Middlesex, &c. cured in certain cases.

a purchaser or mortgagee by the devisee or by some one deriving title under him shall, if registered before, take precedence of and prevail over any assurance from the testator's heir-at-law.

Vendor or purchaser may obtain decision of judge in chambers as to requisitions or objections, or compensation, &c.

9. A vendor or purchaser of real or leasehold estate in England, or their representatives respectively, may at any time or times and from time to time apply in a summary way to a judge of the Court of Chancery in England in chambers, in respect of any requisitions or objections, or any claim for compensation, or any other question arising out of or connected with the contract, (not being a question affecting the existence or validity of the contract,) and the judge shall make such order upon the application as to him shall appear just, and shall order how and by whom all or any of the costs of and incident to the application shall be borne and paid.

A vendor or purchaser of real or leasehold estate in Ireland, or their representatives respectively, may in like manner and for the same purpose apply to a judge of the Court of Chancery in Ireland, and the judge shall make such order upon the application as to him shall appear just, and shall order how and by whom all or any of the costs of and incident to the application shall be borne and paid.

Extent of Act.

10. This Act shall not apply to Scotland, and may be cited as the Vendor and Purchaser Act, 1874.

CHAPTER 79.

An Act for the better management and regulation of Foyle College in the city of Londonderry, and for vesting in the governing body of such College the present schoolhouse and premises belonging to such College, and for vesting the right of appointment of head-master of such College in the Bishop of Derry and Raphoe and the Governor of the Honourable the Irish Society. [7th August 1874.]

WHEREAS prior to the year one thousand eight hundred and nine there was and had been for a series of years a school called a free school in the city and county of Londonderry, erected upon a piece of ground within the said city:

49 Geo. 3. c. 59.

And whereas by an Act passed in the forty-ninth year of the reign of His late Majesty King George the Third, intituled "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 schoolhouse, and for better regulating the same," the messuage or tenement, schoolhouse and premises, with the appurtenances wherein the said school was then carried on, was vested in the Lord Bishop of Derry and the Dean and Chapter of Derry for the time being and their respective successors, upon trust to sell the same in manner in the said Act mentioned; and in the same Act provision was made for the expenditure of the money to arise from such sale in or towards the purchase or erection of a capital messuage or schoolhouse, and in or towards the purchase of sufficient land and ground suitable thereto, to be situate within the city and liberties of Londonderry, and for or towards the purchase, building, erecting, and making of all offices, outhouses, and buildings, fixtures, and furniture connected therewith, and it was thereby enacted that all and singular the said capital messuage or schoolhouse, offices and buildings, lands, and other hereditaments, fixtures and furniture, which should be so purchased as aforesaid, should 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 should be from time to time expressed and declared and contained of and concerning the same in and by the orders, rules, and byelaws then intended to be made for the management and regulation of the said

school; and it was by the said Act further enacted, that the Lord Primate of Ireland should be visitor of the said school, and the Lord Bishop of Derry and the Dean and Chapter of Derry for the time being, and their respective successors, should for ever thereafter be the trustees of the said school and its estate and effects; and it was thereby further enacted, that for the purpose of erecting a messuage or schoolhouse with suitable offices and conveniences thereto, and of providing a piece of ground to be held and enjoyed with the same, it might be lawful to and for the Lord Bishop of Derry for the time being and his successors to grant and convey the inheritance in fee farm of all or any part of the piece of ground more particularly mentioned in the second schedule to that Act annexed, being the Schedule B. thereto annexed (being part of the lands belonging to the see of Derry), and described in the first schedule annexed to this present Act, unto any person or persons whomsoever; and it was by the said Act further enacted, that it should and might be lawful 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, subject to the approval of the Lord Lieutenant or Governor and Governors and Privy Council of Ireland for the time being, to make, ordain, and establish, and to amend, alter, or repeal such rules, orders, regulations, and byelaws 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 masters, 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 them should seem just and reasonable:

And whereas after the passing of the said Act a schoolhouse and buildings were erected upon the piece of land belonging to the see of Derry, and mentioned in Schedule B. annexed to the said Act, but no lease of such land was granted by the Lord Bishop of Derry to any persons prior to the lease herein-after mentioned:

And whereas by an Act passed in the sixth year of the reign of Her Majesty, intituled "An Act for confirming certain conveyances in perpetuity made by the Ecclesiastical Commissioner for Ireland and the present Bishop of Derry and Raphoe of parts of the mensal lands of the see of Derry, and for confirming certain leases made by the same bishop and his immediate predecessor in the see of Derry of other parts of the mensal lands of the same see; also for enabling the Bishop of Derry and Raphoe for the time being to grant leases of the parts last mentioned, and certain other parts of the mensal lands of the see of Derry; and for other purposes," it was enacted that it should be lawful for Richard then Lord Bishop of Derry and Raphoe, and his successors, to make demises or leases of the messuages, land, and hereditaments particularly described in the fourth schedule to that Act annexed, with the appurtenances thereto: 5 & 6 Vict. c. 34. (Pr.)

