated institutions should, so far as administration is concerned, be solely under the control of their own authorities?—Yes.

Rev. M. D. Stuart
examined.

The Rev. D. M. Stuart, Vice-Chancellor of the University of Otago, attended.

Hon. Major Richardson.] 5. Is this (showing the memorandum handed in by the Hon. Major Richardson) a correct abstract of what took place at the meeting of the Chancellors and Vice-Chancellors of the two Universities?—Yes.

6. Do you recommend, in case of amalgamation, that the affiliated institutions should, so far as administration is concerned, be solely under the control of their own authorities?—Most certainly.

7. Do you know of any difficulties besides those referred to, which would require to be considered?—I think colleges should be required to have suitable buildings and class-rooms, as well as means of providing classical, mathematical, and other high-class education, to enable students to graduate.

Mr. Macandrew.] 8. Do you agree with the conditions of affiliation proposed by the New Zealand University Council?—No; because in the event of an affiliated college choosing classics, modern languages, and English language and literature, that course would not qualify a student to go up for a degree.

Mr. Carleton
examined.

9. What would you think necessary in affiliated institutions, in addition to suitable buildings?—I would require in all affiliated institutions, the means of imparting instruction in classics, mathematics, and mental science.

Hon. Major Richardson.] 10. If you agree with the decision arrived at by the majority of the members of the Conference, on what grounds do you recommend a conscience clause, and how would it affect denominational colleges, which could not admit of any deviations from their rules?—A conscience clause must be applied in all institutions that are in receipt of public money. Should an affiliated college not be in receipt of such public money, a conscience clause would not be desirable.

Mr. Stuart further expressed his wish to know how the endowments would be distributed among affiliated colleges, and thought some definite rules and regulations should be made on the subject. He would prefer these rules and regulations to be embodied in the Act.

Mr. Carleton, Vice-Chancellor of the University of New Zealand, attended.

Hon. Major Richardson.] 11. Is this (showing the memorandum handed by the Hon. Major Richardson) a correct abstract of what took place at the meeting of the Chancellors and Vice-Chancellors of the two Universities yesterday?—Yes.

12. Do you recommend, in case of affiliated institutions, that the administration should be solely under the control of their own authorities?—Yes, so far as the internal economy and discipline are concerned.

Mr. Haughton.] 13. Do you think it desirable to inflict the conscience clauses upon institutions affiliated to the University?—I think that a conscience clause is unnecessary, and that the delicacy of consciences is very much over-rated. I am sure that if undergraduates of Oxford or Cambridge were emancipated from morning chapel on the ground of conscience, that a large number of the hunting men would become immediately conscientious.

The Hon. Mr. Fox being obliged by other engagements to leave the Committee, the Hon. Major Richardson took the chair.

Hon. Dr. Buchanan.] 14. Do you object to a conscience clause so far as it affects degrees?—I think that the University Amendment Act should be so framed that this question would not arise; and it will not necessarily arise, if the New Zealand University be constituted only an examining and not a teaching body.

Mr. Haughton.] 15. Would your objections to a conscience clause continue if affiliated colleges not sharing the endowments were admitted to degrees?—If I rightly understand the meaning of this question, it would.

16. Do you see any objection to strictly denominational colleges becoming affiliated to the University?—I do not, and am very desirous that denominational colleges should be affiliated, and if the Committee will permit me I will explain the grounds of my opinion. Permit me to premise that I am opposed on principle to separating religious and secular education, but that I do most clearly perceive that in the present temper of the times it is idle to attempt to establish a Colonial University in which (distinguishing the University, strictly so called, from the colleges) both teachings should be combined. I see then no resource to save the principle but to encourage the establishment of denominational colleges, each retaining the fullest power over its internal economy and discipline, and which should have the power of imparting religious instruction to their own pupils, should they think fit; but I am of opinion the University should entertain no question of religious tenets in examination for degrees—should take cognizance only of secular attainments. Holding this view, as I do, I desire that the University should be made not a teaching, but only an examining body.

Mr Reynolds.] 17. Do you consider that strictly denominational colleges would be entitled to receive any moneys under the New Zealand University Act?—Certainly, if the apportionment be equitable; the equity of the apportionment deprives the arrangement of injustice.

18. Do you then think it advisable to exclude from attendance at any such denominational college any one who from conscientious convictions would not attend the religious services of such college?—I think that no person ought to be admitted to any college who will refuse to submit to the discipline of that college. Practically speaking, the delicate dilemma alluded to would not arise, as I do not doubt that there will be abundance of denominational colleges out of which an intending student may make choice. If a man has no religion at all, and objects to any religious teaching whatever, he is altogether beyond the circle of my sympathies.

