



ANNO TERTIO & QUARTO

# VICTORIÆ REGINÆ.

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## *Cap. xcix.*

An Act to incorporate the Trustees and others, Directors of the *Crichton* Royal Institution for Lunatics at *Dumfries*, and for the better enabling them to carry on their charitable Designs.

[3d July 1840.]

**W**HEREAS the late *James Crichton* of *Friars Carse* in the Shire of *Dumfries*, Esquire, by a Trust Disposition and Settlement duly executed at *Edinburgh* on the Twelfth Day of *November* One thousand eight hundred and twenty-one, and duly recorded in the Books of Council and Session, conveyed to *Elizabeth Grierson* otherwise *Crichton* his Wife, and so long as she should remain his Widow, *William Grierson* Esquire, Second Son of *Sir Robert Grierson* of *Lag*, Baronet, *Charles James Johnston*, therein called *Charles Johnstone* the younger, of *Cowhill*, Esquire, *John Crichton* Esquire, residing at *Sanquhar*, his Brother, and *Thomas Manners* Esquire, Writer to the Signet, or a Majority of them, who should accept and act, or Survivor of them, who were declared a Quorum, all his Means and Estate, of whatever Kind or Denomination, then pertaining or belonging to him, or that should happen to pertain or belong to him at the Time of his Decease, in Trust always for the Uses, Ends, and Purposes specified and declared in the said Trust Disposition and Settlement,

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Settlement,

Settlement, or that might be specified and declared in any Codicil or Addition to the said Trust Disposition and Settlement; and, *primo*, he thereby directed his Trustees to pay his Debts and Funeral Expences; *secundo*, he directed his Trustees immediately after his Death, in the event of the said *Elizabeth Crichton* surviving him, and in the event, which happened, that there should be no Heirs of their Bodies at the Time of his Death, to convey to her in Life-rent his Lands and Estate of *Friars Carse*, with the Mansion House and others belonging thereto, with the Furniture and others of every Description whatever in the aforesaid Mansion House, together with his Carriage and Carriage Horses, and whole Stocking and Implements of Husbandry belonging to him at the Time of his Decease, as also to convey to her in Life-rent Part of the Lands of *Allanton* lately acquired by him from the Trustees of *William Laidlaw*, and likewise the Life-rent of all other Lands or other Subjects that might be purchased by him during his Lifetime in the Parishes of *Dunscore* and *Kirkmahoe* and County of *Dumfries*; and over and above the Life-rent of the aforesaid Lands he directed his Trustees to make Payment to her during her Life of an Annuity of One thousand Pounds Sterling in lieu of the Annuity of Four hundred Pounds conceived in her Favour by their Contract for Marriage, subject to a Declaration that the aforesaid Provision appointed to be granted to his said Wife should cease upon her Second Marriage, and over the said Life-rent Provisions he directed his Trustees, as soon after his Death as might be, to pay to his said Wife Five hundred Pounds Sterling in Name of Aliment; *tertio*, he directed his Trustees, in the event of *Margaret Crichton* alias *Otto* his Sister (Wife of *James Otto* residing at *Newark* in the Parish of *Sanquhar*) surviving him, and of his leaving no lawful Heirs of his Body, to convey to her in Life-rent his Lands of *Goosehill* otherwise called *Olive Hill*, and over the said Life-rent Provision to pay to his said Sister an Annuity of Four hundred Pounds Sterling, and in the event of his said Sister predeceasing the said *James Otto* he directed his foresaid Trustees to pay to him a Life-rent Annuity of One hundred Pounds Sterling; *quarto*, he directed his foresaid Trustees, as soon after his Decease as might be convenient, to convey to his said Brother *John*, and his Heirs and Assigns whomsoever, in Fee Simple, his whole Lands and other Subjects lying in the Parish of *Sanquhar*, also his said Lands of *Goosehill* alias *Olive Hill*, under the Burden always of the Life-rent of his said Sister *Margaret*; and with respect to the Lands of *Friars Carse* and others, to be life-rented by his said Wife as aforesaid, it was his Wish that his said Trustees should immediately after his Decease execute a strict Entail thereof in favour of his said Brother *John* and the Heirs Male of his Body, and the other Persons therein named; *quinto*, he directed his foresaid Trustees, in the event of his Niece *Margaret Crichton*, Daughter of his Brother *John*, surviving him the said *James Crichton* and her said Father, and of the said *James Crichton* leaving no lawful Heirs of his Body, to pay to her during her Life an Annuity of Four hundred Pounds Sterling; *sexto* and *septimo*, he directed his Trustees to pay certain pecuniary Legacies, and in regard he had not determined in what Way and Manner the further Distribution of his Means and Estate should take place, he thereby reserved to himself Power and Liberty to make such Distribution at any Time preceding his Death, either in holo-

