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1841



ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

C A P. XXXVIII.

An Act to afford further Facilities for the Conveyance and Endowment of Sites for Schools.

[21st June 1841.]

WHEREAS it is expedient that greater Facilities should be given for the Erection of Schools and Buildings for the Purposes of Education: 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 an Act passed in the Session held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to facilitate the Conveyance of Sites for School-rooms*, shall be and the same is hereby repealed; provided that all Matters and Things done in pursuance of the said Act shall be and remain valid as though the said Act was not repealed; and all Matters and Things commenced in pursuance of the said Act shall be continued according to the Provisions of this Act, if the same shall be applicable, otherwise shall be continued conformably to the said recited Act, which shall be deemed to be still in force with regard to such Proceedings.

Repeal of 6 & 7 W. 4. c. 70.; but Things done in pursuance thereof declared valid, and those commenced to be continued according to this Act.

II. And be it enacted, That any Person, being seised in Fee Simple, Fee Tail, or for Life, of and in any Manor or Lands of Freehold, Copyhold,

Landlords empowered to convey

Land to be used as Sites for Schools, &c.

Copyhold, or Customary Tenure, and having the beneficial Interest therein, or in *Scotland* being the Proprietor in Fee Simple or under Entail, and in Possession for the Time being, may grant, convey, or enfranchise by way of Gift, Sale, or Exchange, in Fee Simple or for a Term of Years, any Quantity not exceeding One Acre of such Land, as a Site for a School for the Education of poor Persons, or for the Residence of the Schoolmaster or Schoolmistress, or otherwise for the Purposes of the Education of such poor Persons in religious and useful Knowledge; provided that no such Grant made by any Person seised only for Life of and in any such Manor or Lands shall be valid, unless the Person next entitled to the same in Remainder, in Fee Simple or Fee Tail, (if legally competent,) shall be a Party to and join in such Grant: Provided also, that where any Portion of Waste or Commonable Land shall be gratuitously conveyed by any Lord or Lady of a Manor for any such Purposes as aforesaid the Rights and Interests of all Persons in the said Land shall be barred and divested by such Conveyance: Provided also, that upon the said Land so granted as aforesaid, or any Part thereof, ceasing to be used for the Purposes in this Act mentioned, the same shall thereupon immediately revert to and become a Portion of the said Estate held in Fee Simple or otherwise, or of any Manor or Land as aforesaid, as fully to all Intents and Purposes as if this Act had not been passed, any thing herein contained to the contrary notwithstanding.

Chancellor and Council of the Duchy of Lancaster empowered to grant Lands to the Trustees of any existing or intended School.

III. And whereas it may be expedient and proper that the Chancellor and Council of Her Majesty's Duchy of *Lancaster*, on Her Majesty's Behalf, should be authorized to grant, convey, or enfranchise, to or in favour of the Trustee or Trustees of any existing or intended School, Lands and Hereditaments belonging to Her Majesty in right of Her said Duchy, for the Purposes of this Act; be it therefore enacted, That it shall and may be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being, by any Deed or Writing under the Hand and Seal of the Chancellor of the said Duchy for the Time being, attested by the Clerk of the Council of the said Duchy for the Time being, for and in the Name of Her Majesty, Her Heirs and Successors, to grant, convey, or enfranchise, to or in favour of such Trustee or Trustees, any Lands and Hereditaments to be used by them for the Purposes of this Act, upon such Terms and Conditions as to the said Chancellor and Council shall seem meet; and where any Sum or Sums of Money shall be paid as or for the Purchase or Consideration for such Lands or Hereditaments so to be granted, conveyed, or enfranchised as aforesaid, the same shall be paid by such Trustee or Trustees into the Hands of the Receiver General for the Time being of the said Duchy, or his Deputy, and shall be by him paid, applied, and disposed of according to the Provisions and Regulations contained in an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, or any other Act or Acts now in force for that Purpose: Provided always, that upon the said Land so granted as aforesaid, or any Part thereof, ceasing to be used for the Purposes in this Act mentioned, the same shall thereupon immediately revert to and become again a Portion of the

48 G. 3. c. 73.
If Lands cease to be used for the Purposes of the Act they shall revert.

the Possessions of the said Duchy, as fully, to all Intents and Purposes, as if this Act, or any such Grant as aforesaid, had not been passed or made; any thing herein contained to the contrary notwithstanding.