Hon. Major Richardson.] 19. If there was only one college in a Province receiving aid from the University, say a Church of England College, and there were not means for another, would you, by not allowing a conscience clause, exclude the children of other denominations from becoming students?—The question provides for a contingency which I do not think likely to arise.

The Committee then adjourned.

WEDNESDAY, 13TH SEPTEMBER, 1871.

The Joint Committee of both Houses met pursuant to notice.

<i>Legislative Council.</i>	PRESENT :	<i>House of Representatives.</i>
Hon. Dr. Buchanan,		Mr. Haughton,
Hon. Dr. Grace,		Mr. Macandrew,
Hon. Major Richardson,		Mr. McGillivray,
Hon. Mr. Stokes.		Mr. Reynolds,
		Hon. Mr. Stafford.

Hon Mr. Fox, Chairman.

The Hon. Mr. Stafford was called away before any business took place.

The minutes of the preceding meeting were read and confirmed.

The Hon. Major Richardson requested permission, as Chancellor of the University of Otago, to make the following remarks :—“The University Act, 1870,” chiefly contemplated the establishment of a University as a teaching, examining, and degree-conferring body.

“In the event of the union of Otago University with the New Zealand University, and the consequent absorption of the former, the seat of the University was to be fixed at Dunedin; but if an union could not be effected within a certain space of time, the University might be established elsewhere, as the Governor in Council might decide.

“The union did not take place, and no other locality for the University was fixed on.

“Further legislation was then necessary to enable the Universities to unite, if such union was desirable.

“With this view the Chancellors and Vice-Chancellors had a conference, and the notes of the conference are embodied in the memorandum which I laid before the Committee yesterday, from which it will be seen that it is proposed, as a means towards the reconciliation of conflicting views, that the principle of the Act of 1870 should in some measure be altered, and, without absolutely excluding the University from teaching, that a system should be introduced of affiliated colleges doing the teaching work, while the University, at least for the present, confined itself to examining, conferring degrees, and the other powers given in the Act. The affiliated colleges to have sole administrative power in regard to their own affairs and the sole disposal of their own property.

“The Conference further desired that educational establishments should not become affiliated colleges unless they possessed the means of imparting a suitable education.”

Resolved, On motion of Mr. Macandrew, That the Chancellors and Vice-Chancellors of the respective Universities be requested to confer together, with a view to submitting the draft of a Bill to give effect to the Memorandum submitted by the Hon. Major Richardson yesterday.

The Committee then adjourned.

FRIDAY, 15TH SEPTEMBER, 1871.

The Joint Committee of both Houses met pursuant to notice.

<i>Legislative Council.</i>	PRESENT :	<i>House of Representatives.</i>
Hon. Dr. Grace,		Hon. Mr. Fox,
Hon. Major Richardson,		Mr. Haughton,
Hon. Mr. Sewell,		Mr. Macandrew,
Hon. Mr. Stokes,		Mr. McGillivray,
Hon. Mr. Waterhouse.		Mr. O'Rorke,
		Mr. Reynolds,
		Hon. Mr. Stafford.

The minutes of last meeting were read and confirmed.

The Hon. Major Richardson informed the Joint Committee as follows, namely:—

The Chancellors and the Vice-Chancellors of the New Zealand and the Otago Universities have endeavoured to comply with the order of reference sent down from the Joint Committee, by bringing "The University Act, 1870," into accord with that order. But the amendments in question were agreed to unanimously, only on the condition that certain resolutions (transmitted herewith, together with the amendments moved thereto) should be agreed to.

The resolutions referred to in the above are sub-clauses Nos. 2 and 3, and the amendments thereon.

I. Add to section 8 of the University Act of 1870:—

"University Council to be appointed Trustees for all real and personal property, anything in 'The Endowment Act, 1868,' notwithstanding. Council to manage property independently of Governor and Executive Council."

II.—Section 11, add—Provision for compelling University to make it a condition with incorporated colleges desirous of affiliation, that they possess suitable buildings, class-rooms, and apparatus.

III. Add to section 11:—"Provided that it shall be lawful for the said University from time to time to add to, alter, vary, and amend, by striking out the list of such affiliated colleges."

