ANNO UNDECIMO

VICTORIÆ REGINÆ.

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C A P. XXIII.

An Act to alter and amend an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to incorporate the Contributors for the Erection of a National Monument in* Scotland *to commemorate the Naval and Military Victories obtained during the late War.* [9th *June* 1848.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to incorporate the Contributors for the* 3 G.4.c.100.
Erection of a National Monument in Scotland *to commemorate the Naval and Military Victories obtained during the late War*, under the Provisions of which Act various Parties Contributors were incorporated under the Name of "The Royal Association of Contributors "to the National Monument of *Scotland*;" and a Capital not exceeding Fifty thousand Pounds was authorized to be raised by Subscription and Contribution, for the Purpose of erecting a Building of ornamental Architecture appropriate to the Objects and Uses of a National Monument for *Scotland*, with a Church or Place for Divine Worship connected therewith, and Places of Sepulture beneath or

 connected

connected with the same: And whereas a Site on the *Calton Hill* of *Edinburgh* was granted to the said incorporated Contributors for the Erection of the said National Monument by the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, and a Portion of the said Capital Sum was raised and expended in the Erection of Part of the said Monument, according to Plans thereof adopted by the Directors or Committee of Management, and sanctioned by General Meetings of the said Association; but the Progress of the said Work has for a considerable Period been interrupted by the Want of the necessary Funds and by other Obstructions to its Prosecution: And whereas, in order to the renewed Prosecution and Furtherance of the said Work, it is expedient that the destined Objects of the said Monument should be made in some respects more comprehensive, and in other respects be altered, and that the Sum authorized to be raised for its Construction should be increased, and that the Provisions for carrying out the Purposes of the Subscribers and Contributors should in regard to these and in other Particulars be amended: But as these Purposes cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty; that it may be enacted, and 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 from and after the passing of this Act the said National Monument of *Scotland* shall no longer be restricted in its Objects to those specified in the said recited Act, but that the said Monument shall on its Completion be devoted to the Purpose of a Receptacle or Gallery for Monumental Busts and Statues or other Memorials of great and distinguished Persons of all Nations and Periods.

Objects of Monument made more comprehensive.

II. And be it enacted, That the Plan and Design of the said National Monument, in its external Architecture and in its internal Decoration, shall be such as has been already adopted by the said Directors or Committee of Management, and been approved of by the said Association: Provided always, that it shall be competent to the said Directors or Committee or to the said Association to make such Alterations upon the Details of the said Plan from Time to Time as may seem expedient.

Design of Monument.

III. And be it enacted, That it shall and may be lawful to and for the said Association of Contributors, for the Purposes aforesaid, to raise and contribute amongst themselves, or by Subscription or Contribution of others, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, in addition to the Monies authorized to be raised under the said recited Act.

Power to raise additional Funds.

IV. And be it enacted, That all and every such Person or Persons, Bodies Politic, Corporate, or Collegiate, who may have subscribed or

Amount of Shares, and Qualification

shall subscribe to the Amount of Five Pounds Sterling each, whether towards the Capital authorized to be raised by the said recited Act or by this Act, and whether in One Payment or to be paid by such Instalments as may be required by the Committee of Management of the said Association, and their several and respective Successors, Executors, Administrators, and Assigns, shall be Members of the said Association, with all the Powers conferred by the said recited Act, and each Subscription to the Amount of Five Pounds shall constitute a Share in the Association; and the respective Subscribers shall be entitled to hold as many Shares in the same as they may hold Subscriptions therein to the Amount of Five Pounds. of Membership.

V. And be it enacted, That the said Association shall be entitled to accept of Subscriptions and Contributions from any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to a less Amount from each than Five Pounds Sterling, but such Subscriptions and Contributions shall not entitle the Subscribers or Contributors to be Members of the Association, but shall be considered to be Donations only. Contributions under 5*l.* may be received.

VI. And be it enacted, That the Shareholders present at stated General and Special Meetings under the said recited Act shall have a Vote for each Share held by them, but that such Shareholder shall not be entitled to exercise more than Twenty Votes, although possessed of more than Twenty Shares in the said Undertaking; and every Shareholder who is Proprietor of Five or more Shares, and who cannot attend such stated General and Special Meeting, shall be entitled to vote by Proxy for every Share held by such Shareholder, not exceeding Twenty Shares in the whole, although possessed of more than Twenty Shares in the said Monument, in the same Manner as is provided in regard to such voting in the said recited Act. No Party to have more than Twenty Votes.

VII. And be it enacted, That the just and necessary Expenses of all Meetings of the said Association shall be defrayed from the Funds of the said Association. Expenses of Meetings.

VIII. And be it enacted, in regard to all General Meetings of the said Association held under the Provisions of the said recited Act, That Eight Days previous Notice, by Advertisement in any One or more of the Newspapers published in *Edinburgh*, of such Meetings, shall be sufficient for the Purposes of the said Act and of this Act. Notice of General Meetings.

IX. And be it enacted, in regard to the Meetings of the Committee of Management or Directors, That Notice given by the Secretary at least Three Days before any such Meeting shall be sufficient for the Purposes of the said recited Act and this Act. Notice of Meetings of Committee.

X. And be it enacted, That no Person shall be eligible as an ordinary Director or a Member of the Committee of Management of the said Qualification of Directors.

said Association who is not possessed of at least Five Shares in the said Association: Provided always, that the Lord Provost for the Time being of the City of *Edinburgh*, or in his Absence the Senior Bailie thereof, shall *ex officio* be a Director and Member of the said Committee of Management.

Secretary not to retain Money in his Hands.

XI. And be it enacted, That the Secretary of the said Association for the Time being shall at no Time retain in his Hands a larger Sum than One hundred Pounds Sterling belonging to the said Association, and received or held by him for the Purpose of this or the said recited Act, but shall immediately pay into the Hands of the Treasurer all Sums exceeding that Amount which may from Time to Time be deposited with or have been uplifted by him.

Church need not be constructed; nor Places of Sepulture.

XII. And be it enacted, That the said Association shall no longer be obliged to construct or appropriate and set apart any Portion of the said Monument by this and the said recited Act authorized to be erected as a Church or Place for Divine Worship, and it shall not be necessary to make or construct Places of Sepulture beneath or connected with the said Monument, any thing in the said recited Act notwithstanding.

New Trustees to be elected.

XIII. And be it enacted, That so soon as the said Monument shall be completed a Special Meeting of the whole Shareholders shall be called and held, at which Meeting it shall be lawful for the Shareholders present or represented to declare by their Votes the Parties, not exceeding Fifteen in Number, to whom, alongst with the official Persons after mentioned, the Care and Preservation of the said Monument, and the Management and Control of the future Arrangements and Uses of the same, shall be committed as Trustees.

Monument to be vested in Trustees.

XIV. And be it enacted, That the following Persons, and their respective Successors in Office, shall *ex officiis* be the Trustees in whom, alongst with the other Parties to be declared at such Special Meeting or assumed in manner after mentioned, the said Monument shall be vested upon its Completion, for the Purposes before and after mentioned; (*videlicet*,) the Lord Justice General of *Scotland*, the Lord Justice Clerk of *Scotland*, the Lord Advocate of *Scotland*, the Solicitor General of *Scotland*, the Dean of the Faculty of Advocates, the Lord Provost of the City of *Edinburgh*, the Lord Provost of the City of *Glasgow*, and the Principals of the Universities of *Saint Andrew's*, *Glasgow*, *Aberdeen*, and *Edinburgh*, all for the Time being.

Power to appoint new Trustees.

XV. And be it enacted, That it shall be lawful to the said Trustees to appoint from Time to Time other Persons to be Trustees, in the Room of any of the Trustees, not being Trustees *ex officiis*, who may have died or resigned.

XVI. And

Committee of Management or Trustees to decide as to Reception of Busts, &c.

XVI. And be it enacted, That it shall be lawful to the Committee of Management of the said Association during the Progress of the said Monument, and after the Completion thereof it shall be lawful to the Trustees to be appointed under and in virtue of this Act, and the said Committee and Trustees shall have the full and exclusive Right, to determine whether any Bust, Statue, or other Memorial shall be acquired for the said Monument, and whether any Bust, Statue, or other Memorial which shall be presented or tendered shall be received into the said Monument, and their Judgment and Decision in such Matter shall be final and conclusive, and they shall also have the exclusive Right of determining as to the Position and Disposal of such Busts, Statues, or Memorials within the said Monument: Provided always, that when any Bust, Statue, or Memorial shall have been received into the said Monument the same shall not be removed therefrom.

Association and Trustees may make Bye Laws.

XVII. And be it enacted, That it shall be lawful to the said Association, at any General or Special Meeting thereof, during the Progress of the Work, and until the said Monument shall be vested in Trustees in manner before mentioned, and to the said Trustees after the said Monument shall be vested in them respectively, to make such Rules, Regulations, and Bye Laws as they shall think expedient, for Admission to view the said Monument or any Part thereof, or to study the Works of Art that may be deposited therein, or with which the same may be decorated, and for the Care and Preservation and Management and Control of the said Monument and Works of Art.

Quorum of Trustees.

XVIII. And be it enacted, That Three or more of the said Trustees present at any Meeting thereof shall be a Quorum for the Purposes of this Act.

Application of Money to be raised.

XIX. And be it enacted, That the Monies to be raised by the said Association in virtue of this and the said recited Act shall be laid out and applied, in the first place, for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expenses incurred in applying for, obtaining, and passing this Act, and all the necessary Expenses preparatory and relative thereto; and all the Residue and Remainder of the said Monies shall be laid out and applied in erecting, completing, and preserving the aforesaid Edifice and Decorations thereof, and other Works connected therewith, and to no other Use, Intent, or Purpose whatsoever.

Recited Act in part repealed.

XX. And be it enacted, That the whole Powers and Provisions by the said recited Act and by this Act conferred on the Directors and Committee of Management of the said Association, in so far as the same shall be subsisting and capable of taking effect, shall be competent and applicable to and be exercised by the Trustees appointed and to be declared and assumed under and by virtue of this Act.