IV. And be it enacted, That for the Purposes of this Act only, and for such Time only as the same shall be used for the Purposes of this Act, it shall be lawful for any Two of the principal Officers of the Duchy of *Cornwall*, under the Authority of a Warrant issued for that Purpose under the Hands of any Three or more of the Special Commissioners for the Time being for managing the Affairs of the Duchy of *Cornwall*, or under the Hands of any Three or more of the Persons who may hereafter for the Time being have the immediate Management of the said Duchy, if the said Duchy shall be then vested in the Crown, or if the said Duchy shall then be vested in a Duke of *Cornwall*, then under the Hand of the Chancellor for the Time being of the said Duchy, or under the Hands of any Three or more of the Persons for the Time being having the immediate Management of the said Duchy, by Deed under their Hands, to grant and convey to the Trustees or Trustee for the Time being of any existing School, or of any School intended to be established by virtue of this Act, any Lands, Tenements, or Hereditaments forming Part of the Possessions of the said Duchy of *Cornwall*, not exceeding in the whole One Acre in any One Parish, upon such Terms and Conditions as to the said Special Commissioners or Chancellor, or such other Persons as aforesaid, shall seem meet: Provided always, that upon the said Land so granted as aforesaid, or any Part thereof, ceasing to be used for the Purposes in this Act mentioned, the same shall thereupon immediately revert to and become again a Portion of the Possessions of the said Duchy, as fully to all Intents and Purposes as if this Act or any such Grant as aforesaid hath not been passed or made; any thing herein contained to the contrary notwithstanding.

Officers of the Duchy of Cornwall empowered, upon sufficient Authority, to grant Lands to the Trustees of any existing or intended School.

If Lands cease to be used for the Purposes of the Act they shall revert.

V. And be it enacted, That where any Person shall be equitably entitled to any Manor or Land, but the legal Estate therein shall be in some Trustee or Trustees, it shall be sufficient for such Person to convey the same for the Purposes of this Act without the Trustee or Trustees being Party to the Conveyance thereof; and where any Married Woman shall be seised or possessed of or entitled to any Estate or Interest, manorial or otherwise, in Land proposed to be conveyed for the Purposes of this Act, she and her Husband may convey the same for such Purposes by Deed, without any Acknowledgment thereof; and where it is deemed expedient to purchase any Land for the Purposes aforesaid belonging to or vested in any Infant or Lunatic, such Land may be conveyed by the Guardian or Committee of such Infant, or the Committee of such Lunatic respectively, who may receive the Purchase Money for the same, and give valid and sufficient Discharges to the Party paying such Purchase Money, who shall not be required to see to the Application thereof.

Persons under Disability empowered to convey Lands for the Purpose of this Act.

VI. And be it enacted, That it shall be lawful for any Corporation, Ecclesiastical or Lay, whether Sole or Aggregate, and for any Officers, Justices of the Peace, Trustees, or Commissioners, holding

Corporations, Justices, Trustees, &c. empowered

to convey
Lands for
the Purposes
of this Act.

holding Land for public, ecclesiastical, parochial, charitable, or other Purposes or Objects, subject to the Provisions next herein-after mentioned, to grant, convey, or enfranchise, for the Purposes of this Act, such Quantity of Land as aforesaid in any Manner vested in such Corporation, Officers, Justices, Trustees, or Commissioners: Provided always, that no Ecclesiastical Corporation Sole, being below the Dignity of a Bishop, shall be authorized to make such Grant without the Consent in Writing of the Bishop of the Diocese to whose Jurisdiction the said Ecclesiastical Corporation is subject: Provided also, that no parochial Property shall be granted for such Purposes without the Consent of a Majority of the Rate-payers and Owners of Property in the Parish to which the same belongs, assembled at a Meeting to be convened according to the Mode pointed out in the Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in England and Wales*, and without the Consent of the Poor Law Commissioners, to be testified by their Seal being affixed to the Deed of Conveyance, and of the Guardians of the Poor of the Union within which the said Parish may be comprised, or of the Guardians of the Poor of the said Parish where the Administration of the Relief of the Poor therein shall be subject to a Board of Guardians, testified by such Guardians being the Parties to convey the same; provided also, that where any Officers, Trustees, or Commissioners, other than parochial Trustees, shall make any such Grant, it shall be sufficient if a Majority or Quorum authorized to act of such Officers, Trustees, or Commissioners, assembled at a Meeting duly convened, shall assent to such Grant, and shall execute the Deed of Conveyance, although they shall not constitute a Majority of the actual Body of such Officers, Trustees, or Commissioners: Provided also, that the Justices of the Peace may give their Consent to the making any Grant of Land or Premises belonging to any County, Riding, or Division by Vote at their General Quarter Sessions, and may direct the same to be made in the Manner directed to be pursued on the Sale of the Sites of Gaols by an Act passed in the Seventh Year of the Reign of His late Majesty *George the Fourth*, intituled *An Act to authorize the Disposal of unnecessary Prisons in England*.

