



ANNO QUADRAGESIMO OCTAVO

GEORGI II. REGIS.

Cap. 121.

An Act for enlarging the Powers of an Act made in the First Year of the Reign of His late Majesty King *George* the Second, intituled “An Act to perpetuate
“and better regulate the Charitable Foundation of
“Doctor *Nathaniel Foy*, late Lord Bishop of
“*Waterford* and *Lismore*, in the City of *Water-*
“*ford*,” and for other Purposes therein mentioned.
[18th June 1808.]

WHEREAS by an Act of the Parliament of *Ireland* made in the First 1 Geo. 2.
Year of the Reign of His late Majesty King *George* the Second,
intituled “An Act to perpetuate and better regulate the Chari-
“table Foundation of Doctor *Nathaniel Foy*, late Lord Bishop of *Waterford*
“and *Lismore*, in the City of *Waterford* ;” it is (among other Things) re-
cited that the said *Nathaniel Foy*, by his last Will and Testament in Writing,
bearing Date the Twenty-sixth Day of *December* One thousand seven hun-
dred and seven, did, among several other Legacies and Bequests therein
contained, order and direct his Executors to pay unto his Sister Mistress
Elizabeth Moore the usual Interest Money or Yearly Produce of Six
hundred Pounds by quarterly Payments, for her Maintenance during
her Life; and to his Sister Mistress *Cassandra Gibbon* the usual Interest
Money or Yearly Produce of Two hundred Pounds, by Quarterly Pay-
ments during her Widowhood; and thereby ordered that a School
should be built with Lime and Stone in some convenient Place within
the City of *Waterford*, and an Apartment at one End thereof for a School-
[Loc. & Per.] 26 K Master

The Will of
the Bishop of
Waterford.

Master, who should be obliged to teach Fifty Children of the Inhabitants of *Waterford* gratis, to read, write, and cast Accounts, and to say their Catechism; and that a Clergyman of the City of *Waterford*, to be appointed by the Lord Bishop of *Waterford* for the Time being, should be allowed Ten Pounds *per Annum*, to repair to the said School weekly, every *Thursday* in the Afternoon, and then and there, to examine the said Children, whether they perfectly retained their Catechism in Memory, and afterwards to instruct them in the Meaning and Sense thereof, after such plain and familiar and interrogatory Manner, as is suitable to the Capacity of Children, and that so shortly, briefly, and concisely, as that the whole Catechism might be gone through Twice every Year, causing the said Children to give their Sense and Meaning of each Question and Answer, in their own Words, and according to their own Apprehensions, after such Time as they had been duly instructed by him; and as to all the rest and Residue of his Estate whatsoever, after his Debts, Funeral Expences, Legacies, and other former Bequests, mentioned in his said Will, should be paid and discharged, and after the Time of paying the Interest of Six hundred Pounds to his said Sister *Elizabeth Moore*, and of the Two hundred Pounds Interest to his said Sister *Cassandra Gibbon*, should be lapsed and determined, and the said Interest should be no longer to be paid, by his said Will, he gave all such Rest and Residue of his Estate to be employed in the building the said School and Apartment for the Schoolmaster, and for the maintaining and upholding of the same, and for purchasing Lands, Tenements, and Hereditaments, to maintain the Schoolmaster, whom he thereby directed to have Forty Pounds a Year for his Salary, and to pay the Minister's Salary of Ten Pounds *per Annum*, who should perform the Office therein and herein before mentioned; and that if it should so happen, that the Residue of his Estate not disposed of therein by former Bequests, should be more than sufficient, for the building and upholding the said School and Apartment, and to pay the Forty Pounds *per Annum* to the Schoolmaster, and Ten Pounds *per Annum* to the Minister, that then the Salaries of each of them should be increased as high as his Estate would admit of; and that the Number of Scholars to be taught should be increased proportionably to their Salaries, (that is to say), as the Proportion of Fifty Scholars is to the Proportion of Forty Pounds *per Annum* to the Schoolmaster, and Ten Pounds *per Annum* to the Minister, so should the Number of Fifty Scholars to be taught and instructed as aforesaid, be increased according to the Increase of the Salaries before mentioned: And he further declared in his said Will, that because the Design and Intent of the Foundation of the said School, was only to fit poor indigent Children for Trades, or the *Latin* School, none of the Scholars so to be taught should remain there above Four Years, to be computed from their first Admission thereto; and did further order and direct by his said Will, that the Lord Bishop of *Waterford* for the Time being should have the Nomination, Choice, and Appointment of the said Schoolmaster and Minister to the said School; and that they and each of them jointly or severally should be continued or displaced at the said Bishop's Pleasure, according as he should judge of their or either of their well or ill Demeanour of themselves in their respective Offices: And to the Intent that no Favour or Affection might take place, but that the greatest Objects of Charity might be preferred, he declared it to be his Desire and Request that the Mayor, with any Three Aldermen and the Sheriffs of the City of *Waterford* for the Time being, should

should quarterly, half-yearly, or yearly, according as the Scholars taught in the said School should be removed to Trades or otherwise, for the better Information and Direction of the Bishop, signify the Names of such Persons whom they should think fit to be admitted and taught in the said School, of whom if the Bishop should approve, upon signifying his Pleasure to the Schoolmaster, they were to be admitted and taught in the said School; but if it should so happen that he should disapprove of any of them, the said Bishop might place such others in their Rooms as he should think fit, and upon Neglect or Defect of such Recommendation the said Bishop was desired to take care that the Vacancy should be filled up, according as he in his Prudence and Wisdom should think fit: And by his said Will did appoint the Reverend *Thomas France* and *James Medlicot* his Executors, who proved the said Will in the Prerogative Court of that Kingdom, and by virtue thereof possessed themselves of all the Estate belonging to the said late Lord Bishop, and soon after the said late Lord Bishop's Decease built the said School-House and Apartment for the Master in pursuance of his said Will: And it is further recited, that the said *Thomas France* and *James Medlicot* did purchase the Town and Lands of *Kellenasbegg*, *Mothill*, and *Ballyyoguin*, alias *Bally Kneen*, in the County of *Waterford*, from *Reynolds Calthorpe* and *Samuel Battley*: And that the said *James Medlicot* did some time after die, whereby the sole Execution of the said Will devolved upon the said *Thomas France*, as surviving Executor thereof, who after the said *James Medlicot*'s Death purchased the following Lands, Tenements, and Hereditaments, *videlicet*, the Town and Lands of *Hacketts Town* and *Ballyowen*, alias *Ballywade*, in the said County of *Waterford*, from the Trustees nominated and appointed for the Sale of Part of the Estate of Sir *Thomas Pendergast*, Baronet, an Infant, both which Purchases were so made by the said *Thomas France* and *James Medlicot*, and by the said *Thomas France* as aforesaid, in trust for and to the Uses declared in the said Will; all which Lands then amounted to the Yearly Value of One hundred and ninety-one Pounds two Shillings and Twopence: And it is further recited, that the said *Thomas France* was also dead, and that he had by his last Will and Testament in Writing appointed his Son and Heir *Nathaniel France*, Clerk, sole Executor, who proved the said Will in the Prerogative Court of that Kingdom; and that the sole Trust and Execution of the Will of the said late Lord Bishop was vested in and devolved upon the said *Nathaniel France*: And it is further recited, That the said *Elizabeth Moore* and *Cassandra Gibbon* were both dead; and that the said *Nathaniel France* did admit, that he had then in his Hands, after building the said School-House and Apartment, and after purchasing the said Lands, Tenements, and Hereditaments, and paying and discharging all Debts, Funeral Expences, and Legacies and all other former Bequests mentioned in the said Will of the said late Lord Bishop of *Waterford*, the Sum of Seven hundred and seventy-four Pounds, fifteen Shillings and Three-pence Halfpenny: And it is further recited, That the said Executors of the late Lord Bishop, did some Time after his Decease, increase the Salary of the Master of the said School from Forty Pounds to Sixty Pounds *per Annum*; and did also increase the Salary of the Minister from Ten Pounds to Fifteen Pounds *per Annum*; and that it has been experienced that a Number of Children, proportionable to the Salary of the Master augmented as aforesaid, could not be had in the said City, without some further Encouragement, besides that of Instruction
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only; and that the Corporation of the City of *Waterford*, did, for the Encouragement and better carrying on the said late Lord Bishop's then intended Charity, convey to the said late Lord Bishop a Plot of Ground in the City of *Waterford*, upon Part of which the said School-House and Apartment for the Master, so built by the Executors of the late Lord Bishop then stood; and that the remaining Part of the said Plot was then held and enjoyed by *William Carr*, by virtue of a Lease from the said *Thomas France*, and by *James Gall*, by virtue of a Lease from the said *Nathaniel France*: It was enacted, That the said Plot of Ground on which the said School-House and Apartment then stood, and the remaining Part of the said Plot of Ground conveyed by the said Corporation of the City of *Waterford*, unto the said late Lord Bishop; and all the said Lands, Tenements, and Hereditaments so purchased by the said *Thomas France* and *James Medlicot*, and also by the said *Thomas France* as aforesaid, and therein more particularly described, lying and being in the County of *Waterford*, should be, and the same were thereby vested in the said *Nathaniel France*, Clerk, during his natural Life, and after his Decease, in the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors for ever, upon Trust and Confidence nevertheless, and to and for the following Uses, Intents, and Purposes, (that is to say,) that out of the yearly Rents and Profits of the said Lands, Tenements, and Hereditaments, he the said *Nathaniel France*, for and during his natural Life, and after his Decease, the Lord Bishop of *Waterford*, Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors, should maintain, support, and keep in good Repair the said School-House and Apartment for the School-Master, then lately erected by the Executors of the late Lord Bishop aforesaid, within the City of *Waterford*; and should pay a Yearly Stipend or Salary of Sixty Pounds to a Master for his Attendance on the said School, and one other Yearly Stipend or Salary of Fifteen Pounds to a Clergyman of the said City, who should be called the Catechist of the said School, for his Attendance thereon, by two half-yearly Payments, on the First Day of *May* and First Day of *November* in every Year, with a Proviso, that the said Master and Catechist, for their respective Salaries of Sixty Pounds and Fifteen Pounds *per Annum*, should attend and be ready to teach and instruct Seventy-five Poor Children of the Inhabitants of the said City, to read, write, and cast Accounts, and to say their Catechism in such Manner and Method as is thereinbefore mentioned, and according to the Appointment of the said Will of the said then late Lord Bishop of *Waterford* and *Lismore*: And it is by the said Act further enacted, That the Right Reverend Father in God, *Thomas* then Lord Bishop of *Waterford* and *Lismore*, and his Successors, Bishops of *Waterford*, should and might, from time to time, for ever, nominate and appoint the said Schoolmaster and Catechist, according to the Directions of the said Will, and should and might, at his and their Will and Pleasure, displace or remove any such Master or Catechist, according as he or they should judge of his or their well or ill Demeanor: And that the Number of Seventy-five Boys should, from time to time, be instructed in the said School as aforesaid: And that all the Directions given by the said Will touching the Nomination and Approbation of Boys to be instructed in the said School, and their Continuance therein, and supplying the Vacancies as they should happen, from time to time, be followed and observed in respect of the

the said Number of Seventy-five Boys: And Power was given to the Trustees to appoint a Receiver of the Rents of the Lands belonging to the said School, and also to pay the Salaries of the Schoolmaster and Catechist, and from Time to Time, by the Direction of the said Trustee or Trustees to repair the said School House and Master's Apartment, with the Appurtenances thereto belonging, and supply the said School with convenient Firing for the Benefit of the said Boys: And the said Receiver for his Trouble, over and above One Shilling in the Pound, to be mentioned in all Leases of the said Lands as Receiver's Fees, was to receive yearly the Sum of Five Pounds, by way of Salary; which Sum, the said Trustees were ordered and appointed to allow such Receiver upon his Accounts: And it was further enacted, That out of the Residue of the Rents and Profits of the said Lands, Tenements, and Hereditaments, after the Payment of the respective Salaries of the Schoolmaster, Catechist, and Receiver, and after the expending of such Sums as should be found requisite for keeping the said School House, and Master's Apartment in Repair, such Sum or Sums should be applied every Year in the cloathing of the said Seventy-five Children, in such Manner as the said *Nathaniel France*, during his Life, or after his Decease, the Lord Bishop of *Waterford*, and the Mayor of *Waterford*, and Dean of *Waterford* for the Time being, and their Successors, or any Two of them should direct and appoint: And that in case the Rents and Profits of the said Estate then already purchased, or which thereafter might be purchased by the Money remaining in the Hands of the said *Nathaniel France*, should happen to be more than sufficient for the Payment of the said Salaries of the Schoolmaster, Catechist, and Receiver, and also for the keeping the said School and Master's Apartment in Repair, and cloathing the Seventy-five Boys in Manner aforesaid, then such Overplus should be laid out and applied by the said *Nathaniel France*, during his Life, and after his Decease, by the said succeeding Trustees, or any Two of them, to the binding and putting out one or more of the Children of the said School, as he or they should think most deserving, Apprentices to Protestant Masters: And it was further enacted, That the said Sums of Seven hundred Pounds, and Seventy-four Pounds fifteen Shillings and Three-pence Halfpenny, which the said *Nathaniel France* had admitted then to be in his Hands, should be laid out by him upon good Security, and the Interest arising thereout to be applied to the Uses already declared in the said Act, until a convenient Purchase could be made of Lands, Tenements and Hereditaments, with the said Money; which Lands, Tenements and Hereditaments should be purchased, as soon as conveniently might be, and when purchased should be conveyed to the said *Nathaniel France*, if then living, for the Term of his natural Life, and after his Decease to the Bishop of *Waterford*, Mayor of *Waterford*, and Dean of *Waterford*, and their respective Successors; and if the said *Nathaniel France* should die before such Conveyance made, then to the said Bishop of *Waterford*, Mayor of *Waterford*, and Dean of *Waterford*, and their respective Successors, subject to the like Trusts and Uses, as the said Lands before mentioned in the said Act are declared to be: And it was further enacted, That it should be lawful for the said *Nathaniel France*, during his Life, and after his Decease, for the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford* respectively for the Time being, or their Successors, or any Two of them, to demise all, or any Part of the said Lands, Tenements, or

[*Loc. & Per.*]

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Heredita-

Nathaniel
France and
Thomas Lord
Bishop of
Waterford
are dead.

Inconveni-
ences of the
present
Schoolhouse.

The Scite
valuable to
be sold or let.

Sufficient
Number of
Children can-
not be in-
duced to at-
tend without
further En-
couragement.

One Master
insufficient to
instruct the
Boys.

Funds of the
Charity suffi-
cient for the
intended Im-
provements.

Hereditaments, or any other Lands, Tenements, or Hereditaments, which he or they should thereafter purchase in Trust for the said School, for any Term not exceeding Thirty-one Years, or Three Lives, and no longer Time from the making thereof, at the best improved Rent that could be got for the same, to be reserved to him or them in Trust, for the Uses then already declared by the said Act: And whereas the said *Nathaniel France*, as also the said *Thomas Lord Bishop of Waterford and Lismore*, have both since departed this Life: And whereas the said Sum of Seven hundred and seventy-four Pounds fifteen Shillings and Three-pence Halfpenny, hath not yet been laid out in the Purchase of Lands, Tenements, and Hereditaments pursuant to the Directions of the said recited Act: And whereas the Plot of Ground where in the present School-house now stands is situate in the Middle of the Market-place of the City of *Waterford*, with the Common Sewer of the said City passing under it, and it is a very low and damp Situation, and the said School-house is very much out of Repair, nor is there sufficient Space on the said Plot (as it contains only Sixty-six Feet in Front, and Sixty-seven Feet in the Rear, and in Depth Sixty-seven Feet, or thereabouts), to build a proper School house, supposing that the present one was to be pulled down for that Purpose: And whereas the said Plot of Ground, being situate in the said City of *Waterford*, is very valuable, and might be sold for a considerable Sum of Money, or until sold let beneficially, and it would be highly advantageous to the said Charity if the same was sold or let as aforesaid, and that the said Trustees were enabled to purchase, or erect, or complete a Messuage or School-house, with suitable Offices and Conveniences thereto, and to purchase proper Fixtures and Furniture for the same, and also to purchase a Piece of Ground suitable thereto to be situate near the said City of *Waterford*, for the Residence and Use of the Master, Usher, and Children of the said Charity: And whereas the Number of Scholars, being Children of the Inhabitants of the said City of *Waterford*, as directed by the said Will of the said *Nathaniel Foy Lord Bishop of Waterford and Lismore*, deceased, proportionable to the Salary to the said Master, cannot now be induced to attend the said School, (there being now only Fifty-seven Children in the said School), without some further Encouragement besides that of Instruction, Cloathing, and Apprenticing, and the Children who do at present frequent the said School being under no Sort of Controul, except during certain Hours of the Day, are liable to contract the most vicious and immoral Habits in so extensive and populous a Sea-port as the City of *Waterford*; and it would greatly tend to further the Intentions of the said Testator if the said Trustees were enabled not only to instruct, cloath, and put out Apprentice such Children, but also to lodge and board them; and if the said Trustees were also enabled to purchase, or erect, or complete a proper Messuage or School-house, with suitable Offices and Conveniences thereto for such Lodging: And whereas, for the Education and Instruction of the said Boys, One Master has by Experience been found insufficient, and it would tend still, further to promote the Intention of the said Testator if an Usher or Ushers with a competent Salary or Salaries was or were appointed to assist the Master of the said School, and if the said Master and Ushers were lodged and boarded in the said School-house: And whereas in order to enable the said Trustees to carry such Purposes into Execution, they are possessed of sufficient Funds, having Four thousand Pounds or thereabouts in *Irish Government Debentures*, carrying Interest, and the Sum of Nine hundred Pounds or thereabouts,

thereabouts, also carrying Interest, due from different Persons on Bond on account of the said Charity, and they are also in Possession of Landed Property under the Trusts of the said Will, containing about One thousand four hundred Acres or thereabouts, situate in *Ireland*, together with Two or Three small Plots of Ground in the said City of *Waterford*, the Rents and Profits whereof amount annually to the Sum of Four hundred and sixty-six Pounds or thereabouts; but from the Lives in most of the Leases under which such Property is held being very old, it is expected that they will very soon fall in, and the Rents and Profits be considerably increased, which, without further and additional Powers than those granted by the said recited Will and Act, will annually accumulate without any Benefit accruing to any Individual therefrom, as the Average Expenditure upon each Child is only Two Pounds Nine Shillings or thereabouts: But as the several Objects aforesaid cannot be accomplished without the Aid of Parliament; Therefore your Majesty's most dutiful and loyal Subjects, the Right Reverend Father in God *Power*, now Lord Bishop of *Waterford* and *Lismore*, the Mayor of *Waterford*, and Dean of *Waterford*, the Sheriffs of *Waterford*, and *William Newport*, *Samuel King*, and *James Ramsay*, Three of the Aldermen of the said City, Do most humbly beseech Your 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 immediately after the passing of this Act all that Messuage or Tenement, and School-House and Hereditaments, with their and every of their Rights, Members, and Appurtenances situate and being in the City of *Waterford* aforesaid, and more particularly mentioned and described in the Schedule to this Act annexed, and the Reversion and Reversions, Remainder and Remainders, yearly, and other Rents, Issues, and Profits thereof, shall stand, remain, and be vested in the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and the Dean of *Waterford* for the Time being, and their respective Successors for ever, freed and absolutely discharged, exempted, and exonerated of, from, and against all and every the Charges, Uses, Trusts, Estates, Powers, Provisoos, Declarations, and Agreements expressed, declared, and contained of and concerning the same Premises, or any Part thereof, in and by the said Will of the said *Nathaniel*, late Lord Bishop of *Waterford* and *Lismore*, deceased, or in and by the said recited Act, or either of them: But nevertheless upon the Trusts, and to and for the Intents and Purposes hereinafter expressed and declared of and concerning the same, (that is to say,) upon Trust that they the said Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford* for the Time being, and their respective Successors, do and shall, with all convenient Speed after the passing of this Act, absolutely make Sale and dispose of the said Messuage or Tenement, and School-House and Hereditaments, with the Appurtenances so vested in them as aforesaid, either by Public Sale or Private Contract, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof for the most Money that can be reasonably had or gotten for the same; and upon Payment of the Purchase-Monies in Manner hereinafter mentioned, do and shall convey and assure such Messuage or Tenement, and School-House and Hereditaments, with the Appurtenances, unto and to the Use of the Purchaser or Purchasers thereof, his, her, or their Heirs or Assigns, or as he, she, or they shall direct or appoint, freed, discharged, and exonerated as aforesaid.

The present
School-house
and Scite
vested in
Trustees upon
Trust to sell.

II. And

Purchase Monies to be paid into the Bank of Ireland in the Name of the Accountant-General.

II. And be it further enacted, That all and every the Sum and Sums of Money to arise by the Sale of the said Messuage, or Tenement, and School-house, and Hereditaments, shall be paid by the Purchaser or Purchasers thereof, into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, without Fee or Reward, to be placed to his Account there, *ex parte* "the Purchaser or Purchasers of the Estate of *Nathaniel* late Lord Bishop of *Waterford* deceased," pursuant to the Method prescribed by the *Irish* Statute of the Twenty-third and Twenty-fourth Years of his present Majesty's Reign, Chapter Twenty-second, and the general Orders of the said Court, and that the Money, when so paid in, shall be laid out in the Purchase of *Irish* Government Debentures, or *Irish* Treasury Bills; and the Interest arising from the Money so laid out in the Purchase of such Debentures or Treasury Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out in the Name of the said Accountant General in the Purchase of other like Debentures or Treasury Bills, and that all the said Debentures and Treasury Bills shall be deposited in the said Bank, in the Name of the said Accountant General, and shall remain there until the same shall, upon a Petition to be preferred to the said Court of Chancery in *Ireland*, in a summary Way, by or on the Behalf of the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford* for the Time being, and their respective Successors, or any Two of them, be ordered to be sold by the Accountant General for carrying the several Purposes of this Act into Execution.

Certificates of the Accountant-General, together with the Receipts of the Cashiers, to be effectual Discharges to the Purchasers.

III. And be it further enacted, That the Certificate or Certificates of the said Accountant General, together with the Receipt and Receipts of the Cashier of the Bank to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery of the Payment into the Bank of *Ireland*, by the Purchaser or Purchasers of the Hereditaments hereby directed to be sold, of his, her, or their Purchase Monies respectively, or of any Part of such Purchase Money, shall, from Time to Time, and at all Times hereafter, be a good and effectual Discharge, or good and effectual Discharges, to such Purchaser or Purchasers, and to his, her, or their Heirs, Executors, Administrators, and Assigns, for the said Purchase Monies, or so much thereof, for which such Certificate or Certificates, and Receipt or Receipts shall be respectively given; and after filing such Certificate or Certificates, and Receipt or Receipts of the Cashier of the Bank as aforesaid, such Purchaser or Purchasers, shall be absolutely acquitted and discharged of and from the same Monies, and shall not be answerable or accountable for any Loss, Misapplication, or Non-application thereof.

The Court of Chancery empowered to direct the Sale of the Funds.

IV. And be it further enacted, That it shall and may be lawful to and for the High Court of Chancery in *Ireland*, from Time to Time, upon a Petition to be preferred to that Court in a summary Way, by, or on the Behalf of the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford* for the Time being, or their respective Successors, or any Two of them, to order and direct the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford* for the Time being, or their respective Successors, or any Two of them, to sell and dispose of the whole, or any Part or Parts, as to the said Court shall seem meet, of the said Sums of Four thousand Pounds and Nine hundred Pounds, secured on *Irish* Government

vernment Debentures and Bond as aforesaid, or of such other Sum or Sums of Money as shall from Time to Time remain in the Hands of the Lord Bishop of *Waterford*, Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, or their respective Successors, as Trustees of the Estates of the said *Nathaniel* late Lord Bishop of *Waterford* deceased; and upon a like Petition to be preferred to the said Court in a summary Way, it shall and may be lawful to and for the said Court, to order and direct the Accountant-General of the said Court, to sell and dispose of the Debentures and Treasury Bills so to be purchased by virtue of this Act, or of any Part or Parts thereof, and also to order and direct the Application of the whole, or any Part or Parts as to the said Court shall seem right and proper, of the said Sums of Four thousand Pounds and Nine hundred Pounds, and of such other Sum or Sums of Money as shall, from Time to Time, remain in the Hands of the said Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, and their respective Successors, and of the Monies herein before directed to be paid into the Bank, or of the Monies to be produced by Sale of the said Debentures or Treasury Bills herein directed to be purchased, for the Purchase or Erection of a Capital Messuage or School-House, and also for the Purchase of sufficient Land and Ground suitable thereto, to be situate in or near the said City of *Waterford*; and for the Purchase, building, erecting, or making, altering, or repairing of proper Offices, Out-houses, Buildings, Yards, and Gardens, for the Residence and Use of the Schoolmaster, Usher or Ushers, and Children of the said Charity; and also for the Purchase of, or providing proper Fixtures and Furniture for such Capital Messuage or School-House, and Buildings, in such Manner as the said Court shall from Time to Time, upon a Petition to be preferred in a summary Way, by or on the Behalf of the said Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, or their respective Successors, or any Two of them, order and direct; and also for the Purchase of such Messuages, Farms, Lands, Tenements, or Hereditaments, as the said Court, upon such Petition as aforesaid shall approve of, to be situate in *Ireland*; and that all and singular the said Capital Messuage, or School-House, Offices, and Buildings, Messuages, Lands, and other Hereditaments, Fixtures, and Furniture, which shall be so purchased as aforesaid, shall be thereupon immediately settled, conveyed, and assured unto and to the Use of the said Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors for ever, to, for, and upon such and the same Uses, Trusts, intents, and Purposes, and with, under, and subject to such and the same Powers, Provisoos, Declarations, and Agreements, as are in and by the said recited Act and this Act expressed, declared, and contained, of and concerning the Residue of the Hereditaments, and Premises, now remaining vested in the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors, in Trust as aforesaid, and not hereby directed to be sold as aforesaid, or such, or so many of them, as shall be then subsisting and capable of taking Effect.

And to direct the Monies to be applied in the Purchase or Erection of a new School-house and Land, and for providing Fixtures and Furniture,

and for the Purchase of Messuages, Lands, &c.

The Buildings and Lands so to be purchased, &c. to be vested in the Trustees upon the Trusts of the recited Act, and this Act.

V. Provided nevertheless, That the Power of Leasing given and granted to the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors, or any Two of them, in and by the said recited Act, shall not extend, or in any-

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The leasing Power contained in the recited Act is not to extend to the New Schoolhouse

wife be construed to extend to authorize and empower them, or any of them, to demise or lease the said Capital Messuage or School-House, Offices, and Buildings so directed to be purchased, erected, or completed, or the said Land so directed to be purchased for the Residence and Use of the said Schoolmaster, Usher or Ushers, and Children, near the said City of *Waterford* as aforesaid, or any Part or Parts thereof.

The Trustees empowered to let the present School-house and Scite until Sale thereof.

VI. Provided always, and be it further enacted, That in the meantime and until such Sale shall be made of the said School-house and Hereditaments hereby vested in Trust to be sold as aforesaid, it shall and may be lawful to and for the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors, or any Two of them, from Time to Time, by Indenture under their Hands and Seals, to demise or lease the said Messuage or School-House and Hereditaments, hereby vested in Trust to be sold as aforesaid, in Fee Farm, or for any Number of Lives, or for any Term of Years, at and under the best improved Rent that can be got for the same, and without Fine, and so as such Leases shall not be made dishonourable for Waste by any express Words therein, and so as in such Leases there be reserved a Clause of Re-entry for Non-payment of the Rent or Rents to be thereby reserved, and so as the Lessee or Lessees seal and deliver Counterparts thereof, a Copy of which shall be fairly written in the Registry Book to be kept by the Schoolmaster for that Purpose.

The Bishop for the Time being empowered to appoint an Usher or Ushers,

and to displace or remove him or them from Time to Time.

VII. And be it further enacted, That it shall and may be lawful to and for the said Power, Lord Bishop of *Waterford* and *Lismore*, and his Successors, Bishops of *Waterford*, from Time to Time for ever hereafter to nominate and appoint an Usher or Ushers to assist the said Schoolmaster in instructing and educating the said Children, according to the Directions of the said Will of the said *Nathaniel* Lord Bishop of *Waterford*, deceased, so that there be not more than Two such Ushers employed, unless the Number of Children in the said School shall exceed Seventy-five; nor more than Three such Ushers, unless the Number of Children shall exceed One hundred: And also from Time to Time to displace or remove such Usher or Ushers, according as the said Power, Lord Bishop of *Waterford* and *Lismore*, and his Successors, Bishops of *Waterford*, shall judge of his or their well or ill Demeanour.

The Trustees empowered to pay a Salary not exceeding 100*l.* per Ann. to the Master, and 50*l.* per Ann. to each of the Ushers, and Wages to Servants; and to maintain, board, and lodge the Schoolmaster, Usher or Ushers,

VIII. And be it further enacted, That it shall and may be lawful to and for the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford* for the Time being, and their respective Successors, or any Two of them, from Time to Time, and they are hereby authorized and empowered, by and out of the clear Yearly Rents and Profits of the said Trust Estates, Hereditaments, and Premises, to pay competent Salaries not exceeding the Sum of One hundred Pounds a Year to the Master of the said School, and not exceeding the Sum of Fifty Pounds a Year to each of the Ushers of the said School so to be appointed as aforesaid, by equal Half-yearly Payments, on the First Day of May and First Day of November in every Year: And also to pay Wages to the necessary Servants, not exceeding in the Whole the Sum of One hundred Pounds a Year; and also to maintain, board, and lodge, in a proper and suitable Manner, the said Schoolmaster, Usher or Ushers, Servants and Children in the said Capital Messuage or School-House so directed to be purchased,

or erected, or completed as aforesaid, and to procure for them all necessary and proper medical Advice and Assistance.

Servants and Children in the School-house.

IX. Provided nevertheless, That if it shall at any Time hereafter be found that the Number of Children, according to the Directions of the said recited Will can be obtained from the said City of *Waterford*; and if the Rents and Profits of the said Trust Estates, Hereditaments, and Premises, shall prove insufficient for the Purpose of educating, cloathing, and apprenticing, and also of boarding and lodging such additional Number of Children, then and in such Case, the Number of Boys so to be boarded and lodged, shall be proportionably decreased, so as to enable the said Trustees, or any Two of them, to educate, cloath, and apprentice such additional Number of Children.

If the Number of Children according to the Will can be obtained, and the Income of the Charity shall be insufficient to board and lodge the whole, then the Number to be boarded and lodged is to be decreased.

X. Provided always, and it is hereby further enacted, That it shall be lawful for the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, for the Time being, and their respective Successors, or any Two of them, to defray the Costs, Charges, and Expences attending the applying for and obtaining and passing this Act, by and out of the said Trust Estate and Effects, or of the Rents and Profits thereof; and also, that it shall and may be lawful for the High Court of Chancery in *Ireland*, from Time to Time, to make such Order or Orders, as to the said Court shall seem fit for ascertaining and settling the Costs and Expences of the Sale of the said School-house and Hereditaments, hereby vested in Trust, to be sold as aforesaid, and the Costs of the several Applications to be made to the said Court respecting the Matters aforesaid, and the Costs of taking the Monies out of the said Bank, and investing such Monies in a new Purchase or Purchases as aforesaid, and also the Costs and Expences attending the Execution of all other the Trusts of this Act.

The Costs of the Act to be paid out of the Trust Estate. and the Cost of all Applications to the Court of Chancery.

XI. And be it further enacted, That the said recited Act, and all the Powers, Rules, Regulations, Articles, Matters, and Things whatsoever therein contained, (save and except such Parts thereof as are hereby varied, altered, and repealed), shall be, and the same is and are hereby declared to be in full Force and Virtue, and shall be as good, valid, and effectual, for carrying the several Purposes of this Act into Execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in the Body of this Act.

The former Act to remain in force, except where altered by this.

XII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic, and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than and except the Lord Bishop of *Waterford*, the Mayor of *Waterford*, and Dean of *Waterford*, and Sheriffs and Aldermen of the said City for the Time being, and their respective Successors, and all and every other Person and Persons whomsoever claiming under the said recited Will and Act, or either of them, and their Heirs, Executors, Administrators, and Successors,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of the Hereditaments comprised in the said Schedule to this Act annexed, as they or any of them had before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

Saving Clause.

XIII. And

This to be a
public Act,
and printed
by the King's
Printer.

XIII. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof, so printed, shall be admitted as Evidence thereof, by all Judges, Justices, and others.

The SCHEDULE to which this Act refers.

A Capital Messuage or School-House, with the Out-buildings and Appurtenances thereto belonging, situated in the Market-Place of the City of *Waterford*. The Scite thereof, and Land appertaining thereto, containing Sixty-six Feet in Front, and Sixty-seven Feet in the Rear, and in Depth Sixty-seven Feet.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1808.