



ANNO VICESIMO QUARTO & VICESIMO QUINTO

# VICTORIÆ REGINÆ.

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## Cap. 1.

An Act to incorporate the Trustees of "The *Atkinson Institution of Glasgow*," acting under the Will of *Thomas Atkinson*, Bookseller and Stationer, of *Glasgow*, deceased, and to enlarge the Powers of such Trustees, the better to enable them to carry out the benevolent Designs of the said Testator. [1st August 1861.]

WHEREAS *Thomas Atkinson*, late of *Glasgow*, deceased, by his Trust Disposition and Deed of Settlement dated Seventeenth *September* One thousand eight hundred and thirty-three, disposed, assigned, conveyed, and made over from him, his Heirs and Successors, to and in favour of *William Smith*, Merchant, then residing at *Polmadie*, *William Dennistown Atkinson*, Merchant in *South America*, *William Bankier*, Calenderer in *Glasgow*, *Andrew Millar junior*, Merchant in *Edinburgh*, *Peter Inglis*, Merchant in *Glasgow*, *Dugald Campbell*, Drysalter there, *Charles Gray*, Distiller there, *George Ord*, Accountant there, *James Anderson*, Manufacturer there, and *John Kerr*, Writer there, and the Acceptors or Acceptor, and Survivors or Survivor of them,

Trust Disposition and Deed of Settlement dated 17th Sept. 1833.

[Private.]

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the Majority accepting and surviving, and resident in *Scotland*, being a Quorum, and to their Assignees or Disponees, and to such other Persons named, or as might be assumed named and appointed, as in the said Trust Disposition and Deed of Settlement is provided, all the Estate and Effects, Heritable and Moveable, Real and Personal, of which he then was or at the Time of his Death should be possessed, but always with and under the Burdens, Provisions, Conditions, and Reservations mentioned in the said Trust Disposition and Deed of Settlement, and for the Uses and Purposes therein specified; (that is to say,) in the first place, with and under the Burden of Payment of all lawful Debts which should be owing and undischarged by him, as well then as at the Time of his Death, together with his Funeral Expenses and the Expenses of executing the Trust; secondly, that the said Trustees should pay the various Legacies left or otherwise fulfil the various Bequests made by him in a Testament executed by him of similar Date with the said Trust Disposition and Deed of Settlement, as well as all Legacies and Bequests referred to in the said Testament, whether the same were contained in a Writing or Document of a formal Description, or in any informal Paper or Papers whatsoever, provided the latter was or were clearly indicative of his Will; thirdly, that the said Trustees should pay to his Mother in Liferent, for her Liferent Use, allenary, and not affectable by her Debts or Deeds, or any Diligence against her, but exclusively as an alimentary Provision, the Sum of Twenty-five Pounds yearly during the Period he might be abroad, and the Sum of Forty Pounds Sterling yearly after his Death, such Annuities being respectively payable at the Terms and in the Manner specified in the said Trust Disposition and Deed of Settlement; fourthly, that the said Trustees should as soon as might be collect together, and afterwards invest in such Securities as should appear to them to be safe and profitable, all his Means and Estate, for which Purpose they were thereby empowered to adopt all Measures they might judge beneficial or necessary, and should accumulate the annual Proceeds thereof until the Amount of Capital in their Hands should be at least Five thousand Pounds, or if Part of the said Capital should be invested in Heritages, until the clear annual Produce of the whole thereof was at least Four hundred Pounds, and as soon as the Accumulation of Capital or clear annual Produce should amount to either of the said Sums respectively the said Trustees should then assume into the Trust with themselves the following Persons; *videlicet*, the Members of Parliament for the City of *Glasgow*, the Lord Provost and Dean of Guild of the said City for the Time being, the Editors of the various Newspapers in *Glasgow* for the Time being, and also *Alexander Johnston*, Merchant in *Glasgow*, *Charles Hutchison*, Merchant there, *John Sommerville*, Merchant there, *Robert Bartholomew*, Merchant there, *John Cogan*, Merchant there, *David Gray*, Distiller there, *Robert Foote*,

