



ANNO TRICESIMO NONO & QUADRAGESIMO

# GEORGH III. REGIS.

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## *Cap. 60.*

An Act for establishing and well-governing the Charitable Institution commonly called *The Asylum*, or House of Refuge for the Reception of Orphan Girls, the Settlements of whose Parents cannot be found, and for incorporating the Subscribers thereto; and for the better empowering and enabling them to carry on their charitable and useful Designs. [20th June 1800.]

**W**HEREAS in the Year One thousand seven hundred and fifty-eight a Charitable Society was entered into by several Noblemen, Gentlemen, and others, for establishing an Asylum or House for the Reception, Maintenance, Education, and Employment of friendless and deserted Orphan Girls, the Settlements of whose Parents could not be found, and the same hath been from that Time carried on in an House and Premises provided for the Purpose, situate in the Parish of *Saint Mary Lambeth*, 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 such Orphan Girls have been received into and maintained and educated thereby, and at proper Ages apprenticed therefrom; and such Orphan Girls have not only been sheltered and protected from Vice and Want, but carefully instructed in the Principles of Religion, and in Reading, Writing, Needlework, and Household Business, and trained to Habits of Industry and Regularity, whereby the Public hath been and continues to be provided with a Supply of diligent and sober Female Domestic Servants: And whereas Experience hath shewn that the said Charity hath

[*Loc. & Per.*] 13 R been

Corporation  
instituted for  
the Purposes  
of this Act.

been hitherto of considerable Use and an 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 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, as being a Means (by an Increase from Time to Time of the Funds of the said Charity) of adding to the Number of Objects to be 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 well governing an Asylum or House for the Reception, Maintenance, Education, and Employment of friendless and deserted Orphan Girls, the Settlements of whose Parents cannot be found; and that the most Honourable *Charles Marquis Cornwallis* Knight of the most Noble Order of the Garter, the most Honourable *George Spencer* commonly called Marquis of *Blandford*, the Right Honourable *George John* Earl *Spencer* Knight of the most Noble Order of the Garter, the Right Honourable *David William* Earl of *Mansfield*, the Right Honourable *Thomas* Viscount *Sidney*, the Right Honourable *Horatio* Baron *Nelson* of the *Nile* Knight of the most Honourable Order of the Bath, the Right Honourable Sir *Archibald Macdonald* Knight Lord Chief Baron of the Court of Exchequer, *Thomas Cadell* Esquire One of the Aldermen of the City of *London*, the Right Honourable *Jacob* Earl of *Radnor*, the Right Honourable *James* Earl of *Lonsdale*, Sir *Joseph Andrews* Baronet, *William Arnold*, *Robert Barclay*, *John Bell*, *George Blackman*, *John Bockett*, Esquires, the Reverend *Thomas Bracken* Clerk, *Thomas Bradley* M.D., *Bryan Broughton*, *Charles Rivington Broughton*, Esquires, *Charles Burney* LL.D., *Charles Carsan*, *Daniel Cox*, *Andrew Douglas*, *Thomas Fish*, *Frederick Gibson*, *John Griffith*, *Henry Hughs*, *Joseph Kilner*, *Richard Knight*, *Thomas Lancaster*, *Thomas Jacob Lancaster*, Esquires, *William Leighton* Esquire One of the Aldermen of the City of *London*, *Frederick Matthew*, *Francis Menet*, Esquires, the Reverend *Laurence Panting* Clerk, the Reverend *Thomas Pearce* D.D., *John Pinhorn*, *Percival Pott*, *Daniel Henry Rucker*, *William Salte*, *Thomas Scott*, *William Skelton*, *Thomas Slack*, *Mathew Slater*, *John Stanbank*, *Samuel Turner*, Esquires, the Reverend *William Vyse* D.D., *John Warburton* Esquire, *Robert Williams* the younger Esquire One of the Aldermen of the City of *London*, *Thomas Wilson*, *Charles Wright*, Esquires, and *Edward Smith Foss* Gentleman, together with any Person or Persons who hath or have paid, or at any Time hereafter shall pay into the Hands of the Treasurer of the said *Asylum* for the Time being the Sum of Thirty-one Pounds Ten Shillings at one Time, or in the Course of any one Year, for the Use of the said *Asylum*, shall be and are hereby appointed Guardians of the said *Asylum*; and also every Person who hath paid or at any Time hereafter shall pay into the Hands of such Treasurer the Yearly Sum of Three Guineas or more, for the Use of the said *Asylum*, shall, during such Time as they shall respectively continue to pay the same, and for ever after he or she shall

