while so employed, and a fair and reasonable proportionate Part of the general Superintendence of the Police, and of any Deficiency which there may at any Time or Times happen to be in the Metropolitan Police Superannuation Fund, and all other Charges and Expenses for carrying this Act into execution, shall be paid out of such Monies as may be provided by Parliament for this Purpose. defrayed out of Monies provided by Parliament.

V. The Commissioner of Police of the Metropolis shall not, nor shall any Assistant Commissioner of Police of the Metropolis, or any Person belonging to the Metropolitan Police Force, during the Time he continues in such Office and is employed under this Act, or within Six Months after he has quitted his Office or ceased to be so employed, be capable of giving his Vote for the Election of a Member to serve in Parliament for any County or Division of a County, or City, Borough, or Place in which or in any Part of which he may be authorized to act under the Provisions herein contained, or by Word, Message, Writing, or in any other Manner endeavour to persuade any Elector to give or dissuade any Elector from giving his Vote for the Choice of any Person to be a Member to serve in Parliament for any such County, Division, City, or Borough, and if any such Commissioner or Assistant Commissioner of Police, or Person belonging to the Metropolitan Police Force, shall offend therein, he shall forfeit the Sum of One hundred Pounds, to be recovered by any Person who will sue for the same by Action of Debt to be commenced within Six Months after the Commission of the Offence, and one Moiety of the Sum so recovered shall be paid to the Informer, and the other Moiety thereof to the Receiver for the Metropolitan Police District, to be by him added to and applied as Part of the Funds for the Purposes of the Police under this Act: Provided always, that nothing in this Enactment contained shall subject any such Commissioner or Assistant Commissioner of Police, or Person belonging to the Metropolitan Police Force, to any Penalty for any Act done by him at or concerning any of the said Elections in the Discharge of his official Duty. The Commissioner of Police, &c. incapacitated for voting for certain Candidates for Parliament.

VI. The Word "Yards," where mentioned in this Act, shall mean Her Majesty's Dockyards, Her Majesty's Victualling Yards, and Her Majesty's Steam Factory Yards; and the Word "Stations" shall mean only the principal Stations of Her Majesty's War Department and the Central Arsenal when the same shall be hereafter created. The Word "Yards."

CAP. CXXXVI.

An Act to amend the Law relating to the Administration of Endowed Charities.

[28th *August* 1860.]

'WHEREAS it is expedient to provide increased and inexpensive Facilities for the 'Administration of Endowed Charities:' 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, as follows:

I. "The Charitable Trusts Act, 1853," and "The Charitable Trusts Amendment Act, 1855," and this Act, shall be construed together as One Act, and any Provisions of the said former Acts inconsistent with this Act are hereby repealed. The Charitable Trusts Acts to be construed with this Act.

II. The Board of Charity Commissioners for *England* and *Wales*, subject to the Restrictions and Rights of Appeal herein-after provided, shall have Power from Time to Time, upon the Application of any Person or Persons who, under the Forty-third Section of "The Charitable Trusts Act, 1853," might be authorized to apply to any Judge or Court for the like Purposes, to make such effectual Orders as may now be made by any Judge of the Court of Chancery sitting at Chambers, or by any County Court or District Court of Bankruptcy, for the Appointment or Removal of Trustees of any Charity, or for the Certain administrative Powers to be exercisable by the Charity Commissioners.

Removal of any School Master or Mistress or other Officer thereof, or for or relating to the Assurance, Transfer, Payment, or vesting of any Real or Personal Estate belonging thereto, or entitling the Official Trustees of Charitable Funds, or any other Trustees, to call for a Transfer of and to transfer any Stock belonging to such Estate, or for the Establishment of any Scheme for the Administration of any such Charity.

Board to notify to Trustees of Charity their Intention of exercising Jurisdiction.

III. The said Board, previously to making any Order under the Jurisdiction vested in them by this Act, shall notify to the Trustees or Administrators (if any) of the Charity to be affected thereby their Intention of exercising such Jurisdiction, by Notice in Writing, to be delivered to them, or sent to them by the Post at their last known Place of Abode in *Great Britain* or *Ireland*.

The Powers to be exercisable over no Charities of which the gross Income shall exceed 50*l*. without Application of Trustees.