IV. Add to section 12, proviso:—"Provided always that it shall be lawful for the Governor" [Follow on with 29th section of the Constitution Act, *mutatis mutandis*].

New clause.

V. The University Council in Session assembled shall convene and appoint the time and place of meeting of the said Council and of the Senate when constituted for each succeeding session, and so on from session to session.

VI. The Chancellor or the Vice-Chancellor, or in the absence of both from the Colony, the Registrar, shall convene a meeting of the Council, upon the written requisition of not less than ten members, setting forth the objects for which the meeting is required to be convened, and the meeting shall be convened not less than thirty days after the receipt of the requisition.

VII. Also the time and place of all examinations. But degrees shall be conferred at the place where the University shall be constituted.

New clause.

VIII. That the Chancellor have power to delegate to the Vice-Chancellor all or any of his powers or duties.

IX. In case of the dissolution of the University of Otago, that body will require thereupon to be constituted and appointed a body politic and corporate by the name of the "University College of Otago," having the usual powers, entire administration of its own affairs, and control over its property. Power to be conferred of filling vacancies in the Council, and the "no religious test" clause to be inserted.

Resolutions.

I. That for the purpose of tenure of Scholarships, Lectureships, Professorships, &c., incorporated Colleges in the Colony may be affiliated which fulfil these conditions:—(1.) That they possess suitable buildings, class-rooms, and apparatus. Agreed to. (2.) That they have a curriculum of study, embracing systematic instruction in Classics, English, Mathematics, and Natural Philosophy, Mental and Moral Philosophy, and at least one branch of the Physical Sciences, say Chemistry; and that University scholars be required to attend classes and lectures on these subjects. (3.) That all Professors and Lecturers in affiliated Colleges, deriving their stipends in part or in whole from the University, as also University scholars, and all students, have the protection of a conscience clause.

II. Mr. Carleton, by way of amendment to Mr. Stuart's resolution, No. 2:—"That we do confine ourselves to the order of reference, which we are nowise called upon to go beyond, seeing that the University Council has already made provision in this behalf; and that the University Council ought not to be hindered from amending that provision by embodying it or other provisions to similar effect in an Act of the Assembly."

Amendment by Mr. Carleton to Mr. Stuart's resolution, No. 3:—

"That the lectures of any Professor who shall derive his stipend in whole or in part from the University, if delivered in an affiliated college, ought to be open to any person desirous to attend."

The consideration of "The New Zealand University Act, 1870," was proceeded with.

Mr. Tancred, Chancellor of the New Zealand University, attended.

Mr. Tancred
further examined.

Mr. Macandrew.] 20. Are you of opinion that the standard of education to be supplied by affiliated institutions should be defined in the statute, or left to be determined by the New Zealand University Council?—It should be left to the determination of the New Zealand University Council.

The Hon. Major Richardson, Chancellor of the University of Otago was asked the same question, and replied—I think that the Act should fix the minimum, and leave the Council to increase the standard should they think fit.

The Committee then adjourned.

MONDAY, 18TH SEPTEMBER, 1871.

The Joint Committee met pursuant to notice.

<i>Legislative Council.</i>	PRESENT:	<i>House of Representatives.</i>
Hon. Dr. Grace,		Hon. Mr. Fox,
Hon. Major Richardson,		Mr. Haughton,
Hon. Mr. Sewell,		Mr. Macandrew,
Hon. Mr. Stokes,		Mr. O'Rorke,
Hon. Mr. Waterhouse.		Mr. Reynolds,
		Hon. Mr. Stafford.

The Hon. Major Richardson, Chairman.

The minutes of last meeting were read and confirmed.

Letters from the Vice-Chancellor of the University of Otago to the Chancellor of that University, and from the Chancellor of the University of New Zealand to the Chairman were read, enclosing a memorandum from the latter gentleman.

The acting Chairman laid on the Table the following letter, which had been sent to him by the Rev. Mr. Stuart just as that gentleman was returning to Otago:—

The Rev. D. M. STUART, Vice-Chancellor of the University of Otago to the Hon. Major RICHARDSON, Chancellor of the University of Otago.

"SIR,—

"Wellington, 16th September, 1871.

"I think it right to inform you that the views respecting University functions which came out at our meetings with the Chancellor and Vice-Chancellor of the New Zealand University, seem to me to be so much at variance with those which are generally held on that subject in Otago, and which I also in effect hold, that I fear I could not warmly counsel that our University should vacate its present position, and assume that of a mere college in affiliation with the New Zealand University.