And whereas by an indenture dated the first day of June one thousand eight hundred and sixty-nine, and made between the Right Reverend William Lord Bishop of Derry and Raphoe of the one part, and the Very Reverend the Dean and Chapter of Derry of the other part, the said Bishop of Derry and Raphoe, under the powers of the said first-mentioned Act, granted the messuage and premises described in the first schedule annexed to this Act, being the then site of the said school, and being also the piece of land described in the Schedule B. to the said first-mentioned Act, upon trust for the use of the said school now known as and therein called and in this Act hereafter called Foyle College, at the yearly rent of sixteen pounds eight shillings and fourpence, and one shilling in the pound receiver's fees:

And whereas by an indenture bearing date the tenth day of June one thousand eight hundred and sixty-nine, and made or expressed to be made between the said Lord Bishop of Derry and Raphoe of the one part, and the Reverend William Percy Robinson, clerk, the then head-master of Foyle College, of the other part, the said Bishop of Derry and Raphoe, under the provisions of the Act secondly herein-before mentioned, demised to the said William Percy Robinson, his executors, administrators, and assigns, the piece of land and premises described in the second schedule to this Act annexed, being part of the land described in the fourth schedule to such secondly herein-before mentioned Act, for the term of forty years from the first day of May one thousand eight hundred and

sixty-nine, at the yearly rent of thirteen pounds sixteen shillings and sixpence, with one shilling in the pound receiver's fees:

And whereas by an indenture bearing date the fourteenth day of May one thousand eight hundred and seventy, and made between the said William Lord Bishop of Derry and Raphoe of the first part, the Commissioners of Church Temporalities in Ireland of the second part, and the said William Percy Robinson of the third part, the said piece of land described in the second schedule annexed to this Act and the appurtenances were conveyed unto and to the use of the said William Percy Robinson, his heirs and assigns, for ever, subject to the yearly rent of fourteen pounds thirteen shillings and sevenpence:

And whereas by an indenture bearing date the fourth day of November one thousand eight hundred and seventy, and made between the said William Percy Robinson of the one part, and the Society of the Governor and Assistants, London, of the New Plantation in Ulster within the realm of Ireland, commonly and in this Act hereafter called the Honourable the Irish Society, of the other part, the said William Percy Robinson did covenant and declare with and to the Honourable the Irish Society, that he, his heirs and assigns, would stand possessed of the said piece of land described in the second schedule annexed to this Act, subject to the said rent of fourteen pounds thirteen shillings and sevenpence, upon trust for the school called Foyle College, and to the intent that the same might be for ever thereafter held, used, occupied, and enjoyed with and as part of and for the purposes of the same school or college:

And whereas no orders, rules, or byelaws have ever been made for the regulation of the said school or college in pursuance of the said firstly herein-before recited Act of Parliament, nor have any trusts been ever declared thereof for any public, charitable, or other purpose, and the said school or college has been continuously carried on upon the pieces of land herein-before referred to and under the provisions of the same Act, but such school or college has not since that time been and is not of the nature of a free school or charity school, nor has any free education been given therein except by favour of the managers thereof for the time being, and not as of right:

32 & 33 Vict. c. 42.