graph Instructions to his said Trustees, to be executed informally without the usual Solemnities, or by a formal Deed of Instructions relative thereto: And whereas by a Codicil or Addition to the said Trust Disposition and Settlement, executed at *Edinburgh* on the Twentieth Day of *November* One thousand eight hundred and twenty-one, and duly recorded in the Books of Council and Session, the said *James Crichton* declared that in the event of his failing to make a Distribution of his Means and Estate that should remain after all the Purposes and Directions contained and specified in his Trust Disposition and Settlement should have been fulfilled, either by holograph Instructions, though not formally executed, or by a formal Deed of Instructions which he reserved to himself the Power of doing, it was his Wish that such remaining Means and Estate should be applied in such charitable Purposes and in Bequests to such of his Friends and Relations as might be pointed out by his said Wife with the Approbation of a Majority of his said Trustees: And whereas it was found, after the Death of the said *James Crichton*, which took place on the Third Day of *May* One thousand eight hundred and twenty-three, that he had not made any Distribution of his said remaining Means and Estate, either by holograph Instructions, or by any formal Deed otherwise than by Two more Additions or Codicils to his said Trust Disposition and Settlement, giving certain pecuniary Legacies: And whereas the said *Thomas Manners* died in or about the Month of *September* One thousand eight hundred and twenty-six: And whereas the said *Elizabeth Crichton*, with the Approbation of the other surviving Trustees of the deceased *James Crichton*, proposed and resolved to found and endow, out of the remaining Means and Estate of the said *James Crichton*, a Lunatic Asylum in the Neighbourhood of *Dumfries* upon the most approved Plan: And whereas in pursuance of such Resolution the Lands of *Hillhead*, amounting to Forty Acres or thereby, and forming a Portion of the Estate of *Mountain Hall* in the Shire of *Dumfries*, and belonging to the Widow and Children of *Archibald Brown* Esquire, late of *Liverpool*, deceased, were purchased for the Purpose of erecting thereon such Asylum; and by a Deed or Disposition, executed by the said Widow and Children of the said deceased *Archibald Brown* Esquire, and dated the Twenty-seventh and Twenty-ninth Days of *January* One thousand eight hundred and thirty-four, the said Lands of *Hillhead* were conveyed and disposed to the said *Elizabeth Crichton*, the said *William Grierson*, the said *Charles James Johnston*, and the said *John Crichton*, the Widow and then surviving Trustees of the said deceased *James Crichton*: And whereas the said *John Crichton* died on or about the Eighth Day of *February* One thousand eight hundred and thirty-four: And whereas the said *Elizabeth Crichton*, *William Grierson*, and *Charles James Johnston*, the Widow and now the only surviving Trustees of the said deceased *James Crichton*, have caused to be erected upon the said Lands a Building suitable for the Purposes of a Lunatic Asylum, with all the necessary Conveniences and Accommodations for One hundred and twenty Patients, or thereabouts, on such a Plan as admits of Enlargement or Addition or Modification: And whereas the said Trustees have decided that the said Asylum shall be a charitable Establishment, the free Emoluments or Profits to be derived therefrom being to be applied in enlarging or further endowing