"If it is deemed necessary, in consequence of change of opinion about University matters, to amend 'The University Act, 1870,' I would venture to suggest that the amendment might, as a fair compromise, take the direction of giving to the Otago University a participation in the grant made by Parliament for University purposes.

"Had the Committee called me on Friday, I would have asked leave to make the statement, and not troubled you with it.

"D. M. STUART,

"Vice-Chancellor of University of Otago."

Copy of Letter from the CHANCELLOR of the UNIVERSITY of NEW ZEALAND to the CHAIRMAN.

"SIR,—

"Wellington, 18th September, 1871.

"I have the honor to enclose a memorandum which expresses my views upon one of the points adverted to in my evidence before the Committee more at length than as contained in the answers to the particular questions put to me. Should you think that it is desirable, I should be glad if you would submit this memorandum to the Committee.

"To the Chairman

"of the University Committee."

"I have, &c.,

"HENRY JOHN TANCRED,

"Chancellor, University of New Zealand."

Memorandum.

The Committee having, it is understood, had before it a series of proposals agreed to by the respective Chancellors and Vice-Chancellors of the Universities of New Zealand and Otago, requested those functionaries to draw up a Bill embodying the proposals so agreed to.

In accordance with this request, the Chancellors and Vice-Chancellors met for the purpose of drawing up instructions to the draftsman of the Bill for effecting the object in contemplation.

During the discussion as to the terms in which their views should be expressed, a question arose as to the expediency of prescribing by Act a curriculum of study for affiliated institutions.

The Chancellor and Vice-Chancellor of the University of Otago, insisted (as an indispensable condition of their concurrence in the proposals previously agreed upon,) that the following curriculum should form part of the Act, and should be enforced in all such institutions, namely, Classics, English, mathematics, natural philosophy, mental and moral philosophy and one branch of the physical sciences, and that every University scholar should receive instruction in all these subjects.

The Chancellor and Vice-Chancellor of the University of New Zealand objected to this on the following grounds:—

1st. Because it was not included in the terms originally agreed to.

2nd. Because it deals with matters which would be more conveniently left to the consideration of the Council.

3rd. Because practically, by monopolizing the whole of the student's time, it has the effect of forbidding the study of any other subjects, possibly of greater importance.

I need not make any remark on the first of these objections, because a perusal of the original proposals will make it at once apparent that they contain no reference to a curriculum of study.

As to the second, I would observe that the question of a curriculum is one which demands the most careful consideration, and requires the undivided attention of those whose special duty it is to make themselves familiar with the wants of the Colony, and to devise the best means of promoting higher studies.

This, as it appears to me, is the view of those who have, in other countries, taken part in founding universities; for I do not find, in the constitution of any of the Universities in the Australian Colonies or elsewhere, that the curriculum of study has been prescribed by the Legislature.

As to the third point, my objection to the above curriculum, or indeed to any other, being fixed by Act, is that it imposes a rigid rule upon the whole Colony, which in many cases may not meet the real wants of the people.

It is to me very doubtful whether a young man could, during his college course, thoroughly master all the subjects enumerated, or whether, in attempting to do so, he would obtain a competent knowledge of any. In any case it is clear that his time would be fully occupied, and that he would not be able to devote his attention to any other subject.

I think it will be found on inquiry that the course of study in the German gymnasia,—institutions corresponding to those which it is proposed to affiliate,—does not comprise so wide a range of subjects as that proposed; but that, in order to insure proper instruction in the subjects taught, and to discourage a superficial habit of mind, only a limited number of subjects is prescribed.

If it is thought desirable to fix a curriculum by Act, I would recommend that it should be framed so as to allow of considerable power of variation, to suit particular cases; so as not to make it imperative that the students in every part of the Colony should observe a rigid uniformity in their studies. It might, for instance, be found desirable in some cases to omit from any curriculum one subject, with a view of substituting another, but this would be impossible if one fixed unalterable formula were established.

Some of the greatest authorities on the question of a liberal education advocate the omission, or at least the subordination, of classics to other subjects, and propose that time should be allowed for acquiring a thorough knowledge of chemistry, botany, geology, mineralogy, and similar sciences. It has also been suggested that modern languages might with advantage be substituted for some of the subjects mentioned in the proposed curriculum. In short, the list might be varied indefinitely to suit the varying wants and proclivities of the different parts of the Colony.

