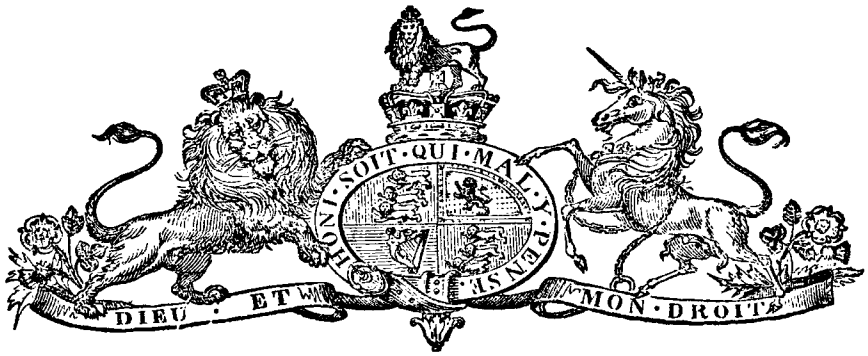


ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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expedient that Her Majesty, Her Heirs and Successors, be empowered to give from Time to Time further Directions respecting the Application of the Fund, subject to the Appropriations aforesaid, and respecting the Constitution and Powers of the Body of Commissioners, and the Conduct of the Business relating to the Fund, and that Provision be made respecting the vesting and Transmission of Property held in trust for the Purposes of the Fund:

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:

Short Title.

1. This Act may be cited as The Patriotic Fund Act, 1867.

29 & 30 Vict. c. 120. repealed.

2. The Patriotic Fund Act, 1866, is hereby repealed.

Interpretation of Terms.

3. In this Act the Term "the First Lord of the Admiralty" means such one of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom as is for the Time being first named in their Commission; and the Provisions of this Act relative to the First Lord of the Admiralty extend and apply to the Lord High Admiral of the United Kingdom for the Time being in case at any Time Her Majesty, Her Heirs or Successors, is or are pleased to constitute a Lord High Admiral.

In this Act the Term "the Secretary of State for War" means such one of Her Majesty's Principal Secretaries of State as for the Time being Her Majesty is pleased to intrust with the Seals of the War Department.

In this Act the Term "the Paymaster General" means Her Majesty's Paymaster General for the Time being.

Confirmation of existing Appropriations and other Acts of Commissioners.

4. Such of the Acts of the Commissioners from Time to Time acting under the original Commission as relate to the Application and Appropriation of the Patriotic Fund, and as have from Time to Time been approved by Her Majesty, or been specified in their Reports made to Her Majesty and laid before the Houses of Parliament, shall be and be deemed to have been valid and binding, and are hereby respectively confirmed.

Application of Patriotic Fund subject to existing Appropriations.

5. It shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, by Supplementary Commission under the Royal Sign Manual, directed to such Persons as to Her Majesty, Her Heirs or Successors, seem fit, to authorize and direct the Commissioners thereby constituted to apply the Patriotic Fund and the Income and Accumulations thereof, or any Part or Parts thereof, subject to the Appropriations aforesaid (in such Manner as any such Commission

Commission from Time to Time directs, or, in the Absence of such Direction, or as far as such Direction, if any, does not extend, as the Commissioners think fit), to the Purposes and in the Order following:

First, in Relief of Widows, and Maintenance, Education, Training, and Advancement of Children, of Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who lost their Lives in Battle in the late War with *Russia*, or in consequence of Wounds received in or by or in consequence of other Casualties sustained in or Disease contracted in that War:

Secondly, in Maintenance, Education, Training, and Advancement of Children of Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who have lost or hereafter lose their Lives in Battle in any other War, or in consequence of Wounds received in or by or in consequence of other Casualties sustained in or Disease contracted in any other War:

Thirdly, in Maintenance, Education, Training, and Advancement of Children of other Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who have lost or hereafter lose their Lives in the Service of the Crown, or by or in consequence of Casualties sustained or Disease contracted in the Service of the Crown.

Contribution to Royal, &c. Institutions.

6. Any Supplementary Commission may authorize the Commissioners acting thereunder, for the better Accomplishment of any Purpose of the Commission, to increase, extend, or make Additions to any Royal or other Charitable Institutions founded within the United Kingdom for any of the Purposes for or towards which under the preceding Section the Commissioners have Power to apply the Patriotic Fund or the Accumulations thereof or of any Part thereof.

Saving for existing Arrangements.

7. Nothing in this Act shall be deemed to authorize the Insertion in any Supplementary Commission of any Authority or Direction that would prejudicially affect the Claim of any Person under any Grant or Arrangement made before the passing of this Act, or before the issuing of such Supplementary Commission, by the Commissioners acting under the original or any other Commission.

Official Trustees of Fund.

8. Any Supplementary Commission may direct that the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General shall be the Trustees of the Patriotic Fund, in trust to support the Appropriations in such Commission specified, and subject thereto in trust for any Purposes therein specified in conformity with the Provisions of this Act.

9. If

Vesting of Property in Trustees for Time being.

9. If by any Supplementary Commission the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General are constituted the Trustees of the Patriotic Fund, then any Real or Personal Property conveyed to or acquired by them (who are in this Act referred to as the Official Trustees of the Patriotic Fund) in the Capacity of Trustees of the Patriotic Fund shall vest in them as such, and the same shall go to and be held by their Successors in Office for the Time being, without any Conveyance or Assignment.

Accounts in Official Titles.

10. The Governor and Company of the Bank of *England* shall, when required by the Official Trustees of the Patriotic Fund, open and keep all Accounts of Annuities, Stocks, Funds, and Securities belonging to the Patriotic Fund, and standing in the Books of the said Governor and Company, as the Accounts of the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General for the Time being (by their official Titles) *ex parte* the Patriotic Fund; and all Interest and Dividends accruing on such Annuities, Stocks, Funds, and Securities shall, from Time to Time without any further Authority or Direction than this Act, be received by the said Governor and Company, and shall be carried by them to the Cash Account of the Paymaster General in their Books.

Transfer of present Securities to Account of Official Trustees.

11. The Production to the Governor and Company of the Bank of *England*, or to any other Body, or to any Person, of this Act, and of the First Supplementary Commission thereunder, constituting the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General the Trustees of the Patriotic Fund, and of a Direction of the Commissioners of the Patriotic Fund in Writing, signed by their Secretary, shall be sufficient Authority to such Governor and Company, Body or Person, for the Transfer forthwith after the issuing of such Commission to the Account of the First Lord of the Admiralty and the Secretary of State for War and the Paymaster General for the Time being, *ex parte* the Patriotic Fund, of all Annuities, Stocks, Funds, or Securities belonging to the Patriotic Fund at the issuing of such Commission, and specified in such Direction; and the said Governor and Company and every such Body or Person are and is hereby indemnified in respect of the Transfer made in accordance with such Direction.

Deposit of Securities in Bank of England.

12. All Securities from Time to Time belonging to the Patriotic Fund, and not standing in the Books of the Governor and Company of the Bank of *England*, shall be deposited in the Bank of *England* for the Credit and at the Disposal of the Official Trustees of the Patriotic

Patriotic Fund; and all Interest and Dividends accruing on such Securities shall from Time to Time, under the Authority and Direction of the Official Trustees of the Patriotic Fund, be received by the said Governor and Company, and shall be carried by them to the Cash Account of the Paymaster General in their Books.

Proceeds of Sales to be carried to Account of Paymaster General.

13. On Sale at any Time, under the Authority and Direction of the Official Trustees of the Patriotic Fund, of any Annuities, Stocks, Funds, or Securities for the Time being standing to the Account of the Official Trustees of the Patriotic Fund in the Books of the Governor and Company of the Bank of *England*, and on Sale at any Time, under the like Authority and Direction, of any Securities belonging to the Patriotic Fund deposited in the Bank of *England*, the Proceeds of Sale shall be received by the said Governor and Company, and shall be carried by them to the Cash Account of the Paymaster General in their Books.

Separate Cash Account by Paymaster General.

14. Any Cash for the Time being in the Hands of the Paymaster General belonging to the Patriotic Fund shall be carried to a separate Account in his Books.

Actions, &c. by and against Official Trustees.

15. The Official Trustees of the Patriotic Fund may institute or defend any Action or Suit relative to any Lands contracted to be purchased or taken for the Purposes of the Patriotic Fund, and may institute any Action of Ejectment or other Action or any Suit for recovering Possession of any Lands vested in them or purchased for the Patriotic Fund, and may distrain or sue for any Arrears of Rent due in respect thereof, and may institute any Action or Suit in respect of any Trespass or Encroachment committed thereon or Damage done thereto, or any other Action or Suit in respect thereof, and may defend any Action or Suit in respect thereof, and may institute and prosecute any Action, Suit, or Proceeding, Civil or Criminal, concerning Property belonging to the Patriotic Fund; and in every such Action, Suit, or Proceeding they may be styled The Official Trustees of the Patriotic Fund, without more; and any such Action, Suit, or Proceeding shall not be affected by any Change in the Persons for the Time being holding the Offices of First Lord of the Admiralty and Secretary of State for War and Paymaster General, or either of them.

Style of Official Trustees in Deeds, &c.

16. In Deeds, Powers of Attorney, and other Instruments the Official Trustees of the Patriotic Fund may be so styled without the Names or Name of them or either of them being expressed.

17. The

Audit of Accounts.

17. The Accounts of the Receipts and Expenditure of the Patriotic Fund shall be audited by such Persons and in such Manner as the Commissioners of Her Majesty's Treasury from Time to Time direct.

