Exchequer Bonds as may be lost, at such Times, upon such Securities, and under such Conditions and Precautions as they may think fit, and generally make such Regulations for the Safety and Convenience of the Holders of such Bonds, and the Payment of Interest upon the Production or Delivery of such Receipts or Certificates, or otherwise, as they may think fit; and the said Commissioners may, by such Regulations as aforesaid, provide, if they shall see fit, for the Registration of any such Bonds as may be delivered up by the Holders thereof for that Purpose, and for the Delivery of Certificates of such Registration in lieu thereof, which shall be transferable by Entries in a Register which may be provided for that Purpose in such Manner and subject to such Conditions and Restrictions as the said Commissioners may see fit, and every such Warrant shall from Time to Time be published in the *London Gazette*.

Application of Clauses 16, 17, 18, and 19 of 17 & 18 Vict. c. 23.

IX. The several Sections Sixteen, Seventeen, Eighteen, and Nineteen of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Twenty-three, shall apply and be construed to and in relation to the Exchequer Bonds to be prepared under the Authority of this Act, in like Manner as if such several Sections had been repeated and re-enacted in this Act.

Money raised to be paid to the Consolidated Fund.

X. All such Sums of Money as shall be raised by Exchequer Bills or Exchequer Bonds to be made out in pursuance of this Act shall be paid to the Account of Her Majesty's Exchequer at the Bank of *England*, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Exchequer Bills and Bonds may be delivered to Persons authorized by the Treasury.

XI. The Commissioners of Her Majesty's Treasury may direct the Comptroller General of the Exchequer from Time to Time to deliver such Amount of Exchequer Bills or Exchequer Bonds, made out in pursuance of this Act, as the said Commissioners shall from Time to Time think fit, not exceeding in the whole the Sum of Four Millions, to such Person or Officer as may be named in any Warrant to be issued by the said Commissioners for such Purpose, and such Person or Officer shall thereafter become chargeable and be charged with such Amount of Exchequer Bills and Exchequer Bonds as may be delivered to him, subject to such Directions as may be issued to him by the said Commissioners for the Sale thereof, and such Person or Officer shall be discharged from all Account in respect of such Exchequer Bills and Exchequer Bonds, on proving, to the Satisfaction of the Commissioners for auditing the Public Accounts, that he has duly obeyed the Directions of the said Commissioners of Her Majesty's Treasury: Provided always, that the said Commissioners shall not be authorized to direct the Issue of such Exchequer Bills and Exchequer Bonds to such Person or Officer, except for the Purpose of raising Money to be paid to the Account of Her Majesty's Exchequer at the Bank of *England* as aforesaid.

Bank of England may advance 4,000,000*l.* on the Credit of Bonds and Bills, and Commissioners of National Debt may invest Money on account of Savings Banks in Purchase of Bonds.

XII. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills and Exchequer Bonds to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Four Millions (anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act to the contrary thereof in anywise notwithstanding); and also for the Commissioners for the Reduction of the National Debt to invest in the Purchase of Exchequer Bonds issued under the Authority of this Act any Money in their Hands on account of Savings Banks.

CAP. XLV.

An Act for confirming a Scheme of the Charity Commissioners for *Saint Mary Magdalen Hospital* near *Bath*. [14th *July* 1856.]

3d Report, dated 28th Feb. 1856.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-five, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for the Hospital of

'*Saint*

'*Saint Mary Magdalen* at *Holloway* near the City of *Bath*, and such Scheme is set out in the 'Appendix to the said Report, and is also set out in the Schedule to this Act: And whereas 'it is expedient that the said Scheme should be confirmed:' 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:

1. The said Scheme shall be confirmed and take effect. Scheme confirmed.

SCHEDULE.

SCHEME

For the REGULATION of the HOSPITAL of SAINT MARY MAGDALEN in HOLLOWAY, near the City of Bath, and the Possessions thereof.

1. The Corporation of the Hospital, by the name of the Master, Co-brethren, and Sisters of the Hospital of Saint Mary Magdalen in Holloway, near the City of Bath, or by any other name, so far as the same Corporation has now, or is capable of legal subsistence, shall be dissolved, and the Charity, under the name of the Magdalen Charity, with all the real and personal estates thereof, shall be henceforth managed and administered by the trustees hereby appointed, and for the purposes only hereby declared. Dissolution of the existing corporation.

2. The trustees for the time being of the Municipal Charities of the City of Bath shall be the trustees of the Charity, under the name, for this purpose, of Trustees of the Magdalen Charity, and they shall have power, with the approbation of the Charity Commissioners for England and Wales, to associate with themselves in the management of the Charity, or any department thereof, any person from among benefactors of the Charity, or from among the trustees or managers of any other Charity to be united therewith, who respectively may stipulate for such participation in the management thereof, upon making any such benefaction, or upon any such union of Charities. The charity to be managed by trustees. Power to enlarge the number of the trustees.

3. All the real estate belonging to or held in trust for the said hospital (subject to the subsisting leases thereof), and the benefit of all covenants, conditions, and securities made or reserved to the former Corporation of the said Hospital, or to any preceding trustees of the Charity as hereby constituted, and all the personal estate thereof (subject to the following provisions as to the legal tenure of stock in the public funds), and the right to sue for and recover all choses in action recoverable for the benefit of the same Charity, shall from time to time vest in the trustees of the Magdalen Charity for the time being, by force and for the purposes and according to the provisions of this scheme, without conveyance, assignment, or other assurance; and a right to sue upon and enforce all covenants, conditions, and securities made or reserved to the said former corporation, or to any preceding trustees of the Charity, shall be exercisable by and in the names of the trustees for the time being thereof, as fully and effectually as the same right might be exercised by such Corporation if not dissolved, or by such preceding trustees, if still retaining their office; and all contracts and liabilities of the said corporation before the dissolution thereof, or of any preceding trustees of the said Charity, may be enforced against the trustees thereof for the time being to the extent of the property or assets thereof. The possessions of the charity to be vested in the trustees for the time being.

4. Leases and other instruments for the letting or disposal of the Charity Estate may be made by any five trustees thereof for the time being on behalf and as the act of the whole of them, according to any resolution of the trustees made at a meeting of their body, duly convened, and shall have the same effect as if executed by all the trustees; and the recital of any such resolution, contained in any deed or instrument by which any such lease or other disposition shall be effected shall be primâ facie evidence of the same resolution. Leases and other instruments may be executed by five trustees.

5. The trustees may appoint four or more of their number to be a Stock Committee, and any stock in the public funds from time to time belonging to or held in trust for the Charity may be transferred either into the names of such Stock Committee, or, under the order of the Charity Commissioners for England and Wales, to the Official Trustees of Charitable Funds; and as often as the number of the Stock Committee, continuing to be trustees of the Stock Committee.

the Charity, shall be reduced to two or a less number, then the trustees shall appoint a sufficient number of the other members of their body to be members of the Stock Committee, jointly with the continuing members of such committee, to make up the number of the committee to four or more, and the stock held by the former members of the Stock Committee shall be transferred to the Stock Committee so newly constituted.

Trusts declared of certain funds for the charity.

6. The sum of 70*l.* sterling paid to the Rev. John Allen, the late master of the Hospital, by the Great Western Railway Company, as a consideration for land of the Charity taken by the said Company, and which sum is now in the hands of the personal representative of the said John Allen, shall be paid to the trustees hereby constituted of the said Charity; and the same, or so much thereof as shall not be otherwise applicable under the provisions of this scheme, shall be invested by them in the public funds in the names of the Stock Committee, or with the Authority of the said Commissioners in the name of the Official Trustees of Charitable Funds, and the dividends of such stock shall be applicable as part of the general income of the Charity. All sums of stock transferred to the Accountant General of the Court of Chancery, upon any trust for the benefit of the said Hospital, shall be held upon like trusts for the benefit of the Charity as constituted by this scheme, and shall be transferred, upon the application of the trustees of the Charity for the time being, to the Stock Committee, or to the Official Trustees of Charitable Funds, for the benefit of the said Charity.

Income of charity accrued since the death of the late master to be collected.

7. All the rents, dividends, interest, and income arising from any real or personal estate of the said Hospital, and which have become due or payable since the decease of the last master thereof, including all monies payable otherwise than as rent in respect of the occupation of any part of the Charity Estate, and which income or monies would be respectively due to the corporation of the said Hospital, if subsisting when this scheme shall come into operation, or to the master thereof; and all pew rents, or sums due in respect of any pews or sittings in the chapel of the said Hospital, occupied or used since the decease of the said late master, shall be due to and collected by the trustees hereby appointed, and shall be applicable by them according to the provisions of this scheme.

Chapel and houses to be kept in repair.

8. The chapel and buildings belonging thereto, and all houses and buildings on the Charity Estates, not in the tenure or occupation of any tenants or persons bound to repair the same, shall be maintained in proper repair, and be also insured against fire by the trustees out of the income arising from the same premises respectively, or otherwise, so far as such income shall extend; but, as to the chapel, subject to the primary applicability of the pew rents to the repair thereof.

The chapel and services to be maintained.

9. The chapel belonging to the said Hospital, with its burial ground and precincts, shall be appropriated and used exclusively for the purposes of religious worship and rites, according to the ordinances and doctrines of the Church of England and the religious services shall be continued therein by the chaplain to be appointed as herein-after provided, unless or until after the establishment of the objects of the Charity in any locality distant from the site of the present Hospital, or upon the services of the said chapel being found to be not beneficial; or from any sufficient cause the trustees, with the written approval of the Lord Chancellor, to whom in right of the Crown the appointment of the master of the said Hospital has hitherto belonged, shall direct the same services to be suspended or discontinued.

Chaplain to be appointed.

10. There shall be a Chaplain of the Charity, to be called "The Chaplain of the Magdalen Charity," and the Lord Chancellor, in right of the Crown, shall be entitled from time to time to appoint such Chaplain, unless the services of the chapel shall have been discontinued as aforesaid; and the appointment of any such Chaplain may be for such time, subject to such regulations and conditions as to the Lord Chancellor shall seem fit: and until such appointment shall be made or the services of the said chapel shall be discontinued as aforesaid, the trustees shall provide for the continuance of the same service at the expense of the Charity.

Chaplain to be subject to jurisdiction of the bishop.

11. The Chaplain shall be subject to the jurisdiction of the bishop of the diocese, who shall have power to suspend or deprive him for neglect of duty or other sufficient cause.

Chaplain to perform divine service on Sundays.

12. The Chaplain shall perform Divine service in the chapel at least once on every Sunday throughout the year, and all such religious services at or near to the same chapel, for the benefit of the objects and officers and servants of or employed for the purposes of the Charity, as the trustees shall reasonably require.

13. The

As to the use of the burial ground.

13. The Burial Ground belonging to the chapel shall be used for the interment of objects of the Charity, and the servants and others employed for the purposes thereof and of other persons, under such restrictions and regulations and subject to such orders as shall from time to time be made by the trustees.

Clerk, organist, &c. of chapel to be appointed by trustees.

14. The appointment and removal of the Clerk, Organist, Pew Openers, and other persons employed for the purposes of the chapel, or in the care thereof, shall belong to the trustees by whom the respective salaries of the same several officers and persons shall be fixed and paid.

Pew rents may be taken.

15. The trustees may require such moderate rents as they shall think fit to be paid to them for all or any of the pews or sittings in the chapel which shall not be occupied or used by the objects or officers or servants of the Charity.

Application of pew rents.

16. The rents payable for pews or sittings in the said chapel, herein-after called by the general name of Pew Rents, shall be payable to the trustees, and shall be applicable in the first instance to the repair, insurance, and maintenance of the chapel and its precincts, and to the payment of the salaries of the clerk and organist, and the pew openers and other servants employed for the purposes, or in the care of the chapel, and to the providing of the necessary furniture and fittings of the chapel, and to the payment of the general expenses incident to the services thereof; and the residue of such Pew Rents which shall remain after answering those purposes shall be paid by the trustees to the chaplain for his own use, and as far as conveniently may be, by half yearly payments on the 25th day of March and the 29th day of September in every year.

The stipend of chaplain to be made up to stated amount.

17. In case and so often as the Pew Rents payable to the Chaplain in any year shall be less than the clear sum of 60*l.* the amount thereof shall be made up to the sum of 60*l.* for the benefit of the Chaplain by the trustees out of the general income of the Charity, so far as such income, after providing for the other payments hereby directed to be primarily paid thereout, shall be sufficient for that purpose, and the stipend or income of the Chaplain, including his share of the pew rents, may hereafter be made up by the trustees in like manner to any yearly sum not exceeding 100*l.* out of the general income of the Charity, with the approbation of the said Charity Commissioners under their seal, if and when on account of the increase of the duties of the Chaplain, or in consideration of the improved resources of the Charity, or for other reasons to be submitted by the trustees to the said Commissioners, it shall be thought expedient so to do.

Stipend to be paid in respect of the services since the death of the late master.

18. All the pew rents which have become due since the death of the late master, and all the rents, dividends, interest, and general income of the Charity which respectively have accrued or become due since the same event, which shall be collected by or on account of the trustees under the foregoing direction, shall be applied by them, in the first place, in or towards the payment of all such salaries, wages, and monies as have become due during the same period to any persons or person on account of the maintenance of the said chapel and the services therein other than to the minister by whom such services have been performed or provided for, and of all expenses incurred in the maintenance or for the benefit of the last inmate of the said hospital until her decease, or on account of her burial; and the surplus of all such rents and income shall be applied in or towards the payment to the minister, by whom the services of the said chapel have been performed or provided for during the same period, of a stipend in respect of such services at the rate of 60*l.* per annum, to be computed from the decease of the late master, for the whole period during which he has so discharged or provided for the same services; and if such surplus rents and income shall be insufficient for the last-mentioned purpose, then the said stipend shall be made up to the said minister out of the before-mentioned principal sum of 70*l.*, or some other capital, funds, or property of the Charity, and in the meantime shall be a charge on all the same funds and property, and the income thereof.

As to the application of the surplus money.

19. All the clear residues or surplus of the income of the Charity which remain after providing for the several payments herein-before directed to be made thereout shall be received by the trustees, and invested by them from time to time in the public funds in the names of the Stock Committee, or, under the authority of the said Commissioners, in the name of the Official Trustees of Charitable Funds; and the dividends and income arising from such investments shall also be invested and accumulated by the trustees from time to time in like manner until the stock so accumulated shall amount to 5,000*l.* or more.

20. When

Hospital for idiots to be established.

20. When the stock to be so accumulated shall amount to or exceed 5,000*l.*, the trustees shall apply the same, and the dividends thereof, and the then future general income of the Charity which shall remain after answering the purposes herein-before provided for, in or towards the establishment, endowment, and maintenance of an Hospital or Asylum, to be called the Magdalen Hospital, to be governed and managed according to the provisions of this scheme, for the reception, maintenance, and improvements of poor idiots.

Situation of the hospital.

21. The Hospital shall be established as near as conveniently may be to the said chapel, if suitable buildings, or a suitable site for buildings to be erected for the purposes thereof, shall be obtainable in the vicinity of the said chapel, and shall be approved by the said Commissioners for this purpose, or the said Hospital may, for any special reasons or considerations of advantage to the Charity, to be submitted to and approved by the said Commissioners, be established in any other locality not distant more than ten miles from the Abbey Church, in the City of Bath.

Power to appropriate or acquire buildings or site for the purposes of the charity, and to erect or adapt and fit up buildings,

22. The trustees, with the sanction of the said Commissioners, may appropriate any suitable buildings or land belonging to the Charity for the purposes of, or as a site for the said Hospital, and may purchase or obtain the surrender for that purpose of any leasehold or other interest subsisting in such building or site, or with the like sanction, may obtain, by way of purchase, exchange, demise, or otherwise, any other suitable buildings or land for the same purposes, and may erect, alter, enlarge, improve, adapt, and also furnish and fit up any buildings necessary for the purposes of the Charity, and apply to the purposes aforesaid, or any of them, any principal funds belonging to the Charity, or may raise any funds for the same purposes upon the security of the Charity Estates, with the approval of the Charity Commissioners for England and Wales, under their seal.

Objects of the charity.

23. The Hospital shall be for the reception, maintenance, training, and improvement to the utmost attainable extent, of poor idiot children, of whom those born or whose parents or next friends shall be resident within the City of Bath, or within thirty miles thereof, shall be entitled to a preference of election, and all of whom at the time of their admission shall be under the age of fifteen years, and shall be free from any contagious or loathsome disease; all such children may be retained in the Hospital for such periods, to be determined particularly with reference to their continuing or supposed capacity of improvement, as shall be prescribed or permitted by any general rules established by the trustees for the government or regulation of the Charity.

Payments to be required from the inmates.

24. The trustees may require the payment on behalf of such poor children of any such yearly sums, not exceeding ten pounds each, towards the expenses of the institution as the circumstances of the Charity for the time being may render necessary or expedient, or such yearly sums, not exceeding twenty pounds each, for the same purposes, as the Charity Commissioners shall from time to time, upon the application of the trustees, authorize to be taken, but may also remit such payments, wholly or partially, in any cases where the poverty or condition of the inmates, or of their parents or next friends, shall render the payment of such yearly sums impracticable or specially onerous.

The trustees may also receive from time to time into the institution any idiot children not exceeding the before-mentioned age, or afflicted with any such disease as aforesaid, whose parents or next friends, in order to obtain for them the benefits of maintenance and discipline therein, shall be willing to pay on their behalf such larger yearly sums as shall be required by the trustees for the profit or benefit of the institution, so, nevertheless, that the reception of any such children other than poor idiots shall not be the means of preventing the reception or maintenance in the said Hospital of any such poor idiots as aforesaid, for whose reception or maintenance the income of the Charity for the time being shall be sufficient.

The whole residuary income of the Charity to be applied for the benefit of the inmates of the Hospital.

25. The whole rents, dividends, interest, and yearly income of the Charity which shall not be applicable to such purposes as are herein-before directed to be primarily provided for therewith, and which shall remain after payment also of the necessary outgoings, including the expenses of repair and insurance, and rent (if any) payable in respect of the buildings and premises used for the purposes of the Charity, and also all the yearly or other sums to be received from any inmates of the Hospital, shall be applied by the trustees to the maintenance, medical treatment, training, instruction, and care of the inmates of the Hospital, of whom so many shall be received and maintained therein from time to time as

as the capacity of the buildings and the income and yearly resources of the Charity will permit.

Rules for the government of the Charity to be established.

26. The trustees, so soon as the said Charity shall be brought into active operation, or previously, shall make such general rules for the government and regulation thereof as in their judgment shall be best calculated to develop and extend its benefits, particularly in promoting the health and comfort and moral improvement of the inmates, according to the experience which may then have been acquired of the wants of the locality, and of the means by which the improvement and benefit of such patients may be most effectually advanced, and shall submit such rules for approval to the said Commissioners, and the same rules, so far as they may be approved by the said Commissioners, shall be established and thenceforth binding on all parties to whom they shall be applicable, but may from time to time be altered, extended, or annulled by the like means and authority as occasion may require.

Power to accelerate the foundation of the Charity in case of any sufficient means being obtained, or to unite it to any similar Charity.

27. The trustees, also with the sanction of the said Commissioners, may bring the said Charity into active operation before accumulating the prescribed sum of 5,000*l.* stock, and in the same manner, and subject to the same regulations, as if such accumulation had been made, in case by the aid of benefactions to the Charity, or by the improved management of the estates thereof, or by commuting any leases of such estates now subsisting for terms of life into leases for terms of years at larger present rates, or by the yearly or other subscriptions of benevolent persons, or any other means, the income for the time being of the Charity shall be rendered sooner sufficient for that purpose, or they may, with such sanction as aforesaid, agree to and effect the union of the Charity with any other Charity established for the like purposes, and within the distance of ten miles from the Abbey Church, in the City of Bath, in order to render both Charities more effective, so, nevertheless, that the income of the Magdalen Charity shall be applicable only to such purposes as are hereby prescribed, and according to the regulations herein contained, with such modifications only, if any, required upon such union thereof, as shall have been submitted to and approved by one of the Judges of the Court of Chancery, or the said Commissioners.

Scheme to be printed.

28. This scheme shall be printed, and any person interested in the Charity shall have access thereto, under any reasonable regulations to be prescribed for that purpose by the trustees.

CAP. XLVI.

An Act to exempt Imprisonments under the Act 5 Geo. 4. c. 96. from the Operation of the Act abolishing in *Scotland* Imprisonment for Civil Debts of small Amount. [14th *July* 1856.]

5 G. 4. c. 96.

'WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relative to the Arbitration of Disputes between Masters and Workmen*, Justices of the Peace are empowered to commit Persons to Prison in certain Cases therein mentioned: And whereas an Act was passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for abolishing in* Scotland *Imprisonment for Civil Debts of small Amount:* And whereas it is expedient to encourage the Settlement of all Disputes between Masters and Workmen by Arbitration:' 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,

5 & 6 W. 4. c. 70.

Nothing in 5 & 6 W. 4. c. 70. to apply to Imprisonment under 5 G. 4. c. 96.

I. That nothing in the last-recited Act contained shall apply to Imprisonment under the first-recited Act.