

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

****

CAP. XXV.

An Act to amend Two Acts passed in *Ireland* for the better Education of Persons professing the Roman Catholic Religion, and for the better Government of the College established at *Maynooth* for the Education of such Persons, and also an Act passed in the Parliament of the United Kingdom for amending the said Two Acts. [30th *June* 1845.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Education of Persons professing the Popish or Roman Catholic Religion*, it was amongst other things enacted, that the Lord Chancellor or Lord Keeper of *Ireland*, the Lord Chief Justice of the Court of King's Bench in *Ireland*, the Lord Chief Justice of the Court of Common Pleas in *Ireland*, and the Lord Chief Baron of the Court of Exchequer in *Ireland*, for the Time being, together with certain other Persons therein named, and the Persons thereafter to be elected in the Manner by the said Act directed, should be Trustees for the Purpose of establishing, endowing, and maintaining One Academy for the Education only of Persons professing the Roman Catholic Religion, 35 G. 3. (I.)

Religion, and that the said Trustees should have full Power and Authority to receive Subscriptions and Donations to enable them to establish and endow an Academy for the Education of Persons professing the Roman Catholic Religion, and to purchase and acquire Lands not exceeding the annual Value of One thousand Pounds, and to erect and maintain all such Buildings as might be by the said Trustees deemed necessary for the lodging and Accommodation of the President, Masters, Professors, Fellows, and Students who should from Time to Time be admitted into or reside in said Academy; and it was further enacted, that it should and might be lawful for any Popish Ecclesiastic to officiate in a Chapel or Building to be appointed for that Purpose by the said Trustees or any Seven or more of them, any Law, Statute, or Provision to the contrary notwithstanding: And whereas by an Act amending the said Act, and passed in the Parliament of *Ireland* in the Fortieth Year of His said late Majesty King
40 G. 3. (I.) *George* the Third, intituled *An Act for the better Government of the Seminary established at* Maynooth *for the Education of Persons professing the Roman Catholic Religion; and for amending the Laws now in force respecting the said Seminary*, after reciting that a College or Seminary had been established at *Maynooth* for the Education of Persons professing the Popish or Roman Catholic Religion, and that large Sums of Money had been granted to the Trustees named in the Act herein-before recited, to enable them to improve and extend the said Institution, and that it had become necessary to make further Provision for the good Government of the said College or Seminary, it was amongst other things enacted, that the Lord Chancellor or Lord Keeper of the Great Seal, the Lord Chief Justice of the Court of King's Bench, the Lord Chief Justice of the Court of Common Pleas, the Chancellor of the Exchequer, and the Lord Chief Baron of the Court of Exchequer should cease to be Trustees for carrying the said first-recited Act into execution, and that their Successors in the said Offices respectively should not thereafter be Trustees by virtue of the said first-recited Act for carrying it into execution, and that the other Persons named in the said first-recited Act in that Behalf, or such other Persons as had been elected or thereafter should be elected to fill any Vacancy occasioned by the Death, Removal, or Resignation of any such Persons respectively, should continue Trustees for the Execution of the said first-recited Act, as fully and effectually, to all Intents and Purposes, as if the said Act now in recital had not been enacted: And whereas by a certain other Act, passed in the Forty-eighth Year of the Reign of His said
48 G. 3. c. cxlv. late Majesty King *George* the Third, intituled *An Act to amend Two Acts passed in* Ireland *for the better Education of Persons professing the Roman Catholic Religion, and for the better Government of the Seminary established at* Maynooth *for the Education of such Persons, so far as relates to the Purchase of Lands and compounding Suits*, it was amongst other things enacted, that it should be lawful for the Trustees for the Time being of the said College or Academy, or any Seven or more of them, to purchase or acquire Lands not exceeding in Value the annual Sum of One thousand Pounds, exclusive of the Value of Lands and Premises held under a Lease from *William Robert* late Duke of *Leinster*, and the Buildings thereon or thereafter to be erected, and used for the Purposes of

the said College or Academy; and it was provided and further enacted, that any Lands, Tenements, or Hereditaments already purchased or acquired under or by virtue of the Power for that Purpose given to the said Trustees or any Seven or more of them in and by the said herein-before first-recited Act should be deemed Part of the Lands which they were so authorized to purchase or acquire as aforesaid, and that no more Lands, Tenements, or Hereditaments should be purchased or acquired by the said Trustees or any Seven or more of them than what, together with any Lands already purchased or acquired by them, would amount to the annual Value of One thousand Pounds: And whereas it is productive of Inconvenience and Insecurity that the said Trustees can take no effectual Grants of Lands for the Purposes of the said College or Seminary to them and their Successors; and it is therefore expedient that the said Trustees should be incorporated: 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, That the Trustees of the said College or Seminary, and their Successors for ever, shall be One Body Politic and Corporate by the Name of "The Trustees of the College of *Maynooth*," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall have and possess the several Powers and Authorities vested in the said Trustees under the said recited Acts.