And whereas by the Irish Church Act, 1869, every ecclesiastical corporation in Ireland, whether sole or aggregate, and every cathedral corporation in Ireland, were dissolved on the first day of January one thousand eight hundred and seventy-one, and doubts are entertained whether or not the persons who now hold offices similar to those held before the passing of the said Act by the Bishop of Derry and the Dean and Chapter of Derry have any power or authority in the management of Foyle College, or who has such power and authority:

And whereas in order to the good management of the said college it is expedient that a new body should be formed to undertake the management and control thereof, and it is expedient to vest all the property and effects of the said college in such new body:

And whereas prior to the year one thousand eight hundred and eight the right of nominating and appointing a master to the said free school had been exercised by His then Majesty and his predecessors:

48 Geo. 3. c. 77.

And whereas under or by virtue of an Act passed in the forty-eighth year of the reign of His late Majesty King George the Third, intituled "An Act to enable His Majesty to "vest the right of appointment of master of the free school of Londonderry, in the city "and county of Londonderry, in the Bishop of Derry for the time being," the Lord Bishop of Derry for the time being and his successors became entitled to the said right of nominating and appointing a master of the said school freed and discharged from all claim, right, and title of His Majesty, his heirs and successors, and the same right has since from time to time been exercised by such bishop for the time being:

32 & 33 Vict. c. 42.

And whereas doubts are entertained in whom the right so granted to the Bishop of Derry for the time being has become vested in consequence of the provisions of the said Irish Church Act, 1869, and it is expedient that such right shall be absolutely vested in the persons herein-after mentioned in that behalf:

And whereas the several purposes aforesaid cannot be effected without the authority of Parliament:

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:

Short title.

1. This Act may be cited for all purposes as "The Foyle College Act, 1874."

New governing body to have sole management.

2. From and after the passing of this Act all the powers of management of Foyle College (if any) vested in any person or persons under or by virtue of the first-mentioned Act, or otherwise howsoever, shall cease and determine, and the sole management and control of the said college shall be vested in and exercised by the governing body herein-after described alone.

Constitution governing body.

3. The governing body in whom the sole management and control of Foyle College shall be so vested as aforesaid (in this Act called the governing body) shall consist of the following persons; namely, the Bishop of Derry and Raphoe for the time being, or the person who shall for the time being discharge duties similar or analogous to those now discharged by the said bishop, herein-after designated the said bishop; the Governor of the Honourable the Irish Society for the time being, herein-after designated the said governor; the Deputy Governor of the Honourable the Irish Society for the time being; the Moderator of the General Assembly of the Presbyterian Church in Ireland for the time being; and the Worshipful the Mayor of the said city of Londonderry for the time being; such governing body shall be a body corporate with the title of the governing body of Foyle College, and with a perpetual succession and a common seal (with power to hold lands for the purposes of the school without license of mortmain).

Lands in schedules vested in governing body.

4. The messuage or schoolhouse and premises described in the first schedule annexed to this Act, and the piece or parcel of land described in the second schedule annexed to this Act, and all other land (if any) now belonging to the said college, shall, from and immediately after the passing of this Act, vest in the governing body in trust and for the benefit of Foyle College, subject, nevertheless, to the rents herein-before mentioned to be payable in respect thereof respectively.

Governing body to be trustees of Foyle College.

5. The governing body shall for ever hereafter be the trustees of Foyle College and of its estate and effects, and all lands, tenements, hereditaments, sum or 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 college, and which they or any of them may lawfully take by any means whatever, 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.

Lands, &c. to be conveyed to the governing body.

6. 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 Foyle College, to be applied in any manner for the use thereof, and which he, she, or they may lawfully take by any means whatsoever, shall be by him, her, or them conveyed, assigned, and paid to the governing body, 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.

Appointment of treasurer.

7. The general agent in Ireland for the time being of the Honourable the Irish Society shall be the treasurer of Foyle College.

Governing body may make byelaws.

8. The governing body may from time to time make, ordain, and establish such rules, orders, regulations, and byelaws, and from time to time amend, alter, or repeal the same or any of them, for the regulating, governing, and managing of Foyle College, and all erections, buildings, works, matters, and things thereunto belonging, and also for the regulating of the head-master and other masters, assistants, and teachers, and all persons to be employed or in anywise concerned in such college, and for the granting of and regulating all salaries and other allowances, as to the governing body shall seem just and reasonable: Provided always, that no such order, rule, regulation, or byelaw 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.

Byelaws to be approved by the Lord Lieutenant.

9. No such order, rule, regulation, or byelaw shall be good, valid, or effectual, nor shall any such order, rule, regulation, or byelaw be amended, altered, or repealed, unless and until such order, rule, regulation, or byelaw, or any amendment, alteration, or repeal of any such order, rule, regulation, or byelaw, shall have been submitted to and allowed and approved of by the Lord Lieutenant of Ireland for the time being, who is hereby empowered and required, on request from time to time made by or on behalf of the governing body, to peruse and examine such orders, rules, regulations, and byelaws as shall from time to time be made, altered, amended, or repealed by the governing body in pursuance of this Act, and laid before him the said Lord Lieutenant 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 and disapprove of the repeal of the whole or any part thereof, as to him shall from time to time seem proper and expedient, and for doing thereof no fee or reward shall be paid or taken.

