



ANNO QUADRAGESIMO NONO

# GEORGI II. REGIS.

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## *Cap. 59.*

An Act for vesting a Workhouse and Premises, situate in the City of *Londonderry*, in Trustees, to be sold, and for applying the Purchase Money in building another School House, and for better regulating the same. [12th May 1809.]

WHEREAS there is and has been, for a Series of Years, a School, called a Free School, in the City and County of *Londonderry*, which School was erected on a Scite or Plot of Ground, given by the Society of the Governor and Assistants, *London*, of the New Plantation of *Ulster*, in *Ireland*, for that Purpose; and the said Society, besides the Gift of the said Scite or Plot of Ground for a School House, has uniformly paid a Sum of Twenty Pounds *per Annum*, as a Salary to the Teacher or Master of the said School, out of its own private Funds; which Sum is totally insufficient to support the Establishment in such Way as to render it of any significant public Utility, as a Seminary of Education for the Youth of that Part of the United Kingdom of *Great Britain* and *Ireland*, called *Ireland*: And whereas the Honourable and Right Reverend *William* Lord Bishop of *Derry*, and the said Society of Governor and Assistants, *London*, of the said Plantation of *Ulster*, in *Ireland*, and the Twelve principal Companies of the said City of *London*, and the Corporation of the City

[*Loc. & Per.*]

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of



of *Londonderry*, taking into their Consideration the great Increase of Population throughout *Ireland*, and more especially in the said Province of *Ulster*, and the Advantages that must arise from a more extended Scale of Education than the present Establishment is capable of embracing, have come to a Determination to provide a Fund, by Voluntary Contribution of their own private Property, and by such Subscriptions as may be voluntarily made by others, and thereout to form a Seminary amply sufficient for the Purpose of extended Education, in all its necessary Branches: And whereas the Scite or Plot of Ground whereon the present School House now stands, is situate within the Walls of the said City, and is very much out of Repair, nor is there sufficient Space on the said Scite or Plot to build a proper School House, in case the present one was to be pulled down: And whereas the said Scite or Plot of Ground being situate in the said City is very valuable, and might be sold for a considerable Sum of Money, or, until sold, let beneficially; and it would be highly beneficial to the said Establishment if the same was sold or let as aforesaid; and that the Trustees herein-after named were enabled to purchase, or erect or complete a Messuage or School House, with suitable Offices and Conveniences thereto, and to purchase proper Fixtures and Furniture for the same; and also to purchase or rent a Piece of Ground suitable thereto, to be situate within the City and Liberties of the said City of *Londonderry*, for the Residence and Use of the Master, Assistants, and Children of the said intended Establishment, and for other Purposes; but in as much as the same cannot be effected without the Aid and Authority of Parliament, Therefore Your Majesty's most dutiful and loyal Subjects, the said *William* Lord Bishop of *Derry*, and the said Governor and Assistants; *London*, of the New Plantation of *Ulster*, in *Ireland*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act, all that Messuage or Tenement, and School House and Hereditaments, with their and every of their Rights, Members, and Appurtenances, situate and being in the said City and County of *Londonderry*, and more particularly mentioned and described in the First Schedule to this Act annexed, and the Reversion and Reversions, Remainder and Remainders, yearly and other Rents, Issues, and Profits thereof, shall be vested in the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry* for the Time being, and their respective Successors, for ever freed and absolutely discharged of, from, and against all Claims, Estate, and Interest of the said Society of the Governor and Assistants, *London*, of the New Plantation of *Ulster* in *Ireland*, their Heirs, Successors, Executors, Administrators, and Assigns; but nevertheless upon the Trusts, and to and for the Intents and Purposes hereafter expressed and declared of and concerning the same, (that is to say), upon Trust, that they the said Lord Bishop of *Derry*, and the Dean and Chapter of *Derry* for the Time being, and their respective Successors, do and shall, with all convenient Speed after the passing of this Act, absolutely make sale and dispose of the said Messuage or Tenement, and School House and Hereditaments, with the Appurtenances so vested in them as aforesaid, either by public Sale or private Contract, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, for the most Money that can be reasonably had or gotten for the same; and upon Payment of the

Vesting the  
School House  
in Bishop and  
Chapter of  
*Londonderry*.