Trustees of the College of Maynooth incorporated.

II. And be it enacted, That the said Body Politic and Corporate, and their Successors, by the said Name, shall be for ever able and capable in Law to take, purchase, receive, possess, hold, and enjoy to them and their Successors any Goods or Chattels or Personal Property whatsoever, and also be able and capable in Law (notwithstanding the Statutes in Mortmain) to take, purchase, hold, and enjoy to them and their Successors any Messuages, Lands, Tenements, or Hereditaments whatsoever the yearly Value of which shall not exceed in the whole the Sum of Three thousand Pounds, exclusive of the Value of any Lands, Tenements, or Hereditaments already purchased or acquired by the said Trustees; and it shall be lawful for all and every Person and Persons, and Bodies Politic and Corporate, otherwise competent, to grant, sell, alien, and convey in Mortmain unto and to the Use of the said Body Politic and Corporate incorporated by this Act any Messuages, Lands, Tenements, and Hereditaments not exceeding in the whole such annual Value as aforesaid.

Such Corporate Body may take and possess any Personal Property, and also Lands not exceeding the annual Value of 3,000*l.*, exclusive of the Property already acquired by the Trustees.

III. And be it enacted, That all Lands, Tenements, or Hereditaments which have been at any Time heretofore purchased or in any Manner acquired by the Trustees of the said College, or any Seven or more of them, under or by virtue of the Powers for that Purpose given to them by any of the said herein-before recited Acts, shall be and the same are thereby vested in the said Body Politic and Corporate incorporated by this Act, subject to the Trusts upon which the said Lands, Tenements, and Hereditaments are now respectively held.

Lands, &c. now possessed by the Trustees of Maynooth College to vest in the said Body Politic and Corporate.

IV. And

Provision made for Salaries of the President, Vice President, Officers, and Professors, and for an increased Number of Professors.

IV. And whereas it is expedient that Provision should be made for the Payment of the Salaries of the President, Vice President, Officers, and Professors of the said College, and for the Expence of Commons, Attendance, and other Necessaries to be supplied to and for their Use, and that the Number of Professors therein should be increased; be it therefore enacted, That from and after the passing of this Act there shall be paid and payable to the said Body Politic and Corporate, for the Purposes aforesaid, any Sum or Sums of Money not exceeding in the whole the annual Sum of Six thousand Pounds.

Provision for the Senior Students on the Dunboyne Establishment.

V. And whereas by the Statutes of the said College there has been established therein an Order of Students called "Senior Students," amounting to Twenty in Number, to whose exclusive Benefit has been applied the annual Revenue arising from the Bequest of Baron *Dunboyne*, in said Statutes mentioned, together with a further yearly Sum of Seven hundred Pounds out of the annual Parliamentary Grant made to the said College: And whereas it is expedient that the Provision for the said Senior Students on the *Dunboyne* Establishment should be augmented; be it therefore enacted, That from and after the passing of this Act, so long as the annual Revenue arising from the said Bequest of Baron *Dunboyne* shall be applied to the exclusive Benefit of the said Twenty Senior Students, there shall be paid and payable to the said Body Politic and Corporate, for the said Twenty Senior Students, the annual Sums for that Purpose specified in the Schedule (A.) to this Act annexed.

Provision made for 500 Free Students, 250 in the Three Senior Classes, and 250 in the Four Junior Classes.

VI. And whereas there are Three Senior and Four Junior Classes in the said College, and Two hundred and fifty Free Students on the Establishment, maintained and educated out of the annual Parliamentary Grant made to the said College: And whereas it is expedient that Provision should be made for an additional Number of Free Students; (that is to say,) for Two hundred and fifty Free Students in the said Three Senior Classes, and Two hundred and fifty Free Students in the said Four Junior Classes; be it therefore enacted, That from and after the passing of this Act there shall be paid and payable to the said Body Politic and Corporate, for each of the said Two hundred and fifty Free Students in the said Three Senior Classes, the annual Sums for that Purpose specified in the Schedule (A.) to this Act annexed.

Provision for the Expence of Commons and other Necessaries.

VII. And be it enacted, That in order to provide for the Expence of Commons, Attendance, and other Necessaries to be supplied to and for the Use of the said Senior Students on the *Dunboyne* Establishment, and to and for the Use of the said Five hundred Free Students, there shall be paid and payable to the said Body Politic and Corporate, for the Purposes aforesaid, any Sum or Sums of Money not exceeding in the whole the annual Sum of Twenty-eight Pounds for each such Student.

Commissioners of Public Works to be Commis-

VIII. And whereas the Buildings for the public Purposes of the said College, and for the lodging and Accommodation of the Professors and Students, are inadequate and insufficient and out of repair, and it

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is expedient that Provision should be made for the Erection of additional Buildings for the Purposes aforesaid, and that the present Buildings should be put into sufficient Repair, and that said Buildings, together with the Additions to be made thereto, should from Time to Time be kept in repair, and provided with sufficient and necessary Furniture; be it therefore enacted, That the Commissioners of Public Works in *Ireland* for the Time being shall be and they are hereby constituted Commissioners for the Purpose of purchasing, renting, or providing, as herein-after mentioned, any Houses, Buildings, Lands, Tenements, or Hereditaments that may be necessary for the said College and the Purposes aforesaid, and for erecting thereon suitable and necessary Buildings and Improvements, and for enlarging, improving, upholding, maintaining, repairing, fitting up, and furnishing from Time to Time the said College, and the Buildings and Premises occupied therewith.

sioners for Repairs to Maynooth College, and for the Erection of additional Buildings, and furnishing same.

IX. 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, or Hereditaments which may be required for the said College, and the Additions to be made thereto, it shall and may be lawful for the said Commissioners, at the Request of the said Body Politic and Corporate, and by and with the Consent and Approbation in Writing of the Commissioners of Her Majesty's Treasury, to contract and agree with any Person or Persons, or Body or Bodies Corporate or Politic, for the Purchase or renting of any Buildings, Lands, Tenements, or Hereditaments required for such College, and in order to make the necessary Additions thereto, and also for the Purchase of any subsisting Leases, Terms, Estates, or Interests therein or Charges thereon; and the said Buildings, Lands, Tenements, or Hereditaments so contracted and agreed for shall be conveyed, assigned, or demised to the said Trustees of the College of *Maynooth* incorporated by this Act.

Power to Commissioners of Public Works to purchase or provide necessary Buildings, Lands, &c.

X. And be it enacted, That all and every the Expence of purchasing or providing the Houses, Buildings, Lands, Tenements, or Hereditaments necessary for the said College under the Provisions of this Act, and of erecting the necessary Buildings for the same, and of putting the said College into repair, and of fitting up and furnishing the same and the Buildings so to be erected, not exceeding in the whole the Sum of Thirty thousand Pounds, shall be discharged and paid by the Commissioners of Her Majesty's Treasury out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Expence of Buildings, &c. for such College, not exceeding 30,000*l.*, to be paid out of the Consolidated Fund.

XI. And be it enacted, That the several Sums payable by this Act and the Schedule thereto annexed shall be charged upon and payable by the Commissioners of Her Majesty's Treasury out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Sums payable by this Act to be charged on the Consolidated Fund.

XII. And be it enacted, That the Accounts of the Receipt and Expenditure of all Monies paid under the Provisions of this Act shall once in each Year be forwarded to the Commissioners of Her Majesty's Treasury

Audit of the Expenditure under this Act.

Treasury by the said Body Politic and Corporate incorporated by this Act, and shall be by the said Commissioners referred for Audit to such Person or Persons as the said Commissioners shall from Time to Time in that Behalf appoint; and that the said Person or Persons so appointed shall thereupon proceed to the Examination, Audit, and Discharge of the said Accounts, at such Time and in such Manner as the said Commissioners shall direct, and shall for that Purpose have and exercise all the Powers and Authorities now possessed by the Commissioners for auditing public Accounts by virtue of any Act or Acts now in force.

So much of the recited Acts as appoints the Persons herein mentioned to be Visitors of the College repealed.

XIII. And whereas it was enacted by the said Act secondly above recited, that the Lord Chancellor or Lord Keeper of the Great Seal of *Ireland* for the Time being, the Lord Chief Justice of His Majesty's Court of King's Bench in *Ireland* for the Time being, the Lord Chief Justice of His Majesty's Court of Common Pleas in *Ireland* for the Time being, the Chancellor of the Exchequer and the Lord Chief Baron of His Majesty's Court of Exchequer in *Ireland* for the Time being, and their Successors in the said Offices respectively, together with certain other Persons in the said Act named, should be and they were thereby nominated and appointed Visitors of the said College or Seminary, with full Visitorial Powers to superintend the same; be it enacted, That from and after the passing of this Act so much of the said recited Acts as enact that the Lord Chancellor or Lord Keeper of the Great Seal, the Lord Chief Justice of the Court of King's Bench, the Lord Chief Justice of the Court of Common Pleas, the Chancellor of the Exchequer, and the Lord Chief Baron of the Exchequer, and their Successors in the said Offices respectively, shall have Visitorial Power over the said Academy or College, and over all Persons on the Foundation or educated therein, shall be and the same is hereby repealed.

Appointment of Visitors of the College.

XIV. And be it enacted, That the other Visitors in being at the Time of the passing of this Act, or such other Persons as shall hereafter be elected to fill any Vacancy on the Death or Resignation of such Visitors, according to the Provisions of the Act herein-before secondly recited, together with such other Five Persons as Her Majesty shall by Warrant under the Sign Manual from Time to Time nominate and appoint, shall be hereafter the Visitors of the said College and Corporation.

Visitations to be held once in the Year.

XV. And whereas by the said Act herein-before secondly recited it is amongst other things enacted, that the Visitors in the said Act mentioned, or any Three or more of them, should once in every Three Years from the passing of the said Act visit the said College or Seminary, and call before them the President, Vice President, Professors, Tutors, and all other Members thereof, and the Officers and Servants of the said College or Seminary, and diligently inquire into the Government and Management of the said College or Seminary, and, if necessary, examine on Oath every Member thereof in all Matters touching the Management, Government, and Discipline of the same, or any Violation of the Statutes or Ordinances which had been or should be made for the Admission of any Member of the

said College or Seminary, or for the Government or Discipline of the same; and that the first Visitation of the said College should be held as aforesaid within Twelve Months after the passing of the said Act: And whereas it is expedient that, instead of triennial Visitations by the said last-recited Act appointed, Visitations should be held not less than Once in each Year therein; be it therefore enacted, That the Visitors by this Act appointed, or any Three or more of them, shall once in every Year from the passing of this Act visit the said College or Seminary, and inquire in manner aforesaid into the Management, Government, and Discipline of the same, and shall have the several Powers and Authorities vested in the Visitors under the said Act secondly herein-before recited; and that the first Visitation of the said College shall be held within Twelve Months after the passing of this Act.

Additional Visitations, when ordered by the Lord Lieutenant.

XVI. And be it enacted, That, in addition to such periodical or ordinary Visitation, the Visitors by this Act appointed, or any Three of them, shall in like Manner visit the said College whensoever and so often as they shall be thereunto required by the Lord Lieutenant or other chief Governor or Governors of *Ireland* for the Time being, by Warrant or Order signed by him or them.

Authority of Visitors not to affect the Exercise of the Roman Catholic Religion.

XVII. Provided always, and be it enacted, That the Authority of the said Visitors shall not extend to or in any Manner affect the Exercise of the Roman Catholic Religion or the religious Doctrine or Discipline thereof within the said College or Seminary, otherwise than as herein-after is provided; and that in visiting the said College or Seminary the said Visitors shall judge and determine according to such Bye Laws, Rules, and Regulations as have been or shall be made for the Government and Discipline thereof, pursuant to the Provisions of the said recited Acts or of this Act respectively.

Visitorial Powers in Matters of Religion.

XVIII. And whereas by the said Act herein-before secondly recited it is amongst other things enacted, that in all Matters which relate to the Exercise, Doctrine, and Discipline of the Roman Catholic Religion the Visitorial Power over the said College shall be exercised exclusively by such of the said Visitors as are or shall be of the Roman Catholic Religion, in the Presence of the Lord Chancellor or Lord Keeper of the Great Seal, and of the Three Chief Judges, and the Chancellor of the Exchequer, if they or any of them shall think proper to attend; be it therefore enacted, That in all Matters which relate to the Exercise, Doctrine, and Discipline of the Roman Catholic Religion the Visitorial Power over the said College shall be exercised exclusively by such of the said Visitors of the Roman Catholic Religion as have been or shall be elected under the Provisions of the said Act secondly above recited, in the Presence of the said Persons whom Her Majesty shall, by Warrant under the Sign Manual, from Time to Time nominate and appoint as aforesaid to be Visitors of the said College, if they or any of them shall think proper to attend.

Minutes of the Proceedings of Visitors to be kept.

XIX. And be it enacted, That the Secretary or some other Officer of the said College shall make Minutes of the Proceedings of the said Visitors at their several Visitations, and shall keep a Book in which he

he shall enter a fair Copy of such Minutes, and the Names of the Visitors present at each Visitation; and the said Visitors shall after every Visitation held at the said College report to Her Majesty the several Proceedings held thereat, signed by some Two or more of them; and a Copy of such Report shall be communicated to both Houses of Parliament within Six Weeks after the same shall be made, if Parliament be then sitting, or if not then within Six Weeks next after the next Meeting of Parliament.

Alteration of the Act.

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

SCHEDULE to which this Act refers.

SCHEDULE (A.)

		Annual Stipends. £	s.
20	Senior Students on the Dunboyne Establishment, each	40	0
250	Free Students in the Three Senior Classes - each	20	0

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