ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

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C A P. LXVI.

An Act to enable Her Majesty to endow new Colleges for the Advancement of Learning in *Ireland*. [31st *July* 1845.]

FOR the better Advancement of Learning among all Classes of Her Majesty's Subjects in *Ireland*, 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, That in case Her Majesty shall be pleased by Letters Patent under the Great Seal of *Ireland* to found One or more new Colleges for the Advancement of Learning in *Ireland*, the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being shall be empowered, by Warrant under the Hands of any Three or more of them, to charge the Consolidated Fund of the said United Kingdom (after providing for all preceding Charges, and in preference to all future Charges), and to direct to be issued or paid thereout, such Sum of Money as shall be needed by the Trustees herein-after mentioned for purchasing or providing Lands, Tenements, and Hereditaments for the Use of such College or Colleges, and for the necessary Buildings, with the Appurtenances thereof, and for establishing and furnishing the same, not exceeding the Sum of One hundred thousand Pounds in the whole.

Grant of 100,000*l.* out of the Consolidated Fund for building new Colleges in Ireland.

Commissioners of Public Works to be Trustees for providing Buildings and Lands necessary for the Colleges.

II. And be it enacted, That the Commissioners of Public Works in *Ireland* for the Time being shall be Trustees for the Purpose of purchasing or providing, as herein-after mentioned, any Buildings, Lands, Tenements, or Hereditaments that may be necessary for the said Colleges and the Sites thereof, and the Premises to be occupied therewith respectively, and for erecting thereon suitable Buildings, and for repairing, enlarging, and improving the same from Time to Time, and for upholding and furnishing the same from Time to Time, for the Use of the said Colleges respectively.

Commissioners of Public Works to be a Corporation for the Purposes of this Act.

III. And be it enacted, That for the Purposes of this Act the said Commissioners of Public Works in *Ireland* for the Time being, and their Successors, shall be a Corporation by the Name or Style of "The Commissioners of Public Works in *Ireland*," and by that Name, for the Purposes of this Act, shall have perpetual Succession and a Common Seal, to be by them made, and from Time to Time altered as they shall think fit, and shall and may sue and be sued, plead or be impleaded, in all Courts and before all Justices and others, and in that Capacity shall be deemed Promoters of the Undertaking authorized to be executed by this Act.

Power to Commissioners of Public Works to purchase or rent Buildings, Lands, &c. which may be required for said Colleges.

IV. And be it enacted, That in order to enable the said Commissioners of Public Works in *Ireland* to purchase and provide the Buildings, Lands, Tenements, and Hereditaments which may be required for the said Colleges and the Sites thereof, it shall be lawful for the said Commissioners, with the Approval of the Commissioners of Her Majesty's Treasury, to contract and agree with any Person or Persons, or Body or Bodies Corporate, for the Purchase or renting of any Buildings, Lands, Tenements, or Hereditaments required for such Colleges or the Sites thereof, and also for the Purchase of any subsisting Leases, Terms, Estates, or Interests therein or Charges thereon; and the Buildings, Lands, Tenements, or Hereditaments so contracted and agreed for shall be conveyed, assigned, or demised to or in trust for Her Majesty, Her Heirs and Successors, in such Manner and Form as the said Commissioners of Her Majesty's Treasury shall direct.

Consolidation of Lands Clauses Consolidation Act with this Act.

V. And be it enacted, That the "Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act, except the Clauses with respect to the Purchase and taking of Lands otherwise than by Agreement: Provided always, that all things by the said Act required or authorized to be done by the Promoters of the Undertaking may be done by any Two of the Commissioners of Public Works in *Ireland*, subject to the Approval of the Commissioners of Her Majesty's Treasury in the Cases provided by this Act.

Commissioners of Public Works to obtain Surveys, Plans, and Specifications, and submit same to Treasury.

VI. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, if they shall be so directed by the Commissioners of Her Majesty's Treasury, to employ the County Surveyor, or any other competent Surveyor or Architect, to make a Survey and Estimate of any of the said proposed Works, and to prepare such Plan, Section, or Specification thereof as may be necessary, and send the same to the Commissioners of Her Majesty's Treasury

for their Approval; and if the said Commissioners of Her Majesty's Treasury shall think fit to authorize the Work in any such Plan, Section, or Specification, or any Modification thereof which they may think proper, to be undertaken, they shall, by Warrant under their Hands, direct the said Commissioners of Public Works to execute such Work at and for an Amount not exceeding a Sum to be specified in such Warrant; and the said Commissioners of Public Works shall, upon Receipt of such Warrant, forthwith cause the Construction of the Work mentioned therein to be proceeded with.

Commissioners of Public Works to lay Accounts before Parliament.

VII. And be it enacted, That the said Commissioners of Public Works shall cause detailed Accounts in Writing of their Proceedings under this Act, of the several Sums received by them as such Commissioners for the Purposes of this Act, and of the Sums expended by them for such Purposes, and the Mode of such Expenditure, and the several Works made or in progress under this Act, to be made up to the Thirty-first Day of *December* in each Year; and such Accounts shall be laid before both Houses of Parliament within Six Weeks thereafter, if Parliament be then sitting, or if not, then within Six Weeks after the first Meeting of Parliament subsequent to the Thirty-first Day of *December*; and the said Commissioners shall, as often as they shall be required so to do by the Commissioners of Her Majesty's Treasury, transmit to the said Commissioners of the Treasury like Accounts made up to such Period as the said Commissioners of the Treasury shall direct; and it shall be lawful for the said Commissioners of Her Majesty's Treasury to give such Directions as they shall think proper, defining the Duties of the said Commissioners of Public Works in the Execution of this Act; and the said Commissioners of Public Works shall observe all such Directions as aforesaid which shall from Time to Time be signified to them by the said Commissioners of Her Majesty's Treasury.

Proceedings in Actions by and against the Commissioners of Public Works. 1 & 2 W. 4. c. 33.

VIII. And be it enacted, That the several Enactments contained in an Act passed in the Second Year of the Reign of His late Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, which affect or relate to any Action or Suit to be commenced against the Commissioners for the Execution of the last-recited Act, or their Secretary, or any Person or Persons, for any thing done by virtue of or in pursuance of the last-recited Act, or any Proceedings in any such Action or Suit, or any Limitation of Time for the commencing thereof, or any Costs thereof, or any Evidence to be given therein, or any Notice of Action or Suit or Satisfaction or Tender thereof, or any Action or Suit to be commenced by the said Commissioners, or any Proceedings therein, or the said Commissioners suing or being sued in the Name of their Secretary, or any Abatement or Discontinuance of any such Action or Suit, or to the Court in which, or to the Terms or Conditions on which, any such Action or Suit shall be brought against the said Commissioners, collectively or individually, or their Secretary, shall be held to apply to and extend to any Action or Suit to be commenced against the Commissioners of Public Works in *Ireland*, or their Secretary, or any Person or Persons, for any thing done by virtue of or in pursuance of this Act, or to any Proceedings in any such Action or Suit, or to the Limitation

ation of Time for the commencing thereof, or to any Costs thereof, or to any Notice of any such Action or Suit, or to any Evidence to be given therein, or to any Action or Suit to be commenced by the said Commissioners of Public Works in the Execution of this Act, or on account of or in pursuance of this Act, or to any Proceedings in any such Action or Suit, or to the said Commissioners suing or being sued in the Name of their Secretary for the Time being, or to any Abatement or Discontinuance of any such Action or Suit, or to the Court in which or to the Terms or Conditions on which any such Action or Suit shall be brought against the said Commissioners of Public Works, collectively or individually, or against their Secretary.

Restraint on Alienation of Property.

IX. And be it enacted, That it shall not be lawful for any College within the Provisions of this Act to alien, mortgage, charge, or demise any Lands, Tenements, or Hereditaments to which it may become entitled, unless with the Approval of the Commissioners of Her Majesty's Treasury, except by way of Lease for any Term not exceeding Thirty-one Years from the Time when such Lease shall be made, in and by which there shall be received and made payable, during the whole of the Term thereby granted, the best yearly Rent that can reasonably be gotten for the same, without any Fine or Foregift.

Her Majesty to be Visitor of the new Colleges.

X. Provided always, and be it enacted, That no College shall be entitled to the Benefit of this Act, or deemed to be within the Provisions thereof, unless it be declared and provided, in and by the Letters Patent constituting such College, that the Visitor or Visitors of the said College shall be such Person or Persons as it shall please Her Majesty, Her Heirs and Successors, from Time to Time to appoint, by any Warrant or Warrants under the Sign Manual, to execute the Office of Visitor; and that all the Statutes, Rules, and Ordinances concerning the Government and Discipline of such Colleges shall be made or approved by Her Majesty, Her Heirs and Successors; and that the President, Vice President, and Professors shall hold their several Offices during the Pleasure of Her Majesty, Her Heirs and Successors; and that the sole Power of appointing the President and Vice President shall be vested in Her Majesty, Her Heirs and Successors, and that the Power of appointing the Professors shall be vested in Her Majesty, Her Heirs and Successors, until the End of the Year One thousand eight hundred and forty-eight, and afterwards as shall be otherwise provided by Parliament, or in default of any Provision to the contrary, in Her Majesty, Her Heirs and Successors.

Statutes made for the Dicipline of the Colleges to be laid before Parliament.

XI. And be it enacted, That all the Statutes, Rules, and Ordinances which shall be made or approved from Time to Time by Her Majesty, Her Heirs and Successors, concerning the Government and Discipline of the said Colleges respectively, which shall be in force at the Beginning of every Session of Parliament, and which shall not have been before that Time laid before Parliament, shall from Time to Time, within Six Weeks after the Beginning of every such Session, be laid before both Houses of Parliament by one of Her Majesty's Principal Secretaries of State.

XII. And

Grant of 21,000*l.* annually out of Consolidated Fund for endowing new Colleges.

XII. And be it enacted, That the said Commissioners of Her Majesty's Treasury shall be empowered, by Warrant under the Hands of any Three or more of them, to charge the said Consolidated Fund of the said United Kingdom (after providing for all preceding Charges, but having Preference for all future Charges), and to direct to be issued or paid thereout by Four equal quarterly Payments, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, such Sums of Money as shall be needed for defraying the several Stipends which shall be by Her Majesty appointed to be paid to the President and Vice President and to such Professors in the several Faculties of Arts, Law, and Physic as shall be from Time to Time established by Her Majesty, Her Heirs and Successors, and to the Bursar, Registrar, Librarian, and other Office Bearers and Servants in each of the said Colleges, and for defraying the Expence of such Prizes and Exhibitions as shall be by Her Majesty, Her Heirs and Successors, awarded for the Encouragement and Reward of Students in each of the said Colleges, not exceeding in any One Year the Sum of Seven thousand Pounds for every such College, or the Sum of Twenty-one thousand Pounds in the whole, the first Instalment for each College to become due and payable on such of the said quarterly Days of Payment as shall first happen next after the Grant of the Letters Patent for the Establishment of such College.

Fees may be taken in addition to Stipends, and for the Benefit of the College.

XIII. And be it declared and enacted, That it shall be lawful for the Professors in each of the said Colleges, in addition to the Stipends with which they shall be so respectively endowed, to demand and receive from the Students in the said Colleges such reasonable Fees for Attendance on their Lectures, and for the Bursar of the College to collect from the said Students, on behalf of the said College, such reasonable Fees for Matriculation and other Collegiate Proceedings, as shall be from Time to Time provided by the Statutes, Rules, and Ordinances so to be made or approved by Her Majesty, Her Heirs and Successors, as aforesaid.

Lecture Rooms to be assigned for religious Instruction.

XIV. And for the better enabling every Student in the said Colleges to receive religious Instruction according to the Creed which he professes to hold, be it enacted, That it shall be lawful for the President and Professors or other governing Body of each of the said Colleges which shall be constituted in and by the said Letters Patent to assign Lecture Rooms within the Precincts of such College, wholly or in part, for the Use of such religious Teachers as shall be recognized by such governing Body, subject in each Case to the Approval of Her Majesty, Her Heirs and Successors, and also, subject to the like Approval, to make Rules concerning the Days and Times when such religious Instruction shall be given therein, and for securing that the same shall not interfere with the general Discipline of the College; Provided always, that no Student shall be compelled by any Rule of the College to attend any theological Lecture or religious Instruction other than is approved by his Parents or Guardians, and that no religious Test shall be administered to any Person in order to entitle him to be admitted a Student of any such College, or to hold any Office therein, or to partake of any Advantage or Privilege thereof;

thereof; but this Proviso shall not be deemed to prevent the making of Regulations for securing the due Attendance of the Students for Divine Worship at such Church or Chapel as shall be approved by their Parents or Guardians respectively.

Where Students shall dwell.

XV. And for the better Government of the Students in the said Colleges, be it enacted, That no Student shall be allowed to continue in any of the said Colleges unless he shall dwell with his Parent or Guardian, or with some near Relation or Friend selected by his Parent or Guardian and approved by the President of the College, or with a Tutor or Master of a Boarding House licensed by the President of the College as herein-after provided, or in a Hall founded and endowed for the Reception of Students and recognized by the College as herein-after provided.

Licence of Tutors and Masters of Boarding Houses.

XVI. And be it enacted, That every Person who is desirous of being licensed as a Tutor or Master of a Boarding House in any of the said Colleges shall apply in Writing under his Hand to the President of the College for his Licence; and it shall be lawful for the President, if he shall think fit, to require of any such Applicant such Testimonials of Character and Fitness for the Office as shall be satisfactory to him; and the Application shall specify the House or Houses belonging to or occupied by the Applicant, and intended by him for the Reception of Students, and the Number of Students who may be conveniently lodged and boarded therein, and also the Provision or Regulation proposed to be made for securing to the said Students the Means of due Attendance upon such religious Instruction and Divine Worship as may be approved by his Parents and Guardians and recognized by the governing Body of the College, and thereupon it shall be lawful for the President, in his Discretion, to grant or withhold the Licence for the academical Year then current or then next ensuing; and every such Licence shall be registered in the Archives of the College, and shall enure until the End of the academical Year in which it shall be registered, and shall then be of no Force unless renewed in like Manner, but shall be revocable at any Time, and may be forthwith revoked by the President of the College in case of any Misbehaviour of such Tutor or Master of a Boarding House, or of the Students under his Care, which in the Opinion of the President and a Majority of the Professors of the College ought to be punished by immediate Revocation of such Licence.

Endowment of Halls for Students.

XVII. And be it enacted, That it shall be lawful for any Person whomsoever having Power to make an absolute Disposition thereof to give, grant, devise, bequeath, or assure, by any Deed, Will, or other Instrument sufficient in Law to create or convey an Estate therein, any Messuages, Lands, Tenements, and Hereditaments, or any Estate therein, or any Interest arising thereout, or any Money, Chattels, and Effects, to any Trustee or Trustees willing to accept the Trust, or to the Commissioners of Charitable Donations and Bequests in *Ireland* and their Successors, in trust for founding and endowing Halls for the Reception of Students in any of the said Colleges, and by such Deed, Will, or Instrument to establish Rules or to specify the Authority for establishing Rules to be observed by the

Students admitted to the Benefits of such Foundation, and to specify the Authority by which the Observance of such Rules is to be enforced: Provided always, that no such Hall shall be recognized by any of the said Colleges unless the Instrument of Foundation shall provide that such Rules, and also the Appointment from Time to Time of the Principal or other Person holding chief Authority in such Hall, shall be of no Force until allowed by the Person or Persons appointed or to be appointed as aforesaid by Her Majesty, Her Heirs and Successors, to execute the Office of Visitor of the said College.

Commissioners of Public Works may make Loans to Companies incorporated for founding Halls.

XVIII. And for the Encouragement of Persons willing to found and endow Halls for the Reception of Students in the said Colleges as aforesaid, be it declared and enacted, That if Her Majesty, Her Heirs and Successors, shall be pleased, by Letters Patent under the Great Seal of *Ireland*, to incorporate any Number of Persons willing to found and endow any such Hall or Halls as aforesaid, such incorporated Hall shall be deemed a public Work for the Promotion of which the Commissioners of Public Works in *Ireland* may make Loans within the Meaning of an Act passed in the Second Year of the Reign of His late Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, and of all Acts passed or to be passed for the Amendment thereof; and that it shall be lawful for the Commissioners of Public Works in *Ireland* to make Loans to such incorporated Bodies respectively for the Extension and Promotion of such Foundations according to the Provisions of the last-recited Acts.

1 & 2 W. 4. c. 33. 6 & 7 W. 4. c. 108. 7 W. 4. & 1 Vict. c. 21. 6 & 7 Vict. c. 44.

Religious Teachers to be endowed by private Benefactions.

XIX. And be it enacted, That it shall be lawful for any Person whomsoever having Power to make an absolute Disposition thereof to give, grant, devise, bequeath, or assure, by any Deed, Will, or other Instrument sufficient in Law to create or convey an Estate therein, any Messuages, Lands, Tenements, and Hereditaments, or any Estate therein, or Interest arising thereout, or any Money, Chattels, and Effects, to any Trustee or Trustees willing to accept the Trust, or to the Commissioners of Charitable Donations and Bequests in *Ireland*, and their Successors, in trust for establishing and maintaining Lectures or other Forms of religious Instruction for the Use of such Students of the said Colleges respectively as shall be desirous of receiving the same, subject to such Regulations consistent with the Intentions of the Donor thereof, as shall be made by the governing Body of the College, and approved by Her Majesty, Her Heirs and Successors: Provided always, that no such Gift shall take effect until it shall have been accepted by the governing Body of the College, and until Her Majesty, Her Heirs and Successors, shall have signified Her or Their Approval of the Regulations according to which such Gift is to be applied.

Colleges to make Reports to Her Majesty, to be laid before Parliament.

XX. And be it enacted, That every such College which shall be established and endowed under this Act shall once at least in every Year, and also whenever Her Majesty's Pleasure shall be signified in that Behelf, report to Her Majesty their Proceedings; and a Copy of every such Report shall be laid before both Houses of Parliament within

within Six Weeks after the same shall have been made, if Parliament be then sitting, or if not, then within Six Weeks next after the next Meeting of Parliament.

Alteration of Act.

XXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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