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*Footte*, Architect there, *William Smith*, Hair Cloth Manufacturer there, and *Robert Thom*, Cotton Spinner in *Rothsay*, and the Survivors of them, and such other Persons as they might think best qualified for being associated with them in the Management of the Trust therein-after mentioned, so as to make the whole Number of Trustees, including themselves, Twenty-five, and immediately after such Number was completed, by Assumption or Nomination the said Disponees should convey to the said Twenty-five Trustees (whom it was by the said Trust Disposition and Deed of Settlement proposed should be designated "Public Trustees") and to their Successors, chosen as therein-after directed, his whole accumulated Means and Estate, in trust for the Ends and Purposes in the said Trust Disposition and Settlement specified; that is to say, *primo*, the said Public Trustees should establish in *Glasgow* an Institution for the Instruction of Artizans and all Members of the Middle Classes in Literature and Languages, which should be called "*The Atkinson Institution*," if such Name should not be deemed presumptuous, and only in the event of there being that Sympathy of public Feeling and spontaneous Respect for his Memory in *Glasgow* that would sanction such an Appellation, the Name being to him of no Importance, and only suggested by him for the Purpose of soothing his Relatives, who might expect to be benefited by his Succession, and recompensing them for the Disappointment; secondly, to enable the said Public Trustees the better to carry his Wishes into effect, they should endeavour to purchase, build, or rent a handsome amphitheatrical Hall of moderate Dimensions, and situated in and fronting One of the most central Streets of *Glasgow*, in which during each Year, and chiefly in Spring and Autumn, when other Classes are not crowded, should be taught by Lectures and Examinations and Exercises, and in a clear, simple, and popular Style, the following Branches of Knowledge; *videlicet*, the Principles of the *English* Language; Logic or the Art of Reasoning; and the Science of Mind, either phrenologically or otherwise, as the Spirit of the Age inclined, or according to the Views and Opinions of the Teacher for the Time; Political Economy in its most simple and popular Form, with prominent and special Reference to the true Principles of Population as in part developed by Mr. *Malthus*, (but subject to the Consideration that his Rationes are rather powerful Illustrations of a great Truth than Mathematical Demonstrations of the relative Degrees and Incidences of the Parts of that whole,) and with reference also to the Principles which regulate the Value of Labour and Rate of Wages, to the beneficial Power of Capital, rightly directed, to the advantageous or injurious Tendency of Unions, Combinations, Strikes, or other extraordinary Movements of Bodies of Artizans or Capitalists, and to Machinery as a Substitute for Human Labour, Poor Laws, and in general every other Topic treated under Political Economy in its broadest Sense, or affecting the Welfare of

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Society (declaring that though his own Opinions were those held and promulgated by Miss *Martineau*, which Consideration, while it might in some measure guide, should never be permitted to control, the Development of Opinions in said Institution); the Science of Government or Legislation, and general Politics (without Allusion to temporary Controversies, but with constant Reference to the great Doctrine that to procure and secure the greatest Happiness to the greatest Number is the noblest of earthly Aims for every Member of the Human Family); the Philosophy of History, or Deductions from the Records of the Past in the Annals of Communities, with ample Consideration and Discussion of the Influence of free Institutions, of the Influence and Progress of Literature and Art, and of the Rise and Progress and Effects of general and particular Commerce and Manufactures, and with frequent reference to as well as occasional separate Courses regarding those Portions of the Polity of *Great Britain* and the States of *America*; Domestic Economy, first as regards the Utility of the Artizan always keeping his Expenditure within his Income, and next in respect to the cheapest, best, and most agreeable Methods of receiving the greatest Amount of Nutrition, Comfort, and Pleasure from Food and Clothes; Poetry, Rhetoric, and Eloquence, their History, Influence, and Principles, including the Theory of Taste and Beauty, and the Practice of sound Criticism in the Belles Lettres; the *French* Language in the most thorough Manner, and so much of the *Latin* Language as will enable all to understand indispensable Quotations and proverbial Phrases in valuable *English* Works, by some One of those popular Plans by which Numbers can be taught in the same Time and as easily as a few; and the imitative Arts, their History, Theory, and Practice, with detailed Reference, in Architecture, to the Labours of the Mason, Sculptor, and Stone Cutter, in Colouring and the Arts of Design, to those of the Calico Printer, Pattern Drawer, Fancy Weaver, and similar Tradesmen, and in Drawing to the various Departments that bear even indirectly upon the Labours of the Artizans above mentioned, as well as the Culture of the general Taste; thirdly, the said Public Trustees should not be bound to appoint permanent Lecturers in those Branches of Knowledge or any of them, but rather to engage from Time to Time young Men of great Talent, or Men of established Reputation, to visit the City, and deliver One or Two Courses only at a Time, thus avoiding the annual Repetition of Lectures, without any Variation or Improvement, and preserving a perpetual Interest in the Institution by a Succession of novel Lectures and of new and eminent Men, and to the Lecturers so employed the said Trustees should pay from the annual Produce of the accumulated Funds in their Hands Salaries of a moderate Amount, the principal Profit of each Lecture to be derived from a small Fee payable by each Pupil; nor should the said Public Trustees

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Trustees be bound to commence the Tuition of the whole of the said Branches of Knowledge at One Time, his Wish being that the whole should be taught as soon as the Revenue of the Institution was adequate thereto; but that until this were the Case such and so many of them as might be deemed most useful and necessary to the Artizans of *Glasgow*, and as the Revenue of the Institution might enable the said Public Trustees to get taught, should be taught, leaving the others to be commenced from Time to Time as the Increase of Revenue should warrant; and as the Hall of the Institution might be frequently let out for Profit, but never on any Occasion for Purposes not congenial with those of the Trust, it was presumed that the said Public Trustees might annually derive sufficient Revenue therefrom not only to pay the Rent thereof, if taken, or the Interest of the Capital expended in building it, but also to pay the Wages of the Janitor thereof; fourthly, in general it was his Wish that the Constitution of the said Institution should be drawn up in the most popular Spirit, avoiding the Errors committed in the Constitutions both of *Anderson's University* and the *Mechanics Institution of Glasgow*, from a Leaning to aristocratical Feeling in the former, and to too democratical Provisions in the latter, but having reference to the principal Regulations of both, and to the Alterations and Improvements which Time and Experience have suggested thereon, and when such a Constitution had been drawn up it was his Wish that it be printed, and extensively circulated or distributed in *Glasgow*, and afterwards submitted to a public Meeting of the Citizens, to be finally determined upon; fifthly, it was his Desire that in carrying into effect the foresaid Provisions the said Trustees should not be restricted by any Want or Limitation of Power, and therefore he thereby conferred on them and their Successors the fullest Powers to execute the Trust before reposed in them, and merely enjoined them to adhere to the Spirit and Intention of the said Trust Disposition and Deed of Settlement, without feeling themselves bound to go into or to be hampered by Details which Time might prove to be useless or injurious to the Object he had in view, or even to preserve or continue the Tuition of Branches of Knowledge therein-before mentioned which might be superseded by others of greater Utility; sixthly, the said Trustees should always be in Number Twenty-five, and although he thereby appointed Vacancies to be filled up by the Vote of a Majority of the Acceptors and Survivors, until the Constitution before mentioned was prepared and adopted, yet it was his Will that the said Constitution should (*inter alia*) specify the Mode in which the said Twenty-five Trustees were afterwards to be elected, which should be as popular as good Order, Harmony, Dignity, and Speed in the Proceedings would admit of, and

