



ANNO QUADRAGESIMO PRIMO

# GEORGI III. REGIS.

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## Cap. 140.

An Act for changing the Scite of *Downing College*, in the Univerfity of *Cambridge*, and for providing a Fund for the Purchase of fuch Scite, and erecting the proper Buildings thereon. [2d July 1801.]

WHEREAS Sir *George Downing*, late of *Gamlingay Park*, in the County of *Cambridge*, Baronet, deceased, by his last Will and Testament, bearing Date on or about the Twentieth Day of *December*, in the Year of our Lord One thousand seven hundred and feventeen, gave and devised all and fingular his Manors, Lands, Tenements, and Hereditaments, both Freehold and Copyhold, as well as Leafehold for Years, in the feveral Counties of *Cambridge*, *Bedford*, and *Suffolk*, and elfewhere, with their Appurtenances, unto certain Trustees therein named, all of whom died in the Lifetime of the faid Testator, to hold all fuch of the faid Manors, Lands, Tenements, and Hereditaments, whereof the faid Testator was feifed of any Eftate of Inheritance or Freehold, unto the faid Trustees and their Heirs, to certain Ufes, which have fince determined or become incapable of taking Effect; and from and after the Determination thereof, and fubject thereto, to the Ufe and Behoof of the faid Trustees and their Heirs, in Trust, that they fhould as foon as might be, by, with, and out of the Rents, Ifsues, and Profits of the Premifes, buy and purchase the Inheritance and Fee Simple of fome Piece of Ground lying and being within the Town of *Cambridge*, proper and convenient for the erecting and building a College, and thereon fhould erect

Will of Sir  
*George Downing*,  
dated  
20th Dec.  
1717.



and build all such Houses, Edifices, and Buildings, as should be fit and requisite for that Purpose; which College should be called by the Name of *Downing College*; and his Will was, that a Charter Royal, should be sued for and obtained for the founding such College, and incorporating a Body Collegiate, by that Name, in and within the University of *Cambridge*; which College or Collegiate Body should consist of such Head or Governor, and of such Fellows, Scholars, Members, and other Persons for the Time being, and should be maintained, governed, and ordered by such Laws, Rules, and Orders, and in such Manner, and therein should be professed and taught such useful Learning, as his said Trustees or their Heirs, by and with the Consent and Approbation of the most Reverend the Archbishops of *Canterbury* and *York*, and the Masters of *Saint John's College* and *Clare Hall*, in the said University of *Cambridge*, in being at the Time of the founding of the said College, should direct, prescribe, and appoint; and immediately from and after the founding and incorporating such College or Body Collegiate as aforesaid, the said Trustees and their Heirs should stand and be seised of all and singular the said Manors, Lands, Tenements, and Hereditaments, in Trust, for the said Collegiate Body and their Successors for ever, and as for and concerning such of the said Manors, Lands, and Premises whereof or wherein the said Testator was possessed of any Estate for any Term or Terms of Years, he declared and appointed that the said Trustees, their Executors and Administrators, should stand possessed thereof, in Trust, from Time to Time to assign the same unto such Person or Persons as should be entitled to the actual Possession of his Lands of Inheritance by virtue of the Limitations before-mentioned: And whereas the said Testator *Sir George Downing* died in the Year of our Lord One thousand seven hundred and forty-nine: And whereas in or about the Year of our Lord One thousand seven hundred and sixty-four, an Information was exhibited in the High Court of Chancery by His Majesty's then Attorney General, at the Relation of the Chancellor, Masters, and Scholars of the said University of *Cambridge*, against *Dame Margaret Downing* Widow (afterwards the Wife of *George Bowyer*, Esquire, who became *Sir George Bowyer* Baronet, and is since deceased) and the Persons who were then the Heirs at Law of the said *Sir George Downing*, and divers other Persons, and by the Decree pronounced on the Hearing of the said Cause, bearing Date the Third Day of *July* One thousand seven hundred and sixty-nine, the then Lord High Chancellor of *Great Britain* did declare the Will of the said Testator *Sir George Downing*, and a Codicil thereto, well proved, and that the same ought to be established, and the Trusts thereof performed and carried into Execution, particularly the Trusts of the said Charity, in case His Majesty should be pleased to grant His Royal Charter to incorporate the said College, and His Royal Licence for such incorporated College to take the devised Premises in Mortmain, and did decree the same accordingly; and the Defendants, the Heirs at Law of the said Testator, were to be at Liberty to apply to the Crown for that Purpose; and his Lordship did declare that the Freehold Estates purchased by the said Testator, after making of the said Will, did not pass by virtue of the Codicil, the Will not being thereby republished, and that the Leases which were renewed or run out after the making the Will, and before the said Testator's Death, did not pass by the Will, but fell into the Residue of the said Testator's Personal Estate; and that the Copyhold Estates of the said Testator, not surrendered to the Use of his Will, descended to his Heir at Law, and Directions

