



ANNO TERTIO

# VICTORIÆ REGINÆ.

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## *Cap. lxxxvi.*

An Act for the Establishment and Government of  
the Institution called "The Royal Naval School."  
[19th *June* 1840.]

**W**HEREAS at a Public Meeting held in *London* on the Eleventh Day of *July* One thousand eight hundred and thirty-one it was resolved that a School should be established for the Education of the Children of Officers in the Royal Navy and Marines, to be called the Royal Naval School, in which the *Madras* System of Education should be followed: And whereas the late Reverend *Andrew Bell* of *Egmore* in *Scotland*, Doctor in Divinity and Laws, and Prebendary of the Collegiate Church of *Saint Peter Westminster*, (the Originator of the aforesaid *Madras* System,) caused to be transferred into the Names of Trustees the Sums of Four thousand eight hundred and ninety-five Pounds Sixteen Shillings and Eight-pence Three *per Centum* Consolidated Bank Annuities, and Four thousand eight hundred and ninety-five Pounds Sixteen Shillings and Eight-pence Three *per Centum* Reduced Bank Annuities, to be applied towards the general Maintenance and Establishment of the said School on the *Madras* System: And whereas in the Year One thousand eight hundred and thirty-three the said School was opened at *Alfred House* in the Parish  
[*Local.*] 23 D of

Subscribers  
incorporated.

of *Camberwell* in the County of *Surrey*, where it hath since been and is now carried on, and it hath been supported as well by voluntary Subscriptions and Donations as by the said Funds given by the said *Andrew Bell*, and a considerable Number of Boys, the Sons of Officers of the Royal Navy and Marines, several of whom have been Orphans whose Fathers have fallen in the Service of their Country, have been received and educated therein according to the *Madras* System in general Knowledge, combined with careful Instruction in the Principles of the Christian Religion: And whereas Experience hath shown that the said School hath been of considerable Advantage, and it is apprehended that its Benefit would be greatly increased if it were established under proper Regulations upon a permanent Foundation, and if for that Purpose the Subscribers were incorporated, and empowered to purchase Lands and Hereditaments; but as the Purposes aforesaid 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, That for establishing and well governing the said Institution called the Royal Naval School, the Right Honourable Sir *George Cockburn*, Knight Grand Cross of the Most Honourable Order of the Bath, Admiral of the White Squadron of Her Majesty's Royal Navy; Sir *Edward Codrington*, Knight Grand Cross of the Most Honourable Order of the Bath, Knight Grand Cross of the Orders of *Saint Michael* and *Saint George*, Admiral of the Blue Squadron of Her Majesty's Royal Navy; Sir *Willoughby Thomas Lake*, Knight Commander of the Most Honourable Order of the Bath, Vice Admiral of the Red Squadron of Her Majesty's Royal Navy; *John Chambers White* Esquire, Vice Admiral of the Blue Squadron of Her Majesty's Royal Navy; Sir *John Acworth Ommanney*, Knight Commander of the Most Honourable Order of the Bath, Rear Admiral of the Blue Squadron of Her Majesty's Royal Navy; the Honourable Sir *Courtenay Boyle*, Knight Commander of the Royal Hanoverian Guelphic Order, a Rear Admiral in Her Majesty's Royal Navy; Sir *John Boscawen Savage*, Knight Commander of the Most Honourable Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Major General of Her Majesty's Royal Marines; Sir *George Frederick Seymour*, Knight Grand Cross of the Royal Hanoverian Guelphic Order, *William Henry Shirreff* Esquire, *Francis Beauport* Esquire, the Right Honourable *George Anson* Baron *Byron*, Sir *James Stirling* Knight, *Frederick Spencer* Esquire, commonly called the Honourable *Frederick Spencer*, Companion of the Most Honourable Order of the Bath, *Thomas Ball Clowes* Esquire, *Adolphus Fitzclarence* Esquire, commonly called the Right Honourable Lord *Adolphus Fitzclarence*, Knight Grand Cross of the Royal Hanoverian Guelphic Order, *George Robert Lambert* Esquire, *Henry John Spencer Churchill* Esquire, commonly called the Right Honourable Lord *Henry John Spencer Churchill*, *Francis Fead* Esquire, *Jenkin Jones* Esquire, *Thomas Dickinson* Esquire, and *John Rivett Carnac* Esquire, Captains in Her Majesty's Royal Navy; *John Owen* Esquire, Knight of the Royal Hanoverian Guelphic Order, a Lieutenant Colonel



Colonel in Her Majesty's Royal Marines; *John Forbes* Esquire, *Samuel Ridout* Esquire, *John Washington* Esquire, *Frederick Lewis* Esquire, Commanders in Her Majesty's Royal Navy; *John Wood Rouse*, *John William Oldmixon*, *William Gardiner*, *David Henderson*, and *Berkley Westropp*, Lieutenants in Her Majesty's Royal Navy; *George Farquhar Morice*, a Master in Her Majesty's Royal Navy; Sir *Richard Dobson* Knight, Doctor of Medicine, *George Hume Weatherhead*, Doctor of Medicine, Surgeons in Her Majesty's Royal Navy; *William Kerse Cowley* and *Thomas Willey*, Pursers in Her Majesty's Royal Navy; *James Thomson*, a Captain in Her Majesty's Royal Marines; and *Daniel Robinson*, a Lieutenant in Her Majesty's Royal Marines, together with any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who hath or have paid, or at any Time hereafter shall pay, into the Hands of the Treasurer for the Time being of the said Institution, the Sum of Ten Guineas at any One Time for the Use of the said Institution, and also every other Person who hath paid, or at any Time hereafter shall pay, into the Hands of such Treasurer, an annual Sum of such Amount as herein-after is mentioned for the Use of the said Institution, shall, during such Time as he or she shall continue to pay the same, and also every Person who shall be admitted or appointed a Member of the said Institution by any General Meeting of the Corporation hereby created, shall be and they are hereby united into and declared to be One Body Corporate and Politic, by the Name of "The Royal Naval School," and 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, at Law or in Equity, prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm, and shall be able and capable in Law to have, hold, receive, enjoy, possess, and retain, for the Ends and Purposes of this Act, and in Trust for the Benefit of the said Institution, all such Sum and Sums of Money as have been or shall be paid, given, devised, or bequeathed by any Person or Persons for the Purposes of the said Institution; and that they and their Successors, by the Name aforesaid, shall and may at any Time or Times hereafter purchase, take, or receive, and thenceforth hold and enjoy, any Lands, Tenements, or Hereditaments, in the whole not exceeding Twelve Acres, for any Estate or Interest whatsoever, for the Purposes of the said Institution, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain, and shall and may enter into Contracts, Bonds, and other Acts, Deeds, and Assurances for effectually carrying this Act into execution.

II. And be it further enacted, That it shall and may be lawful to and for the Corporation hereby created from Time to Time to appoint a Committee, to be called the Council of the said Institution, which Council shall have such or so many of the Powers and Authorities and Discretion by this Act given to and vested in the said Power to appoint a Committee to be called the Council of the Institution.

said Corporation as the said Corporation shall from Time to Time think proper to delegate to such Council.

Amount of  
annual Sub-  
scriptions  
required  
from each  
Member.

III. And be it further enacted, That the annual Sum, by the Payment of which to the said Treasurer as aforesaid any Person is or shall be a Member of the said Institution and Corporation hereby created, shall be of such Amount as herein-after is mentioned; (that is to say,) if such Person is or shall be an Officer of Her Majesty's Navy, or an Officer of the Royal Marines, the Amount of One Day's Half Pay of such Officer respectively, according to his respective Rank for the Time being; if such Person is or shall be any such Officer of Her Majesty's Navy or the Royal Marines as aforesaid, and having paid such annual Sum as aforesaid during the Time of his being such Officer, shall, with the Consent of the Council of the said Institution, continue to pay the same after he respectively shall have ceased to be such Officer, the Amount of One Day's Half Pay to which such Person was entitled immediately before he respectively shall have ceased to be such Officer; and if such Person is or shall be the Widow or the Guardian of any Child or Children of any Person who at the Time of his Death shall have been such an Officer as aforesaid, the Amount of One Day's Payment of the Pension to which such Widow or the Widow of such Officer is or shall or would have been entitled; and if such Person is not or shall not be such Officer, Widow, or Guardian as aforesaid, the Amount of One Guinea.

Leasehold  
Estates,  
Funds, and  
Property of  
the Institu-  
tion to be  
vested in the  
Corporation.