IV. The said Board shall not make any Order, under the Jurisdiction vested in them by this Act, with respect to any Charity of which the gross annual Income, exclusively of the yearly Value of any Buildings or Land used wholly for the Purposes thereof, and not yielding any pecuniary Income, shall amount to Fifty Pounds or upwards, except upon the Application of the Trustees or Persons acting in the Administration of the Charity, or a Majority of them, to be made to the said Board in Writing under their Hands if they shall be unincorporated, or under their Common Seal if they shall be incorporated, and the Board shall not make any Order removing any Trustee on the Ground only of his Religious Belief.

The Board shall not exercise Jurisdiction over Contentious Cases.

V. The said Board also shall not exercise the Jurisdiction hereby vested in them in any Case which, by reason of its Contentious Character, or of any special Questions of Law or of Fact which it may involve, or for other Reasons, they may consider more fit to be adjudicated on by any of the Judicial Courts.

Notices to be given of certain Orders, and Objections or Suggestions to be received.

VI. No Order appointing or removing a Trustee, or establishing a Scheme for the Administration of any Charity, shall be made by the said Board before the Expiration of One Calendar Month after public Notice of the Proposal to make such Order shall have been given, as they may consider most expedient and effectual for ensuring the Publicity thereof, in each Parish or District in which the Charity, if of a local Character, shall be applicable, or among all Persons interested therein; and no Order removing a Trustee or School Master or Mistress or other Officer of a Charity who shall have any known Place of Residence in *Great Britain* or *Ireland*, and who shall not be consenting to be discharged, shall be made before the Expiration of One Calendar Month after Notice of the Proposal to make such Order shall have also been delivered to him or her, or sent by the Post or otherwise to such his or her Place of Residence, and until after sufficient Hearing of the Matter before the said Board, or some Member thereof, or One of their Inspectors; and every Notice hereby required shall contain (so far as conveniently may be) sufficient Particulars of the Objects of the proposed Order, and shall prescribe a reasonable Time within which any Objections thereto or Suggestions thereon may be made or transmitted to the Board; and the said Board shall receive and consider all such Objections and Suggestions, and may withhold, suspend, or modify their proposed Order, as they shall thereupon, or in the Result of further Inquiry, or otherwise, think expedient.

Publication of definitive Orders.

VII. A Copy of every such Order when made shall, in the Case of any local Charity, be deposited for the Space of One Calendar Month in some convenient Place within the Parish or One of the Parishes or in the District in which the Charity shall be applicable, and shall be open to public Inspection there at all reasonable Hours during the same Period; and a Copy also of every such Order relating to any Charity, whether local or general, shall be kept, open to public Inspection at all reasonable Hours, at the Office of the Commissioners, during a like Period of One Calendar Month; and in each Case effectual Publicity shall be given to the making of the Order by such Means as the Board shall consider most expedient for that Purpose.

Power to appeal against Orders of Board.

VIII. The Attorney General, or any Person authorized by him or by the said Board, in the Case of any Charity, whatever may be the yearly Income of its Endowments, and any Trustee or Person acting in the Administration of or interested in any Charity of which the gross

gross yearly Income to be calculated in manner aforesaid shall exceed Fifty Pounds, or any Two Inhabitants of any Parish or District in which the same shall be specially applicable, may, within Three Calendar Months next after the definitive Publication of any Order of the said Board appointing or removing a Trustee or Trustees, or for or relating to the Assurance, Transfer, Payment, or vesting of any Real or Personal Estate, or establishing a Scheme for the Administration of the Charity, present a Petition to the High Court of Chancery, in a summary Way, appealing against such Order, and praying such Relief as the Case may require; and any Schoolmaster or Schoolmistress or other Officer removed by the Order of the Board, without the Concurrence of the Trustees or Persons acting in the Administration of the Charity, or a Majority of them, and without the Approval of a Special Visitor, if any, of the Charity, may, within Two Calendar Months (next after his or her Removal), appeal in like Manner against the Order of Removal; and the Court, upon or before the Hearing of any such Petition of Appeal as aforesaid or at any Stage of the Proceedings, may require, if it shall think fit, from the said Board, their Reasons for making the Order appealed against, or for any Part of such Order, and may remit the same to the Board for Reconsideration, with or without any Declaration in relation thereto, or may make any substitutive or other Order in relation to the Matter of the Appeal, as it shall think just; and the Court may make any Order respecting the Costs, Charges, or Expenses incident to the Appeal, and may also, before hearing or proceeding with the same, require from any Appellant, other than the Attorney General, proper Security for such Costs, Charges, and Expenses as may be eventually payable by him; but no such Petition of Appeal shall be presented by any Person, other than the Attorney General, before the Expiration of Twenty-one Days after written Notice, under the Hand of such Appellant, of his or her Intention to present such Petition, shall have been delivered to the said Board at their Office.

Who may be the Respondent on Appeals.

IX. The Attorney General, if he shall think fit, or any Person authorized by him or by the said Board, may appear as the Respondent upon any such Appeal, and the Court may make any Order respecting the Costs, Charges, and Expenses of the Attorney General or other Defendant.

Powers to be applicable to Charities vested in Corporations, &c.

X. The Jurisdiction vested by this Act in the said Board shall be exercisable with reference to Charities vested in any Corporation Sole or Aggregate, who, either solely or jointly with any other Person or Persons, shall also be the Recipients of the Benefit thereof.

Jurisdiction of the District Courts of Bankruptcy and County Courts enlarged.

XI. The Jurisdiction vested by the Charitable Trust Act, 1853, in the District Courts of Bankruptcy and County Courts, over Charities not possessing a larger gross yearly Income than Thirty Pounds, shall be exercisable by the said Courts respectively for the like Purposes and under the like Provisions over Charities of which the gross yearly Income for the Time being, to be calculated in manner aforesaid, shall not exceed Fifty Pounds, in the same Manner as if the last-mentioned Limit to the Jurisdiction of the said Courts had been fixed by the said former Act.

Official Trustees of Charitable Funds may be empowered to receive Arrears of Dividends.

XII. Any Court or Judge, or the said Board, having Jurisdiction to authorize the official Trustees of Charitable Funds to call for a Transfer of and to transfer any Annuities, Stock, or Securities, may empower them also to receive and recover, in trust for the Charity to which the same shall belong, all Dividends, Interest, and Income accrued from any such Annuities, Stock, or Securities respectively, and which shall for the Time being be in arrear.

Power for Magistrates to give Possession of School Buildings and Property held over by Officers or Recipients of Charities.

XIII. Where any School Master or Mistress or other Officer, or any Recipient of the Benefit of a Charity, being in possession by virtue of his or her Office, or as such Recipient, of any House, Buildings, Land, or Property of the Charity, shall have been removed from or shall cease to hold such his or her Office, or his or her Place as such Recipient, but he or she, or any Person claiming under him or her, shall refuse or neglect to relinquish the Possession of such House, Buildings, Land, or Property within One Calendar Month next thereafter, to his or her Successor, or to the Trustees or Persons acting in the Administration of the Charity, or as they shall direct, it shall be lawful for any Two or more Justices

Justices of the Peace acting for the District, Division, or Place in which such House, Buildings, Land, or Property shall be situate, in Petty Sessions assembled, and they are hereby required, on the Complaint of the said Trustees or Administrators, and on the Production of an Order of the said Board certifying such School Master or Mistress or other Officer or Recipient to have been duly removed from or to have ceased to hold his or her Office or Place, (which Order under the Seal of the said Commissioners shall be conclusive Evidence of the Facts thereby certified, and of the Jurisdiction of the said Commissioners to make such Order for all the Purposes of this Enactment, and shall afford a complete Indemnity to all Persons acting thereunder,) to issue a Warrant under the Hands and Seals of such Justices to any Constables or Peace Officers of the same District, Division, or Place, commanding them, within a Period to be thereby appointed, not being less than Ten or more than Twenty-one clear Days thereafter, to enter into the Premises, and deliver Possession thereof to the said Trustees or Administrators, or their Nominee or Agent, and to remove therefrom such former School Master or Mistress, or other Officer or Recipient, and all Persons claiming in his or her Right, as fully and effectually, and subject to the same Provisions, as nearly as the Case will permit, as Justices of the Peace are empowered to give Possession of any Properties to the Landlord or his Agent upon the Determination of the Tenancy thereof, under an Act passed in the First and Second Years of the Reign of Her Majesty, Chapter Seventy-four, for facilitating the Recovery of Possession of Tenements after the Determination of the Tenancy.

Masters and Mistresses of Endowed Schools to be removable.

XIV. Every School Master and Mistress appointed after the Date of this Act shall be removable from his or her Office, after reasonable Notice by the Trustees or Persons acting in the Administration of the Charity, as they shall think expedient in the Interests thereof, so nevertheless that the Removal by virtue only of this Provision of a Master or Mistress who would be otherwise irremovable from his or her Office shall be determined on by all or a Majority of such Trustees or Administrators assembled at a Meeting convened by due Notice, delivered or sent by the Post to all such Trustees or Administrators who shall have any known Place of Residence in *Great Britain* or *Ireland*, by the Space of not less than Twenty-eight Days previously, for the special Purpose of considering and determining on the Question of such Removal, and of which intended Meeting a Notice shall also be delivered or sent in like Manner to the Master or Mistress by the same previous Space, and so also that the Resolution of the Meeting for the Removal of any such last-mentioned Master or Mistress shall be forthwith certified under the Hands of the Trustees or Persons acting as aforesaid who shall have concurred therein, or under the Hand of the Chairman of the Meeting, and shall within Seven Days next thereafter be transmitted to the said Board for their Approval, and the same shall not take effect unless or until the same shall have been approved by the said Board, who may also, if they so think fit, fix the Time or any reasonable Conditions at or under which the same shall come into operation; if also there shall be any special Visitor of the Charity who shall be resident in *Great Britain* or *Ireland*, and free from Incapacity, no Removal of any such last-mentioned Master or Mistress shall be made under the Authority only of the preceding Provision without the written Consent of such Visitor: Provided always, that this Section shall not apply to any endowed Grammar School.

Sect. 21. of 16 & 17 Vict. c. 137. extended.

XV. The Power vested in the said Board by the Twenty-first Section of "The Charitable Trusts Act, 1853," of authorizing the Application of Monies belonging to any Charity or to be raised on the Security of the Properties thereof, to the Improvement of such Properties, shall extend to authorize the Application of any like Monies to any other Purpose or Object which the Board shall consider to be beneficial to the Charity or the Estate or Objects thereof, and which shall not be inconsistent with the Trusts or Intentions of the Foundation.

A Majority of Trustees to have legal Power of dealing with the

XVI. A Majority of Two Thirds of the Trustees of any Charity assembled at a Meeting of their Body duly constituted, and having Power to determine on any Sale, Exchange, Partition, Mortgage, Lease, or other Disposition of any Property of the Charity, shall also have a legal Power, on behalf of themselves and their Co-trustees, and also of the Official Trustee

Trustee of Charity Lands, where his Concurrence would be otherwise required, to do, enter into, and execute all such Acts, Deeds, Contracts, and Assurances as shall be requisite for carrying any such Sale, Exchange, Partition, Mortgage, Lease, or Disposition into legal Effect, and all such Acts, Deeds, Contracts, or Assurances shall have the same legal Effect as if the same were respectively done, entered into, or executed by all the acting Trustees for the Time being, and by the said Official Trustee. Charity Estates.

XVII. No Official Trustee of Charitable Funds, appointed under or in pursuance of the first or secondly recited Act, shall be chargeable with or accountable for any Loss or Misapplication of the said Charitable Funds, or the Dividends, Interest, or Income thereof, unless the same shall have been occasioned by or through his own wilful Neglect or Default. Official Trustee not to be accountable for Loss unless occasioned by his own Neglect.

XVIII. The Official Trustees of Charitable Funds shall lay before Parliament annually, on or before the Fourteenth Day of *February*, or as soon as practicable after Parliament shall be sitting, an Account of the total Amount of the Capital Stock, Shares, and Securities transferred to them in the Year ending the Thirty-first Day of *December* preceding, and of the total Amount of Monies, other than Dividends or Interest, paid to them or to their Account during the same Period, and of the Investment thereof, and of the Capital Stock, Shares, and Securities sold or re-transferred by them during the same Period, and of the aggregate Amount of the Capital Stock, Shares, Funds, and Securities, and the Balance of Cash, held by them on such preceding Thirty-first Day of *December*. Accounts to be laid before Parliament.