Death of Sir  
*Geo. Downing.*

Proceedings  
in Chancery.

Decree 3d  
*July* 1769.



tions were given for Enquiries touching the Annual Value of the Premises devised to the Charity, in order to enable the Heirs at Law of the Testator to form a Judgment what Number of Fellows and Scholars could be maintained by the Endowment; and the said Heirs at Law of the said Testator were to be at Liberty to contract for a Piece of Ground within the said University of *Cambridge*, whereon to found the said College, conditionally, in case the Charter and Licence should be granted by His said Majesty: And whereas the said Suit and Proceedings having from Time to Time become abated by the Deaths of several of the Parties thereto, several Informations of Revivor and Supplement were afterwards filed by the then Attorney General, at the Relation of the Chancellor, Masters, and Scholars of the said University of *Cambridge*, against the Persons who from Time to Time were the Heirs at Law of the said Sir *George Downing*, and all necessary Parties; and by a Decretal Order, made on the Hearing of the said several Informations of Revivor and Supplement on the Sixteenth Day of *February* One thousand seven hundred and ninety-five, the said former Decree of the Third Day of *July* One thousand seven hundred and sixty-nine, was ordered to be prosecuted against the several Parties thereto, in like Manner as was thereby directed against the Parties to the original Cause: And whereas Sir *George Cornwall* Baronet, and Dame *Catharine* his Wife, *Mary Goate* Widow, *Francis Annesley*, and *William Henry Scourfield*, Esquires, (which said Dame *Catharine Cornwall*, *Mary Goate*, *Francis Annesley*, and *William Henry Scourfield*, are the present Heirs at Law of the said Testator Sir *George Downing*) did contract and agree for the Purchase of the Fee Simple and Inheritance in Possession of a certain Piece of Ground within the said Town and University of *Cambridge*, called *Dolls Close*, as a Scite whereon to found the said intended College, conditionally, in case His Majesty should be graciously pleased to grant His Royal Charter to incorporate the said College, and His Royal Licence to such incorporated College to hold Lands in Mortmain; which Contract was afterwards submitted to, and approved by the then Lord High Chancellor of *Great Britain*: And whereas by Indentures of Lease and Release inrolled in the High Court of Chancery, bearing Date respectively the Fourteenth and Fifteenth Days of *July* One thousand eight hundred, the Mayor, Bailiffs, and Burgesses of the said Town of *Cambridge* did, for the Considerations therein mentioned, grant, release, and convey the said Piece of Ground called *Dolls Close*, with the Appurtenances, unto and to the Use of the said Sir *George Cornwall* and Dame *Catharine* his Wife, *Mary Goate*, *Francis Annesley*, and *William Henry Scourfield*, their Heirs and Assigns: And whereas by Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Twentieth Day of *September*, in the Fortieth Year of the Reign of His present Majesty, and in the Year of our Lord One thousand eight hundred, after reciting as or to the Effect herein-before recited, His said Majesty did, of His special Grace, certain Knowledge, and mere Motion, for Himself, His Heirs and Successors, will, ordain, constitute, establish, declare, and appoint, that in and upon the said Piece of Ground called *Dolls Close*, so purchased by the Heirs at Law of the said Testator Sir *George Downing* as aforesaid, there should and might be erected and established One perpetual College for Students in Law, Physick, and other useful Arts and Learning, which College should be called by the Name of *Downing College*, in the University of *Cambridge*, and should consist of One Master, Two Professors; (that is to say) a Professor of the Laws of *England*, and a

