



ANNO QUADRAGESIMO NONO

GEORGI III. REGIS.

Cap. 18.

An Act for establishing and well-governing the Charitable Institution called *The Society of Stewards and Subscribers for maintaining and educating poor Orphans of Clergymen until of Age to be put Apprentice*; and for incorporating such Society; and for more effectually enabling them to carry on their charitable and useful Designs. [28th April 1809.]

WHEREAS in the Year One thousand seven hundred and forty-nine, a Charitable Society was formed for maintaining and educating poor Orphans, of both Sexes, of Clergymen of the Church of *England*, until of Age to be put Apprentice; and the said Society hath been supported by the voluntary Subscriptions and Donations of charitable and well-disposed Persons, and a very great Number of such Orphans have been received into the respective Schools of the said Charity, and maintained and educated by means of the Funds belonging thereto; and such Orphans have been instructed in the Doctrines of the Christian Religion as taught by the established Church, and in Reading, Writing and Arithmetic, and the Girls also in Needlework and Household Business, and trained in Habits of Industry and Regularity: And whereas Experience hath shewn that the said Charity hath been hitherto of considerable Advantage to the Public, and it is apprehended, that if countenanced and supported by the Laws of this Realm, and established upon a permanent Footing, and vested with Powers for better enabling

[Loc. & Per.]

Corporation
for clothing,
maintaining
and educating
poor Orphans
of Clergymen.

the Subscribers thereto to carry into Execution their charitable and useful Designs, the said Charity would be of much more extensive Use, and of still greater Benefit and Advantage to the Public: And whereas 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 clothing, maintaining, and educating poor Orphans of Clergymen until of Age to be put Apprentice; and that His Royal Highness *Frederick* Duke of *York* Knight of the Most Noble Order of the Garter, His Highness *William Frederick* Duke of *Gloucester* Knight of the Most Noble Order of the Garter, the Most Reverend his Grace *Charles* Lord Archbishop of *Canterbury*, the Right Honourable *John* Lord *Eldon* Lord High Chancellor, the Honourable and Most Reverend his Grace *Edward Venables* Lord Archbishop of *York*, the Right Honourable *John William* Earl of *Bridgewater*, the Right Honourable *George Harry* Earl of *Stamford* and *Warrington*, the Right Honourable *George* Earl of *Dartmouth* Knight of the Most Noble Order of the Garter, the Right Honourable *Jacob* Earl of *Radnor*, the Right Honourable *Robert* Earl *Grosvenor*, the Right Honourable *Charles* Earl of *Romney*, the Reverend and Right Honourable *William* Earl *Nelson* Duke of *Bronte*, the Right Honourable *Thomas* Lord Viscount *Cremorne*, the Right Reverend *Beilby* Lord Bishop of *London*, the Honourable and Right Reverend *Shute* Lord Bishop of *Durham*, the Honourable and Right Reverend *Brownlow* Lord Bishop of *Winchester*, the Right Reverend *Thomas* Lord Bishop of *Ely*, the Right Reverend *Folliott Herbert Walker* Lord Bishop of *Worcester*, the Honourable and Right Reverend *James* Lord Bishop of *Lichfield* and *Coventry*, the Right Reverend *Richard* Lord Bishop of *Llandaff*, the Right Reverend *George* Lord Bishop of *Lincoln*, the Right Reverend *William* Lord Bishop of *Saint Asaph*, the Right Reverend *Richard* Lord Bishop of *Bath* and *Wells*, the Right Reverend *Spencer* Lord Bishop of *Peterborough*, the Right Reverend *John* Lord Bishop of *Hereford*, the Right Reverend *John* Lord Bishop of *Chichester*, the Right Reverend *John* Lord Bishop of *Bangor*, the Right Reverend *Henry William* Lord Bishop of *Chester*, the Right Reverend *George Isaac* Lord Bishop of *Gloucester*, the Right Reverend *Walker* Lord Bishop of *Rockester*, the Honourable and Right Reverend *George* Lord Bishop of *Exeter*, the Right Reverend *Thomas* Lord Bishop of *Saint David's*, the Right Reverend *John* Lord Bishop of *Salisbury*, the Right Reverend *Henry* Lord Bishop of *Norwich*, the Right Reverend *Charles* Lord Bishop of *Oxford*, the Right Reverend *William Lort* Lord Bishop of *Bristol*, the Right Reverend *Samuel* Lord Bishop of *Carlisle*, the Right Honourable *John* Lord *Willoughby de Broke*, the Right Honourable *Edward* Lord *Ellenborough* Lord Chief Justice of *England*, the Right Honourable *George* Lord *Kenyon*, the Right Honourable Admiral Lord *Radstock*, the Right Honourable Sir *William Scott* Doctor of Laws Judge of the High Court of Admiralty, the Honourable *Philip Pusey*, the Reverend *Richard Bullock* Doctor in Divinity, the Reverend *Anthony Hamilton* Doctor in Divinity Archdeacon of *Colchester*, the Reverend *George Owen* Cambridge Master of Arts Archdeacon of *Middlesex*, the Reverend *William Morice* Doctor in Divinity, the Reverend *James Evans*, the Reverend *Benjamin Lawrence*,
the