Purchase.



Purchase Monies in Manner herein-after mentioned, do and shall convey and assure such Messuage or Tenement, and School House and Hereditaments, with the Appurtenances, unto and to the Use of the Purchaser or Purchasers thereof, his, her, or their Heirs or Assigns, or as he, she, or they shall direct or appoint, freed and discharged as aforesaid.

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

Money to be paid into the Bank of *Ireland*.

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

Certificate of the Accountant General, with the Receipts of the Cashier of the Bank, to be sufficient Discharge.

IV. And be it further enacted, That it shall and may be lawful to and for the said High Court of Chancery in *Ireland*, from Time to Time, upon a Petition to be preferred to that Court, in a summary Way, by or on the Behalf of the said Lord Bishop of *Derry*, and the Dean and Chapter

Court of Chancery may order Application of Money in building a School House.



ter of *Derry* for the Time being, or their respective Successors, to order and direct the Accountant General of the said Court to sell and dispose of the said Debentures and Treasury Bills, to be purchased by virtue of this Act, or of any Part or Parts thereof; and also to order and direct the Application of the Whole, or any Part or Parts, as to the said Court shall seem right and proper, of the Monies herein-before directed to be paid into the Bank, or of the Monies to be produced by Sale of the said Debentures or Treasury Bills, or of any other Sum or Sums of Money as shall from Time to Time remain or be in the Hands of the Trustees or Treasurer for the Time being, to the said School, for or towards the Purchase or Erection of a Capital Messuage or School House; and also for or towards the Purchase of sufficient Land and Ground suitable thereto, to be situate within the said City and Liberties of *Londonderry*, and for or towards the Purchase, building, erecting, or making, altering, or repairing of proper Offices, Out-houses, Buildings, Yards, and Gardens thereto, for the Residence and Use of the School-Master, Assistants, and Children of the said School; and also for or towards the Purpose of providing proper Fixtures and Furniture for such Capital Messuage, or School House and Buildings, in such Manner as the said Court shall, from Time to Time, upon a Petition to be preferred in a summary Way, by or on the Behalf of the said Lord Bishop of *Derry*, and the Dean and Chapter of *Derry* for the Time being, or their respective Successors, order and direct; and that all and singular the said Capital Messuage or School House, Offices and Buildings, Lands and other Hereditaments, Fixtures and Furniture which shall be so purchased as aforesaid, shall thereupon be immediately settled, conveyed, and assured unto and to the Use of the said Lord Bishop of *Derry* and the Dean and Chapter of *Derry* for the Time being, and their respective Successors for ever, to, for, and upon such Uses, Trusts, Intents, and Purposes as shall be from Time to Time expressed, declared, and contained of and concerning the same, in and by the Orders, Rules, or Bye-Laws intended to be made for the Management and Regulation of the said School.

Present  
School House  
may be leased.

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

Lord Primate  
of Ireland to  
be Visitor,  
and Bishop

VI. And be it further enacted, That the Lord Primate of *Ireland* for the Time being shall be the Visitor of the said School; and that the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry* for the Time being,  
and

and their respective Successors, shall for ever hereafter be the Trustees of the said School, and of its Estate and Effects; and that all Lands, Tenements, Hereditaments, Sum and Sums of Money, and other Effects that shall come to the Hands of the said Trustees, or any of them, to be applied in any Manner for the Use of the said School, and which they or any of them may lawfully take by the Statute of Mortmain, or by any other Means whatsoever, shall be by them applied and disposed of in the Manner and for the Uses and Purposes appointed and directed for the Application thereof, be the same by Deed, Will, Donation, Gift, Agreement, or otherwise, and to no other Use and Purpose whatsoever.

and Dean  
and Chapter  
of Derry  
Trustees.

VII. And be it further enacted, That all Lands, Tenements, Hereditaments, Sum and Sums of Money, and other Effects, that shall come to the Hands of any Person or Persons in Trust for the said School, to be applied in any Manner for the Use thereof, and which he, she, or they may lawfully take by the Statutes of Mortmain, or by any other Means whatsoever, shall be by him, her, or them conveyed, assigned, and paid to the said Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, for the Time being, or their respective Successors, and shall be by them applied and disposed of in the Manner, and for the Uses appointed and directed for the Application thereof, be the same by Deed, Will, Donation, Gift, Agreement, or otherwise, and to no other Use and Purpose whatsoever.

Lands, &c.  
to be con-  
veyed to the  
Bishop and  
Dean and  
Chapter.

VIII. And be it further enacted, That the General Land Agent, for the Time being, of the said Society of the Governor and Assistants, *London*, of the New Plantation of *Ulster*, in *Ireland*, shall be the Treasurer to the said School, so long as he shall continue to reside in *Ireland*; and in case of his Non-residence therein, then, and as often as, and during the Time the same shall so happen, it shall and may be lawful to and for the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, for the Time being, and their respective Successors from Time to Time, to nominate and appoint a Treasurer to the said School, in his Place and Stead; and also, from Time to Time, to displace or remove such Treasurer, according as the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, for the Time being, and their Successors, shall judge of his well or ill Demeanor.

Appointment  
of Treasurers

IX. And be it further enacted, That for the Purpose of erecting a Messuage or School House, with suitable Offices and Conveniences thereto, and of providing a Piece of Ground, to be held and enjoyed with the same, it shall and may be lawful to and for the Lord Bishop of *Derry* for the Time being, and his Successors, at any Time or Times after the passing of this Act, and he and they is and are hereby authorized and empowered, from Time to Time, to grant and convey the Inheritance in Fee-farm; or to make any Demise or Lease for Nine hundred and ninety-nine Years, or any other less Term or Number of Years, of all or any Part of the Piece or Parcel of Ground, more particularly mentioned in the Second Schedule to this Act annexed, (being Part of the Lands belonging to the See of *Derry*), unto any Person or Persons whomsoever, so as in and by each and every such Grant or Conveyance, Demise or Lease respectively, there be reserved and made payable Half-yearly or oftener, clear of all Taxes and Deductions whatsoever, such yearly Rent or Rents in Fee-farm, or dur-

Power to  
Bishop of  
Derry to  
grant a Lease  
of Land for  
the School  
House.



ing the Continuance of the Term or Terms of Years to be granted by such Grant or Conveyance, Demise or Lease respectively, as can be reasonably obtained for the Hereditaments and Premises to be thereby granted or conveyed, demised or leased respectively, and without taking any Sum or Sums of Money, or other Thing by Way of Fine or Foregift, for or in respect of any such Grant or Conveyance, Demise or Lease respectively, and so as the Grantee or Grantees, Lessee or Lessees, execute a Counterpart or Counterparts of such Grants or Conveyances, Demises or Leases respectively, and so as in every such Grant and Conveyance there be contained Powers of Distress and Entry, and Perception of Rents and Profits, and in every such Demise or Lease a like Power of Entry and Perception of Rents and Profits for securing the Payment of the Rent or Rents thereby to be reserved or limited respectively.

The Bishop  
and Dean and  
Chapter may  
make Bye-  
Laws.

X. And be it further enacted, That it shall and may be lawful to and for the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry* for the Time being, and their respective Successors, from Time to Time to make, ordain, and establish such Rules, Orders, Regulations, and Bye-laws, and from Time to Time to amend, alter, or repeal the same, or any of them, for the regulating, governing, and managing the said School, and all Erections, Buildings, Works, Matters, and Things thereunto belonging; and also for the regulating of the Master, Assistants, and Teachers, and all other Persons to be employed, or in anywise concerned in such School, and for the granting of, and regulating Salaries and other Allowances as to the said Lord Bishop of *Derry*, and the Dean and Chapter of *Derry* for the Time being, and their respective Successors, shall seem just and reasonable: Provided always, that no such Order, Rule, Regulation, or Bye-law, be repugnant to, or inconsistent with the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland*, called *Ireland*, or contrary to the Directions and Provisions in this Act contained.

Bye-laws to  
be approved  
by the Lord  
Lieutenant.

XI. And be it further enacted, That no such Order, Rule, Regulation, or Bye-law, shall be good, valid, or effectual; nor shall any such Order, Rule, Regulation, or Bye-law, be amended, altered, or repealed, unless such Order, Rule, Regulation, or Bye-law, or any Amendment, Alteration, or Repeal of any such Order, Rule, Regulation, or Bye-Law, shall have been submitted to, and allowed, and approved of by the Lord Lieutenant, or Governor or Governors and Privy Council of *Ireland*, for the Time being, who are hereby empowered and required, on Request, from Time to Time made, by or on Behalf of the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, for the Time being, or their respective Successors, to peruse and examine all such Orders, Rules, Regulations, or Bye-laws, as shall, from Time to Time, be made, amended, altered, or repealed, by the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, for the Time being, or their respective Successors, in pursuance of this Act, and laid before them the said Lord Lieutenant, or Governor or Governors and Privy Council of *Ireland*, for the Time being, and to allow and approve of, or to disallow and disapprove of the same, or any Part thereof, or to allow and approve of, or to disallow or disapprove of the Repeal of the Whole or any Part thereof, as to them shall, from Time to Time, seem proper and expedient; and for doing thereof, no Fee or Reward shall be paid or taken.

XII. Pro...



XII. Provided always, and it is hereby further enacted, That it shall be lawful for the Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, for the Time being, and their respective Successors, to defray the Costs, Charges, and Expences, attending the applying for and obtaining and passing this Act, by and out of the first Monies that shall come to their Hands for the Use of the said School, or shall happen to be in the Hands of the Treasurer to the said School for the Time being; and also that it shall and may be lawful to and for the High Court of Chancery in *Ireland*, from Time to Time, to make such Order or Orders, as to the same Court shall seem fit for ascertaining and settling the Costs and Expences of the Sale of the said School House and Hereditaments, hereby vested in Trust, to be sold as aforesaid, and the Costs of the several Applications to be made to the said Court, respecting the Matters aforesaid, and the Costs of taking the Monies out of the said Bank, and investing such Monies in such Purchase or Purchases as aforesaid, and also the Costs and Expences attending the Execution of all other the Trusts of this Act, and also of soliciting, obtaining, and passing the same (in case such Costs and Expences shall not be paid by the said Lord Bishop of *Derry*, and the Dean and Chapter of *Derry*, and their Successors, as herein-before is directed).

Expences of  
the Act.

XIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than and except the said Society of the Governor and Assistants, *London*, of the New Plantation of *Ulster* in *Ireland*, and their respective Heirs, Executors, Administrators, and Successors) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of the Hereditaments hereby vested in Trust to be sold as aforesaid, as they or any of them had before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

General  
Saving.

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

Act may be  
given in Evi-  
dence.

## SCHEDULES to which this Act refers.

## SCHEDULE (A.)

A Capital Messuage or School House, with the Out Buildings and Appurtenances thereto belonging, situated in the City of *Londonderry*.

## SCHEDULE (B.)

A Piece or Parcel of Ground, containing about Four Acres, (more or less,) situate within the North Liberties of the City of *Londonderry*, about One Half Mile from the said City, and lying between the Road leading to *Buncrana*, and the Road leading to *Muff*.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1809.