Appointment of head-master.

10. On and from the passing of this Act the right of nominating and appointing the head-master of Foyle College at all times hereafter shall vest absolutely in the said bishop and the said governor.

Dismissal of head-master.

11. The said bishop and the said governor shall have power from time to time at their discretion, and if in their opinion it shall be right, expedient, or necessary, to dismiss the head-master of Foyle College for the time being, such dismissal to be testified by a writing under their hands.

Subject to approval of Lord Lieutenant.

12. Provided always, that every appointment or dismissal of a head-master of the said college by the said bishop and governor shall be subject to the approbation of the Lord Lieutenant of Ireland for the time being testified by writing under his hand, and all such appointments or dismissals as shall not receive such approbation as aforesaid shall be null and void to all intents and purposes whatsoever, and in such and the like manner in all respects as if the same had not been made, anything herein contained to the contrary thereof in anywise notwithstanding.

Repeal of Acts in schedule.

13. From and after the passing of this Act the Acts contained in the third schedule to this Act annexed are repealed: Provided that such repeal shall not affect the validity or invalidity of any appointment already made, or any instrument or thing already executed, made, done, or suffered, or any right or title already acquired or accrued, or any remedy in respect thereof, or any release or discharge of any debt, claim, or demand, or the proof of any past act or thing.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

The site of Foyle College in the city of Londonderry, containing by admeasurement 3A. 3R. 19P. Irish plantation measure, abutting upon the Strand Road, leading from Derry to Muff, which was formerly described as 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 mile and a half from the said city, and lying between the road leading to Buncrana and the road leading to Muff.

SECOND SCHEDULE.

A piece of land in the city of Londonderry, containing 2A. 1R. 22P. Irish plantation measure, bounded on the front or west by the Old or Black Bush Road, leading from Derry to Buncrana, on the east by the land described in the first schedule annexed to this Act, on the north by premises called Richmond, and on the south by the grounds of the Londonderry Lunatic Asylum, and situate in that part of the city of Londonderry formerly known as a portion of the north liberties thereof.

THIRD SCHEDULE.

Date of Act.	Title of Act.
48 George III. c. 77. - - -	An Act to enable His Majesty to vest the right of appointment of master of the Free School of Londonderry, in the city and county of Londonderry, in the Bishop of Derry for time being.
49 George III. c. 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.

CHAPTER 80.

An Act to amend the Laws relating to the Royal Irish Constabulary.

[7th August 1874.]

WHEREAS it is expedient further to amend the laws relating to the Royal Irish Constabulary:

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:

Preliminary.

Interpretation of terms.

1. The following terms in this Act have the meanings herein-after assigned to them; (that is to say,)

"Lord Lieutenant" means the Lord Lieutenant or other chief governor or governors of Ireland:

"Constabulary force" means the Royal Irish Constabulary:

"Members of the constabulary force" means inspector general, deputy inspector general, assistant inspector general, commandant of the depôt, surgeon, veterinary surgeon, and every county inspector, sub-inspector, barrack master of the depôt, head constable, constable, acting constable, and sub-constable of the constabulary force:

Head and other constables" means every head constable, constable, acting constable, and sub-constable of the constabulary force:

The term "county" shall extend to and include county of a city, county of a town, county of a town and city, city and county and borough, in which there is a grand jury or town council exercising the powers of a grand jury as to presentments:

Power to Lord Lieutenant to fix revised salaries for constabulary force

2. It shall be lawful for the Lord Lieutenant, notwithstanding the limitations in any Act contained, to fix and appoint such revised annual salaries as to him may from time to time seem proper, subject to the conditions herein-after specified, to be paid in such manner and subject to such regulations and provisions as he may direct, to the several persons herein-after mentioned; (that is to say,)

1. To the inspector general, to the deputy inspector general, to the three assistant inspectors general, one being styled commandant of the depôt, and to the barrack master, such annual salaries respectively as the Commissioners of Her Majesty's Treasury may approve:
2. To the surgeon of the force, an annual salary not exceeding four hundred pounds:
3. To the inspector of constabulary for the town of Belfast, an annual salary not exceeding six hundred pounds: