



CHAPTER cxxxii.

An Act for the amalgamation of Foyle College and the Londonderry Academical Institution. [20th July 1896.] A.D. 1896.

WHEREAS by the Foyle College Act 1874 there was constituted the Governing Body of Foyle College in the City of Londonderry consisting of the persons therein named such governing body to be a body corporate under the title of the Governing Body of Foyle College with perpetual succession and a common seal with power to hold lands for the purposes of the school without licence of mortmain and the sole management and control of Foyle College was vested in such governing body and the messuage or school house land and premises described in the first and second schedules to the said Act and also described in the first schedule to this Act and all other lands if any at the time of the passing of the said Act belonging to Foyle College were vested in the said governing body in trust and for the benefit of Foyle College subject nevertheless as to the lands described in the said schedules to the perpetual rents of sixteen pounds eight shillings and fourpence and one shilling in the pound receiver's fees and of fourteen pounds thirteen shillings and sevenpence respectively payable in respect thereof and provisions were made for the government and management of Foyle College and the affairs thereof :

And whereas Foyle College is now governed and managed by the governing body constituted by the said Act and is supported by grants from the Irish Society and the fees of pupils :

And whereas by a scheme framed under the Educational Endowments (Ireland) Act 1885 for the future government and management of the educational endowments of or belonging to the Londonderry Academical Institution and approved by the Lord Lieutenant and Privy Council in Ireland on the twenty-fourth day of January one thousand eight hundred and ninety there was

A.D. 1896. constituted a governing body for the government and management of that academical institution and of the endowments thereof therein mentioned consisting of the persons therein named including amongst others persons elected by the members of the said institution who were therein declared to consist of persons making contributions to the funds of the institution in manner in the said scheme set forth such governing body being constituted a body corporate by the name of The Governors of the Londonderry Academical Institution with perpetual succession and a common seal and power to acquire and hold property real and personal for the purposes of that scheme and provisions were made for the election of the members of such governing body and the endowment of the said institution being the lands and buildings mentioned in the schedule to that scheme and also mentioned in the second schedule to this Act and all other lands tenements hereditaments moneys stocks funds securities goods chattels and effects and all other the property real and personal at the date of that scheme held or possessed by the trustees of the said institution or by any other person or persons in trust for or applicable to the purposes of the said institution or which might thereafter at any time become or be vested in the said governing body for the purposes of that scheme were vested in the said governing body to be held upon and for the trusts and purposes of that scheme and subject to the conditions and provisions therein contained and to all such rents charges rights easements and liabilities as at the date of the said scheme lawfully affected the same and provisions were made for the government and management of the said academical institution and the endowments thereof and the affairs thereof:

And whereas the Londonderry Academical Institution is now governed and managed by the governing body constituted by such scheme and is maintained by donations and subscriptions including grants from the Irish Society and the fees of pupils:

And whereas it is expedient that Foyle College and the Londonderry Academical Institution should be amalgamated into one educational institution under one governing body and all the property of the said college and institution should be vested in such new governing body:

And whereas it is expedient that the Irish Society be authorised to endow the college to be established by this Act in manner herein-after provided and upon such terms as to the education of free scholars and the payment of exhibitions as are herein-after provided:

And whereas the purposes aforesaid cannot be effected without the 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 as follows:—

A.D. 1896.

1. This Act may be cited for all purposes as the Foyle College Act 1896. Short title.

2. In this Act unless the context otherwise requires the following terms have the meanings herein-after respectively assigned to them namely:— Interpretation.

“The old college” shall mean the educational institution called Foyle College now existing in the city of Londonderry;

“The institution” shall mean the educational institution called the Londonderry Academical Institution now existing in the city of Londonderry;

“The college” shall mean the educational institution formed by the amalgamation of the old college and the institution in accordance with the provisions of this Act and shall include any other educational institution for the time being managed and maintained by the governors constituted by this Act;

“The Foyle College Governors” shall mean the governing body of the old college constituted by the Foyle College Act 1874;

“The Institution Governors” shall mean the governing body of the institution constituted under the recited scheme;

“The governors” shall mean the governors of the college constituted by this Act;

“The members” shall mean the members of the college for the time being qualified as herein-after provided;

“The endowments” shall mean and include the lands and buildings particularly described in the first and second schedules to this Act and all other lands tenements hereditaments moncys stocks funds securitics goods chattels and effects and all other the property real and personal at the commencement of this Act held or possessed by the Foyle College Governors and the Institution Governors respectively or by any person or persons in trust for or applicable to the purposes of the old college or the institution or which may hereafter at any time become or be vested in the governors for the purposes of this Act;

“The diocesan council” shall mean the body known as the diocesan council of the diocese of Derry and Raphoe appointed in accordance with the constitution of the church formerly established by law in Ireland and in the Irish Church Act 1869 referred to as the Church of Ireland;

A.D. 1896.