the Reverend *Millington Buckley*, the Reverend *William Antrobus*, the Reverend *William Van Mildert*, the Reverend *John Moore* Bachelor of Laws, the Reverend *Edward Embry*, *Clement Samuel Strong* Esquire, *George Samuel Wegg* Esquire, *Thomas Finch* Esquire, *David Pike Watts* Esquire, *Francis Gosling* Esquire, *John Matthew Grimwood* Esquire, *John Bowles* Esquire, *William Hamilton* Esquire, *John Gipps* Esquire, and *James Bish* Esquire, together with any Person or Persons who hath or have paid, at one Time, or in the course of any one Year for the Use of the said Society, the Sum of Twenty-one Pounds or more, or at any Time hereafter shall pay into the Hands of the Treasurer of the said Society for the Time being the Sum of Twenty-one Pounds, or such other Sum as the General Court herein-after mentioned of the said Society shall from Time to Time appoint or prescribe as a Life Governor's Subscription or more, at one Time, or in the course of any one Year, for the Use of the said Society, provided the same be accepted by the Committee herein-after mentioned for the Time being of the said Society, shall be and are hereby appointed Governors of the said Society; 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 Guinea, or such other Sum as the said General Court shall from Time to Time appoint or prescribe as an Annual Governor's Subscription, or more, for the Use of the said Society, provided the same be accepted by the said Committee as aforesaid, shall, during such Time as they shall respectively continue to pay the same, and also every Person who shall be appointed by any General Court of the Governors of the said Society shall be respectively Governors of the said Society; and the said Governors, and the President, Vice-President, Treasurer, and Secretary of the said Corporation for the Time being shall be and they are hereby declared and adjudged to be One Body Corporate and Politic in Deed and in Law, by the Name of

‘ The Governors of the Society for clothing, maintaining, and educating
‘ poor Orphans of Clergymen of the Established Church, in that Part
‘ of the United Kingdom of *Great Britain* called *England*, until of Age
‘ to be put Apprentice;’ and that by the same Name they shall have per-
petual 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 and for the Benefit of the said Society, 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 here-
after, without Licence in Mortmain, purchase, take or receive, hold and
enjoy any Lands, Tenements or Hereditaments, or any Estate, or Interest
arising or derived out of any Lands, Tenements or Hereditaments for the
Purposes of the said Charity.

Constitution
of the Body
Corporate.

Common
Seal.

Power to sue.

Power to pur-
chase, &c.
Land.

II. And be it further enacted, That the said *Beilby* Lord Bishop of *London* shall be and he is hereby appointed President of the said Corpora-
tion;

Vice-President.

Treasurer.

Secretary.

Committee.

General Court.

Annual General Court.

Election of Officers.

Power of Committees to meet.

tion; and that the said *Clement Samuel Strong* Esquire shall be and he is hereby appointed the Vice-President of the said Corporation; and that the said *James Busb* Esquire shall be and he is hereby appointed Treasurer of the said Corporation; and that the said Reverend *Edward Embry* shall be and he is hereby appointed Secretary of the said Corporation; and that the Most Reverend his Grace *Charles* Lord Archbishop of *Canterbury*, the Right Honourable *Robert* Earl *Grosvenor*, the Reverend and Right Honourable *William* Earl *Nelson* Duke of *Bronte*, the Right Honourable Admiral Lord *Radstock*, the Honourable *Philip Pusey*, the Reverend *Richard Bullock* Doctor in Divinity, the Reverend *Anthony Hamilton* Doctor in Divinity Archdeacon of *Colchester*, the Reverend *William Morice* Doctor in Divinity, the Reverend *George Owen Cambridge* Master of Arts Archdeacon of *Middlesex*, the Reverend *James Evans*, the Reverend *Benjamin Lawrence*, the Reverend *Millington Buckley*, the Reverend *William Antrobus*, *George Samuel Wegg* Esquire, *David Pike Watts* Esquire, *Francis Gosling* Esquire, *Thomas Finch* Esquire, *John Gipps* Esquire, *John Matthew Grimwood* Esquire, and *John Bowles* Esquire, together with the President, Vice-President, Treasurer, and Secretary of the said Corporation for the Time being, shall be and they are hereby appointed a Committee for transacting and managing the Affairs of the said Corporation, any Five of whom shall be a Quorum; and the said President, Vice-President, Treasurer, Secretary, and Committee, shall continue until the last *Tuesday* in the Month of *February* One thousand eight hundred and Ten and no longer, unless they shall be respectively re-elected to the said respective Offices; and the said President, or in his Absence the Vice-President, or the Treasurer or the Secretary, with any Seven or more of the other Members of the said Corporation, shall compose a General Court, and the first General Court shall be holden on the last *Tuesday* in the Month of *May* next, at such House or Place as the said Committee shall appoint; and a General Court of the Members of the said Corporation shall be holden Four Times at the least in every Year; that is to say, in the Months of *February*, *May*, *August* and *November* in every Year, and Notice of each such General Courts shall be given in one or more of the public Newspapers published in the Cities of *London* and *Westminster*, Six Days at the least before the Time so to be appointed for the holding of every such Court; and whenever Occasion shall require, a special General Court shall be holden by Order of the Committee, or the major Part of them present at any of their Monthly or other Meetings, upon the like Notice of such Special General Court being given Six Days at the least before the time so to be appointed for the holding of the same; and at the General Court which shall be holden in the Month of *February* in each and every Year, a President, Vice-President, Treasurer, Secretary, and Committee (consisting of Twenty of the Governors of the said Corporation) shall be elected for the ensuing Year; and the President, Vice-President, Treasurer, and Secretary of the said Corporation for the Time being, shall be Members of the said Committee, over and above such Twenty Governors so to be elected; and they the said President, Vice-President, Treasurer, and Secretary, or one of them, shall be present at every Committee acting under and by virtue of the Authority of this Act; and the Governors of the said Corporation assembled at any General Court as aforesaid, or the major Part of them so assembled, such Number of Governors so to be assembled being not less than Seven of such Governors, shall and may delegate such Powers and Authority to the said Committee as they shall

shall think necessary for the more speedy, easy, and effectual Execution of this Act; and that such Governors 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, and which shall from Time to Time be contributed and given by any Person or Persons on Account of the said Corporation, and all other Monies and Funds belonging or to belong to the said Corporation, to and for the Purposes aforesaid, and to, for, and on any other Purpose, Way, Matter or Thing relating to the said Corporation, and for the Benefit thereof, at their Discretion, and with and under their Common Seal, to enter into any Covenants and Contracts for the Purposes aforesaid, or for any other Purpose or Purposes for the better effecting and carrying on of the charitable Uses and Designs aforesaid, and to do, manage, transact, and determine all such other Matters and Things as shall to them or any Seven or more of them at any such Court, appear to be necessary, convenient, or proper for the effecting and carrying on of the good Purposes aforesaid; and it shall be lawful for the Governors of the said Corporation in a General Court assembled, or the major Part of them so assembled, but not less than Seven such Governors, 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, such Number of Governors so to be assembled being not less than Seven such Governors, shall seem necessary and convenient, touching or in anywise concerning the Affairs and Business, and the better governing, regulating, ordering, and managing of the said 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 of 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 from Time to Time to revoke, change, and alter the same, or any Part of them; which said Bye Laws, Constitutions, and Ordinances, which shall be so made, changed, and altered, as aforesaid, shall be duly kept and observed, provided that the same be 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, Constitution, 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 Course shall be observed in altering or repealing any such Bye-Laws, Constitutions, or Ordinances.

Power to a
General
Court to
contract, etc.

Bye Laws.

Power to
alter Bye
Laws.

III. And be it further enacted, That all and every Person and Persons in whose Name or Names any Sum or Sums of Money, Stocks, Funds, Annuities, Mortgages, Securities for Money or other Effects whatsoever shall at the Time of passing this Act stand or be secured, the beneficial Interest wherein respectively shall belong to the said Society 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 Corporation, by the Name, Style, and Title herein before mentioned and enacted; and that the Treasurer for the Time being shall receive all Rents, Issues and Profits, Dividends, Interest and Produce of Stocks, Funds, Annuities, Mortgages and other Securities for Money, belonging to the said Corporation, and all Subscriptions, Donations, Benefactions and

Trustees to
transfer.