Decretal Order, 16th Feb. 1795.

Contract entered into by the Heirs at Law of the Testator for Ground whereon to build the College.

Conveyance to them of such Ground.

His Majesty's Charter, dated 22d Sept. 1800.



Professor of Medicine, and Sixteen Fellows (Two of whom should be in Holy Orders, and the rest Laymen), and of such a Number of Scholars as should thereafter be agreed on and settled by the Statutes of the said College; and (among other Privileges, Liberties, Franchises, Powers, and Authorities therein granted to the said Master, Professors, Fellows, and Scholars of the said College) His said Majesty did for Himself, His Heirs and Successors, will, declare, and establish, that the said Master, Professors, Fellows, and Scholars, and their Successors for ever, should be One distinct and separate Body Politick and Corporate in Deed and in Name, by the Name and Stile of *The Master, Professors, Fellows, and Scholars of Downing College, in the University of Cambridge*, and that by the same Name they should have perpetual Succession and a Common Seal, and that by the same Name the said Master, Professors, Fellows, and Scholars, and their Successors, from Time to Time, and at all Times thereafter, should be a Body Politick and Corporate in Deed and in Law, and be able and capable to have, take, receive, hold, possess, enjoy, and retain to and for the Use of the said College, all and every the Freehold, Copyhold, and Leasehold Manors, Advowsons, Messuages, Lands, Rents, Tenements, Hereditaments, and Possessions so given and devised by the Will of the said Sir *George Downing*, in Manner herein-before mentioned, together with the said Piece of Ground called *Dolls Close*, and also to take, purchase, acquire, have, hold, enjoy, receive, possess, and retain, notwithstanding any such Statute or Statutes of Mortmain to the contrary, any other Manors, Rectories, Advowsons, Messuages, Lands, Tenements, Rents, and Hereditaments of what Kind, Nature, or Quality soever, for the Use of the said College, so that the same did not exceed the yearly Value of One thousand five hundred Pounds above all Charges and Reprizes; and His said Majesty did thereby for Himself, His Heirs and Successors, order and direct that the said College should be deemed and taken to be Part and Parcel of His said University of *Cambridge*, and should be united and annexed to and incorporated therewith, and enjoy all the Privileges of the said University; and His said Majesty did thereby for Himself, His Heirs and Successors, give and grant to the Master, Professors, Fellows, and Scholars of the said College and their Successors, that they and every of them should and might individually have, hold, take, and enjoy within the University of *Cambridge* aforesaid, and the Liberties and Precincts thereof, all and singular such and the same Privileges, Franchises, and Liberties, and in as full and ample Manner and Form, and should be subject to all such Discipline, Order, and Government as any Master, Professor, or any Warden, Provost, Principal, or Doctor of any other College in the said University of *Cambridge*, and their Fellows and Scholars, Officers and Ministers, or any of them within the said University, by reason of any Charter, Gift, or Grant, or Charters, Gifts, or Grants by His said Majesty, or any of His Progenitors theretofore made or granted to the same University, or by reason of any Prescription, Custom, or other lawful Title or Ordinance whatsoever, had, taken, held, or enjoyed, or been subject to, or ought to have had, taken, held, or enjoyed, or been subject to, and in order the better to carry His said Majesty's Will and Intention into Execution in that Behalf, His said Majesty did for Himself, His Heirs and Successors, make, assign, nominate, constitute, and appoint *Francis Annesley* Doctor of Laws in the said University, First and modern Master of the aforesaid College, and *Edward Christian* Esquire,



Esquire, Master of Arts in the said University, and Barrister at Law, to be the first Professor of the Laws of *England*, and *Busick Harwood* Doctor in Physick, to be the first Professor of Medicine in the said College; and His said Majesty did likewise make assign, nominate, constitute, and appoint *John Lens* Serjeant at Law, and *William Meeke* Barrister at Law, Masters of Arts in the said University, and *William Frere* Batchelor of Arts in the said University, and such Thirteen other Persons, to be qualified in Manner therein-after prescribed respecting the Elections of the future Fellows of the said College, as His said Majesty should, after the necessary Buildings for the said College should have been erected, by Writing under His Sign Manual nominate and appoint to be the first and modern Fellows of the said College; and His said Majesty did thereby further will, declare, and direct, that out of the Revenues of the said College, there should be in the first Place set apart so much as should be necessary to be applied in erecting proper Buildings for the said College, together with any other Funds applicable for that Purpose, under the Direction of the said Court of Chancery; and His said Majesty did thereby reserve to Himself, His Heirs and Successors, all visitatorial Power and Authority over the said College: And whereas it is apprehended that some other Piece of Ground within the said Town of *Cambridge* may be found more suitable and convenient than the said Piece of Ground called *Dolls Close*, for the Scite of the Buildings necessary and proper for the said College; but the said Letters Patent, in Conformity to the said Testator's Will, and the said Decree having authorized the Erection and Establishment of the said College on the said Piece of Ground called *Dolls Close*, so purchased as aforesaid, with the Approbation of the said Court of Chancery, and not elsewhere, it is conceived that the Scite of the said College cannot be changed without the Aid and Authority of Parliament; may it therefore please 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 in case it should appear to the said Court of Chancery, that any other Land or Ground within the Town of *Cambridge* aforesaid, within the Description contained in the said Testator's Will, would be more proper and convenient to form the Scite of the said College, and of the necessary and proper Buildings for the same, and for Garden and other Grounds proper and convenient to be held and enjoyed therewith; and that a good Title to such other Piece of Ground could be made in Fee Simple, it shall and may be lawful for the said Master, Professors, Fellows, and Scholars of the said College, and their Successors, with the Approbation, and by and under the Direction of the said Court of Chancery, to purchase such other Lands or Grounds, and to obtain a Conveyance thereof to themselves in Fee Simple; and that when and as soon as the said Master, Professors, and Fellows shall have obtained such Conveyance as aforesaid, with the Approbation aforesaid, it shall and may be lawful to and for the Master, Professors, and Fellows of the said College for the Time being, to erect on such Land or Ground so to be purchased, the necessary and proper Buildings for the said College, in such and the same Manner, and to such and the same Ends, Intents, Constructions, and Purposes, as the same might have been erected in and upon the said Piece of Ground called *Dolls Close*; and the said Piece of Ground so to be purchased and conveyed shall be and continue, and shall be vested in the said Master, Professors, Fellows, and Scholars, and their Successors, as

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Power is given to the College to purchase a new Scite, under the Direction of the Court of Chancery.



and for the Scite of the said College, in lieu of the said Piece of Ground called *Dolls Close*; and the said College shall be and continue to be founded and established in and upon the said Ground so to be purchased; as fully and effectually, to all Intents, Constructions, and Purposes, as by the said Letters Patent the same might have been founded and established in or upon the said Piece of Ground called *Dolls Close*; any Thing in the said Letters Patent to the contrary in anywise notwithstanding; and that the said Land or Ground so to be purchased in lieu of the said Piece of Ground called *Dolls Close*, shall be deemed and taken to be the Scite of the said College, instead of the Piece of Ground called *Dolls Close*, and shall not be deemed or considered as Part or Parcel of the Lands and Hereditaments of the annual Value of One thousand five hundred Pounds, which the said Master, Professors, Fellows, and Scholars, are empowered by the said Letters Patent to purchase or acquire as aforesaid.

And after the Completion of such Purchase, to sell the old one.

II. And be it further enacted, That when and so soon as the Fee Simple and Inheritance of and in the said Land or Ground so to be purchased, shall have been conveyed to the said Master, Professors, Fellows, and Scholars, and their Successors, with the Approbation, and by and under the Direction of the said Court of Chancery as aforesaid, then and from thenceforth it shall and may be lawful to and for the said Master, Professors, Fellows, and Scholars, or their Successors, with the like Approbation, and under the like Direction, absolutely to sell and convey, or otherwise dispose of the said Piece of Ground called *Dolls Close*, in Fee Simple, to any Person or Persons whomsoever; and to give a sufficient Receipt and Discharge to the Purchaser or Purchasers thereof, for the Price or Prices for which the same shall be sold, and to pay, apply, and dispose of the Purchase Money to arise by such Sale, in such Manner and for such Purposes as shall be agreeable to the Purposes of their Foundation, and as the said Court of Chancery shall direct.

Power is given to incapacitated Persons to convey such new Scite to the College.

III. And be it further enacted, That it shall and may be lawful to and for all and every Person and Persons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and to and for all Trustees for charitable and other Publick Purposes, and to and for all Trustees or Committees for Infants, Lunaticks, Idiots, and other incapable Persons, and to and for all Femes Covert, or Tenants for Life or Tenants in Tail, and all and every other Person and Persons being in the actual Possession, but not having an Estate in Fee Simple of and in any Land, Ground, or Hereditaments within the said Town of *Cambridge*, which may be deemed proper and convenient to be purchased as aforesaid as or for the Scite of the said College, and the necessary and proper Buildings for the same, and for Gardens and other Grounds proper and convenient to be held and enjoyed therewith, or being otherwise incapable of selling the same, and making a good Title thereto in Fee Simple, under the Restrictions and Regulations herein-after mentioned, to contract and agree to sell to the said Master, Professors, Fellows, and Scholars, any such Lands, Grounds, or Hereditaments, and all Common Rights and other Rights in, over, or upon the same; and by Indenture or Indentures duly sealed and delivered, and inrolled in the said Court of Chancery, in Manner required by Law for Conveyance of Lands in Mortmain, absolutely to convey the same to the said Master, Professors, Fellows, and Scholars, and their Successors; and such Deed or



or Deeds being duly executed and inrolled as aforesaid, shall as effectually and absolutely bar all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, in the Hereditaments so conveyed, as if such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or Trustees for charitable and other publick Purposes, Trustees or Committees, Femes Covert, Tenants for Life or Tenants in Tail, or other Person or Persons as aforesaid, had an absolute Estate in Fee Simple in such Lands, Grounds, and Hereditaments.

IV. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Tenements, or Hereditaments so to be contracted or agreed to be sold by virtue of the Powers of this Act, for the Purposes aforesaid, which shall belong to any Trustee or Trustees for charitable or other publick Purposes, or to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity as in this Act particularly mentioned, such Money shall be paid into the Bank of England, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Master, Professors, Fellows, and Scholars of the said College, pursuant to the Method prescribed by the Act of the Twelfth Year of King George the First, Chapter Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King George the Second, Chapter Twenty-fourth; and so soon as conveniently may be after the same shall have been so paid in as aforesaid, the same Monies shall, upon a Petition to be preferred to the said Court of Chancery in a summary Way, by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Estates to be purchased in case the same had been purchased pursuant to this Act, if such Person or Persons shall be of full Age; but if such Person or Persons shall be under Age, then by his, her, or their Guardian or Guardians, be laid out by and with the Approbation of the said Court in the Purchase of other Messuages, Lands, 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 Messuages, Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used 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.

Purchasers to pay their Purchase Money into the Bank.

V. And be it further enacted, That in the mean Time and until the Money so to be paid into the Bank shall be ordered by the Court of Chancery to be laid out in a Purchase or Purchases of real Estate as aforesaid, the same shall be laid out in the purchase of Navy or Victualling Bills, or Exchequer Bills, and the Interest arising from the Money so laid out in the said Navy or Victualling Bills, or Exchequer Bills, and the Money received for the same, as they shall be respectively paid off by the Government, shall be laid out in the Name of the said Accountant General, in the Purchase of other Navy and Victualling Bills, and Exchequer Bills; and all which said Navy and Victualling Bills, and Exchequer Bills, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases as aforesaid shall be found and approved, and until the same shall, upon a Petition setting

Until a Purchase of Real Estate, Money to be laid out in the Purchase of Navy, Victualling, or Exchequer Bills, to be deposited in the Bank.



forth such Approbation to be preferred to the Court of Chancery in a summary Way, by the Person or Persons for the Time being entitled to; an Estate of Freehold in the Hereditaments so to be purchased, be ordered to be sold by the said Accountant General for the completing such Purchase in such Manner as the said Court shall think just and direct; and if the Money arising by the Sale of such Navy, Victualling, or Exchequer Bills, shall exceed the Amount of the Original Purchase Money so laid out as aforesaid, then and in that Case only the Surplus which shall remain, after discharging the Expence of the Application to the Court, shall be paid to such Person or Persons respectively as would have been entitled to receive the Rents and Profits of the Lands directed to be purchased in case the same had been purchased pursuant to this Act, or to the Representatives of such Person or Persons.

Certificate of Accountant General to be a sufficient Discharge to Purchasers.

VI. And be it further enacted, That the Certificate and Certificates of the said Accountant General of the High Court of Chancery, 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 the Payment into the Bank of *England*, by such Purchaser or Purchasers, of his, her, or their Purchase Monies, shall from Time to Time be a good and sufficient Discharge to such Purchaser or Purchasers, and to his, her, or their respective Heirs and Assigns, for so much of the said Purchase Money, for which such Certificate or Certificates, and Receipt or Receipts, shall be given; and after taking such Certificate or Certificates, and Receipt or Receipts, such Purchaser or Purchasers shall be absolutely acquitted and discharged from the same Monies, and shall not be obliged to see to the Application, or answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money, or any Part thereof.

Power is given to the College, under the Direction of the Court of Chancery, to borrow Money upon Mortgage for defraying the Expences of the Building.

VII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Master, Professors, Fellows, and Scholars of the said College, or their Successors, by and under the Direction of the said Court of Chancery, to borrow and take up at Interest from any Person or Persons willing to advance the same, such Sum or Sums of Money as, together with any other Funds applicable to that Purpose, shall be deemed requisite and necessary for purchasing any such Piece of Ground for the Scite of the said College; instead of the said Piece of Ground called *Dolls Close*, and for erecting and completing the proper Buildings for the said College; and for securing the Sum or Sums of Money so to be borrowed, to convey the Whole or any Part of the Manors, Lands, and Hereditaments devised by the Will of the said Testator *Sir George Downing* as aforesaid, and vested in them by force of such Letters Patent as aforesaid, unto and to the Use of or in Trust for the Person or Persons who shall lend the same, and his, her, or their Heirs, Executors, and Administrators, or as he or they shall direct, in Fee Simple, or for any Term or Terms of Years, as shall be agreed on, subject to Redemption on Payment, by the said Master, Professors, Fellows, and Scholars, unto such Person or Persons, his, her, or their Executors, Administrators, or Assigns respectively; of the Monies so to be lent and advanced, with Interest for the same, at such Times and in such Manner as the said Court of Chancery shall direct; and also to make and execute all such other Acts, Deeds, Matters, Things, and Assurances in the Law, necessary



necessary or expedient for completing and effectuating such Mortgage or Mortgages, as the Persons or Persons who shall lend such Sum or Sums of Money shall reasonably require to be done; and all and every such Mortgage or Mortgages, Acts, Deeds, and Assurances so to be made and executed as aforesaid, shall be good, valid, and effectual, to all Intents and Purposes, for conveying and assuring the Premises to be therein comprized, to such Person or Persons, and for such Estates and Interests respectively, as shall be therein expressed, subject to Redemption as aforesaid; any Law, Usage, or Custom to the contrary in anywise notwithstanding.

VIII. And be it further enacted, That all and every Sum and Sums of Money so to be borrowed as aforesaid, shall be paid into the Bank, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to the Credit of the said Cause *Attorney General against Bowyer, the Building Fund Account*, and shall be applied by and under the Direction of the said Court of Chancery, in defraying the Expences of the Buildings for the said College; and if there shall be any Surplus of the said Monies after defraying such Expences, the same shall be paid and applied in such Manner as the said Court shall direct; and the Receipt of One of the Cashiers of the Bank shall be an effectual Discharge to any Person or Persons paying any such Sum or Sums of Money as aforesaid; and such Person or Persons shall not be afterwards obliged to see to the Application, or be answerable for any Loss, Misapplication, or Non-application thereof.

Money to be so borrowed, to be applied under the Direction of the Court of Chancery, in defraying the Expences of the Building.

IX. Provided always, and be it further enacted, That immediately after the making of any such Mortgage or Mortgages as aforesaid, a sufficient Proportion of the Rents and Profits of the Estates devised by the Will of the said Testator Sir *George Downing*, shall be appropriated and set apart by and under the Direction of the said Court of Chancery, for the Purpose of keeping down the Interest arising upon every such Mortgage as the same shall become due, and for the Purpose of being applied in or towards the Discharge of the Principal thereof, at such Times and in such Manner as shall be deemed expedient, and as shall effectually provide for the Discharge of such Mortgage Money as soon as Circumstances shall permit.

Provisions to be made for the Discharge of such Mortgages out of the Rents and Profits.

X. And be it further enacted, That if it shall be necessary, according to the Terms of any Loan to be raised under this Act, or shall be deemed adviseable, to pay off the same, or any Part thereof, before there shall be a sufficient Fund for that Purpose, then and in such Case it shall be lawful for the said Master, Professors, Fellows, and Scholars, and their Successors, by and under the Direction of the said Court of Chancery, to borrow and take up at Interest in like Manner as aforesaid, so much Money as shall from Time to Time be necessary to discharge the same, and to secure the Re-payment of such last-mentioned Sum or Sums by the Ways or Means aforesaid; so nevertheless that at all Times a proper and sufficient Sum shall be provided out of the Rents and Profits of the said Estates, for the full Payment and Discharge of such Mortgages, as soon as Circumstances will permit.

Power to the College, under the Direction of the Court, to borrow Money for the Purpose of paying off a former Loan.

XI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Po-

General Saving.



litick and Corporate, and their Heirs, Successors, Executors, and Administrators, all such Estates, Rights, and Interests, Claims, and Demands of, in, to, or out of the Manors, Lands, Tenements, and Hereditaments devised by the said Will of the said Sir *George Downing*, as they or any of them, could or might have had, held, or enjoyed, in case this Act had not been made: Provided also, That nothing in this Act contained, shall be deemed or taken to give any other force or validity to the Charter herein-before mentioned than the same would have had if this Act had not been made, nor in any Manner to affect any Proceeding had or to be had in any Court touching the Real or Personal Estate of the said Sir *George Downing* Baronet, deceased, or any Part thereof respectively,

Publick Act.

XII. And be it further enacted, That this Act shall be, and be deemed and taken to be a Publick Act, to all Intents and Purposes whatsoever, and shall be taken Notice of and allowed as such by all Judges, Justices, and other Persons, in all Courts and Places whatsoever, without the same being specially pleaded.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1801.