“The presbytery” shall mean the body known as the Presbytery of Derry in connection with the General Assembly of the Presbyterian Church in Ireland appointed in accordance with the constitution of the said church and shall include any authority duly empowered to perform the functions now performed by such presbytery;

“The Irish Society” shall mean the Society of the Governor and Assistants London of the new plantation in Ulster within the realm of Ireland commonly called the Honourable the Irish Society.

Dissolution
of Foyle
College
Governors.

3. From and after the commencement of this Act all the powers of management of the old college vested in the Foyle College Governors under or by virtue of the Foyle College Act 1874 or otherwise howsoever shall cease and determine and the said governing body of Foyle College shall be dissolved.

Dissolution
of Institu-
tion
Governors.

4. From and after the commencement of this Act all the powers of management of the institution vested in the Institution Governors under or by virtue of the recited scheme or otherwise howsoever shall cease and determine and the said governing body of the Londonderry Academical Institution shall be dissolved.

Amalgama-
tion of old
college and
institution.

5. From and after the commencement of this Act the old college and the institution shall be amalgamated and form one educational institution called Foyle College the sole management and control of which and of the endowments shall be vested in the governors herein-after constituted.

Members of
college.

6. The members of the college shall consist of--

(A) All persons who at any time before the commencement of this Act shall have subscribed fifty pounds or upwards in one sum to the funds of either the old college or the institution or shall after the commencement of this Act subscribe the sum of fifty pounds or upwards in one sum to the funds of the college;

(B) All persons who at any time after the first day of January one thousand eight hundred and seventy-six shall have paid or shall pay not less than twenty pounds for the education of a pupil or pupils in the old college or the institution or the college;

(C) All parents or guardians who have sent or at any time hereafter shall have sent a pupil or pupils to the old college or the institution or the college for at least two school terms so long thereafter as such parents or guardians shall have a pupil attending the college;

A.D. 1896.

(D) All past pupils of the old college or of the institution or of the college who having been educated in any department of the old college or the institution or the college other than the preparatory departments of the institution and the college for not less than two academical years and having attained the age of twenty-one years shall at any time after the commencement of this Act have subscribed five pounds or upwards in one sum to the funds of the college.

7. The governing body in whom the sole management and control of the college and the endowments shall be vested as aforesaid shall consist of the following persons (namely) :--

Governing
body of
college.

- (1) The Bishop of Derry and Raphoe or the person who shall for the time being discharge duties similar or analogous to those now discharged by the said bishop ;
 - (2) The minister or if there be more than one the senior officiating minister of the first Presbyterian congregation in the city of Londonderry in connection with the General Assembly ;
 - (3) The Dean of Derry ;
 - (4) The President of the Magee Presbyterian College in the city of Londonderry ;
 - (5) The Governor of the Irish Society ;
- The above five governors are herein-after called the "ex officio governors" ;
- (6) One governor representing the said Magee Presbyterian College to be appointed from among the professors of the said Magee College who in the first instance shall be Professor Robert Henry Frederick Dickey ;
 - (7) Six governors representing the members of the college to be appointed in manner herein-after provided ;
 - (8) Four governors appointed by the Irish Society who in the first instance shall be William Tillie John Kelso Reid Samuel Bell and Thomas Bedford Montgomery ;
 - (9) Five governors representing the Diocesan Council to be appointed in manner herein-after provided ;
 - (10) Four governors appointed by the Presbytery who in the first instance shall be the Reverend James Maxwell Rodgers John Cooke William Finlay Bigger and Alexander McVicker ;
 - (11) Four co-opted governors to be appointed in manner herein-after provided.

8. The governors shall constitute a body corporate by the name of the Governors of Foyle College with perpetual succession and a common seal and power to acquire and hold property real and personal for the purposes of this Act.

Governors
to be body
corporate.

A.D. 1896.

As to first
appointment
of governors
by Diocesan
Council.

9. Within two weeks after the commencement of this Act the Diocesan Council shall elect five qualified persons to be governors and of such appointment shall forthwith give written notice to the registrar to be appointed under this Act if already appointed or if he shall not have been appointed to the General Agent of the Irish Society who shall transmit such notice to the said registrar so soon as the latter shall be appointed.

Election of
first members
of governing
body,

10. The first members of the board of governors other than the ex-officio governors the governors herein-before appointed by name and the governors representing the Diocesan Council shall be elected as follows :—

Within one week after the commencement of this Act the General Agent of the Irish Society shall by notice in writing delivered or sent through the post to each of the ex-officio governors and the governor representing the said Magee College the governors appointed by the Irish Society and the Presbytery respectively and the governors appointed by the Diocesan Council if appointed summon a meeting of such governors to be held at some convenient time and place in the city of Londonderry within two weeks after the commencement of this Act and the governors present at such meeting shall appoint a registrar for the purpose of making a register of the members at such salary as they may think fit but such appointment shall only continue until the first meeting of the governors after the election of all the "first elected governors" herein-after mentioned and such registrar shall forthwith publish a notice in three newspapers published in the city of Londonderry requesting all persons entitled to be members to furnish their names addresses and qualifications to him and such persons shall upon the verification of their qualifications by statutory declaration or otherwise to the satisfaction of the registrar be enrolled by the registrar on the register of members of the college and until so enrolled no person shall be entitled to act as a member of the college :

After the expiration of one month and not later than six weeks after the publication of such notices a meeting of the members shall be held at which the members present shall elect the six governors to represent the members Such meeting shall be summoned by the registrar by not less than four days' notice in writing delivered or sent to all members to the addresses furnished as aforesaid :

Within one fortnight after the election of the said six governors representing the members a meeting to be summoned by the registrar in manner aforesaid shall be held of the said

ex-officio governors the governor representing the said Magee College the governors appointed by the Irish Society the Diocesan Council and the Presbytery and the governors representing the members at which the governors present shall co-opt four persons to be members of the board of governors Of such co-opted governors at least two shall be laymen and all shall be graduates of some university in the United Kingdom or persons of experience in education resident in the city of Londonderry or within ten miles thereof and shall be Protestants of any denomination. A.D. 1896.

From and after the co-option of the said four governors the governors may proceed to exercise and put in force all the powers conferred upon them by this Act.

The governors elected and co-opted under this and the last preceding section of this Act and the governors named in subsections (6) (8) and (10) of the section of this Act of which the marginal note is "Governing body of college" are herein-after named "The First Elected Governors."

11. The first elected governors shall retire in manner hereinafter expressed On the thirty-first day of December one thousand eight hundred and ninety-seven there shall go out of office three of those representing the members two of those representing the Irish Society two of those representing the Diocesan Council and two of those representing the Presbytery and on the thirty-first day of December one thousand eight hundred and ninety-eight all the other first elected governors other than co-opted governors shall go out of office The order in which such first elected governors shall go out of office shall be determined by lot. Retirement of first elected governors.

12. Within two months before or one month after the time when each of the first elected governors shall go out of office under the section of this Act of which the marginal note is "Retirement of first elected governors" or before or after any governor appointed under this section shall go out of office the Faculty of Magee College the members assembled in annual meeting in the month of November or December or January the Irish Society the Diocesan Council and the Presbytery shall elect a qualified person or qualified persons to be a governor or governors as the case may be in the place of the governor or governors representing them respectively who shall so go out of office to hold office in each case for two years from the time when his or their predecessor or predecessors shall go out of office or until he or they shall vacate office as herein-after provided. Election &c. of governors.

A.D. 1896.

In case of
failure to
appoint.

13. If in any year a sufficient number of members to constitute a quorum shall not be present at the annual meeting of members to be held in November or December or January or if either the members or the Faculty of Magee College or the Irish Society or the Diocesan Council or the Presbytery shall at any time fail to appoint governors or the full number of governors which they are entitled to appoint within the times prescribed above then and in every such case the then existing governors shall as soon as convenient after the time for appointment shall have elapsed co-opt as many qualified persons as there shall be vacancies caused by the absence of such quorum or such total or partial failure to appoint as aforesaid and the persons so co-opted shall go out of office at the same time as they would have done if they had been respectively appointed under the provisions of this Act.

Retirement
&c. of
co-opted
governors.

14. Of the co-opted governors elected under the section of this Act of which the marginal note is "Election of first members of governing body" two shall go out of office on the thirty-first day of December one thousand eight hundred and ninety-seven and two on the thirty-first day of December one thousand eight hundred and ninety-eight and two of the governors to be co-opted as herein-after provided shall go out of office on the thirty-first day of December in every subsequent year. The order in which the first four co-opted governors shall go out of office shall be determined by lot. At the first meeting of the governors held in one thousand eight hundred and ninety-eight and in each subsequent year the governors shall co-opt two graduates of some university in the United Kingdom or persons of experience in education resident in the city of Londonderry or within ten miles thereof being Protestants of any denomination to be governors in the place of those going out of office as aforesaid. Provided that at least two out of the four co-opted governors must be laymen and each governor so co-opted shall hold office for the period of two years from the time when his predecessor went out of office or until he shall vacate office as herein-after provided.

Qualifica-
tion.

15. The qualification for the election appointment or co-option of governors shall be as follows. Every person who being a Protestant of any denomination shall be resident in the city of Londonderry or within ten miles thereof shall be eligible to be elected as a governor representing the members or to be appointed as a governor by the Irish Society or the Diocesan Council or the Presbytery. Any professor of Magee College shall be eligible to be appointed as a governor representing Magee College. Every outgoing governor if otherwise qualified shall be eligible for re-election. Provided that

A.D. 1896.

the six governors representing the members the four governors appointed by the Irish Society at least three of the governors appointed by or representing the Diocesan Council and at least three of the governors appointed by the Presbytery shall be laymen Provided also that of the governors appointed by the Irish Society two shall be members of the Church formerly established by law and referred to in the Irish Church Act 1869 as the Church of Ireland and two shall be members of some congregation in connection with the General Assembly of the Presbyterian Church in Ireland Of the governors representing the Irish Society one shall always be the general agent of the society if qualified.

The provisions of this section shall apply to governors co-opted under the section of this Act of which the marginal note is "In case of failure to appoint" as if the governors so co-opted were governors appointed by the body which shall have failed to appoint as aforesaid.

16. No proceeding of the governors or of any committee of governors shall be invalidated or be illegal in consequence only of there being any vacancy in the number of governors at the time of such proceeding.

Acts of the
Governors not
to be invali-
dated by
reason of
vacancies.

17. All proceedings of the governors or of any committee of governors shall notwithstanding it be afterwards discovered that there was some defect in the appointment of any such governors or that they or any of them were disqualified be as valid as if every such governor had been duly appointed and was qualified to be a governor.

Informalities
in the appoint-
ment of
governors not
to invalidate
proceedings.

18. Whenever any governor other than an ex-officio governor shall die or resign by writing under his hand or become bankrupt or refuse to act or become incapable of acting or shall cease to reside in the city of Londonderry or within ten miles thereof or being the general agent of the Irish Society shall cease to hold that office his office shall thereupon become vacant and the fact of such vacancy and the cause of it shall be recorded in the minutes of the governors In the case of governors appointed by the Irish Society or the Diocesan Council or the Presbytery or representing Magee College the secretary of the governors shall as soon as convenient after the recording of such vacancy send notice of its occurrence to the body by whom such governor was appointed unless his successor has been in the meantime appointed As soon as conveniently may be after the occurrence of each such vacancy and whether the same has in the meantime been recorded by the governors or not the Irish Society or the Diocesan Council or the Presbytery or the Faculty of Magee College as the case may be

Casual
vacancies.

A.D. 1896.

in the case of the vacancy occurring amongst the governors appointed by those bodies respectively shall appoint a qualified person to fill the vacancy or if the vacancy occur amongst the governors representing the members or amongst the co-opted governors the remaining governors shall co-opt a qualified person to fill the vacancy and every governor so appointed or co-opted shall hold office so long only as the governor in whose place he shall have been appointed or co-opted might have held the same.

Vesting of property.

19. From and after the commencement of this Act the endowments shall without any new conveyance or instrument be transferred to and vested in the governors for all the estate and interest of the Foyle College Governors and the Institution Governors therein respectively and shall be thenceforth held by them and their successors for ever upon and for the trusts and purposes of this Act and subject to the conditions and provisions herein contained and to all such rents charges rights easements and liabilities as at the commencement of this Act may lawfully affect the same From and after the commencement of this Act all property securities goods chattels and money held by any person or persons in trust for or applicable to the purposes of the old college or the institution shall be delivered transferred and paid by the person or persons possessed thereof or bound to pay the same to the governors and the receipt of the governors for any transfer delivery or payment hereby directed shall be a good discharge to the person or persons making the same and he or they shall not be answerable thenceforth for the application thereof.

As to endowments &c.

20. The governors may collect receive acquire and hold donations devises bequests subscriptions and other additional endowments real or personal and apply the same for the purposes of this Act They may also receive acquire and hold donations devises bequests subscriptions and other endowments real or personal and apply the same for any object connected with the college or with all or any of the purposes of this Act which shall not be inconsistent with or calculated to impede the efficient working of the provisions hereof All property and moneys so received or applied shall be included in the accounts to be kept by the governors under this Act.

Endowments by Irish Society.

21. So soon as the Irish Society shall have paid all the remaining instalments which they have undertaken to pay of the purchase money payable for or in respect of the old college and the lands held therewith they shall release to the governors the rents now payable to the Irish Society in respect of the old college and lands now amounting to thirty-one pounds one shilling and eleven pence per annum.

The Irish Society shall pay to the governors as an endowment of the college the sum of eight hundred pounds a year and a further sum of two pounds in respect of every scholar other than free scholars educated in the college but such last-mentioned sum shall not be required to exceed three hundred pounds. The Irish Society shall also provide and pay to the governors a sum of two hundred and twenty pounds a year to be applied as exhibitions or scholarships to deserving scholars educated in the college to be selected upon the result of such examinations or by such other means as the governors shall think fit and to be called Irish Society Exhibitioners. All exhibitions or scholarships granted before the commencement of this Act out of moneys provided or expected to be provided by the Irish Society to the Foyle College Governors or the Institution Governors shall continue to be payable and shall be paid by the governors out of the said sum of two hundred and twenty pounds per annum.