5 & 6 W. 4.
c. 69.

7 G. 4. c. 18.

Grants of
Land may be
made to Cor-
porations or
Trustees, to
be held by
them for
School Pur-
poses.

VII. And be it enacted, That all Grants of Land or Buildings, or any Interest therein, for the Purposes of the Education of poor Persons, whether taking effect under the Authority of this Act or any other Authority of Law, may be made to any Corporation Sole or Aggregate, or to several Corporations Sole, or to any Trustees whatsoever, to be held by such Corporation or Corporations or Trustees for the Purposes aforesaid: Provided nevertheless, that any such Grant may be made to the Minister of any Parish being a Corporation, and the Churchwardens or Chapelwardens and Overseers of the Poor, or to the Minister and Kirk Session of the said Parish, and their Successors; and in such Case the Land or Buildings so granted shall be vested for ever thereafter in the Minister, Churchwardens, or Chapelwardens, and Overseers of the Poor for the Time being, or the Minister and Kirk Session of such Parish, but the Management, Direction, and Inspection of the School shall be and remain according to the Provisions contained

in

in the Deed of Conveyance thereof: Provided also, that where any Ecclesiastical Corporation Sole below the Dignity of a Bishop shall grant any Land to Trustees, other than the Minister, Churchwardens or Chapelwardens, and Overseers, for the Purposes aforesaid, such Trustees shall be nominated in Writing by the Bishop of the Diocese to whose Jurisdiction such Corporation shall be subject; provided that where any School shall be intended for any Ecclesiastical District not being a Parish as herein-after defined, it shall be sufficient if the Grant be made to the Minister and Church or Chapel Warden or Wardens of the Church or Chapel of such District, to hold to them and their Successors in Office; and such Grant shall enure to vest the Land, subject to the Conditions contained in the Deed of Conveyance, in such Minister and the Church or Chapel Warden or Wardens for the Time being.

VIII. And whereas Schools for the Education of the Poor in the Principles of the Established Church, or in religious and useful Knowledge, and Residences for the Masters or Mistresses of such Schools, have been heretofore erected, and are vested in Trustees not having a Corporate Character; be it therefore enacted, That it shall be lawful for the Trustees for the Time being of such last-mentioned Schools and Residences, not being subject to the Provisions of the Act passed in the last Session of Parliament, intituled *An Act for improving the Conditions and extending the Benefits of Grammar Schools*, to convey or assign the same, and all their Estate and Interest therein, to such Ministers and Churchwardens and Overseers of the Poor of the Parish within which the same are respectively situate, and their Successors as aforesaid, or being situate within an Ecclesiastical District not being a Parish as herein-after defined, then to the Minister and Church or Chapel Wardens of the Church or Chapel of such District, and their Successors, in whom the same shall thereafter remain vested accordingly, but subject to and under the existing Trusts and Provisions respectively affecting the same.

Estates now vested in Trustees for the Purposes of Education may be conveyed to the Minister and Churchwardens.

IX. And be it enacted, That any Person or Persons or Corporation may grant any Number of Sites for distinct and separate Schools, and Residences for the Master or Mistress thereof, although the aggregate Quantity of Land thereby granted by such Person or Persons or Corporation shall exceed the Extent of One Acre; provided that the Site of each School and Residence do not exceed that Extent; provided also, that not more than One such Site shall be in the same Parish.

Any Number of Sites may be granted for separate Schools.

X. And be it enacted, That all Grants, Conveyances, and Assurances of any Site for a School, or the Residence of a Schoolmaster or Schoolmistress, under the Provisions of this Act, in respect of any Land, Messuages, or Buildings, may be made according to the Form following, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

Form of Grants, &c.

‘ I [or We, or the Corporate Title of a Corporation], under the Authority of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled *An Act for affording*
5 A ‘ further

‘ *further Facilities for the Conveyance and Endowment of Sites for*
 ‘ *Schools*, do hereby freely and voluntarily, and without any valuable
 ‘ Consideration, [*or do, in consideration of the Sum of*
 ‘ to me *or us or the said* paid,] grant, [alienate,] and
 ‘ convey to all [*Description of the Premises*], and
 ‘ all [my *or our or the Right, Title, and Interest of the*]
 ‘ to and in the same and every Part thereof, to hold unto and to the
 ‘ Use of the said and his *or their* [Heirs, *or Executors,*
 ‘ *or Administrators, or Successors,*] for the Purposes of the said Act,
 ‘ and to be applied as a Site for a School for poor Persons of and in
 ‘ the Parish of and for the Residence of the School-
 ‘ master [*or Schoolmistress*] of the said School [*or for other Pur-*
 ‘ *poses of the said School*], and for no other Purpose whatever; such
 ‘ School to be under the Management and Control of [*set forth the*
 ‘ *Mode in which and the Persons by whom the School is to be*
 ‘ *managed, directed, and inspected.*] [*In case the School be conveyed*
 ‘ *to Trustees, a Clause providing for the Renewal of the Trustees, and*
 ‘ *in Cases where the Land is purchased, exchanged, or demised, usual*
 ‘ *Covenants or Obligations for Title, may be added.*] In witness
 ‘ whereof the conveying and other Parties have hereunto set their
 ‘ Hands and Seals, this Day of
 ‘ Signed, sealed, and delivered by the said in the
 ‘ Presence of of’

And no Bargain and Sale or Livery of Seisin shall be requisite in any Conveyance intended to take effect under the Provisions of this Act, nor more than One Witness to the Execution by each Party; and, instead of such Attestation such Conveyance of any Lands or Heritages in *Scotland* shall be executed with a testing Clause, according to the Law and Practice of *Scotland*; and, being recorded within Sixty Days of the Date thereof in the general Register of Seisins or particular Register for the County or Stewartry in which the Lands or Heritages lie, shall, without actual Seisin, be valid and effectual in Law to all Intents and Purposes, and shall be a complete Bar to all other Rights, Titles, Trusts, Interests, and Incumbrances to, in, or upon the Lands or Heritages so conveyed.

Application of Purchase Money for Land sold by any Ecclesiastical Corporation Sole.

XI. And be it enacted, That where any Land shall be sold by any Ecclesiastical Corporation Sole for the Purposes of this Act, and the Purchase Money to be paid shall not exceed the Sum of Twenty Pounds, the same may be retained by the Party conveying, for his own Benefit; but when it shall exceed the Sun of Twenty Pounds it shall be applied for the Benefit of the said Corporation, in such Manner as the Bishop in whose Diocese such Land shall be situated shall, by Writing under his Hand, to be registered in the Registry of his Diocese, direct and appoint; but no Person purchasing such Land for the Purpose aforesaid shall be required to see to the due Application of any such Purchase Money.

Application of Purchase Money for Lands sold in Scotland.

XII. And be it enacted, That the Price of any Lands or Heritages to be sold for the Purposes of this Act by any Heir of Entail or other incapacitated Person or Persons in *Scotland* shall be applied and invested in such and the like Manner as is directed in relation to any Monies

Monies awarded to be paid for Lands or Heritages belonging to Heirs of Entail or incapacitated Persons under an Act passed in the First and Second Years of the Reign of His late Majesty King William the Fourth, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland.*

1 & 2 W. 4.
c. 43.

XIII. And be it enacted, That when any Ecclesiastical Corporation Sole below the Dignity of a Bishop shall grant any Land belonging to him in right of his Corporation for the Purposes of this Act, he shall procure a Certificate, under the Hands of Three beneficed Clergymen of the Diocese within which the Land to be conveyed shall be situate, as to the Extent of the Land so conveyed, to be endorsed on the said Deed; which Certificate shall be in the Form following; (that is to say,)

Ecclesiastical Corporation to procure a Certificate as to the Extent of the Land conveyed.

‘ WE, *A. B.* Clerk, Rector of the Parish of _____
 ‘ Clerk, Rector of the Parish of _____ and *E. F.* Clerk,
 ‘ Vicar of the Parish of _____ being Three beneficed
 ‘ Clergymen of the Diocese of _____ do hereby certify,
 ‘ That _____ Clerk, Rector of the Parish of _____
 ‘ within the said Diocese of _____ being about to convey a
 ‘ Portion of Land situate in the said Parish of _____ for the
 ‘ Purposes of a School, under the Powers of the Act passed in the
 ‘ _____ Year of the Reign of Her Majesty Queen *Victoria*, inti-
 ‘ tuled *An Act for affording further Facilities for the Conveyance*
 ‘ *and Endowment of Sites for Schools*, we have at his Request
 ‘ inspected and examined the Portion of Land, and have ascertained
 ‘ that the same is situate at [*here describe the Situation*], and that
 ‘ the Extent thereof does not exceed _____ Acre . As witness our
 ‘ Hands, this _____ Day of _____ at _____ in the County of _____
 ‘ and Diocese of _____
 ‘ Witness _____ of _____

Form of Certificate.

And until such Certificate shall have been signed no such Conveyance shall have any Force or Validity.

XIV. And be it enacted, That when any Land or Building shall have been or shall be given or acquired under the Provisions of the said first-recited Act or this Act, or shall be held in Trust for the Purposes aforesaid, and it shall be deemed advisable to sell or exchange the same for any other more convenient or eligible Site, it shall be lawful for the Trustees in whom the legal Estate in the said Land or Building shall be vested, by the Direction or with the Consent of the Managers and Directors of the said School, if any such there be, to sell or exchange the said Land or Building, or Part thereof, for other Land or Building suitable to the Purposes of their Trust, and to receive on any Exchange any Sum of Money by way of effecting an Equality of Exchange, and to apply the Money arising from such Sale or given on such Exchange in the Purchase of another Site, or in the Improvement of other Premises used or to be used for the Purposes of such Trust; provided that where the Land shall have been given by any Ecclesiastical Corporation Sole the Consent of the Bishop of the Diocese shall be required to be given to such Sale

Trustees empowered to sell or exchange Lands or Buildings.

Sale or Exchange before the same shall take place: Provided also, that where a Portion of any Parliamentary Grant shall have been or shall be applied towards the Erection of any School, no Sale or Exchange thereof shall take place without the Consent of the Secretary of State for the Home Department for the Time being.

All Conveyances of Land under 6 & 7 W. 4. c. 70. to be deemed effectual for vesting the Fee Simple.

XV. And whereas in many Cases Conveyances of Land have been made purporting to be made in pursuance of the Powers of the said first-recited Act, to the Minister or Incumbent and the Churchwardens or Chapelwardens of certain Parishes or Places, as and for Sites of Schools or Houses of Residence for the Schoolmasters; and Doubts have been entertained whether such Conveyances are valid and effectual for the Purposes of conveying the Fee Simple, in consequence of the said Statute not containing any Words of Limitation to the Successors of such Persons; be it therefore enacted, That all Conveyances whereby any Land shall have been conveyed to the Minister or Incumbent and the Churchwardens or Chapelwardens of any Parish or Place for the Time being, whether made to them as such Minister or Incumbent and Churchwardens or Chapelwardens, or to them and their Successors, shall be deemed and taken to have been and shall be valid and effectual for the Purpose of vesting the Fee Simple, or such other Estate as hath been proposed to be conveyed, in the Persons who from Time to Time shall be the Minister or Incumbent and the Churchwardens or Chapelwardens of such Place, such Minister being the Rector, Vicar, or Perpetual Curate, whether endowed or not, of the said Parish or Place.

Certain Conveyances of Lands, &c. for Purposes of Education not enrolled as required by the 9 G. 2. c. 36. rendered valid if enrolled within 12 Months from the passing of this Act.

Proviso for Deeds avoided in any Suit.

XVI. And whereas certain Lands or Buildings have been conveyed for valuable Consideration, upon Trust for the Purposes of the Education of the Poor, and through Inadvertence or other Causes the Deeds or Assurances conveying the same have not been enrolled in Chancery as required by the Act passed in the Ninth Year of the Reign of His late Majesty King *George the Second*, intituled *An Act to restrain the Disposition of Lands whereby the same become unalienable*, and by the said herein-before first-recited Act; be it therefore enacted, That notwithstanding the said Provisions all such Conveyances shall be and remain valid for the Space of Twelve Calendar Months next ensuing the passing of this Act, and if enrolled in Chancery before the Expiration of that Time shall be and remain valid hereafter as if duly enrolled within the Time required by the Provisions of the said Acts: Provided nevertheless, that no Effect shall be given hereby to any Deed or other Assurance heretofore made, so far as the same has been already avoided by any Suit at Law or in Equity, or by any other legal or equitable Means whatsoever, or to affect or prejudice any Suit at Law or in Equity actually commenced for avoiding any such Deed or other Assurance, or for defeating the charitable Uses in Trust or for the Benefit of which such Deed or other Assurance may have been made.

No Schoolmaster to acquire a Life Interest by

XVII. And be it enacted, That no Schoolmaster or Schoolmistress to be appointed to any School erected upon Land conveyed under the Powers of this Act shall be deemed to have acquired an

Interest for Life by virtue of such Appointment, but shall, in default of any specific Engagement, hold his Office at the Discretion of the Trustees of the said School. virtue of his Appointment.

XVIII. And for the more speedy and effectual Recovery of the Possession of any Premises belonging to any School which the Master or Mistress who shall have been dismissed, or any Person who shall have ceased to be Master or Mistress, shall hold over after his or her Dismissal or ceasing to be Master or Mistress, be it enacted, That when any Master or Mistress, not being the Master or Mistress of any Grammar School within the Provision of the Act of the last Session of Parliament herein-after mentioned, holding any School-room, Schoolhouse, or any other House, Land, or Tenement, by virtue of his or her Office, shall have been dismissed or removed, or shall have ceased to be Master or Mistress, and shall neglect or refuse to quit and deliver up Possession of the Premises within the Space of Three Calendar Months after such Dismissal or ceasing to be Master or Mistress, not having any lawful Authority for retaining such Possession, it shall be lawful for the Justices of the Peace acting for the District or Division in which such Premises are situated, in Petty Sessions assembled, or any Two of them, or for the Sheriff of the County in *Scotland*, and they are hereby required, on the Complaint of the Trustees or Managers of the said School, or some one of them, on Proof of such Master or Mistress having been dismissed or removed, or having ceased to be such Master or Mistress, to issue a Warrant under their Hands and Seals, or under the Hand of such Sheriff in *Scotland*, to some One or more of the Constables and Peace Officers of the said District or Division, or of the Sheriff's Officers in *Scotland*, commanding him or them, within a Period to be therein named, not less than Ten nor more than Twenty-one clear Days from the Date of such Warrant, to enter into the Premises, and give Possession of the same to the said Trustees or Managers or their Agents, such Entry and Possession being given in *England* in such Manner as Justices of the Peace are empowered to give Possession of any Premises to any Landlord or his Agent under an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Recovery of Possession of Tenements after due Determination of the Tenancy.* Justices of the Peace or Sheriffs to give Possession of School-rooms, &c. in case of the Refusal of the Master.

1 & 2 Vict. c. 74.

XIX. And whereas by an Act passed in the last Session of Parliament, intituled *An Act to further amend the Church Building Acts*, Provision was made to enable Her Majesty's Commissioners for building new Churches to apply Land in any Parish granted to them for any of the Purposes of the Church Building Acts to any other Ecclesiastical Purposes, or for the Purpose of any parochial or charitable School, or any other charitable or public Purpose relating to any such Parish or Place: And whereas through an accidental Omission such Provision does not extend to Cases of Land granted by way of Gift; be it therefore enacted, That such Power so given to the said Commissioners, so far as it is applicable to the Purposes of any School, shall extend to every Case of Land granted, given, or conveyed to them under the Authority of the several Acts in the said Act recited. Powers granted to the Commissioners under 3 & 4 Vict. c. 60. for applying Land to Ecclesiastical Purposes extended to Land granted by way of Gift.

Definition of
the Term
"Parish."

XX. And be it enacted, That the Term "Parish" in this Act shall be taken to signify every Place separately maintaining its own Poor, and having its own Overseers of the Poor and Church or Chapel Wardens.

Act not to
extend to
Ireland.

XXI. And be it enacted, That this Act shall not extend to *Ireland*.

Act not to
affect
1 & 2 Vict.
c. 87. or
3 & 4 Vict.
c. 48.

XXII. And be it enacted, That nothing herein contained shall repeal or affect an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Foundation and Endowment of additional Schools in Scotland*, or another Act passed in the last Session of Parliament, intituled *An Act to enable Proprietors of Entailed Estates in Scotland to feu or lease on long Leases Portions of the same for the building of Churches and Schools, and for Dwelling Houses and Gardens for the Ministers and Masters thereof*.

Act may be
amended,&c.
this Session.

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

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