shall have paid the said Sum for Two Years successively, and also every Person who shall be appointed by any General Court of the Guardians of the said *Asylum*, shall be respectively Guardians of the said *Asylum*; and the President, Vice-Presidents, Treasurer and Guardians 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 President, Vice-Presidents, Treasurer, and Guardians of the Asylum for the Reception of Orphan Girls the Settlements of whose Parents cannot be found*; 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 and for the Benefit of the said *Asylum*, 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 hereafter, 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.

Their Stile,  
&c.

and Power.

II. And be it further enacted by the Authority aforesaid, That the said Corporation may, and they are hereby empowered to bind or place out Apprentice or Apprentices, Servant or Servants, to any Person or Persons whom the Committee for the Time being of the said Corporation, or the major Part of them, assembled at any of their weekly or other Meetings shall think fit, all and every or any of the Orphan Girls already admitted or hereafter to be admitted into the said *Asylum*, for such Term and Time and upon such Conditions respectively as the said Committee, or the major Part of them so assembled, shall think proper, so as no such Orphan Girl so to be bound or placed out as aforesaid shall be obliged to serve or continue in such Apprenticeship or Service longer than Seven Years.

Power to  
bind Ap-  
prentices.

III. And be it further enacted by the Authority aforesaid, That the said *Charles Marquis Cornwallis* shall be and he is hereby appointed President of the said Corporation; and that the said *George Spencer* commonly called *Marquis of Blandford*, *George John Earl Spencer*, *David William Earl of Mansfield*, *Thomas Viscount Sidney*, *Horatio Baron Nelson of the Nile*, and *Sir Archibald Macdonald*, shall be and they are hereby appointed the Vice-Presidents of the said Corporation; and that the said *Thomas Cadell* shall be and he is hereby appointed Treasurer of the said Corporation; and that the said *Sir Joseph Andrews* Baronet, *William Arnold*, *Robert Barclay*, *Daniel Coxe*, *Thomas Fish*, *Joseph Kilner*, *Thomas Lancaster*, *William Leighton*, *Francis Menet*, Esquires, the Reverend *Thomas Pearce D. D.*, *John Pinhorn*, *William Salte*, *Thomas Slack*, *John Stanbank*, *Samuel Turner*, Esquires, the Reverend *William Vyse D. D.*, *John Warburton*, *Robert Williams*

The First  
President,  
and Vice-  
Presidents,

Treasurer,  
and Com-  
mittee.

*Williams* the younger, *Thomas Wilson*, and *Charles Wright*, Esquires, shall be and they are hereby appointed a Committee for transacting and managing the Affairs of the said Corporation; and the said Treasurer and Committee shall continue until the first *Thursday* in the Month of *April* One thousand eight hundred and one, and no longer, unless they shall be respectively re-elected to the said respective Offices; and 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 Guardians, shall compose a General Court; and the first General Court shall be holden on the Third Day of *July* One thousand eight hundred, at the said House in the said Parish of *Saint Mary Lambeth*, or at such other House or Place as the said Corporation shall then occupy or use for carrying on the Business of the same; and shall then, and from Time to Time, be adjourned to such House or Place, Houses or Places, as for the Time being shall be so occupied or used, and at such Time or Times as the Court for the Time being shall think necessary for the due Execution of this Act; 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, on the First *Thursday* in *July*, the First *Thursday* in *October*, the First *Thursday* in *January*, and the First *Thursday* in *April*; and Notice of each of such General Courts shall be given in some or one of the Public Newspapers Three Days at the least before 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 assembled at any of their Weekly or other Meetings, upon the like Notice thereof being given Three Days at the least before the holding of the same; and at the General Court which shall be holden in the Month of *April* in each and every Year, the Treasurer and Committee (consisting of Twenty of the Guardians of the said Corporation) shall be elected for the ensuing Year; and the President, Vice-Presidents, and Treasurer of the said Corporation for the Time being, shall be Members of the said Committee over and above such Twenty Guardians so to be elected thereon; and the Guardians of the said Corporation assembled at any such General Court as aforesaid, or the major Part of them so assembled, but not less than Seven of such Guardians, 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 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 Purposes 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 any Seven or more 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 Powers and Authority to the said Committee;

as

Continuance  
of Treasurer  
and Com-  
mittee.

Who may  
compose a  
General  
Court.

The First  
Meeting on  
July 3, 1800.

A General  
Court to be  
held Quar-  
terly.

Special Ge-  
neral Courts.

Election of  
Treasurer  
and Com-  
mittee.

Power of Ge-  
neral Courts;

transact all  
Business, &c.  
may delegate  
Powers to  
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 Guardians of the said Corporation in a General Court assembled only, or the major Part of them so assembled, but not less than Seven such Guardians, 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, but not less than Seven such Guardians, shall seem necessary and convenient, touching or in any wise concerning the Affairs and Business, and the better governing, regulating, ordering, and managing of 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 this Kingdom.

and to order and dispose of the Use of the Common Seal, and to make Bye Laws,

and to revoke or alter the same.

IV. 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.

No Bye Law to be binding unless confirmed by a General Court.

V. And be it further enacted by the Authority aforesaid, 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 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 hereby erected Corporation, by the Name, Style, and Title herein-before mentioned and enacted.

Persons in whose Names Monies are invested, &c. to transfer and assign same to Corporation by Name.

VI. 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 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, other than and except such and so much thereof as the Exigencies 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.

Power for Treasurer with the Consent of Committee to invest Monies, except such as the Exigencies of the Corporation shall require, in any of the Public Funds.

Dividends,  
&c. to be  
applied for  
the Purposes  
of this Act.

VII. And it is hereby enacted and declared, That 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.

Election of a  
President,  
Vice Presi-  
dent, or  
Treasurer, in  
the Room of  
such as shall  
die or resign.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That in case of the Death or Resignation of the President, or of a Vice President or Vice Presidents, or Treasurer of the said Corporation, it shall and may be lawful to and for the Guardians of the said Corporation at any General Court, or the major Part of them then and there present, but not less than Seven such Guardians, to nominate and appoint a President, Vice President or Vice Presidents, or Treasurer, in the Room of the President, Vice President or Vice Presidents, or Treasurer so deceased, or having resigned.

Questions to  
be decided  
by Vote.

IX. 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 the casting Vote.

General  
Court em-  
powered to  
fill up Va-  
cancies in  
Committee,  
and appoint  
Officers, (ex-  
cept Matron,  
School Mis-  
tresses, and  
Menial Ser-  
vants, who  
are to be ap-  
pointed by  
Committee),  
and to allow  
reasonable  
Salaries.

Committee  
empowered  
to appoint  
Matron,  
School Mis-  
tresses, and  
Menial Ser-  
vants.

Committee  
may suspend  
or remove  
Officers, &c.  
and appoint  
others till a  
General  
Court be  
held.

X. And be it further enacted, That the Guardians of the said Corporation at a General Court, or the major Part of them present at such General Court, but not less than Seven such Guardians, shall have Power from Time to Time and at all Times to fill up any Vacancy or Vacancies in the Committee, and appoint such other Officers, Servants, and other Persons as they shall think necessary to employ for the Purposes and in the Execution of this Act, (except the Matron, School Mistresses, and Menial Servants, who shall be appointed by the Committee as hereafter mentioned), and from Time to Time to suspend or remove all such Officers, Servants, and other Persons, or any or either of them, as they shall think fit (except as aforesaid), and appoint others in case of Death, or such Suspension or Removal, and may, out of the Monies to be received for the Purposes of this Act, make reasonable Allowances to all such Officers, Servants, and other Persons, and to such Matron, School Mistresses, and Menial Servants, for their Services; and it shall and may be lawful to and for the said Committee so to be appointed, or any Three or more of them, at any Weekly or other Meeting, from Time to Time and at all Times to appoint such Person or Persons as they shall think fit, to be Matron, School Mistresses, and Menial Servants to the said *Asylum*, and from Time to Time to suspend or remove them respectively, and appoint others in case of Death or such Suspension or Removal; and also to suspend or remove any Officers, Servants, and other Persons as aforesaid, and to appoint others in case of Death or such Suspension or Removal, until a General Court shall be held; and the Guardians of the said Corporation at any such General Court, or the major Part of them then present, but not less than Seven, may confirm such Appointment or Appointments of such Officers, Servants, or other Persons, as last mentioned, or appoint others in their Room, as they shall think fit; and all and every such Officers, Servants, and other Persons of every Description shall, from Time to Time, (when thereunto required by the said Committee, or any Three or more of them), make and render to the said

said Committee, or any Three or more of them, a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which he, she, or they, and every of them respectively, shall to that Time have received, paid, and disbursed, by virtue of this Act, or by reason of their respective Offices; and in case any Money so received shall remain in their or any of their Hands, the same shall be paid 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 in case any such Officer or other Person shall not make and render, or shall refuse to verify any such Account, or to make any such Payment as aforesaid, then any Two or more Justices of the Peace for the Counties of *Surrey* or *Middlesex*, or for the City of *London*, or for such County as the said *Asylum* shall for the Time being be situated in, shall and may, upon Complaint to him or them, make Inquiry of and concerning such Default in a summary Way (as well by Confession of the Parties themselves as by the Testimony of One or more credible Witness or Witnesses upon Oath or Affirmation, which Oath or Affirmation the said Justices are hereby empowered and required to administer); and if any such Officer or Person shall be convicted of any such Offence, such Justices shall, upon such Conviction, commit the Party offending to the Common Gaol of the Counties of *Surrey* or *Middlesex*, or of the City of *London*, or of such County as the said *Asylum* shall for the Time being be situated in, there to remain, without Bail or Mainprize, until he, she, or they shall have made a true and perfect Account and Payment as aforesaid, or until he, she, or they shall have compounded and agreed with the said Committee, or any Three or more of them, and have paid such Composition Money, which Composition the said Committee, or any Three or more of them, are hereby empowered to make.

Officers, &c.  
to account;

and making  
Default  
therein,

to be com-  
mitted,

till an Ac-  
count be ren-  
dered, and  
Payment  
made or com-  
pounded.

XI. Provided always, and be it further enacted by the Authority aforesaid, That no Person who is or shall hereafter be elected or appointed Chaplain, or Morning or Evening or other Preacher to, or who is or shall be elected or appointed to officiate as a Clergyman for or on behalf of the said *Asylum*, shall in any Manner officiate in the Chapel thereunto belonging, or elsewhere within the same, unless such Clergyman shall be of the Church of *England*, and shall have been ordained a Priest, nor until he shall have been duly licensed by the Bishop of the Diocese within which the said Chapel shall for the Time being be situate; or in case the See shall be vacant, by the Archbishop of the Province.

No Chap-  
lain, &c. to  
officiate, &c.  
unless he be  
of the Church  
of England,  
and ordained  
a Priest, and  
duly licensed.

XII. Provided always, and be it further enacted by the Authority aforesaid, 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 Weekly or other Meetings, or at a 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.

Treasurer to  
account to  
the Commit-  
tee, or at a  
General  
Court.

XIII. And

Persons admitted into the Asylum, not to gain a Settlement thereby.

XIII. And be it further enacted, That no Person who shall be admitted into the said *Asylum* as an Orphan Girl, or who shall be employed in the said *Asylum* as an hired Servant, shall, by reason of such Admittance or Service, gain a Settlement in the Parish in which the said *Asylum* is or shall be situate.

Persons making false Certificates, &c.

XIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons who shall make and subscribe any Certificate or Declaration which the Committee of the said Corporation for the Time being, or any Three or more of them present at any of their Weekly or other Meetings shall or may require to be made and subscribed, previous to and for the Purpose of the Admission of any Orphan Girl into the said *Asylum*, according to the Rules of the said Charity, shall, in and by any such Certificate or Declaration, knowingly and wilfully certify or declare any Matter or Thing which shall be false or untrue; every such Person so offending, and being thereof duly convicted, shall be committed to the Common Gaol or House of Correction for the County, City, Borough, Town, or Place where any such Offender shall be so convicted, there to remain, without Bail or Mainprize, for any Time not exceeding Two Years, nor less than Six Calendar Months, in the Discretion of the Court before whom any such Offender shall be so convicted.

to be committed, &c.

Limitation of Actions.

XV. 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, in the said Counties of *Surrey* or *Middlesex*, or the said City of *London*, 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 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; 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.

General Issue.

Treble Costs.

Public Act.

XVI. And be it further enacted by the Authority aforesaid, 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.