Treasurer to
receive, etc.

[Loc. & Per.]

4. K.

Legacies

Legacies paid, given, or bequeathed thereto, as the same or any of them shall from Time to Time become due and payable, in the Name and for and on Behalf of the said Corporation; and that the Receipt of the said Treasurer for the Time being, the same being first duly stamped and given by him as for and in the Name of the said Corporation, shall be a sufficient Discharge for the same respectively.

Power to
Committee
and Treasurer
to invest.

IV. And be it further enacted, That it shall be lawful for the Treasurer for the Time being of the said Corporation, and he is hereby authorized and required from Time to Time, by and with the Consent and Approbation of the Committee thereof for the Time being, or the major Part of such Committee present at any of their Meetings, to lay out and invest all or any such Sum or Sums of Money as have or hath been 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, Intents, and Purposes in this Act mentioned, or any Part thereof, in any of the Public Funds, in the Name of the said Corporation, other than and except such and so much thereof as shall be requisite for immediate Exigencies and Expenditures.

Application
of the Divi-
dend, etc.

V. And be it further enacted and declared, That the Rents, Issues and Profits, 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 Corporation, shall from Time to Time be applied to and for the Uses, Ends, Intents, and Purposes in this Act mentioned, and to or for no other Use, Intent, or Purpose whatsoever.

Death or
Removal of
Officers, to
appoint others.

VI. Provided always, and be it further enacted, That in case of the Death or Resignation of the President or of the Vice-President, or Treasurer, or Secretary of the said Corporation, for the Time being, it shall be lawful for the Governors of the said Corporation, at any General Court, or the major Part of them then and there present, such General Court to consist of not less than Seven such Governors, to nominate and appoint a President, Vice-President, Treasurer, or Secretary, in the Room of the President, Vice-President, Treasurer, or Secretary, so deceased or having resigned.

Questions to
be decided by
Votes.

VII. And be it further enacted, That all Questions upon the Proceedings of the said Corporation 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, in addition to his own Vote, the casting Vote.

Vacancies
in Committee.

VIII. And be it further enacted, That the Governors of the said Corporation at a General Court, or the major Part of them present at such General Court, but such General Court to consist of not less than Seven such Governors, shall have Power from Time to Time and at all Times to fill up any Vacancy or Vacancies in the Committee; and it shall and may be lawful to and for the said Committee, so to be appointed, or any Five or more of them, at any Monthly or other Meeting, from Time to Time and at all Times to appoint such Person or Persons as they shall think fit to be Schoolmaster and Schoolmistress, and Menial Servants to the said Corporation, and from Time to Time to suspend or remove them respectively,

Schoolmaster
and Mistress,
and Menial
Servants.

Treasurer to
pay all Monies
to the succeed-
ing Treasurer,
etc.

X. Provided always, and be it further enacted, That the Treasurer to the said Corporation for the Time being 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 said Committee or any Five or more of them, or of the General Court at which such succeeding Treasurer shall be elected or appointed, and shall deliver over to such succeeding Treasurer all Books of Account, Muniments, Deeds, Vouchers, Securities, and Papers belonging to the said Corporation.

False Certi-
ficates.

XI. And be it further enacted, That if any Statement or Matter contained in any Certificate or Declaration, which the Committee of the said Corporation for the Time being, or any Five or more of them present at any of their Monthly or other Meetings, shall or may be required to be made and subscribed, previous to and for the Purpose of the Admission of any Orphan into any School of the said Corporation, according to the Rules of the said Corporation, shall be found to be false or untrue, that then the Admission of every Orphan under such false Certificate or Declaration shall be and is hereby declared to be void, and the Orphan so admitted shall be returned to his or her Mother or Friends, unless the Governors of the said Corporation at any General Court shall think fit to continue the said Orphan or Orphans in the said Charity.

Limitation
of Actions.

XII. 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 Twelve Calendar Months next after the Fact shall be committed, and shall be laid or brought in the County of *Middlesex*, or the City of *London*, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter 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, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions, Suit or Suits, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgement 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.

Treble Costs.

Public Act.

XIII. 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 being specially pleaded.