

us to insist upon, but which was to be taken advantage of as little as possible. In the prospectus published for the information of our students the privilege is thus announced: "Students of the University of Otago who matriculated before the month of April, 1874, may, if they elect to do so, obtain the degree of B.A. of the New Zealand University by fulfilling the conditions required by the Otago University as they existed at the date of their matriculation." We have never entertained the least doubt that this is the true meaning of Section XI., and hitherto this view has always regulated our practice.

You will remember that at the time the privilege in question was conceded to us a similar privilege was granted to students elsewhere. Their right to graduate under the old Regulations was recognized, but it was universally understood, although nowhere distinctly expressed, that they might at any time place themselves under the new Regulations if they desired to do so. Accordingly, several students here and elsewhere placed themselves under the new Regulations, and their title to do so has never till now been questioned.

The case of Mr. P. S. Hay, who matriculated here in 1871, is still more in point. He did not at once come under the new Regulations, because he had already passed several of his examinations before affiliation took place. As soon, however, as he obtained his degree he placed himself under the new Regulations, and gained honours under these Regulations. His right to do this has never been questioned by any one.

There is nothing, so far as we can see, to distinguish the case of Mr. White from that of any other student who has voluntarily come in under the new Regulations. He asks for no favour, he only abstains from availing himself of a privilege. But, even if there existed a well-founded objection, it is too late now to urge it, for Mr. White's status as a student who has passed two annual examinations, and has thus completed two years' terms according to the new Regulations of the New Zealand University, has already been recognized by you, and it is impossible to exclude from examination any one who possesses this status.

If Mr. White were still under our old Regulations, he would have nothing to do with either "terms" or "annual examinations."

If his claim were the reverse of what it is—if, having come under the new Regulations, he claimed the right of being examined according to the old standards—you would be bound to resist such a claim. This, however, is a contrary case. In order to get rid as quickly as possible of the double standard, we urged all our students to place themselves at once under the new Regulations. Mr. White acted on this advice. He has, by your own admission, fulfilled all the conditions imposed by these Regulations, and he now offers himself for the examination which these Regulations prescribe.

We cannot see on what ground an objection to his admission can be based, especially as all others in a similar position have been admitted without question.

We hope that, on reconsidering the case, you may so far modify your view as to withdraw your objection to Mr. White's claim. Should you, however, not see your way to take this course, I am instructed by the Board to request that this letter, as well as the whole correspondence, be laid before the Senate for its consideration.

The Chancellor of the University
of New Zealand.

I have, &c.,
D. MACGREGOR,
Chairman of the Professorial Board.

26. *The Registrar to Professor Macgregor.*

SIR,—

University of New Zealand, Christchurch, 23rd February, 1878.

I have the honour to acknowledge the receipt of your letter of the 19th instant, respecting the case of Mr. D. White, and to state that it will be brought under the notice of the Senate, together with all the correspondence relating to the case.

I have, &c.,
W. M. MASKELL,
Registrar.

Professor Macgregor.

27. *Mr. White to the Registrar.*

SIR,—

Dunedin, 13th May, 1878.

I have the honour to acknowledge the receipt of yours of 16th January, informing me that the Chancellor of the New Zealand University, Mr. Tancred, had agreed to permit me to be examined provisionally—that is, without prejudice to any action which the Senate might take in the matter.

Would you please inform me as to the decision of the Senate, and whether the Examiners were satisfied with or reported on the examination-papers, and oblige.

The Registrar, University of New Zealand.

I have, &c.,
D. WHITE.

28. *The Registrar to Mr. White.*

SIR,—

University of New Zealand, Christchurch, 16th May, 1878.

I have the honour to acknowledge the receipt of your letter of the 13th instant. I forwarded to your address, a few days ago, a copy of the minutes of proceedings of the Senate at its recent session. In that copy, at pages 20 *et seq.*, you will find the report of the Select Committee appointed to consider your case, and on page 24 the Regulation made in accordance with that report, and which is now part of the University Regulations. Your examination-papers were reported on by the Examiners, and your name appeared in the list published at the beginning of this month of those students who succeeded in passing the first section of the B.A. Examination. I find, on reference to the letter-book, that I inadvertently omitted to inform you of the fact by letter, as in the case of the other students.

I have, &c.,
W. M. MASKELL,
Registrar.

D. White, Esq.

29. *Mr. White to the Registrar.*

SIR,—

Dunedin, 31st May, 1878.

I have the honour to acknowledge the receipt of yours of the 16th instant, and also a copy of the minutes of proceedings of the Senate of the New Zealand University. From this last I observe that the Senate entered very completely into all the circumstances of my case.