The governors shall in consideration of the grants to be made by the Irish Society as aforesaid provide at all times free education in the college for fourteen free scholars to be selected in such manner as the governors shall think fit and to be called Irish Society scholars. The scholars at present educated as free scholars in the old college and the institution in consideration of grants made by the Irish Society shall continue to be educated free in the college for the period during which they would have been entitled to free education if this Act had not passed and shall be reckoned as part of the fourteen scholars to be so educated free as aforesaid.

22. The governors may enter into any agreement with any body or bodies or person or persons desirous of making any contribution to the college or endowing the college which the governors may think proper and by any such agreement may give to such body or bodies person or persons the privilege of nominating pupils for free education in the college or any other privileges or rights or powers exerciseable in the college or connected with the management or control of the college as shall not be inconsistent with the provisions of this Act and as the governors shall think proper and reasonable.

Agreements
with other
bodies.

23. From and after the commencement of this Act and subject to the conditions and provisions herein contained the endowments and all other property of or belonging to the governors or available for the purposes of this Act shall be held by them upon trust to maintain in or near the city of Londonderry a public intermediate school for boys under the name of Foyle College for the purpose of affording instruction to the pupils attending the college in the

Trusts of
property.

A.D. 1896.

subjects of a liberal classical mathematical commercial and technical education and of securing the moral and religious training of the pupils subject to the conditions herein prescribed and to such rules and regulations as may from time to time be prescribed by the governors.

Application
of moneys.

24. All moneys received by the governors under or for the purposes of this Act shall subject to the other provisions of this Act and to any special trusts or conditions upon which any part thereof may be received be expended and applied by them for the following purposes or for such and so many of them as to the governors shall for the time being seem expedient:—

- (A) To maintain the buildings furniture appliances and premises of the college in good order and condition and to make such additions thereto and such improvements therein as may be required from time to time ;
- (B) To pay all rents taxes cost of insurance and other charges necessarily or properly payable out of or for the said premises and to defray the necessary working expenses of the college and the cost of management ;
- (C) To provide for the education of the pupils and to maintain an efficient teaching staff for the college For this purpose the governors may employ and pay or authorise the employment and payment of such masters lecturers and other teachers as they may deem expedient for the instruction of the pupils including teachers qualified to give instruction in such special subjects of intermediate technical or commercial education or in the physical training of the pupils as they shall deem suitable or useful for any sufficient number of the pupils ;
- (D) To maintain a sufficient household and domestic staff and to provide suitable board lodging and accommodation for the resident pupils and for the resident staff of the college ;
- (E) To provide prizes exhibitions and scholarships for the most deserving pupils Such prizes exhibitions and scholarships may be awarded in such manner and subject to such conditions as the governors may deem best calculated to promote the progress of the pupils and may be so given as to enable or encourage deserving and capable pupils who require such assistance to continue their education at the college longer than they could otherwise do or to obtain special instruction or more advanced education elsewhere ;
- (F) To arrange for the attendance by pupils at any classes or lectures at any art school or technical school or upon any subjects connected with education upon such terms and conditions as the governors may think proper ;

(G) To defray any other expenses incurred in carrying out the purposes of this Act. A.D. 1896.

25. The governors shall apply any annual or other donations and the income of any funds given for the purpose of providing exhibitions or scholarships in accordance with the trusts for the time being affecting the same or the directions of the donors and any power of varying or modifying such trusts which heretofore might have been exercised by the Foyle College Governors or the Institution Governors or by any other person or persons representing the old college or institution may henceforth be exercised by the governors. The governors shall have power to establish in connection with the college exhibitions and scholarships which shall in each case have such value and shall be awarded upon such examination and shall be held subject to such conditions as the governors shall think fit. Any such exhibitions and scholarships may be given so as to entitle the holders thereof respectively to education at the college free of cost or at a reduced cost or may be tenable at such university college or other place of higher education elsewhere as the governors may from time to time determine. As to scholarships &c.

26. The governors may maintain in the college such departments as they shall from time to time determine in which instruction or training shall be given in such subjects of intermediate classical mathematical commercial technical or other education as the governors shall deem suitable or useful for any sufficient number of the pupils. The governors may use and employ or permit the use and employment of such or such parts of the buildings of the college as they shall from time to time think fit for the accommodation of the resident staff or of resident pupils and may regulate the use and occupation thereof as they shall deem expedient. The governors may if and when they shall so think fit carry on the college in buildings on land now belonging to the old college or on land now belonging to the institution alone and abandon the buildings on the other land or may remove the college to some other convenient site or sites in or near the city of Londonderry and the buildings and premises vacated upon any such abandonment or removal may be sold let for any term or terms of years and either for occupation or upon a building or repairing lease or otherwise disposed of to the best advantage. Provided always that no such abandonment or removal shall take place nor shall any agreement for the same nor for any letting sale or disposal of the existing premises of the college or any of them or any part thereof (other than an agreement for letting such premises or any of them or any part thereof entered into after the College may be carried on in existing or new buildings.

A.D. 1896. abandonment of the premises proposed to be let shall have been approved as herein-after mentioned) be made or entered into by the governors or become binding upon them without the previous sanction of the members by resolution passed after due notice by a special meeting of the members summoned for the purpose and confirmed by a subsequent special meeting of the members summoned for the purpose and held not less than one week nor more than five weeks after the first meeting.

Evening
classes.

27. The governors may also maintain an evening school or schools or evening classes for the education of pupils who are engaged during the day at trade or business and who are desirous of carrying on their education in the evening. The course of instruction in the evening school or schools and evening classes shall be arranged with special regard to the requirements of pupils obliged to maintain themselves by commercial or industrial pursuits.

Arrange-
ments for
and from
public de-
partments.

28. The governors may from time to time make all arrangements necessary to enable them to obtain for the college from the Intermediate Education Board from the Science and Art Department from the Commissioners of Public Works or from any other public body such aid by way of teachers' salaries results fees prizes provision for technical industrial or other special instruction or grants and loans for building or other purposes as may at any time be available for or at the like institutions or the pupils thereof. Notwithstanding anything herein contained the governors whenever and so long as they shall think fit may place the college or any or all of their classes or pupils in connection with or under the inspection of any such public body and may comply with any rules or regulations for the time being in force respecting institutions or pupils receiving such aid. All money and other aid which the governors may so receive shall subject to such rules and regulations be applied by them in accordance with the provisions of this Act and accounted for accordingly.

Religious
instruction.

29. The governors may provide such religious instruction as they shall think fit for the pupils attending the college provided that no pupil shall at any time be compelled or permitted to receive or to be present at any religious instruction to which his parents or parent or guardians or guardian shall object and that the times for and mode of giving religious instruction shall be so fixed that no pupil shall be thereby in effect excluded directly or indirectly from any of the other advantages afforded by the college.

Inspection.

30. The Lord-Lieutenant may appoint an inspector for the purposes of this Act and such inspector shall inspect the college once at least in each year and on so many additional occasions as

the Lord-Lieutenant may direct and shall present his reports thereon to the Lord-Lieutenant and the remuneration of the inspector as fixed by the Lord-Lieutenant shall be defrayed by the governors out of moneys in their hands.

A.D. 1896.

31. The governors shall from time to time appoint a head master or head masters of the college and on the occasion of every such appointment shall by such methods as they shall judge most likely to secure suitable candidates give public advertisement of the vacancy. Thereafter at a meeting specially convened for the purpose the governors may upon such terms as they shall think fit appoint one or more head masters provided that every head master shall be a graduate of some university in the United Kingdom. Every head master shall be removable by the governors for such cause as they shall deem adequate or upon reasonable notice or such notice as may be agreed upon or upon payment of a reasonable sum not exceeding in any case one year's salary in lieu of notice. Provided that no head master shall be removed from office except upon a resolution passed at a special meeting of the governors at which not less than nine governors shall be present and confirmed at a subsequent special meeting of the governors at which not less than nine governors shall be present held not less than one week nor more than five weeks after the first meeting.

Appointment
of head
master.

32. After conference with the head master or head masters the governors shall from time to time determine the number of lecturers assistant masters and other teachers to be employed in the college and shall define their duties and fix their salaries and emoluments and the mode of payment thereof. Every lecturer assistant master and other teacher shall be removable by the governors for such cause as the governors shall deem adequate or upon such notice as may be agreed upon or upon payment of a reasonable sum not exceeding in any case six months' salary in lieu of notice.

As to assis-
tant mas-
ters &c.

33. All meetings of the members shall be held at the college or at such other place as the governors may from time to time appoint. Minute books shall be kept in which the minutes of all the proceedings of the members shall be duly entered.

Meetings of
members.

34. An annual meeting of the members shall be held in the month of November or December or January in each year upon such day as the governors shall fix. At every annual meeting the governors shall submit to the members a report upon the working and condition of the college and a statement of the receipts and expenditure during the preceding year with the latest reports of the auditor and such other information regarding the affairs of the college as

Annual
meeting of
members.

A.D. 1896. the members may from time to time require or as the governors shall think fit to submit At every annual meeting the register of the members to be kept as herein-after provided with such information as may be required to enable those present to select duly qualified governors shall be open for the use of the members.

Special meeting of members.

35. The governors may at their discretion by resolution and they shall upon the written requisition of at least fifteen members stating the purpose for which such meeting is required call a special meeting of the members.

Notice of meetings of members.

36. Not less than one month before the date of each annual meeting of the members the governors shall give notice in writing to the Irish Society of the holding of such annual meeting The governors shall by advertisement in at least two newspapers published in Londonderry give seven clear days' notice of every meeting of the members whether annual or special and shall in such notice specify the place the day and the hour of meeting and the special business if any to be transacted Whenever a meeting of the members shall be convened for the transaction of any special business no other business shall be transacted at the meeting Every meeting may adjourn for the completion of its business to such time and place as the majority of the members present may appoint.

Chairman quorum &c. of meeting of members.

37. The majority of the members present at each meeting before entering upon any other business shall elect one of their number to act as chairman Subject to the provision herein-after contained fifteen members shall constitute a quorum All matters and questions shall be determined by the majority of the members present and voting In every case of equality of votes the chairman shall have a second or casting vote.

Byelaws by members.

38. The members may from time to time at any annual meeting or at any special meeting duly convened for the purpose make such byelaws and regulations as they shall consider convenient and needful for determining the number of members which shall constitute a quorum but so that the quorum shall not be reduced below ten for regulating the procedure of meetings of the members and the election of governors and for effectuating the other purposes of this Act relating to the members Provided that no such byelaw or regulation shall be inconsistent with the provisions of this Act and that the same may be repealed altered or amended by the members as they may from time to time think fit.

Register of members.

39. A register of the members according to their classes shall be kept by the secretary or registrar under the direction of the governors in a book to be provided for the purpose and in such register the

A.D. 1896.

name last known residence and situation in life and the qualification of each member shall be duly entered in such form as the governors shall prescribe. The register of members may be corrected from time to time by the governors or by direction of any meeting of the members and (subject to such correction) shall be conclusive evidence that those named therein and none others are entitled to the rights of membership. Every person claiming to be enrolled as a member shall verify his qualification for such enrolment by such means as the governors may prescribe.

40. Every member who shall have subscribed fifty pounds and upwards to the funds of the college shall have the right for every subscription of fifty pounds paid in one sum to present a pupil for free education as an extern pupil of the college during a period of three years. Provided that (1) if the pupil so presented shall from any cause cease to attend the college before the expiration of the period aforesaid the member who has made the presentation shall have the right to nominate another free pupil in his place for so much of the said period of three years as may be unexpired at the date of the pupil so ceasing to attend as aforesaid after which the said right of presentation shall cease and determine. (2) Pupils so presented shall be liable to be dismissed from the college for any sufficient cause in the same manner as all other pupils in the college. Except as hereinbefore expressly provided nothing herein contained shall operate to prevent the completion at the college by any free pupil or scholar of either the old college or the institution of his full term of free education as a free pupil or scholar.

Privilege of member as to free pupil.

41. The governor of the Irish Society shall be the chairman of the governors who at their first meeting in each year shall elect out of their number a deputy chairman who shall continue in office until the first meeting in the succeeding year. The chairman shall preside at the meetings of the governors at which he is present and in his absence the deputy chairman shall preside and in the absence of both the chairman and deputy chairman the majority of the governors present shall elect one of their number to act as chairman for the occasion. Five governors shall constitute a quorum and all matters and questions shall be determined by the majority of the governors present and voting. In every case of equality of votes the chairman of the meeting shall have a second or casting vote. The governors may appoint from among their own number an honorary secretary and such other honorary officers as they shall from time to time think fit.

Proceedings at meetings of governors

42. The governor of the Irish Society may by writing under his hand appoint any person either being a member of the governing

Appointment of proxy by

A.D. 1896.
governor of
Irish
Society.

body or who would be qualified to be appointed as a governor to attend meetings of the governors and vote thereat as his proxy Such proxy may be appointed for one year or any shorter period and during such period may attend and take part in all meetings of the governors at which the governor of the Irish Society is not present and vote on all questions submitted to the vote of the governors present but shall not be eligible for appointment on any committee or to any honorary post.

Meetings of
governors.

43. Within one month after the commencement of this Act and once in each school term thereafter the governors shall meet at the college and they may also meet at such other times and places as they may from time to time appoint At each of the regular meetings to be held as aforesaid the governors shall take the opportunity of examining for themselves into the condition of the premises and the efficiency of the education given in the college Notice of every meeting shall be given to each governor two clear days or such other longer time as the governors may direct before each meeting The chairman or deputy chairman or any five other governors may at any time summon a special meeting giving notice to each governor three clear days or such other longer time as the governors may direct before the meeting specifying in such notice the object thereof Every meeting may adjourn for the completion of its business to such time and place as the governors present may appoint.

Declaration
by governors
minutes &c.

44. Every governor shall at or before the first meeting which he attends sign a declaration in a book to be kept for that purpose of his acceptance of the office of governor and until he has signed such declaration he shall not be entitled to act as a governor Minute books shall be kept by the governors in which minutes of all their proceedings shall be duly entered All deeds and other documents sealed with the common seal shall be held to be validly executed on behalf of the governors and of the college.

Governors
may appoint
committees.

45. The governors may from time to time appoint a committee or committees each consisting of any two or more of their number to visit the college and to superintend and carry into execution any orders rules or directions of the governors with respect to the purposes of this Act or to manage such business and execute such of the powers of the governors as the governors may deem it expedient to depute to such committee or committees The governors may fix the quorum define the duties and regulate the proceedings of every committee as they may think fit.