XIX. The Board may require any Person having the Custody or Control of any Deed or Document in which any Charity or Charities shall be solely interested to transmit the same to the Office of the said Commissioners for Examination; and where such Deed or Document shall not be held by any Person entitled as a Trustee or otherwise to the Custody thereof, the Board may either retain the same, for the Security thereof, in the Repository provided by them under the Sixty-third Section of "The Charitable Trusts Act, 1853," or, as they may think most advantageous to the Charity, may thereupon, or at any Time thereafter, return or issue the same to the Trustees or Persons acting in the Administration of the Charity, for the Purposes thereof. Power to require the Transmission of Documents belonging to Charities.

XX. All Orders made by the said Board under the Provisions of this Act shall be enforceable by the same Means, and shall be subject to the same Provisions, as are applicable under the Charitable Trusts Act, 1853, and the Charitable Trusts Amendment Act, 1855, respectively, to any Orders of the said Board made thereunder. Orders to be enforceable as under former Acts.

XXI. The said Board shall from Time to Time make such Minutes as shall be required relative to the Institution and Conduct of their Proceedings under the Jurisdiction created by this Act. Board to make Minutes.

XXII. There shall be paid to the Secretary for the Time being of the said Commissioners, in consideration of the Increase and Extent of his official Duties, such a Salary, not exceeding the annual Sum of Eight hundred Pounds, in lieu of the Salary payable to him under the firstly cited Act, as shall from Time to Time be allowed by the Commissioners of Her Majesty's Treasury. Salary of the Secretary.

XXIII. Every Order made under this Act under which any Stock, Shares, Securities, or Monies shall be transferred or paid to or deposited with the Trustees of any Charity, or the Official Trustees of Charitable Funds, shall afford a complete Indemnity to the Governor and Company of the Bank of *England*, and to all Companies and Persons by whom respectively any such Transfer, Payment, or Deposit shall be permitted or made, for permitting or making the same, and the said Governor and Company and other Companies and Persons shall be required to give effect or to conform to such Order, and it shall not be necessary for them to inquire concerning the Propriety of the same Order, or the Jurisdiction under which the same shall purport to be made. Indemnity to the Bank of England and others.

XXIV. *Every*

Commissioners, &c. exempted from serving on Juries.

XXIV. Every Commissioner, Secretary, and Inspector acting under or employed for the Purposes of the said Acts shall be exempt from serving on Juries while he shall be so acting or employed.

Short Title.

XXV. This Act may be cited for all Purposes by the Short Title of "The Charitable Trusts Act, 1860."

CAP. CXXXVII.

An Act to make further Provision with respect to Monies received from Savings Banks and Friendly Societies. [28th *August* 1860.]

'WHEREAS by the Acts now in force relating to Savings Banks and Friendly Societies various Provisions are enacted for regulating the Mode of investing the Monies received and to be received by the Commissioners for the Reduction of the National Debt from Savings Banks and Friendly Societies: And whereas it is expedient to make further Provision for the investing of such Monies:' Be it therefore 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, as follows; that is to say,

Powers now vested in Commissioners to extend to Parliamentary Securities, &c.

I. The Powers now vested in the Commissioners for the Reduction of the National Debt in respect of all Monies remitted to them on account of Savings Banks and Friendly Societies shall extend to Parliamentary Securities, of whatsoever Kind, created or issued, or which may hereafter be created or issued, under the Authority of any Act or Acts of Parliament, for the Interest on which Provision is made by Parliament, and to any Stock or Debentures or other Securities expressly guaranteed by Authority of Parliament.

Annual Report to be laid before Parliament.

II. The Commissioners for the Reduction of the National Debt shall at the End of every Year report to the Commissioners of Her Majesty's Treasury, setting forth in Detail the whole of the several Transactions which shall have taken place during the Course of the Year in the Investment of all Monies coming into their Hands for Savings Banks and Friendly Societies, and of all the Variations, if any, which may have taken place during such Year in the Securities held by the said Commissioners for those Institutions, and Copies of such Reports shall be laid before both Houses of Parliament not later than the Fifteenth Day of *February*, if Parliament shall be then sitting, and if not then sitting then within Ten Days after the next re assembling of Parliament.

CAP. CXXXVIII.

An Act to continue and amend the Peace Preservation (*Ireland*) Act (1856). [28th *August* 1860.]

'WHEREAS by the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter Twenty-eight, "The Peace Preservation (*Ireland*) Act, 1856," was continued until the First Day of *July* in the present Year, and to the End of the present Session of Parliament; and it is expedient that the said last-mentioned Act should be amended, and further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual