
THE

ACTS OF PARLIAMENT

RELATING TO

THE SCHOOL FOR THE INDIGENT BLIND.

June, 1872.

SCHOOL FOR THE INDIGENT BLIND
INCORPORATION ACT, 1826.

ANNO SEPTIMO
GEORGII IV. REGIS.

Cap. lxxviii.

An Act for establishing and well governing the Institution called "The School for the Indigent Blind," and for incorporating the Subscribers thereto, and the better enabling them to carry on their charitable and useful Designs.

[5th *May*, 1826.]

WHEREAS in the Year One thousand seven hundred and ninety-nine, a charitable Society was entered into by several Noblemen, Gentlemen, and others, for establishing an Asylum or House for the Reception, Maintenance, and Employment of Indigent Persons deprived of their Sight, and the same hath been for many Years and now is



carried on in a House, Workshops, and Premises, built for the purpose, situate in the Parish of Saint George the Martyr, in the Borough of Southwark, in the County of Surrey, and the said Charity hath been supported by the Voluntary Subscriptions and Donations of charitable and well-disposed persons, and a very great Number of Male and Female Children and Adults have been received into, maintained, and clothed thereby, and instructed in various Trades and Employments, and trained to habits of Industry and Regularity, and have been carefully instructed in the Principles of the Christian Religion : And whereas Experience hath shown that the said Charity hath been hitherto of considerable Use and Advantage to the Public ; and it is apprehended that if countenanced and supported by the Laws of this Realm, and established upon a permanent Foundation, and made One Body Politic and Corporate, with powers to enable them to purchase the Fee Simple and Inheritance of and in certain Land and Hereditaments, and to surrender a Part of the Land and Premises now held on Lease by them, the said Charity would be of much more extensive Use, and of still greater Benefit and Advantage to the Public, by affording the Means of adding to the Number of Objects received therein and to derive Benefit therefrom : But as the Purposes

aforesaid cannot be effected without the Authority of Parliament, May it therefore please Your most Excellent 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 from and after the passing of this Act, there be and shall be a Corporation to continue for ever for the Reception, Maintenance, and Employment of Blind Persons in indigent Circumstances; and that the Right Honourable Robert Banks, Earl of Liverpool, Knight of the Most Noble Order of the Garter ; the Most Honourable George Granville Marquess of the County of Stafford Knight of the Most Noble Order of the Garter ; the Right Honourable Jacob Pleydell Earl of Radnor, the Right Honourable George John Earl Spencer, Knight of the Most Noble Order of the Garter ; the Right Honourable and Right Reverend William, by Divine Permission Lord Bishop of London ; the Right Honourable John Baron Teignmouth, in that Part of the United Kingdom of Great Britain and Ireland called Ireland ; the Honourable Sir James Allan Park Knight, one of the Judges of His Majesty's Court of Common Pleas ; The Honourable Sir Stephen Gaselee Knight, one of the Judges of

Institution
incorporated.

His Majesty's Court of Common Pleas; Sir Thomas Baring, Baronet, Member of Parliament; George Peter Holford, Esquire, Member of Parliament; William Manning, Esquire, Member of Parliament; the Reverend Thomas Hughes, Doctor in Divinity; Charles Barelay, Samuel Bosanquet, John Blades, Capel Cure, Charles Dodd, Nathaniel Ellison, Edward Forster, and William Gaussen, Esquires; Sir George Francis Hampson, Baronet; George Harrison, Oliver Hatch, Anthony Highmore, Thomas Jackson, John Kershaw, David King, Peter Martineau, Thomas William Meller, and William Oxenford, Esquires; the Reverend William Pace, Master of Arts; Francis Paynter, Charles Edward Pigou, Ralph Price, John Scott, and Samuel Henry Sterry, Esquires; the Reverend Edward Williams, Master of Arts, the Reverend Charles Wodsworth, Master of Arts, and the Reverend Richard Yates, Doctor in Divinity, together with any other Person or Persons who hath or have paid, or at any Time hereafter shall pay into the Hands of the Treasurer for the Time being of the said Institution, the sum of Ten Pounds and Ten Shillings at any One Time, or in the course of any One Year, for the Use of the said Institution, shall be, and are hereby appointed Members thereof, and also every Person who hath paid or at any time hereafter shall pay into the Hands of such Treasurer the

yearly sum of One Pound and One Shilling, or more, for the Use of the said Institution, shall, during such time as he or she shall continue to pay the same, and also every Person who shall be appointed by any General Court of the Members of the said Institution, shall be respectively Members thereof; and the President, Vice Presidents, Treasurer, and Members of the said Institution shall be and they are hereby declared to be One Body Corporate and Politic in Deed and in Law, by the Name and Style of "The President, Vice Presidents, Treasurer, and Members of the School for the Indigent Blind;" and that by the same Name they shall have perpetual Succession and a Common Seal, with Power to change, alter, break, and make new the same, when and as often as they shall judge the same to be expedient; and that they and their Successors by the same Name may sue and be sued, implead and be impleaded, answer and be answered unto, in all or any Court or Courts of Record and Places of Judicature within this Kingdom; and that they and their Successors, by the Name aforesaid, shall be able and capable in Law to have, hold, receive, enjoy, possess, and retain, for the Ends and Purposes of this Act, and in trust for the Benefit of the said Institution, all such Sum and Sums of Money as have been paid, given, devised, or bequeathed, or

shall at any Time or Times hereafter, be paid, given, devised, or bequeathed by any charitable or well-disposed Person or Persons, to and for the charitable Ends and Purposes in this Act mentioned; and that they and their Successors by the Name aforesaid, shall and may at any Time or Times hereafter purchase, take, or receive, and thenceforth hold and enjoy, any Lands, Tenements, or Hereditaments, in the whole not exceeding Two Acres, for any Estate or Interest whatsoever, for the purposes of the said Charity, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Incorporated Persons
Trustees,
&c. may
sell Lands
to the In-
stitution.

II. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, and Collegiate, and all Corporations, whatsoever, whether seised in their own Right or as Trustees for any Purpose whatsoever, Feoffees in Trust for charitable and other Purposes, Executors and Administrators, Guardians, Committees, Husbands, and all other Trustees whomsoever, not only for and on behalf of themselves, their Successors and Heirs, but also for and on behalf of their Oestuiques Trusts or Wards respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability or Incapacity of acting for himself,

herself, or themselves, and also for all Females Covert who are or shall be seised, possessed, or interested in their own Right or entitled to Dower or other Interest therein, and for all Persons, whether Tenants for Life, in Tail General or Special, or for Years determinable on any Life or Lives, not only for and on behalf of themselves and their Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for all and every Person or Persons whomsoever who are, is, or shall be seised, possessed of, or interested in the Lands, Grounds, Buildings, Workshops, and Hereditaments now used for the Purposes of the said Charity or any of them, or any Lands or Grounds, Buildings or Hereditaments, adjoining or near to the same, which the said President, Vice Presidents, Treasurer, and Members of the School for the Indigent Blind shall think necessary and proper to be purchased for the Purposes of the said Charity, not exceeding in the whole Two Acres, to treat and agree with the said President, Vice Presidents, Treasurer and Members of the School for the Indigent Blind or their Successors, for the absolute Sale thereof for an Estate of Inheritance in Fee Simple, either in Possession or subject to any Lease which shall be subsisting therein, or to or for any Lease

or Term for Years, for any Sum or Sums of Money or such other Consideration as herein-after is mentioned, and by any Deed or Deeds under the Common Seal of any such Corporation, or under the Hand and Seal or Hands and Seals of any such other Person or Persons, to be respectively enrolled in the High Court of Chancery, to grant and convey or assign the same to the said Presidents, Vice Presidents, Treasurer, and Members of the School for the Indigent Blind, and their Successors, for the Purposes of the said Charity; and all Contracts, Sales, Conveyances, and Assignments which shall be so made shall be good, valid, and effectual, to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, Custom, or other Matter to the contrary notwithstanding, and all such Bodies Politic, Corporate, Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Guardians, Committees of Idiots and Lunatics, and Husbands, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Power to
surrender
Leasehold
Premises.

III. And be it further enacted, That in case any of the Leasehold Lands and Tenements now

held by the said President, Vice Presidents, Treasurer, and Members of the School for the Indigent Blind, or any Person or Persons in trust for the said Institution, shall be deemed by the said President, Vice Presidents, Treasurer, and Members of the School for the Indigent Blind, not necessary for the Purposes of the said Charity, it shall be lawful for them to surrender or cause to be surrendered such Lands or Tenements, or any Part or Parts thereof which may not be deemed necessary for the Purposes aforesaid, to the Lessor or Lessors, or Owner or Owners of the Reversion of the same Lands or Tenements; and any Body or Bodies Politic, Corporate, or Collegiate, or other Corporation or Corporations, or other Person or Persons, who may be such Lessor or Lessors, or the Owner or Owners of such Reversion, are hereby authorized and empowered, if they shall think proper, to accept and take such Surrender as the Consideration or Part of the Consideration for the Purchase of any Lands or Hereditaments which may be sold and conveyed or assigned by such Corporation or Corporations, or other Person or Persons respectively, by virtue of this Act.

IV. And be it further enacted, That if there shall be any Money to be paid for the Purchase of any Lands, Tenements, or Hereditaments,

Applica-
tion of
Purchase
Money
amounting
to 200 l.

by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Bod Politic, Corporate, or Collegiate, or to any Corporation whatsoever, or to any Feoffee in Trust Executor, Administrator, Husband, Guardian Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust or Ward, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of England in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there exparte the President, Vide Presidents, Treasurer, and Members of the School for the Indigent Blind, pursuant to the Method prescribed by the Act of the Twelfth Year of King George the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King George the Second, Chapter Twenty-four; and some one of the Cashiers of the said Bank shall give a Receipt for the Money so paid, which shall be a sufficient Discharge for the same; and such

Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary way by the Corporation or Corporations, or Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same manner as the Lands, Tenements, and Hereditaments which shall be so purchased as aforesaid stood settled or limited, or such of them as at the time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime

and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds per Centum per Annum Reduced Bank Annuities or Three Pounds per Centum per Annum Consolidated Bank Annuities; and in the meantime and until the same Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Corporation or Corporations, or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments to be purchased and settled by virtue of this Act, in case such Purchase and Settlement were made.

Applica-
tion when
less than
£200, and
amounting
to £20.

V. Provided always, and be it further enacted That if any Money agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments as aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, or which shall be limited in strict or other Settlement, shall be less than the Sum of Two Hundred Pounds, and shall exceed

or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Corporation or Corporations, or Person or Persons who would have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, or Trustee or Trustees, to be signified in Writing under their respective Hands, be paid, or in the Case of a Corporation under their Seal, into the Bank of England in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed, (one of the Cashiers of the said Bank giving a Receipt for the same for the said Money, which shall be a sufficient Discharge for the same); or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Party making such Option, and approved of by the said President, Vice Presidents, Treasurer, and Members, or their Successors, (such Nomination and Approbation to be signified in Writing under the Hands or Seals of the nominating and approving Parties); and the Money so paid to such Trustees shall be by them applied in any Manner herein-before directed with respect to

the Money so to be paid as aforesaid into the Bank in the Name of the Accountant General of the said Court of Chancery, but without any Order of the said Court touching the Application thereof.

When less
than £20.

VI. Provided also, and be it further enacted, That if any Money agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments as aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be paid to the Corporation or Corporations, or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments in respect whereof the same shall be paid, for his, her, or their own Use and Benefit, or to his, her, or their Guardian or Guardians, Committee or Committees, or Trustee or Trustees, for the Use and Benefit of such Person or Persons so entitled respectively, and the Receipt or Receipts of the Corporation or Corporations, or Person or Persons, to whom the same shall be paid, shall be a sufficient Discharge or sufficient Discharges for the same.

VII. Provided always, and be it enacted, That <sup>In case of
disputed
Titles.</sup> if any Question shall arise touching the Title of any Corporation or Corporations, Person or Persons, to any Money to be paid into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, Charge, or Interest therein, or of any Bank Annuities to be purchased with any such Money, or the Dividends and Interest of any such Bank Annuities, the Corporation or Corporations, Person or Persons, who shall have been in the possession of such Lands, Tenements, or Hereditaments, Estates, Interests, and Charges, at the Time of such Purchase, and all Corporations or Persons claiming under or under the Possession of such Corporation or Corporations, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shewn to the satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly,

unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein, or Charge thereon.

Court of
Chancery
may order
reasonable
expenses to
be made.

VIII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the expences of all Purchases from Time to Time to be made pursuant to this Act, or so much of the said Expences as to the said Court shall seem reasonable, to be paid by the said President, Vice Presidents, Treasurer, and Members of the School for the Indigent Blind, or their Successors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

IX. And be it further enacted, That the said Corporation may and they are hereby empowered to bind Apprentice or Apprentices, Servant or Servants, all and every or any of the Children already received or hereafter to be received under the care of the said Corporation, to any of the persons employed or to be employed, to instruct the Children, on their own Premises, for such Term and Time, and upon such conditions respectively, as the Committee for the time being of the said Corporation, or the major part of such of them as shall be assembled at any of the monthly or other Meetings, shall think fit, so as no such Child so to be bound as aforesaid shall be obliged to serve and continue in such Apprenticeship or Service, after the Age of Twenty-one Years; and such Person or Persons who are hereby empowered to take and retain any Number of Children so apprenticed for as long as they shall themselves continue in the Service of the said Corporation, and no longer; and such Person or Persons, on their quitting or being dismissed from the Service of the said Corporation, or the Executors or Administrators of any of them who may die, shall assign over all Apprentices so bound to them, to such Person or Persons (employed or to be employed as aforesaid) as the Committee of the said

Corpora-
tion may
bind Ap-
prentices
to Persons
employed
on the Pre-
mises.

Corporation, or the major part of such of them as shall be assembled at any monthly or other Meeting shall direct; and so from Time to Time the said Apprentices shall be assigned over as often as the Person or Persons to whom any such Assignment shall have been made, shall quit or be dismissed from the Service of the said Corporation, or die.

Appoint-
ment of
President,
Vice Presi-
dents, &c.

X. And be it further enacted, that the said Robert Banks, Earl of Liverpool, shall be and he is hereby appointed President of the said Corporation; and that the said George Granville Marquess of the County of Stafford, Jacob Pleydell Earl of Radnor, George John Earl Spencer, William Lord Bishop of London, John Lord Teignmouth, Sir James Allan Park, Sir Stephen Gaselee, Sir Thomas Baring, George Peter Holford, William Manning, Thomas Hughes, and Charles Barclay, shall be and they are hereby appointed the Vice Presidents of the said Corporation; and that the said Samuel Besanquet shall be and he is hereby appointed Treasurer of the said Corporation; and that the said John Blades, Capel Cure, Charles Dodd, Nathaniel Ellison, Edward Forster, William Gaussen, Sir George Francis Hampson, George Harrison, Oliver Hatch, Anthony Highmore, Thomas Jackson, John Ker-

shaw, Peter Martineau, Thomas William Moller, William Oxenford, William Pace, Francis Paynter, Charles Edward Pigou, Ralph Price, John Scott, Samuel Henry Sterry, Edward Williams, Charles Wodsworth and Richard Yates, shall be and they are hereby appointed a Committee for transacting and managing the affairs of the said Corporation; the said William Pace, Samuel Henry Sterry and Thomas Jackson, shall be and they are hereby appointed Visitors of the said Corporation, to enquire into and ascertain the Truth of the several Cases to be submitted to the Consideration of the said Committee previous to and for the Purpose of the Admission of any Person or Persons into the said Institution, and of such other matters relating to the Affairs of the said Institution as shall appear necessary; and the said David King, Edward Forster, and Thomas Jackson shall be and they are hereby appointed Auditors of the Accounts of the said Corporation.

XI. And be it further enacted, That the said Committee shall continue until the Second Thursday in the Month of March One thousand eight hundred and twenty-seven, when the Six Persons first above named as Members of the Committee shall go out, and Six others be elected in their Room, to serve for the Term of Four Years; and

Continu-
ance of
Committee

so in like manner on the Second Thursday in March in every subsequent Year, the Six Members of the Committee whose Names shall then stand first upon the List of the Committee shall retire, and Six others be elected in their Place; and the said President, Vice Presidents, and Treasurer shall continue in Office until they shall resign, or be removed by a Majority of the Members present at any General Meeting to be held as herein-after mentioned, or at any extraordinary General Meeting convened for that Purpose.

General
Courts and
their
Powers.

XII. And be it further enacted, That the said President, or in his Absence One or more of the Vice Presidents, or the Treasurer, with any Six or more of the other Members of the said Corporation, or in the absence of the President and of all the Vice Presidents and Treasurer, any Seven or more of the said Members shall compose a General Court, and the First General Court shall be holden on the Second Thursday in June next, at such House or Place as the said Corporation shall appoint for that Purpose, and shall then and from Time to Time be adjourned to such House or Place, or Houses or Places, as for the Time being shall be appointed by the Court, and to such Time or

Times as the Court for the Time being shall deem necessary for the due Execution of this Act; and that a General Court of Members of the said Corporation shall be holden, Three Times at least in every Year, that is to say on the Second Thursday in the Months of March, June and December; and Notice of each of such General Courts shall be given in some one or more of the public Newspapers circulated within the Cities of London and Westminster, Three Days at the least before the holding of any such Court; and whenever occasion shall require, an extraordinary General Court shall be holden by Order of the Committee, or the major Part of such of them as shall be assembled at any of their Monthly or other Meetings, upon the like Notice thereof been given, Three Days at least before the holding of the same; and at the General Court, which shall be holden in the Month of March, in each and every Year, Six Persons who have paid or who at any Time hereafter shall pay into the Hands of the Treasurer for the Time being of the said Institution, at One Time, or in the course of any One Year, the Sum of Ten Pounds and Ten Shillings for the Use of the said Institution, or who have paid and continue to pay, or shall at any Time hereafter pay and continue to pay, into the Hands of such Trea-

surer, the yearly Sum of Two Pounds and Two Shillings, or more, for the Use of the said Institution, during such Time as he shall continue to pay the same, shall be elected to supply the Place of the Six Members of the said Committee who are annually to retire from that Body, as herein-before is mentioned or directed; and at the same General Court Three Members of the said Corporation shall be elected Visitors, and Three such Members Auditors of the said Corporation for One Year; and the President, Vice Presidents, and Treasurer, with the Visitors and Auditors of the said Corporation for the Time being, shall be Members of the said Committee, over and above such Twenty-four other Members; and the Members of the said Corporation assembled at any such General Court as aforesaid, or the major part of them so assembled, shall have full Power and Authority in the Name of the said Corporation, and on their Account, to apply and dispose of the Monies and Funds, already given, or which shall from Time to Time be contributed and given by any Person or Persons on account of or to the said Charity, and all other Monies and Funds belonging or to belong to the said hereby-erected Corporation, to and for the Purposes aforesaid, and to, for, and on any other Purpose, Way, Matter, or Thing relating to

the said Charity, and for the Benefit thereof, at their Discretion, and with and under their Common Seal to enter into any Covenants and Contracts for the Purpose aforesaid, or for any other Purpose or Purposes, for the better effecting and carrying on the charitable Uses and Designs aforesaid, and to do, manage, transact, and determine all such other Matters and Things as shall to them, or the major Part of them at any such Court, appear to be necessary, convenient, or proper for the effecting and carrying on the good Purposes aforesaid, and shall and may delegate such Power and Authority to the said Committee as they shall think necessary for the more speedy, easy and effectual Execution of this Act; and it shall and may be lawful to and for the said Members of the said Corporation assembled in a General Court, or the major Part of them so assembled, to order and dispose of the Custody of the said Common Seal, and the Use and Application thereof, and to make, ordain, and constitute such and so many Bye Laws, Constitutions, and Ordinances as to them, or the greatest Number of them then and there present, shall seem necessary and convenient, touching or in anywise concerning the Affairs and Business, and the better governing, regulating, ordering, and managing the said

hereby-erected Corporation, and of the Officers, Servants, and Persons employed in and about the Affairs thereof, and of the Persons applying to be admitted therein, and for the auditing the Accounts of the said Corporation, and the same Bye Laws, Constitutions, and Ordinances so made to put in use and enforce accordingly, and at their Will and Pleasure to revoke, change, and alter the same or any Part of them; which said Bye Laws, Constitutions, and Ordinances which shall be so made as aforesaid shall be duly kept and observed, provided that the same be reasonable, and not contrary or repugnant to the Statutes, Customs, or Laws of that Part of the United Kingdom called England: Provided nevertheless, that no such Bye Law, Rule, or Ordinance shall be binding, or have any Force or Effect, until the same shall have been agreed to and confirmed by the next succeeding General Court, whether quarterly or extraordinary; and that the same Method shall be observed in altering or repealing any such Bye Laws, Rules, Orders, or Ordinances: Provided also, that in case a sufficient Number of the Members of the said Corporation shall not be assembled to form such General Court, on the Second Thursday in the Months of March, June, and December, in any Year, then such General

Court shall and may be holden, with such Notice as aforesaid, on any other Thursday in such Months, for all and every the Purposes herein-before mentioned.

XIII. And be it further enacted, That all and every Person or Persons in whose Name or Names any Leasehold Lands or Tenements, or any Sum or Sums of Money, Stocks, Funds, Annuities, Mortgages, Securities for Money, or other Effects whatsoever, shall at the Time of passing of this Act must stand or be secured, the beneficial Interest wherein respectively shall belong to the said Charity hereby incorporated, shall forthwith after the passing of this Act transfer and assign the same respectively, so and in such Manner as that the same shall be vested in the said hereby-erected Corporation, by the Name, Style, and Title herein-before mentioned and enacted.

Persons in whose Names Monies are invested, to transfer the same to the Corporation.

XIV. And be it further enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Treasurer for the Time being of the said hereby-erected Corporation, and he is hereby authorized and required, (but subject and without Prejudice to the Powers hereby vested in the General Courts,) from Time to Time,

Treasurer to lay out and invest Monies of Corporation.

by and with the Consent and Approbation of the Committee thereof for the Time being, or the major Part of such of the said Committee as shall be present at any of their Meetings, to lay out and invest all or any such Sums or Sum of Money as have or hath been paid, given, devised, or bequeathed, or shall at any Time or Times hereafter be paid, given, devised, or bequeathed by any charitable or well-disposed Person or Persons, to and for the charitable Ends and Purposes in this Act mentioned, or any Part thereof, other than and except such and so much thereof as the Exigences of the said Corporation shall call for the immediate Application or Expenditure of, in any of the Public Funds, in the Name of the said hereby-erected Corporation.

Dividends
to be ap-
plied to the
Purposes
of the Act.

XV. And it is hereby enacted and declared, That (subject and without Prejudice as aforesaid) the Dividends, Interest, and annual Proceeds which shall from Time to Time arise from the Funds and Securities belonging or which shall at any Time belong to the said hereby-erected Corporation, shall from Time to Time be applied to and for the Uses, Ends, Intents, and Purposes in this Act mentioned.

XVI. And be it further enacted, That in case of the Death or Removal or Resignation of any President, Vice President, Treasurer, Committeeman, Visitor, or Auditor for the Time being of the said Corporation, it shall and may be lawful to and for the Members of the said Corporation at any General Court, or the major Part of them then and there present, to nominate and appoint a President, Vice President, Treasurer, Committeeman, Visitor, or Auditor, in the Room of the President, Vice President, Treasurer, Committeeman, Visitor, or Auditor so deceased, or having resigned or being removed: Provided always that such Committeeman, Visitor, or Auditor so to be nominated or appointed, shall be considered as appointed to serve the said Office for the Period only that the Person in whose Place and Stead he shall have been appointed had to remain in such Office at the Time of his Decease, Resignation, or Removal.

For supplying Vacancies of Committee men, &c.

XVII. And be it further enacted, That all Questions at any General Court or Committee shall be decided by Vote, and in case of an Equality of Voices the President or Chairman shall have the casting Vote; and that at all General Courts Seven shall be sufficient to act, and

Questions to be decided by Vote.

that at all Meetings of the Committee Three shall be sufficient to act.

Committee
may ap-
point Offi-
cers and
Servants,
who are to
account.

XVIII. And be it further enacted, That it shall and may be lawful to and for the Committee aforesaid, or the major Part of them assembled at any monthly or other Meeting, from Time to Time and at all Times to appoint any Persons to be Chaplain, Secretary, Solicitor, Physician, Surgeon, Apothecary, and Superintendant, and also such Officers and Servants as shall be necessary for the Purposes of the said Corporation, and from Time to Time to suspend or remove them respectively, and appoint others in case of Death, Resignation, or such Suspension or Removal, and to allow and pay such Salaries, Wages, and Allowances to the said Officers and other Persons, as the said Committee or any Three or more of them shall think reasonable; and the said Committee or any Three or more of them shall and they are hereby required to take such Security from every such Officer for the due Execution of his Office as they shall think proper; and all such Officers so to be appointed shall, under their Hands, at such Time or Times and in such Manner as the said Committee or any Three or more of them shall direct, deliver to the said

