



Universities of Oxford and Cambridge Act 1859

1859 CHAPTER 19

An Act to repeal Part of an Act passed in the Thirteenth Year of *Elizabeth*, Chapter Twenty-nine, concerning the several Incorporations of the Universities of *Oxford* and *Cambridge*, and the Confirmation of the Charters, Liberties, and Privileges granted to either of them. [13th August 1859]

WHEREAS in and by an Act passed in the Thirteenth Year of Her Majesty Queen *Elizabeth*, intituled *An Act concerning the several Incorporations of the Universities of Oxford and Cambridge, and the Confirmation of the Charters, Liberties, and Privileges granted to either of them*, it is amongst other things enacted, that the Letters Patent of the Queen's Highness's Father, King *Henry* the Eighth, made and granted to the Chancellor and Scholars of the said University of *Oxford*, bearing Date the First Day of *April* in the Fourteenth Year of His Reign, and the Letters Patents of the Queen's Majesty that then was made and granted unto the Chancellor, Masters, and Scholars of the University of *Cambridge*, bearing Date the Sixth-and-twentieth Day of *April* in the Third Year of Her Highness's most Gracious Reign, and also all other Letters Patents : by any of the Progenitors or Predecessors of our said Sovereign Lady made to either of the said corporated Bodies, severally, or to any of their Predecessors of either of the said Universities, by whatsoever Name or Names the said Chancellor, Masters, and Scholars of either of the said Universities, in any of the said Letters Patents had been theretofore named, should from thenceforth be good, effectual, and available in the Law to all Intents, Constructions, and Purposes to the foresaid then Chancellor, Masters, and Scholars of either of the said Universities, and to their Successors for evermore, after- and according to the Form, Words, Sentences, and true Meaning of every of the same Letters Patents, as amply, fully, and largely as if the same Letters Patents had been recited verbatim in that present Act of Parliament, anything to the contrary in anywise notwithstanding ; and it was further enacted, that all manner of Instruments, Indentures, Obligations, Writings Obligatory, and Recognizances made or acknowledged by any Person or Persons or Body Corporate to either of the said corporated Bodies of either of the said Universities, by what Name or Names soever the said Chancellor, Masters, and Scholars of either of the said Universities had been theretofore called in any of the said Instruments, Indentures, Obligations, Writings Obligatory, or Recognizance, should be from thenceforth available, stand and continue of good, perfect, and full Force and Strength to the' then Chancellor, Masters, and Scholars of either of the said Universities, and to their

Status: This is the original version (as it was originally enacted).

Successors, to all Intents, Constructions, and Purposes, although they or their Predecessors, or any of them, in any of the said Instruments, Indentures, Obligations, Writings Obligatory, or Recognizances were named by any Name contrary or diverse to the Name of the then Chancellor, Masters, and Scholars of either of the said Universities ; and it was also enacted, that as well the said Letters Patents of the Queen's Highness's said Father, King *Henry* the Eighth, bearing Date as was before expressed, made and granted to the said corporated Body of the said University of *Oxford*, as the Letters Patents of the Queen's Majesty aforesaid granted to the Chancellor, Masters, and Scholars of the University of *Cambridge*, bearing Date as aforesaid, and all other Letters Patents by any of the Progenitors or Predecessors of Her Highness, and all manner of Liberties, Franchises, Immunities, Quietances, and Privileges, Leets, Law Days, and other Things whatsoever therein expressed, given, or granted to the said Chancellor, Masters, and Scholars of either of the said Universities, or to any of their Predecessors of either of the said Universities, by whatsoever Name the said Chancellor, Masters, and Scholars of either of the said Universities in any of the said Letters Patents be named, were and by virtue of that present Act should be from thenceforth ratified, established, and confirmed unto the said Chancellor, Masters, and Scholars of either of the said Universities, and to their Successors for ever, any Statute, Law, Usage, Custom, Construction, or other thing to the contrary in anywise notwithstanding: Provided always and it was enacted, that the said Act or anything therein contained should not extend to the Prejudice or Hurt of the Liberties and Privileges of Right belonging to the Mayors, Bailiffs, and Burgesses of the Town of *Cambridge* and City of *Oxford*, but that they the said Mayors, Bailiffs, and Burgesses, and every of them, and their Successors, should be and continue free, in such Sort and Degree, and enjoy such Liberties, Freedoms, and Immunities, as they or any of them lawfully might have done before the making of that present Act, anything contained in the said Act to the contrary notwithstanding : And whereas by Letters Patent, dated the Twenty-ninth Day of *May* in the Thirty-second Year of, the Reign of His late Majesty King *Henry* the Third, the said King did grant to the Scholars of the University of *Oxford*, amongst other things, that so often and whensoever the Mayor and Bailiffs of *Oxford* should take the Oath of their Fealty in their common Place, the Commonalty of the same Town should inform the Chancellor, in order that, if he wished, by himself or by some chosen Persons, he might be present at the taking of the aforesaid Oath, which Oath indeed as to the aforesaid Scholars should be of this Sort, that is to say, that the Mayor and Bailiffs themselves should keep the Liberties and Customs of the aforesaid University, otherwise their Oath should be of no Avail, but should be taken again according to the prescribed Form ; but if the Chancellor should not wish to be present, either by himself or by a Proctor, the Oath should nevertheless be taken : And whereas Provisions in relation to the Observance of the same Oath, or an altered Oath in lieu thereof, have been made by subsequent Letters Patent granted by Kings and Queens of this Realm to the Chancellor, Masters, and Scholars of the University of *Oxford*, and also by Orders of the Privy Council made in the Reigns of Queen *Elizabeth*, King *James* the First, and King *Charles* the Second : And whereas by the Statutes of the University of *Oxford*, which the Chancellor and Vice-Chancellor of the University . have taken their respective Oaths to observe and perform, it is enjoined on each of them that they do exact the said annual Oath of the Mayor and Burgesses of *Oxford* : And whereas the Mayor, Aldermen, and Citizens of the City of *Oxford* desire, to be relieved from the 'Obligation of taking any such Oath, and the Chancellor, Masters, and Scholars of the University of *Oxford* are willing that the said Mayor, Aldermen, and Citizens should be so relieved, but they are advised that such Relief can only be granted by the Authority of Parliament :

Be it therefore enacted by the Queen'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 :

I Repeal of Duty to take Oath.

So much of the herein-before recited Act of Parliament, and of all Charters, Letters Patent, Orders in Council, Obligations, Deeds, or Instruments, as imposes upon the said Mayor, Aldermen, and Citizens, or any of them, or any Municipal Officer of the City of *Oxford*, the Obligation of taking any Oath for the Conservation of the Liberties and Privileges of the University of *Oxford*, or any such Oath as is herein-before referred to, shall be and the same is hereby repealed and annulled and made void.

II Prohibition of any Requisition to Mayor, &c. to take Oath.

The Mayor, Aldermen, and Citizens of *Oxford* shall not hereafter, nor shall any of them, nor shall any Municipal Officer of the City of *Oxford*, be required to take any Oath or to make any Declaration for the Conservation of the Liberties and Privileges of the University of *Oxford*: Provided always, that, notwithstanding anything herein contained, the Mayor, Aldermen, and Citizens of *Oxford*, and all Officers of the same City, shall observe and keep all manner of lawful Liberties and Customs which the Chancellor, Masters, and Scholars of the said University have reasonably used, without any Gainsaying; saving, nevertheless, the Fidelity of the said Mayor, Aldermen, Citizens, and Officers to the Queen's Majesty, and saving also the Liberties and Privileges of Right belonging to the said Mayor, Aldermen, and Citizens, and to the Officers of the said City.