Three courses appear to me open in order to meet more or less completely the views I have expressed—

- 1st. To fix no curriculum by Act, but to leave this to the Council of the University.
- 2nd. To prescribe only one or two subjects as indispensable, and leave to the Council the power of adding others, so as to suit each particular case.
- 3rd. To establish a system of alternatives, so as to allow of the substitution of one subject or group of subjects for another subject or group of subjects.

September 18, 1871.

HENRY JOHN TANCRED,
Chancellor, University of New Zealand.

The Hon. Mr. Fox here took the chair, and some further conversation took place, when the Hon. Mr. Fox being obliged to leave, the chair was resumed by the Hon. Major Richardson.

Mr. Macandrew moved, That sections 18 and 19 of "The New Zealand University Act, 1870," be repealed, and that the following proviso be added to section 15:—"Provided always that out of the above-mentioned amount of three thousand pounds, the sum of seven hundred pounds be paid to the Council of the University of Otago, to be applied to the purposes of the said University."

And the question being put thereon, the Committee divided—

Ayes, 2.

Mr. Macandrew, M.H.R.,
Mr. Wood, M.H.R.

Noes, 9.

Hon. Dr. Grace, M.L.C.,
Mr. Haughton, M.H.R.,
Mr. O'Rorke, M.H.R.,
Mr. Reynolds, M.H.R.,
Hon. Major Richardson, M.L.C.,
Hon. Mr. Sewell, M.L.C.,
Hon. Mr. Stafford, M.H.R.,
Hon. Mr. Stokes, M.L.C.,
Hon. Mr. Waterhouse, M.L.C.

It passed in the negative.

On motion of the Hon. Mr. Waterhouse, *Resolved*, That it is desirable to amend "The University Act, 1870," with a view to facilitate the amalgamation of the New Zealand and Otago Universities.

The following amendments were adopted:—

Resolutions adopted by the Joint Committee upon the New Zealand University.

THAT the following alterations and additions be made to "The New Zealand University Act, 1870":—

Clause 8.

To add the words—

"That Trustees be appointed by the University Council for all real and personal property, anything in "The University Endowment Act, 1868," notwithstanding. The said Trustees to manage the property independently of the Governor and Executive Council."

Clause 9.

To add after the word "letter" in the third line the words "or by telegram."

Clause 11.

To add after "any" in the second line the word "incorporated."

To strike out the words "or educational establishment" in the second and third lines, and the words "or establishment" in the fourth line, and to add the word "any" after the word "in" in the sixth line.

To strike out the words "and educational establishments" in the sixth line.

To add the words—

"Or the endowments or property of the same."

And further to add the following words:—

"Provided that it shall be lawful for the said University from time to time to add, alter, vary, and amend by striking out the list of such affiliated Colleges."

Clause 12.

To strike out the words "when approved and sanctioned by the Governor in Council" in the first and second lines, and to add the following proviso at the end of the clause:—

"Provided that it shall be lawful for the Governor, at any time within three months after any such statutes and regulations shall have been received by him, to declare, by Proclamation, his disallowance of such statutes or regulations, and such disallowance shall make void and annul the same from and after the day of the date of such Proclamation, or any subsequent day to be named therein." (Constitution Act, clause 29.)

Clause 15.

In line 6, to strike out the words "in the affiliated Colleges."

In line 9, after the word "University" to insert the words "or in any College affiliated thereto."

And to erase the words "the same" in the same line, and insert in lieu thereof the words "the said University."

Clause 17.

New clause to follow clause 17 :—

The University Council in session assembled shall convene and appoint the time and place of meeting of the said Council and of the Senate, when constituted, for each succeeding session, and so on from session to session.

Also a new clause :—

The Chancellor or Vice-Chancellor, or, in the absence of both, the Registrar, shall convene a meeting of the Council upon the written requisition of not less than ten members, setting forth the object for which the meeting is required to be convened, and the meeting shall be convened not less than thirty days after the receipt of such requisition.

Also a new clause :—

The University Council shall appoint the time and place of all examinations, but the degrees shall be conferred at the place where the University shall be constituted.

Also a new clause :—

That the Chancellor have power to delegate to the Vice-Chancellor all or any of his powers or duties.

Also a new clause :—

That for the purpose of the tenure of Scholarships, Lectureships, Professorships, &c., incorporated Colleges in the Colony may be affiliated which fulfil these conditions :—

- (a.) That they possess suitable buildings, class-rooms, and apparatus.
- (b.) That they have a curriculum of study embracing systematic instruction in Classics, English, Mathematics, Natural Philosophy, Mental Science, Moral Philosophy, and at least one branch of Physical Science, say Chemistry, and that University scholars be required to attend classes and lectures on those subjects.
- (c.) That all Professors and Lecturers in affiliated Colleges, deriving their stipends in part or in whole from the University, as also University scholars and all students, have the protection of a conscience clause.