Committee, or to such Person or Persons as they or any Three or more of them shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by the said Corporation, or the said Committee or any Three or more of them, and also of all the Monies which shall have been by such Officers respectively received for the Purposes of the said Institution, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Committee or any Three or more of them, or to such Person or Persons as they shall appoint to receive the same; and all the said Officers so accounting as aforesaid shall verify their said Accounts; and if any such Officers shall refuse or neglect to make and render or to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid or shall refuse or wilfully neglect to deliver to the said Committee, or any Three or more of them, or to such Person or Persons as they shall appoint to receive the same, within Fourteen Days after being thereunto required by the said Committee, or any Three or more of them, by

Notice in Writing, given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the said Institution, or give satisfaction to the said Committee, or any Three or more of them, respecting the same, then and in every such Case, upon Complaint made by the said Committee, or any Three or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant under his Hand and Seal for the Officer so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been received for the Purposes of the said Institution shall remain due from such Officer, such

Justice may and he is hereby authorised and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render or give such Account or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the said Institution shall be in the Custody or Power of such Officer, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Committee or any Three or more of them for the said Money, and shall have paid such Composition in such Manner

as they shall appoint (which Composition the said Committee, or any Three or more of them, are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Committee or any Three or more of them : Provided always, that no Officer or Person who shall be so committed for Want of sufficient Distress shall be detained in prison by virtue of this Act for any longer Space of Time than Six Calendar Months.

Treasurer
to account.

XIX. And be it further enacted, That the Treasurer for the Time being of the said Corporation shall give in his Accounts from Time to Time when required either by the Committee at any of their monthly or other Meetings, or at any General Court, there to be examined and allowed or disallowed, and shall pay over all the Monies remaining in his Hands, and transfer all or any Funds which may at any Time be standing in his Name as Treasurer as aforesaid, to the Treasurer immediately succeeding him, on Demand by such succeeding Treasurer, with the Authority of the Committee, or of the General Court at which such succeeding Treasurer shall be elected or appointed.

XX. Provided always, and be it further enacted, That it shall not be lawful for the said Corporation to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or his Partner, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk of the said Corporation; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of his Partner, shall Act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any place of Profit or Trust under the said Corporation other than that of Treasurer, every Person so offending shall for every such Offence forfeit

Clerk and
Treasurer
not to be
the same
Person.

and pay the Sum of One Hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at Westminster, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Appeal.

XXI. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Order, Judgment, or Determination of any Justice or Justices of the Peace acting in the Execution of this Act, such Person or Persons may appeal to the Justices of the Peace at the first General or Quarter Sessions of the Peace to be holden for the County, City, or Place within which the Matter of Appeal shall arise, next after the Expiration of One Calendar Month from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Person or Persons appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County, City,

or Place, with Two sufficient Securities, conditioned to try such Appeal and abide the Award and Order of the said Court thereon; and the said Justices at such Session, upon due Proof of such Notice having been given and Recognizance entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a Summary Way, and to make such Determination therein, and to award such Costs to either of the Parties, or otherwise, as they the said Justices shall judge proper; and all such Determinations of the said Justices shall be binding, final, and conclusive to and upon all Parties to all Intents and Purposes whatsoever.

XXII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity that shall be afterwards done by the Party

Distress
not to be
unlawful
for want of
Form.

or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action upon the Case.

Proceed-
ings not to
be quashed
for Want
of Form.

XXIII. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings touching or concerning any Offender or Offenders against this Act shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any Law or Statute to the contrary therof in anywise notwithstanding.

Limitation
of Actions.

XXIV. And be it further enacted, That if any Action shall be brought or Suit commenced against any Person or Persons, for any thing done in pursuance of this Act or in relation to the Premises, or any of them, every such Action or Suit shall be laid or brought within Six Calendar Months next after the Offence committed, or Cause of Action or Suit accrued, and not afterwards, in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Actions, may

plead the General Issue, and give this Act and the special Matters in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall not be brought within the Time before limited, or shall be brought in any other County or Place than as aforesaid, or after sufficient Amends shall have been tendered, or the Damages to be found shall not exceed the Sum of Money which may have been paid into Court, which it may be lawful for any Defendant or Defendants in such Action to do, then the Jury shall find for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs in other Cases by Law.

XXV. And be it further enacted, That the Expenses
Costs, Charges, and Expences attending or incident of Act.

to the obtaining and passing of this Act shall and may be paid and defrayed by the Treasurer to the said Corporation, by and out of any Money already received or hereafter to be received by the said Treasurer.

Public Act. XXVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without specially pleading the same.