endowing the same, and that a Portion of the said Building shall be appropriated for the Reception and proper Treatment of furious, fatuous, or lunatic Poor belonging to the Parishes situated within the Shires of *Dumfries* and *Wigton* and Stewartry of *Kirkcudbright*, and that these Persons shall be received at a low Rate of Board, and be provided with all the necessary and proper Means for their successful Treatment and perfect Recovery: And whereas the remaining Means and Estate of the said *James Crichton* consist of Three several Sums amounting in the whole to the Sum of Fifty-six thousand Pounds, lent upon the Estate of *Closeburn* in the Shire of *Dumfries*, and secured by the following Deeds of Mortgage; *videlicet*, the Deed and Disposition granted to them by Sir *Charles Granville Stuart Menteth* Baronet, of *Closeburn*, therein called *Charles Granville Stuart Menteth* Esquire, of *Closeburn*, of certain Parts or Portions of his Lands and Estate of *Closeburn*, *videlicet*, Bond and Disposition in Security for Forty-three thousand Pounds, dated Third *June* One thousand eight hundred and twenty-four, and Instrument of Sasine thereon in favour of the Trustees of the said *James Crichton*, dated Third and registered in the General Register of Sasines at *Edinburgh* Twenty-first *June* One thousand eight hundred and twenty-four; item, Bond and Disposition in Security for Seven thousand Pounds, dated Seventh *April* One thousand eight hundred and twenty-five, and Instrument of Sasine thereon in favour of the said Trustees, dated Twenty-third *May* and registered in the said Register Ninth *June* One thousand eight hundred and twenty-five; item, Bond and Disposition in Security for Six thousand Pounds, dated Twenty-ninth *August* One thousand eight hundred and twenty-seven, and Instrument of Sasine thereon in favour of the said Trustees, dated Seventh and registered in the said Register the Eleventh *September* One thousand eight hundred and twenty-seven; subject to the Life Annuities fixed by the Trust Disposition and Settlement of the said *James Crichton*, and to certain Expences, and to Six thousand Pounds borrowed by the Trustees on their Notes of Hand, and to certain other Liabilities incurred by them in relation to the said Asylum, and to the current Expences thereof: And whereas the said *Elizabeth Crichton*, with the Approbation of the said *William Grierson* and *Charles James Johnston*, has resolved that the whole of the said remaining Means and Estate of the late *James Crichton* Esquire, as the same shall become available by the Death of Annuitants or otherwise, shall, with the Exception of the Four thousand Pounds after mentioned, be appropriated exclusively and without any further Reservation to the enlarging and further endowing of the said Asylum, and for no other Purpose whatever; and that the Four thousand Pounds shall be applied, as to Three thousand Pounds, Part thereof, in improving and extending the Means of Instruction in the *Dumfries* Academy, and as to One thousand Pounds, Residue thereof, for Religious Purposes in the *East Indies*, at the Disposal and Discretion of the said *Elizabeth Crichton*: And whereas the Building that has been completed is now opened for the Admission of Patients, and if the said Institution were permanently established, and the said *Elizabeth Crichton*, *William Grierson*, and *Charles James Johnston*, with others to be appointed Trustees and Directors, were made a Body Politic and Corporate, their benevolent Designs would be thereby greatly promoted; but the same cannot be effected without the

the Aid and 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 the said *Elizabeth Crichton, William Grierson, and Charles James Johnston*, during their respective Lives, and their Successors to be appointed as herein-after mentioned, together with his Grace the Duke of *Buccleugh and Queensberry*, and his Successors Dukes of *Buccleugh or Queensberry* for the Time being, the Right Honourable the Earl of *Galloway*, and his Successors Earls of *Galloway* for the Time being, and the Right Honourable the Earl of *Selkirk*, and his Successors Earls of *Selkirk* for the Time being, the Lord Lieutenant for the Shire of *Dumfries* for the Time being, the Member serving in Parliament for the said Shire for the Time being, the Sheriff of the said Shire for the Time being, and the Minister for the Time being of *Saint Michael's Church* in the Town of *Dumfries*, shall be and they are hereby appointed Trustees of the said Institution; and *James Macalpine Leny Esquire, of Dalswinton, Francis Maxwell Esquire, of Gribton, John Babington Esquire, David Melville Esquire, and John Staig Esquire*, and their Successors to be elected in manner herein-after mentioned, shall be and they are hereby appointed Directors of the said Institution; and such Trustees and Directors of the said Institution, and their Successors, shall be and they are hereby declared to be one Body Politic and Corporate for the Purposes of the said Institution, by the Name and Style of the "Trustees and Directors of the *Crichton Royal Institution for Lunatics at Dumfries*", and by that Name shall have perpetual Succession and a Common Seal, with Power to change, alter, break, and make anew the same when and so often as they shall judge expedient, and by the same Name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in whatsoever Courts and Places, and before whatsoever Judges or other Offices, in all Actions, Pleas, Suits, Complaints, Matters, and Demands whatsoever, in such Manner and Form as any of Her Majesty's Subjects, or any other Body Politic and Corporate, may and can be; and the said Trustees and Directors shall be able and capable, without incurring any Penalties and Forfeitures, to hold and retain, for the Purposes of the said Institution, the said Lands of *Hillhead*, with the Buildings erected thereon, and also, by Will, Gift, Purchase, or otherwise, to obtain, acquire, hold, and retain, for the Purposes of the said Institution, any Kind of Personal Estate, and any Monies and Property of what Nature and Kind soever.

The Trustees  
of the  
Crichton  
Institution  
incorporated.

II. And be it further enacted, That in all Cases wherein it may be requisite for any Person or Persons to serve the said incorporated Trustees and Directors with any Summons or Citation in Actions against the said incorporated Trustees and Directors, the Service thereof upon the Treasurer for the Time being personally, or upon any other Person lawfully performing the Duties of Treasurer, or upon One of the Directors for the said Institution, shall be sufficient; and all Actions at the Suit or Instance of the said incorporated Trustees and Directors may be brought and maintained in their Corporate Name.

Noices of  
legal Pro-  
ceedings  
shall be  
served on the  
Treasurer, or  
a Director.

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III. And

The Lands of Hillhead and all other Property belonging to the Institution vested in the Trustees and Directors.

III. And be it further enacted, That immediately upon the Trustees of the said Trust Disposition and Settlement being discharged in manner herein-after provided, the Lands of *Hillhead*, with the Buildings erected thereon, and the Mortgage Deeds and Securities for the said Three several Sums amounting together to the Sum of Fifty-six thousand Pounds, lent upon the Estate of *Closeburn* in the Shire of *Dumfries*, and also the said Three several Sums respectively, subject nevertheless to the Payment of the Life Annuities as fixed by the Trust Disposition and Settlement of the said *James Crichton* during the Lives of the Annuitants, and the other Charges, if any now subsisting, under the said Trust Disposition and Settlement, and to the Payment of the said Sum of Six thousand Pounds, and of all other Claims against the said *James Crichton* or the said Institution, or against the Trustees in relation to the Trust Estate, that such Estate or the said Trustees of the said Trust Disposition and Settlement may be liable to, or to which the said Estate or the same Trustees shall have become liable previous to the passing of this Act, shall be vested in the said Trustees and Directors for the Time being appointed or authorized to be appointed by this Act, and their Successors in Office, for Behoof and for the Purposes of the said Institution, in as full and ample a Manner as the said *Elizabeth Crichton*, the said *William Grierson*, and the said *Charles James Johnston* now hold and enjoy the same, and they shall be bound to grant all Deeds necessary for that Purpose: Provided also, that it shall be lawful for the said incorporated Trustees and Directors from Time to Time to borrow and take up at Interest, on the Security of the Funds and Property of the said Institution, any Sum or Sums of Money that may be required for the Purposes of the said Institution, not exceeding at any One Time the Sum of Ten thousand Pounds.

The Trustees of Mr. Crichton may appoint their Successors.

IV. And be it further enacted, That it shall be lawful for each of them the said *Elizabeth Crichton*, *William Grierson*, and *Charles James Johnston*, by a Writing under her or his Hand, to name a Person to succeed upon her or his Death to the Office of Trustee; and every Person so succeeding to the Office of Trustee shall also be entitled, by Writing under his Hand, to name his Successor, and so on in all Time coming: Provided always, that in case the said *Elizabeth Crichton*, or the said *William Grierson*, or the said *Charles James Johnston*, or any of their Successors, shall fail to make such Nomination, it shall be lawful in every such Case for the Remainder of the Trustees herein named or appointed or authorized to be appointed, and they are hereby required, to nominate a Person to succeed upon every such Vacancy, and every such Person so nominated shall have the like Privilege of appointing his Successor in manner herein-before directed.

Regulating the Election of Directors.

V. And be it further enacted, That the said *James Macalpine Leny*, *Francis Maxwell*, *John Babington*, *David Melville*, and *John Staig* shall continue in Office as Directors for the respective Periods herein-after mentioned; that is to say, at the Annual General Meeting to be held in the Year One thousand eight hundred and forty-one Two of the said Directors, to be determined by Lot amongst themselves, shall go out of Office and cease to be Directors, and Two other

Persons shall be appointed in their Stead by the Trustees and Directors present at such Meeting; and at the Annual General Meeting to be held in the Year One thousand eight hundred and forty-two Two other of the Directors herein named, to be determined as aforesaid, shall go out of Office and cease to be Directors, and Two other Persons shall be appointed as aforesaid; and at the Annual General Meeting to be held in the Year One thousand eight hundred and forty-three the remaining Director herein named shall go out of Office in manner aforesaid, and another Person shall be appointed in his Stead as herein-before mentioned; and at the Annual General Meeting to be held in every succeeding Year the Two Directors, or the Director, as the Case may be, who shall have been longest in Office, shall go out of Office and cease to be Directors or a Director, and other Directors or another Director, as the Case may be, shall be appointed as herein-before mentioned; and every Director so going out of Office shall not be eligible for Re-election at the same Annual General Meeting: Provided always, that in the event of any Director being appointed to any Office in the said Institution to which a Salary is attached he shall cease to be a Director: Provided also, that in case of the Death or Resignation of or Acceptance of such Office as aforesaid by any Director, the said Trustees and Directors assembled at any ordinary Meeting shall have Power to nominate a Successor, who shall continue in Office for the same Time as the Person in whose Place he shall have been appointed.

VI. And be it further enacted, That the First Meeting of the said Trustees and Directors shall be held within Six Calendar Months after the passing of this Act, at such Place in the Shire of *Dumfries* and on such Day and at such Hour as shall be resolved on by the Trustees of the said Settlement or hereby appointed, or any Three or more of them, of which First Meeting not less than Ten Days Notice shall be given by Advertisement in some Newspaper published or circulated in the said Shire of *Dumfries*; and after such First Meeting there shall be One Annual General Meeting of the said Trustees and Directors held annually in the Board Room of the said Institution, or in some other convenient Place in the Shire of *Dumfries*, on such Day and at such Hour as may be fixed by the Rules and Regulations for the Time being of the Institution; and at the said First or any subsequent Annual General Meeting of Trustees and Directors, or at any Special General Meeting called for the Purpose, the Accounts during the Trust of the said *Elizabeth Crichton* and others the Trustees of the said *James Crichton* deceased shall be examined and audited; and if the same shall be found correct an Allowance or Docquet of such Accounts shall be signed by the Chairman of the said Meeting, which shall be a final Discharge to the said Trustees of their whole Actings, Intromissions, and Management, under the Trust, and in relation thereto, and shall be obligatory on all Persons whomsoever.

Annual  
General  
Meetings.

VII. And be it further enacted, That the Treasurer for the Time being of the said Institution, or any Two or more Trustees or Directors, may at any Time, by Notice sent by the Post to each of the said Trustees and Directors, call a Special General Meeting of the said

Special  
General  
Meetings.

said Trustees and Directors, and such Notice shall express the Objects for which such Special General Meeting is called; and the said Trustees and Directors are hereby authorized to meet in pursuance of such Notice, and to proceed to the Consideration of the Matters so specified, and to those only; and all Acts of the said Trustees and Directors, or the major Part of them, met together at every such Special General Meeting, shall be as valid as if the same had been done at an Annual General Meeting.

Ordinary Meetings.

VIII. And be it further enacted, That the Trustees and Directors for the Time being shall meet in the Board Room of the said Institution or in such other convenient Place as they may think proper, once at least in every Month, for transacting the ordinary Affairs of the said Institution, and shall have full Power to adjourn from Time to Time and from Place to Place; and the said Trustees and Directors present at such ordinary Meetings shall have and exercise the Powers and Authorities by this Act given to them, except such as are required to be done at any Annual General Meeting or Special General Meeting, and shall in the Name and on the Behalf of the said Institution have Power to contract and agree for the Reception of any furious, fatuous, or lunatic Persons, and to regulate the Reception or Discharge of such Persons, at their Discretion.

Regulating the Proceedings at Meetings.

IX. And be it further enacted, That every Question, Matter, or Thing which shall be proposed at any Annual General, or Special General, or ordinary Meeting of the said Trustees and Directors, shall be determined by the Majority of Votes of the Trustees and Directors then present; and every such Annual General, Special General, and ordinary Meeting, at which Two or more of the Directors and One or more of the said Trustees shall be present, shall be as competent to act as if all the Trustees and Directors were present and acting; and at every Meeting One of the Trustees then present shall be appointed to act as Chairman, and such Chairman shall not only have a deliberative Vote, but, in case of an Equality of Votes, shall also have an additional or casting Vote; and the Determination of every such Meeting upon any Question, Matter, or Thing shall be and be deemed and taken to be the Determination of the said Trustees and Directors, notwithstanding any Irregularity which may have occurred in the giving or taking of any Votes at such Meeting.

Trustees and Directors to fix the Amount of Payment for Patients.

X. And be it further enacted, That it shall be lawful for the Trustees and Directors, and they are hereby directed and required, from Time to Time, to fix and regulate the Sums of Money that are to be paid or Obligations that are to be entered into with the said Trustees and Directors, or with the Treasurer of the said Institution on behalf of the Trustees and Directors, by the Parishes or Individuals for the Maintenance and Treatment of such fatuous or furious Persons or Lunatics as may be sent to the said Institution: Provided always that, the said *Elizabeth Crichton* shall be entitled to name any Number of furious or fatuous Persons or Lunatics, not exceeding Ten, who shall be supported and treated according to their previous Station in Society, or what they have been accustomed to, upon the Payment of Ten Pounds Sterling each annually, and that the Sum to be charged for the



the Maintenance and Treatment of any fatuous or furious Person or Lunatic maintained, in whole or in part, from the Poor Fund of any Parish or Place within the Shires of *Dumfries* and *Wigton* respectively, and Stewartry of *Kirkcudbright*, shall at no Time exceed the Sum of Fifteen Pounds *per Annum*, besides Three Pounds for Clothing, or be reduced below that Sum till the free Emoluments or Profits to be derived from the Establishment admit of a Reduction in the Charges for Patients, which Reduction shall be first applied to those Patients supported from limited Means of their own, or from the gratuitous Bounty of Relations or other Friends: Provided always, that it shall be at all Times wholly in the Discretion of the said Trustees and Directors to decide whether any and what fatuous or furious Person or Lunatic shall or shall not be received, or how long and under what Conditions.

XI. And be it further enacted, That the Persons who before the passing of this Act shall have been appointed by the said Trustees of the said Trust Disposition and Settlement, resident Medical Officer, Treasurer, and Chaplain of the said Institution shall, from and after the passing of this Act, continue to hold the same Offices respectively until Death or Resignation of or Removal from their respective Offices, under or by virtue of any Rule or Regulation of the said Institution.

Present Officers of the Institution to continue in Office.

XII. And be it further enacted, That the Three thousand Pounds resolved to be applied in improving and extending the Means of Instruction in the *Dumfries* Academy shall, upon the Death of the said *Elizabeth Crichton*, or sooner, if the said *Elizabeth Crichton*, *William Grierson*, and *Charles James Johnston*, and Survivors and Survivor, think proper, be lent out by them on proper Security, or invested in the Name of the Trustees and Directors of the *Crichton* Royal Institution and their Successors in Office, and the annual Interest or Profits thereof applied by them, in all Time coming, in improving and extending the Means of Instruction in the said Academy, by augmenting the Salaries of the present Rector and other Masters therein, and of their Successors in Office, in such Proportions as the said Trustees and Directors may deem best, or in Salaries for additional Masters: Provided always, that the Magistrates and Council of the Burgh of *Dumfries* shall be bound to guarantee the Salaries presently payable to the Rector and other Masters, and that they shall never be reduced to them nor their Successors in Office, but shall be paid in full, independent of any Increase that may arise from the said Three thousand Pounds; and they the said Rector and other Masters shall be bound to teach and furnish with all necessary School Books, while in their respective Classes, free of Expence, Ten Boys to be selected and recommended by the said *Elizabeth Crichton*, *William Grierson*, and *Charles James Johnston*, and their Successors in their respective Offices of Trustees of the said Institution in all Time coming, Six of these Ten Boys being from the Parish of *Dumfries*, and Two from each of the Parishes of *Dunscore* and *Sanguhar*; and should there not be such a Number of Boys claiming from these Two last-mentioned Parishes, then the Number shall be supplied from *Dumfries*; and which Grant shall be denominated "The *Crichton* Endowment."

Three thousand Pounds to be applied in improving and extending Means of Instruction in *Dumfries* Academy.

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XIII. And

One thousand Pounds to be distributed to Charities in India by Mrs. Crichton or surviving Trustees or Trustee.

XIII. And be it further enacted, That the One thousand Pounds resolved to be applied for Religious Purposes in *India* shall, so soon as she demands it, be paid over to the said *Elizabeth Crichton*, and distributed by her among such Schools, Seminaries, or Institutions in the *East Indies*, or applied by her for Religious Purposes there, as she may think proper, in her own Lifetime, or in such Way or Manner after her Death as she may have directed by any Writing under her Hand; and in the event of her Death without having received or disposed or directed the Disposal of the said Sum of One thousand Pounds, then the same shall be received and paid and applied by the said *William Grierson* and *Charles James Johnston*, or the Survivor of them, or their Successors, Trustees as aforesaid, to such charitable Purposes as they or he may think proper.

Expences of the Act.

XIV. And be it further enacted, That all the Costs, Charges, and Expences of applying for, obtaining, and passing this Act shall be paid out of the Funds appropriated for endowing the said Institution in preference to all other Payments whatsoever.

Interpretation of certain Words used in this Act.

XV. And be it further enacted, That in the Construction of this Act, in Cases where the Singular Number only is used, the Word importing the Singular Number shall be held to include and shall be applied to several Persons and Things as well as to one Person and Thing; and in Cases where the Plural Number is only used, the Word importing the Plural Number shall be held to include one Person or Thing as well as several Persons or Things; and where any Word of this Act shall import the Masculine Gender only, the same shall be held to include and be applied to Females as well as Males, in the same Manner as if the Word importing the Feminine Gender had been also used, except in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Public Act.

XVI. 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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