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and by the Provisions of the said Constitution should the Trustees in Office at the Time be guided: And whereas the said *Thomas Atkinson* died at Sea on or about the Eleventh Day of *October* One thousand eight hundred and thirty-three, on his Voyage from *Liverpool* to *Jamaica*: And whereas upon the Notice being received of the Testator's Death some of the Trustees nominated in said Trust Disposition and Settlement accepted of the Trust, and proceeded in virtue thereof to take possession of the Property left by him, and paid all Debts he had contracted, and the various Legacies left by him in the Testamentary Deed before referred to, and also the Annuity provided to his Mother during her whole Lifetime after his Decease: And whereas the said *William Smith* of *Polmadie* died in *August* One thousand eight hundred and forty-seven, and was interred on the Thirteenth Day of that Month in the *Glasgow Necropolis*: And whereas the said *Andrew Millar*, Merchant, who at the Time of his Death resided at Number 7, *Salisbury Road, Edinburgh*, died on the Third Day of *May* One thousand eight hundred and fifty, and was interred on the Seventh Day of the same Month in the Burial Ground of *Saint Cuthbert, or West Kirk, Edinburgh*: And whereas the said *George Ord*, sometime Accountant in *Glasgow*, died at *Melbourne, Victoria*, on the Eighth Day of *August* One thousand eight hundred and fifty-eight: And whereas the said *Charles Gray* declined to accept the Office of Trustee of the said Institution, and he has since died: And whereas the said *William Dennistown Atkinson* and the said *Peter Inglis* have been for some Years resident in *Australia*: And whereas the said *James Anderson* (now Sir *James Anderson* Knight), *William Bankier*, *Dugald Campbell*, and *John Kerr* are the sole surviving Trustees of the said Will of the said *Thomas Atkinson* now resident in *Scotland*, and competent to act in the Execution of the said Trust, and are in this Act referred to as the existing Trustees: And whereas the Property now vested in the said Trustees upon the Trusts of the said Will of the said *Thomas Atkinson* is particularized in the Schedule hereunto annexed, and produces a gross annual Income of One hundred and ninety-six Pounds Ten Shillings, or thereabouts: And whereas many Years must elapse before the Accumulation of the Income of the said Trust Property will amount to a Sum sufficient to carry out the benevolent Intentions of the said Testator in the Manner directed by his said Will: And whereas, of the Persons nominated by the Testator as Public Trustees, the said *Alexander Johnston*, *Charles Hutchison*, *John Sommerville*, *John Cogan*, *David Gray*, *Robert Foote*, and *Robert Thom* are already deceased, and only *Robert Bartholomew* and *William Smith* are now alive, but  
both

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both have declined to accept the Office of Public Trustee: And whereas it is expedient, for the better Management of the Trust Property, and for carrying out the benevolent Designs of the said Testator, and establishing the Trust upon a permanent and secure Basis, and providing for a constant Succession of proper and fit Persons to act as Trustees of the said Property, that the Trustees of his Will should be incorporated, and that further and additional Powers should be vested in them; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it 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; (that is to say,)

1. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Atkinson Institution of Glasgow Act, 1861.*" Short Title.

2. In the Construction of this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there shall be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpre-  
tation of  
Terms.

The Expression "the Trustees" means the Trustees of the *Atkinson Institution of Glasgow* incorporated by this Act:

The Expression "the Institution" means the *Atkinson Institution of Glasgow*, as established by the said Trust Disposition and Deed of Settlement and this Act:

The Words "Lands or Heritages" shall extend to and include Lands, Teinds, Feu Duties and Feudal Services, Mills, Multure, Fishings, Servitudes, Superiorities, Casualties of Superiority, Patronages, Redeemable Rights, Leasehold Rights, Ground Rents or Ground Annuals, and other Heritages, of whatever Nature or Tenure:

The Word "Sheriff" means the Sheriff of the County of *Lanark*, and shall include the Sheriff Substitutes at *Glasgow* of the said County:

The Word "Officer" means and includes every Person employed by the Trustees in the Administration and Management of the Institution, such as Treasurer, Clerk, Secretary, Schoolmaster or Teacher, Janitor, and generally every Servant of the Trustees.

3. From and after the passing of this Act, the said *William Bankier*, Calenderer in *Glasgow*, *Dugald Campbell*, Drysalter there, Sir *James Anderson* Knight, Manufacturer there, *John Kerr*, Writer there (the existing Trustees), and *John Strang*, Doctor of Laws, Trustees in-  
corporated.

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Chamberlain

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Chamberlain of the City of *Glasgow*, *James Couper* of the City Flint Glass Works of *Glasgow*, One of the Magistrates of said City, *John Napier*, Engineer, *Glasgow*, *Joseph Bain* of *Westport*, Solicitor in *Glasgow*, *William Neilson* of *Camoquhill*, Insurance Agent, *Glasgow*, *James Macintosh*, Shipowner, *Glasgow*, *Moses Provan*, Accountant there, *Robert Hood Anderson*, Manufacturer there, and *John Crawford Kerr*, Solicitor there, which said Thirteen Persons, and the Persons to be from Time to Time elected in their Places, as herein-after provided, are in this Act referred to as the "elected Trustees," the several Persons who shall for the Time being be the Lord Provost of the City of *Glasgow*, the Dean of Guild of the City of *Glasgow*, the Representatives for the Time being of the City of *Glasgow* in the Commons House of Parliament, the Principal of the University of *Glasgow*, the Dean of the Faculty of Procurators of *Glasgow*, which said several last-mentioned Persons are in this Act referred to as the "*ex-officio* Trustees," and Six Persons to be elected under the Provisions of this Act by the Trustees, which said Six Persons are in this Act referred to as "the Editorial Trustees," shall and they are hereby declared to be One Body Politic and Corporate, by the Name and Style of the "Trustees of the *Atkinson Institution of Glasgow*," and by that Name shall have perpetual Succession and a Common Seal, with Power to change, alter, break, and make new the same when and so often as they shall judge the same to be expedient, and by the same Name shall and may sue and be sued, pursue and defend, in all and any Action, Suits, or Proceedings in all and in any Courts whatever, and may submit and refer, or compound or transact, any Questions or Claims in which the Institution may be interested: Provided always, that in the meantime and until the Capital of the Trust shall amount to at least Five thousand Pounds Sterling, or if Part of the said Capital shall be invested in Heritages until the net annual Income of the Trustees shall amount to the Sum of Four hundred Pounds, so much of this Section as provides that the *ex-officio* Trustees and the Editorial Trustees shall form Part of the Corporation hereby created shall be and the same is hereby suspended, and the elected Trustees shall be the Trustees, and shall and may have and exercise all the Powers of this Act, and all such other Powers, Rights, and Privileges in all respects as if they were the Trustees, and as if they were the sole Trustees: Provided also, that if at any Time after the *ex-officio* Trustees and the Editorial Trustees shall have become entitled to act as Trustees, such *ex-officio* Trustees or any of them, or the Editorial Trustees or any of them, shall not sign the Consent to act by this Act required, then and in any such Case the remaining Trustees for the Time being may exercise all the Powers of this Act, as fully as if they were the only Trustees authorized to be appointed

Suspension of the *ex-officio* and Editorial Trustees until Trust Estate shall amount to 5,000*l.*, or until Income shall amount to 400*l.* a Year.



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appointed by this Act for the Purpose of carrying the Powers thereof into execution.

4. The Trustees shall assemble and meet together yearly, quarterly, and at such other Times, when and as often as they shall think fit, until it shall be otherwise provided by the Byelaws hereafter authorized to be made, and from and after the passing of such Byelaws then at such Times and Places as shall be directed by the Byelaws for the Time being in force, and the Trustees present at any such Meeting (Five being a Quorum) shall and may from Time to Time do all such Acts as shall appear to them or the Majority of the Trustees then present to be necessary or fitting to be done in order to carry into full Operation and Effect the Object and Purposes of the Institution.

Trustees  
may hold  
Meetings.

5. The annual Meeting of the Trustees shall be held on the Second *Monday* in the Month of *January* in every Year, until otherwise directed by the Byelaws to be made as herein-after provided.

Annual  
Meeting.

6. The Trustees shall cause Minutes of all Resolutions, Determinations, Acts, and Proceedings at each of their annual and quarterly or other Meetings, and the Names of all Trustees present at every such Meeting to be entered in a Book to be provided for that Purpose.

Minutes of  
Proceedings  
to be entered,  
and Books  
to be kept.

7. When and as often as any Vacancy shall occur in the Number of elected Trustees by Death, Resignation, or any other Cause a Successor shall be appointed by the Trustees.

Vacancies  
in elected  
Trustees  
how to be  
filled up.

8. The Trustees may from Time to Time, when and as often as Need shall be or require, appoint such Treasurer, Secretary, Clerks, Factors, Managers, Lecturers, Schoolmasters, and Officers as shall be necessary, or as they shall think proper or advisable, for the due Management and Administration of the Affairs of the Institution, and for effecting the several Ends, Uses, and Purposes of the Trusts created by the said Trust Disposition and Deed of Settlement, and generally for carrying the same into execution, and they shall assign to the several Persons employed by them respectively the Performance of such Duties, and allow and pay such Salaries and Compensation, as they shall think expedient, and the Trustees shall, if and when they shall think proper, annul and vacate any such Appointments as aforesaid, and, if necessary, shall appoint other Persons in the several Places of the Persons whose Appointments shall have been so vacated, or restore such Persons to such Employments, as they may deem most advisable for the Interests of the Institution.

Appoint-  
ment of  
Officers for  
transacting  
the Business  
of the In-  
stitution.

9. All Deeds and Writings to be made by the Trustees relating to or affecting the Property, Real or Personal, of the Institution, shall

All Deeds to  
be sealed and  
signed by

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Two Trustees and the Treasurer.

shall be signed by the Treasurer for the Time being and Two of the Trustees, who shall from Time to Time be selected and appointed as a Committee for that Purpose at any Annual, Quarterly, or other Meeting of the Trustees, and the Seal of the Trustees shall be affixed to all such Deeds and Writings; and all such Deeds and Writings, being so signed and sealed, and otherwise attested according to the Law and Practice of *Scotland* where such Solemnities are required, shall be deemed and held to be the Deeds and Writings of the Trustees.

Treasurer to keep Accounts.

10. The Treasurer shall keep proper and regular Books of Account, exhibiting a full View of the Funds of the Institution, together with an Entry of every Article of Receipt and Expenditure, and such Books shall be examined and compared with the Vouchers once in every Six Months, and be brought to a general Balance, audited and passed by the Trustees, at the Annual Meeting.

Treasurer to receive Monies, &c.; his Receipts to be Discharges.

11. The Treasurer for the Time being of the Institution shall receive all Monies payable to the Institution or to the Trustees, either under the Authority of this Act or in virtue of the Trusts contained in the Trust Disposition and Deed of Settlement, or otherwise howsoever; and the Receipt of such Treasurer shall at all Times be a sufficient Discharge for the Monies therein expressed to be received, and shall wholly exonerate the Person paying the same from seeing to the Application thereof.

Trustees to be answerable only for Monies received.

12. The Trustees, and their respective Heirs, Executors, and Administrators respectively, shall be charged for such Monies only as they respectively actually receive by virtue of this Act, notwithstanding their respectively giving, signing, or doing, or joining in any Receipt or Act for the sake of Conformity, and no one of them shall be answerable for any other of them, or for the Insufficiency of any Security upon which any Part of the Trust Funds may at any Time be invested, if such Security were deemed or reported good at the Time of such Investment, or for any other involuntary Losses; and the Trustees respectively, out of any Monies which come to their respective Hands by virtue of this Act, may retain for and reimburse themselves respectively, and allow to the others of them respectively, all Costs, Damages, and Expenses which they respectively pay or incur in or about the Execution of this Act.

Power to make Byelaws.

13. It shall be lawful for the Trustees from Time to Time, at any Annual or Quarterly Meeting, to make all such Byelaws, Rules, Orders, and Regulations as they shall think fit for the Government of the Institution, and for the due and proper and effectual Administration of the Affairs and Property thereof, and for the Time and Mode of the Appointment, Election, Removal, Suspension, and Retirement

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Retirement of the Trustees, whether elected, *ex-officio*, or editorial, so far as the same is not provided for by this Act, and for the appointing, Election, Removal, Suspension, and Retirement of any Officers of the Institution, and from Time to Time to alter or rescind any such Byelaws, Rules, Orders, and Regulations, and make others, provided such Byelaws, Rules, Orders, and Regulations be not repugnant to the Laws of that Part of the United Kingdom called *Scotland*, or to the Provisions of this Act.

14. From and after the passing of this Act, all Lands and Heritages, Securities and other Property, Real or Personal, of or belonging to or held in trust for or for behoof of "The *Atkinson Institution*," under or by virtue of the Trusts contained in the said Trust Disposition and Deed of Settlement or otherwise howsoever, and which may now be vested in or held by the surviving Trustees therein named, or by any other Person or Persons whomsoever, for the Purposes aforesaid or any of them, whatsoever may be the Terms in which the Rights and Titles of the same or any Part thereof may have been taken, and without any new Conveyance or Assignment or Investment thereof, shall, subject to the Provisions of this Act, be and the same are hereby absolutely vested in the Trustees for the Ends, Uses, and Purposes specified in the said Trust Disposition and Deed of Settlement and in this Act.

Funds of present Trustees vested in incorporated Trustees.

15. The Trustees may acquire, purchase, receive, and take, and hold, possess, and retain, for the Ends, Uses, and Purposes, and for the Benefit of the Institution, any other Lands and Heritages of any Nature or Tenure, including Heritable Bonds, and Monies heritably secured, and also acquire, accept, and retain for the Purposes and for the Benefit of the Institution any Monies, Public Stocks, and Funds, and such other Securities as shall appear to them to be safe and profitable.

Power to acquire and hold other Property.

16. The Trustees may from Time to Time sell or otherwise dispose of all or any Part of any Lands or Heritages, Stocks, Funds, or Securities of the Institution, in such Manner as they shall from Time to Time determine and deem expedient, and shall lay out and invest the net Proceeds arising from any such Sale in or upon any other Lands or Heritages, Stocks, Funds, or other Securities as hereinbefore provided.

Trustees may purchase and sell Property.

17. The Trustees shall in the first place execute and carry into effect so much of the Will of the said *Thomas Atkinson* deceased as directs the Trust Property to be accumulated until the Amount of Capital of the Trust Funds shall be at least Five thousand Pounds, or if Part of the said Capital shall be invested in Heritages, the Income thereof, together with the Income arising from Gifts, Bequests, or

Trustees to execute the Trusts of the Will.

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other

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other Benefactions (if any), shall amount to the annual Sum of Four hundred Pounds, and in the next place, when and so soon as the Amount of Capital shall be at least Five thousand Pounds, or as the annual Income of the Trust Property shall amount to the Sum of Four hundred Pounds, such of the Trusts of the Will as directs the Manner in which the Income shall be applied.

Funds not to be applied otherwise than in pursuance of the Trust.

Trustees, &c. not to be Contractors.

18. It shall not be lawful for the Trustees to apply any Part of the said Trust Funds under their Charge to any other Purposes whatever than the Purposes of the Trusts declared by the said Trust Disposition and Deed of Settlement and this Act, nor shall it be lawful for any of the Trustees to hold any Office or Employment under the said Trust other than that of Treasurer, nor shall it be lawful for any of them, or for any Officer employed under them, to be Contractor for or Seller of any Articles required for the Institution, or Contractor for Buildings, Repairs, or Improvements connected with any Property belonging to the Trust, any such Contract, Agreement, or Transaction between the Corporation and any of the Trustees being hereby declared to be (*ab initio*) null and void.

Certificate of public Accountant to be Proof that Capital of 5,000*l.* or Income of 400*l.* has or has not been reached.

19. The Certificate in Writing of any public Accountant appointed by the Sheriff of *Lanarkshire*, and duly certified to the said Sheriff, that he has examined the Accounts of the Trustees, and that he is satisfied that the *bonâ fide* Amount of the Capital of the Trust Funds does not, or, as the Case may be, does, amount to the Sum of Five thousand Pounds Sterling, or that the net Income arising from the Trust Property for the Year ending on the Thirty-first Day of *December* next immediately preceding the Date of such Certificate was less, or, as the Case may be, amounted to or exceeded, the Sum of Four hundred Pounds, shall be conclusive Proof that such Capital was less than, or, as the Case may be, exceeded Five thousand Pounds Sterling, or that such Income was less than, or, as the Case may be, amounted to, or exceeded the Sum of Four hundred Pounds for such Year.

When Capital reaches 5,000*l.*, or Fund produces 400*l.* a Year, the *ex-officio* and Editorial Trustees to act and sign, Consent.

20. When and as soon as the Amount of the Capital of the Trust Funds shall be at least Five thousand Pounds, or the net Income of the Trust Funds shall have amounted to or exceeded the Sum of Four hundred Pounds in any One Year, the *ex-officio* Trustees and the Editorial Trustees to be elected as provided by this Act shall be entitled to take part in the Management of the Institution, but every *ex-officio* Trustee and also every Editorial Trustee, before he shall be deemed a Trustee, or shall act or vote at any Meeting of the Trustees, shall sign a Consent to act as such Trustee, and such Consent shall be in the following Form or to the like Effect; that is to say,

‘ I of  
 ‘ do hereby declare, That I am  
 ‘ and as such am entitled to act as one of the *ex-officio* [*or Editorial*]  
 ‘ Trustees

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‘ Trustees of the Atkinson Institution of Glasgow, and that I accept  
 ‘ the Office of such Trustee, and will faithfully and impartially  
 ‘ execute the same to the best of my Skill and Judgment.

‘ Dated this                      Day of                      ’

21. When and as soon as the Amount of the Capital of the Trust Funds shall be at least Five thousand Pounds, or the net Income of the Trust Funds shall have amounted to or exceeded the Sum of Four hundred Pounds in any One Year, then and in such Case and once in every Year thereafter the Trustees shall, by public Advertisement in any Two or more Newspapers published and circulated in the City of *Glasgow* not less frequently than once in each of Two successive Weeks, give Notice thereof, and that the *ex-officio* Trustees and the Editorial Trustees have become entitled to take part in the Management of the Institution.

When Public Trustees to act.

22. When and as soon as the *ex-officio* Trustees and the Editorial Trustees shall have become entitled to take part in the Management of the Institution, the Trustees shall with all convenient Speed, and in accordance with their Byelaws, Rules, Orders, and Regulations, nominate Six fit and proper Persons residing within or within Six Miles of the City of *Glasgow*, and who are or who have at some Time been Editors of Newspapers, Magazines, Reviews, or other periodical Publications, to represent the Editorial Trustees, and to act as Editorial Trustees in the Execution of this Act; and when and as often as any Vacancy shall occur in the Editorial Trustees for the Time being, by Death, Resignation, or any other Cause, a Successor, qualified as above mentioned, shall be appointed by the Trustees to fill such Vacancy.

Editorial Trustees to be appointed.

23. And with respect to the Service of Summons, Writs, or Notices on the Trustees, any Summons, Notice, or Writ or other Proceeding requiring to be served on the Trustees may be served by the same being personally given to the Secretary for the Time being of the Trustees, or being left at the Office of such Secretary of the Trustees, or being delivered to some Inmate at the Place of Abode of such Secretary, or in case there shall be no Secretary, or the Place of Abode of such Secretary shall not be found, then to be personally given to any Two of the Trustees, or to the Treasurer for the Time being of the Institution.

As to Services of Notices, &c. upon the Trustees.

24. All the Costs, Charges, and Expenses of and incidental to applying for and obtaining and passing this Act shall be paid out of the Funds of the Institution, in preference to all other Payments whatsoever.

Expenses of Act.

25. Saving to the Queen's most Excellent Majesty and all Persons (except such Persons as are legally or equitably interested under

General Saving of Rights.