Clause 18.

To strike out all the words after "Otago" in the fifth line, down to the word "such" in the eighth line, and insert in lieu thereof the word "on."

To strike out the words "consistently with the provisions of this Act" in the ninth line, and to strike out all the words after "dissolved" in the fifteenth line to the end of the clause.

Clause 19.

Line 2, to erase the words "six months" and insert the words "two years" in lieu thereof; and in lines 3 and 4 to erase the words "and for the transfer of its endowment."

New clause :—

That provision be made for granting degrees to any students who may present themselves for examination, on their duly satisfying the Examiners and paying such fees as the Council may determine.

Proposed by the Hon. Mr. Waterhouse, That a Report be prepared in accordance with the amendments, and presented to both Houses of Parliament by the respective Chairmen.

The Joint Committee agreed to the following Report :—

Interim Report of the New Zealand University Committee.

Your Committee have the honor to report that, in conference with the Committee of the House of Representatives appointed for a similar purpose, they have carefully considered the questions remitted to them, and are of opinion—

1. That the amalgamation of the University of New Zealand and the University of Otago is of great importance to the interests of higher education.
2. That, in order to effect such an amalgamation, and with a view to rendering the Act more complete, they recommend the alterations which are annexed.
3. They also recommend that a clause should be introduced, providing, in case of the dissolution of the University of Otago by amalgamation with the New Zealand University, that provision should be made for the former University to be constituted a body politic and corporate, by the name of "The University College of Otago," having the usual powers, entire administration of its own affairs, and sole control of its own property; and further, that the "no religious test" clause of the Otago Provincial Ordinance should be inserted therein. They further propose that effect should be given to these recommendations by legislative enactment.

[For Resolutions, see page 8.]

The Joint Committee adjourned.

THURSDAY, 21ST SEPTEMBER, 1871.

The Joint Committee met pursuant to summons.

Legislative Council.

Hon. Dr. Buchanan,
 Hon. Mr. Sewell,
 Hon. Mr. Waterhouse.

House of Representatives.

Hon. Mr. Fox,
 Mr. Macandrew,
 Mr. McGillivray,
 Mr. Reynolds,
 Hon. Mr. Stafford.

The Hon. Major Richardson, M.L.C., Chairman.

The minutes of last meeting were read and confirmed.

The Hon. Major Richardson read to the Committee the following Memorandum from himself as the Chancellor of the University of Otago; and, on the motion of Mr. Macandrew, it was ordered to be entered in the minutes:—

“The Memorandum of the Chancellor of the New Zealand University, which was received by me when in the Chair at the last meeting of the Joint Committee, makes it necessary that I should ask the Committee to allow me, as one of the Conference referred to, and as Chancellor of the University of Otago, to make a few remarks, in order that the views of both parties may be on the records of the Committee.

“I wish to state that the Chancellor and Vice-Chancellor of the University of Otago viewed the Memorandum, which had been referred to them for the purpose of drawing up instructions to the draftsman, as the rough notes of their decisions, to be read in connection with their previous consultations, which expressed the whole mind of the parties in the Conference. They therefore regarded the proposed curriculum as a vital part of the subject.

“They considered that, if the University of Otago should become a College, they might reasonably embody in the Act of Amalgamation a proviso that the curriculum of affiliated Colleges should not be below theirs, otherwise its status would be still further lowered—perhaps to that of existing Grammar Schools.

“I would remark, that if there is no precedent for fixing in an Act the minimum of required studies, which I am not prepared to allow, there may not be a precedent of an University, with a comparatively complete staff of Professors, considerable endowments, and buildings, voluntarily abdicating its powers and status, in order to secure to the community the increased advantages resulting from a combination of educational machinery and power.

“ J. RICHARDSON,

“ Chancellor of the University of Otago.”

On the motion of the Hon. Mr. Waterhouse it was resolved, That the Government be requested to prepare and introduce into Parliament a Bill in accordance with the recommendations of the Committee. And it was ordered that the Chairman of the Committee of the Legislative Council, and of the House of Representatives respectively, be requested to bring up a Report to each House, embodying the above Resolutions.

The Joint Committee adjourned.