Secretary and Clerks, &c.

18. Any Supplementary Commission may authorize the Commissioners acting thereunder to employ a Secretary and Clerks at Salaries, the same, with other proper Expenses, to be paid out of the Patriotic Fund.

Pensions and Retiring Allowances.

19. It shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, by Warrant under the Royal Sign Manual, on the Submission of the Commissioners of the Patriotic Fund, to award to any Person who has been employed by the Commissioners of the Patriotic Fund, acting under the Original or any Supplementary Commission, such Pension or retiring Allowance as to Her Majesty, Her Heirs or Successors, seems fit, to be paid out of the Patriotic Fund.

Exercise of Rights of Nomination to Schools, &c.

20. All Rights of Nomination to Schools or Institutions possessed by the Commissioners acting under the Original Commission, or by the Executive Committee of those Commissioners and for the Time being exerciseable, and all Powers relative thereto, may be exercised by the Commissioners for the Time being acting under any Supplementary Commission, or by the Executive Committee of those Commissioners, as any Supplementary Commission directs; and in the event of the Original and any Supplementary Commission being superseded, or of the Discontinuance of the Commissioners under any Supplementary Commission, or of a Reduction of the Number of those Commissioners below Twelve, then the same may be exercised by such Person or Persons as Her Majesty, Her Heirs or Successors, from Time to Time, by Warrant under the Royal Sign Manual, is or are pleased to direct.

Rodriguez Fund.

21. Any Supplementary Commission may direct that the Fund known as the *Rodriguez* Fund shall be applied for the same or the like Purposes as the Patriotic Fund, and the same shall be applied accordingly.

SCHEDULE.

Appropriations of Patriotic Fund (except for Victoria Asylum and Boys School).

1. The Sum of Two thousand five hundred Pounds Sterling invested in the Purchase of Two thousand seven hundred and forty-seven Pounds Five Shillings and One Penny New Three Pounds per Centum in the Names of Lord Colchester and Lieutenant-Colonel James Lindsay and of William Hillyar and Harry Lord Richards, and held under the Trusts, declared by a Deed Poll of the Ninth Day of February One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the Royal Commissioners, the Admission of Thirteen Boys, Sons of Soldiers, Sailors, or Marines of Her Majesty's Service, into the Royal Naval and Military Free School at Devonport.

2. The Sum of Two thousand five hundred Pounds Sterling invested in the Purchase of Two thousand seven hundred and forty-seven Pounds Five Shillings and One Penny New Three Pounds per Centum in the Names of the said Lord Colchester and Lieutenant Colonel James Lindsay and the Reverend Joshua Woolley, LL.D., and Captain Andrew Rogers Savage, Royal Marine Artillery, and held under the Trusts, declared by a Deed Poll of the Eighteenth Day of February One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the Royal Commissioners, the Admission of Eleven Boys, the Sons of Soldiers, Sailors, or Marines of Her Majesty's Service, into the Royal Seamen and Marines Orphan School, Portsea.

3. The Sum of Twenty-five thousand Pounds paid to the Governors of Wellington College, upon an Agreement confirmed by a Byelaw of the said Governors of the Twenty-seventh Day of February One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the said Royal Commissioners, the Admission of Eighteen Boys, Children of deceased Commissioned Officers in Her Majesty's Army, into the said College.

4. The Sum of One thousand Pounds paid to the Treasurer of the Cambridge Asylum at Kingston-on-Thames towards building, and Two thousand Pounds Sterling invested in the Purchase of Two thousand one hundred and sixteen Pounds Eight Shillings and One Penny New Three Pounds per Centum in the Names of the said Lord Colchester and Lieutenant-Colonel James Lindsay and James Liddell and George Tempest Rowland, and held under the Trusts, declared by a Deed Poll of the Third Day of September One thousand eight

eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the said Royal Commissioners, the Admission of Five Women, Widows of Soldiers, into the Cambridge Asylum.

5. The Sum of Five thousand Pounds Sterling paid to the Treasurer of the Royal Naval Female School at St. Margaret's, Isleworth, for the general Purposes of the Institution, and held under an Indenture or Deed of Covenant of the Sixteenth Day of April One thousand eight hundred and fifty-seven, to secure in perpetuity, on the Nomination of the said Royal Commissioners, the Admission of Five Pupils into the said Royal Naval Female School upon the Terms and Conditions mentioned in the said Indenture.

6. The Sum of Eight thousand Pounds Sterling paid to the Royal Naval School, New Cross, for the general Purposes of the Institution, under the Sanction of Parliament, to secure the Admission in perpetuity, on the Nomination of the said Royal Commissioners, of Seven Pupils, Sons of Naval or Marine Officers, upon the Terms and Conditions specified in the Twenty-third and Twenty-fourth Victoria, Chapter One hundred and four (Local and Personal).

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