IV. And be it further enacted, That from and after the passing of this Act all the Monies, Securities for Money, Goods, Chattels, Rights, Credits, and Effects belonging, due, and owing to the said Institution shall be vested in the Corporation hereby created by the Name of the Royal Naval School, and for that Purpose the Person or Persons in whose Name or Names the said Sums of Four thousand eight hundred and ninety-five Pounds Sixteen Shillings and Eight-pence Three *per Centum* Consolidated Bank Annuities, and Four thousand eight hundred and ninety-five Pounds Sixteen Shillings and Eight-pence Three *per Centum* Reduced Bank Annuities, or any other Sum or Sums of Money, Stocks, Funds, Annuities, Mortgages, Securities for Money, or other Effects, shall, at the Time of the passing of this Act, stand or be secured, the beneficial Interest wherein shall belong to the said Institution hereby incorporated, shall forthwith transfer or assign the same respectively so and in such Manner as that the same shall be vested in the said Corporation hereby created by the Name of the Royal Naval School.

Money may  
be invested  
in the Public  
Funds or on  
Mortgage.

V. And be it further enacted, That all or any such Sums or Sum of Money as have or hath been paid, given, devised, or bequeathed, or shall at any Time or Times hereafter be paid, given, devised, or bequeathed, by any Person or Persons, to and for the Purposes of the said Institution, 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, shall and may,



may, at the Discretion of the said Corporation, be laid out and invested in the Purchase of any Lands, Tenements, or Hereditaments by this Act authorized to be purchased by the said Corporation, and shall and may from Time to Time, in the meantime, and until such Purchase or Purchases shall be made, and at such Discretion as aforesaid, be invested in the Name of the said Corporation, or in the Name or Names of any Person or Persons on behalf of the said Corporation, in any of the Public Funds, and such Stocks, Funds, or Securities shall or may be varied at the Discretion of the said Corporation.

VI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, and Collegiate, and all Corporations whatsoever, whether seised in their own Right or as Trustees for any Purpose whatsoever, and all Trustees for charitable and other Purposes, Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Idiots, Lunatics, or Persons not born or ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life, or for Years, absolute or determinable on any Life or Lives, and all Persons having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in Remainder, Reversion, Expectancy, or Contingency, or for any other future Estate or Interest where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be in any Place beyond the Seas, or shall be incapable of contracting for, selling, or conveying the same, and to and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, Administrators, and Issue of such Wards, Wives, or Persons respectively, and also where such Wards, Wives, or Persons respectively shall be Tenants for Life or in Tail, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, and Committees on behalf of the Person or Persons on behalf of whom such Wards, Wives, or Persons, if of full age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Tenements or Hereditaments, and to and for all and every other Person and Persons whomsoever who are or shall be seised or possessed of or interested in the Messuage, Grounds, and Hereditaments used for the Purposes of the said School, or any other Lands or Hereditaments which or Part of which by the Corporation hereby created shall be thought necessary for the Purposes of the said School, to contract for, sell, and convey the same and every or any Part thereof to the said Corporation hereby created; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, and Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law to all Intents and Purposes whatsoever.

Incapacitated Parties enabled to sell and convey Lands.

[*Local.*]

23 E

VII. And



Application  
of Purchase  
Money  
amounting to  
200*l.*

1 G. 4. c. 35.

VII. And be it further enacted, That if any Money shall be agreed to be paid for any Tenements or Hereditaments, or Part or Parts thereof, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, or which shall belong to any Trustee or Trustees or other Person or Persons who have no Power to give a valid Receipt for the same, or to sell and convey the same Premises otherwise than by virtue of this Act, or for any Estate of Freehold belonging to a Feme Covert, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Royal Naval School, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the general Orders of the said Court, and without Fee or Reward; and shall, when so paid in, be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Tenements or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Interest or Interests therein, or Charge or Charges thereon, or affecting other Tenements or Hereditaments standing settled therewith to the same or like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Tenements or Hereditaments, which shall be conveyed, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Tenements or Hereditaments, or Part or Parts thereof, Shares, Estates, Interests, or Charges, which shall be so taken or purchased as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Tenements or Hereditaments



ments so hereby directed to be purchased in case such Purchase or Settlement was made.

VIII. Provided always, and be it further enacted, That if any such Money shall be agreed to be paid for any Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased as aforesaid, belonging to any Corporation, or any Trustee or Trustees, Person or Persons, or Feme Covert as aforesaid, which shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Tenements or Hereditaments, or Parts, Shares, Estates, Interests, or Charges so taken or purchased, or of the Guardian or Guardians, Committee or Committees of such Person or Persons, in case of Infancy or Lunacy, to be signified in Writing under the respective Seals of such Bodies, or respective Hands or Seals of such Person or Persons, be paid, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Body or Bodies, Person or Persons, making such Option, and approved of by the President for the Time being of the said Institution, (such Nomination and Approbation to be signified in Writing under the Seals or Hands and Seals of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising therefrom, may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Exchequer.

Application when less than 200*l.* and amounting to 20*l.*

IX. Provided also, and be it further enacted, That where such Money so to be paid as aforesaid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Tenements or Hereditaments, Parts, Shares, Estates, Interests, or Charges, taken or purchased as aforesaid, in such Manner as the said Corporation hereby created shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When less than 20*l.*

X. Provided always, and be it enacted, That if any Question shall arise touching the Title of any Corporation or Corporations, Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, Charge, or Interest therein, or of any Bank Annuities to be purchased

In case of disputed Titles.



purchased with any such Money, or the Dividends and Interest of any such Bank Annuities, the Corporation or Corporations, Person or Persons, who shall have been in the Possession of such Lands, Tenements, or Hereditaments, Estates, Interests, and Charges, at the Time of such Purchase, and all Corporations or Persons claiming under or under the Possession of such Corporation or Corporations, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein or Charge thereon.

Power to sell  
Lands not  
wanted.

XI. And be it further enacted, That in case any of the Lands, Tenements, and Hereditaments to be purchased, taken, or received by virtue of this Act shall at any Time hereafter be deemed by the said Corporation not necessary, or not useful or proper to be retained for the Purposes of their said School, then and in every such Case it shall be lawful for the said Corporation and they are hereby required to sell and dispose of the same Lands, Tenements, and Hereditaments, or any Part thereof, unto any Person or Persons, in such Manner and for such Price or Prices as they shall think proper, and upon any such Sale or Sales, by Indenture or Indentures under their Common Seal to convey the Hereditaments so to be sold to the Purchaser or respective Purchasers thereof, as he, she, or they shall direct or appoint; and upon Payment of the Money which shall arise by any such Sale or Sales as last mentioned it shall be lawful for any Treasurer of the said Corporation to sign and give Receipts for the Monies to arise and be received upon any such Sale or Sales, which Receipt or Receipts shall be sufficient Discharge or Discharges to any Person or Persons paying the same Monies, or for so much thereof as in the said Receipt or Receipts shall be expressed or acknowledged to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof, and no such Purchaser as aforesaid shall be obliged to inquire or see into the Necessity or Propriety of any such Sale or Sales.

Power of  
General  
Meetings to  
make and  
alter Rules  
and Bye  
Laws.

XII. And be it further enacted, That the General Meetings of the said Corporation shall have full Power to superintend, regulate, and control all the Affairs and Concerns of the said Institution, and shall have full Power and Authority from Time to Time to make such Rules, Orders, and Bye Laws as to them shall seem proper for the Nomination, Selection, Election, Choice, and Appointment of the Patrons, Vice Patrons, President, Vice Presidents, Council, Directors, and Members of the said Institution, and the Auditors, Treasurer, Secretary,



Secretary, Officers, and Servants of the said Institution, and how and in what Manner, and by whom, and when and where, and how often, and on what Occasions, such Nomination, Selection, Election, Choice, or Appointment shall be made, cease, determine, become void, be renewed, or filled up, and what shall be the Qualifications of the Members of the said Institution, and the Number, Qualifications, Duties, Businesses, and Employments of such President, Vice Presidents, Council, Directors, Auditors, Treasurer, Secretary, Officers, and Servants, and the Powers and Meetings of the said Council, and the Manner of executing such Powers and convening such Meetings, and how and in what Manner, and when and by whom, and where, the General Meetings of the said Corporation shall be called, convened, and held, and who shall attend and vote at such General Meetings, and what Business, Matters, and Things, and in what Manner, shall be transacted and done at such General Meetings, and also for the good Government of the said Institution, and for the governing, regulating, ordering, and managing the said Institution, and the Officers, Servants, and Persons employed in and about the Affairs thereof, and the Applications and Qualifications for Admission to the said School, and for auditing the Accounts of the said Institution, or otherwise relating thereto, and from Time to Time to alter and repeal such Orders, Rules, and Bye Laws, or any of them, and to make others; and all Rules, Orders, and Bye Laws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Institution affixed thereto, shall be printed, and binding on all Persons, provided that the same be reasonable, and not contrary or repugnant to the Statutes, Customs, or Laws of that Part of the United Kingdom called *England*, or any of the express Directions or Provisions of this Act,

XIII. Provided always, nevertheless, and be it further enacted, That the Rules, Orders, and Regulations by or under which the said Institution hath been governed, and the several Parts and Members thereof, have been kept up and continued, and the Affairs and Business thereof have been carried on, shall, except so far as they are inconsistent with any of the Provisions of this Act, be and continue the Rules, Orders, and Bye Laws of the said Institution, and shall have the same Force and Effect to all Intents and Purposes as if they had been made after the passing of this Act, in pursuance of the Provisions herein-before contained, until they respectively shall be altered or repealed, or other Rules, Orders, or Bye Laws shall be made in lieu thereof, and that all or any of the said existing Rules, Orders, and Regulations shall and may be altered and repealed in the like Manner as herein-before is provided with respect to the Rules, Orders, and Bye Laws to be made in pursuance of this Act.

Existing  
Regulations  
to continue  
in force  
until altered.

XIV. And be it further enacted, That all the Officers of the said Institution shall, under their Hands, at such Time or Times and in such Manner as the Council of the said Institution shall direct, deliver to the said Council, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by or on account of the

Officers to  
account.

[*Local.*]

23 F

said



said Institution, or the said Council, and also of all the Monies which shall have been by such Officers respectively received for the Purposes of the said Institution, and how much thereof hath been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the Treasurer for the Time being of the said Institution, or to such Person or Persons as the Council shall appoint to receive the same, and all the Officers so accounting shall verify their said Accounts, and if any such Officer shall refuse or neglect to make and render, or to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such Person or Persons as they shall appoint to receive the same, within Three Days after being thereunto required by the said Council by Notice in Writing signed by the Secretary of the said Institution, and given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the said Institution, or give Satisfaction to the said Council respecting the same, then and in every such Case, upon Complaint made by the Secretary of the said Institution, or such other Person or Persons as the said Council shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant under his Hand and Seal for the Officer so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way, and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath the said Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been received for the Purposes of the said Institution shall remain due from such Officer, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render or give such Account or to verify the same as aforesaid, or to produce the Vouchers relating thereto in his Possession or Power, or that the Books, Papers, or Writings relating to the said Institution shall be in the Custody or Power of such Officer, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice may commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain, without Bail or Mainprize,  
until



until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Council for the said Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Council are hereby authorized to make and receive), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Council : Provided always, that no Officer or Person who shall be so committed for Want of sufficient Distress shall be detained in Prison by virtue of this Act for any longer Space of Time than Three Calendar Months.

XV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, he, she, or they may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace assembled at the General Quarter Sessions or General Sessions to be holden for the County, City, or Place where the Matter of Appeal shall arise, first giving Fourteen clear Days Notice in Writing of such Intention to appeal, and of the Matter or Cause thereof, to the Person or Persons appealed against, and within Ten Days after such Notice entering into a Recognizance before some Justice of the Peace for the County, City, or Place, conditioned to try such Appeal, and to abide the Determination of the Court thereon, and to pay such Costs as shall be awarded thereat; and such Justices at such Session shall, upon due Proof of such Notice and Recognizance having been given and entered into, hear and determine the Matter of such Appeal, and award such Costs to either Party as to them shall seem just and reasonable, and the Decision of the Justices therein shall be binding, final, and conclusive upon all Persons whomsoever.

Appeal to  
Quarter  
Sessions.

XVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect, Default, or Want of Form in any Proceeding relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for special Damage by an Action on the Case.

Distress not  
to be unlaw-  
ful for Want  
of Form.

XVII. And be it further enacted, That no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari or other Writ or Proceeding whatsoever, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary in anywise notwithstanding.

Proceedings  
not to be  
quashed for  
Want of  
Form.

XVIII, And



Plaintiffs  
not to re-  
cover after  
Tender of  
Amends.

XVIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action against any Person or Persons for any thing done in pursuance of this Act, or in anywise relating thereto, if Tender of sufficient Amends have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Public Act.

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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