Byelaws by
governors.

46. The governors may from time to time make such byelaws and regulations as they shall consider convenient and needful for

giving effect to the purposes of this Act other than those relating to the members No byelaw or regulation made by the governors shall be inconsistent with the provisions of this Act and every such byelaw and regulation may be repealed altered or amended by the governors as they may from time to time think fit.

A.D. 1896.

47. The governors shall cause to be kept regular accounts of all their receipts and disbursements in such manner and form as may be from time to time prescribed or approved by the governors and the accounts for each year ending the thirtieth day of June or such other day as the governors may direct or an abstract thereof in such form as the governors shall prescribe or approve shall be submitted for audit on or before the first day of November following or such other day as the governors may direct to some chartered accountant as auditor to be appointed or approved by the members The governors shall pay such reasonable sum as shall be necessary to defray the cost of audit The governors shall keep an account with such bank as they may from time to time select and all moneys receivable or payable by them (except petty cash) shall be lodged to or drawn from such account and every cheque shall be signed by two governors at the least thereto authorised.

Accounts.

48. Subject to the provisions of this Act the governors may from time to time after conference with the head master or head masters prescribe and regulate the course of instruction and training the terms and vacations and the amount of the fees to be paid by boarders and day pupils respectively Subject as aforesaid and in addition to the powers herein-before conferred upon them the governors may prescribe the terms and conditions upon which boarding pupils and extern pupils may be received and shall have and exercise general supervision and control over the college.

Governors to regulate course of instruction &c.

49. Subject to the provisions of this Act the governors may from time to time upon such terms and with such qualifications as they shall think fit and at such salaries or emoluments as they may deem sufficient appoint or provide for the appointment of the several members of the educational and domestic staff employed in or about the college and also such other officers and servants including a secretary or registrar as they shall from time to time deem it advisable to employ Subject to the other provisions herein contained every teacher officer and other person in the employment of the governors shall be removable by the governors for such cause as they shall deem adequate or upon reasonable notice or upon payment of a reasonable sum not exceeding six months' salary in lieu of notice No person appointed to any paid office or employment

Officers &c.

A.D. 1896.

under the governors or entitled to any salary or emolument out of the endowments under any such appointment shall be capable of becoming or shall continue to be a governor.

Power to sell.

50. The governors may at any time with the previous sanction of the members to be given in the manner provided by the section of this Act of which the marginal note is "College may be carried on in existing or new buildings" dispose by way of sale or letting or in exchange for other lands or hereditaments of all or any of the lands and buildings which are by this Act or at any future time may be vested in them upon the most advantageous terms which they can reasonably obtain and under such conditions as they shall think fit and they shall receive and dispose of all moneys received on any such sale letting or exchange for the purposes and in accordance with the provisions of this Act Provided that the sanction of the members shall not be required to any letting of lands or buildings not occupied for the purposes of the college and that any sanction by the members required under this section shall be definite in its description of the premises to be dealt with but may be otherwise in general terms and need not refer to any particular agreement.

Management of funds &c.

51. The governors may at any time sell any of the stocks funds and securities which may be vested in them for the purposes of this Act and may invest the moneys arising from any such sale or from the sale of any land or buildings or received by way of equality of exchange of land or buildings and also any residue of income not required in any year for the purposes aforesaid in the purchase of lands required for the purposes of the college or in any of the public stocks funds or securities of the United Kingdom or of any colony or dependency thereof or in the stock of the Bank of England or of the Bank of Ireland or upon freehold or leasehold securities or in the purchase of perpetual rents or rent-charges in the United Kingdom or upon the debentures or mortgages of any municipal corporation in the United Kingdom or of any commercial or other joint stock company carrying on business or constituted for any purpose in the United Kingdom or in the stock or bonds of any corporation duly authorised to levy public rates within the United Kingdom or any colony or dependency thereof or in any other securities authorised by law or by the practice of the High Court of Justice for the investment of trust funds and the governors may from time to time vary such investments and may have recourse in any year to the accumulations of income of any previous year or years.

52. Whereas there is now a head master of the old college and two co-ordinate head masters of the institution. Be it enacted that all the said head masters shall cease to hold their respective offices after the commencement of this Act and shall on being required so to do by the governors forthwith vacate all premises occupied by them as such head masters and hand over to the governors all things in their possession belonging to the governors.

A.D. 1896.
Removal of
head master.

53. Every individual except the said head masters who at the date of the commencement of this Act shall hold any office place employment pension compensation allowance or emolument under or arising out of the endowments hereby transferred to and vested in the governors shall continue to hold and be entitled to receive the same from the governors upon the same terms and in the same manner in every respect as he or she previously held and was entitled to receive the same and every such individual shall remain bound to perform the same and all like duties for the governors so long as his or her employment shall continue as he or she would have been bound to perform for his or her existing employers if this Act had not passed and his or her employment may be determined by the governors at any time after the commencement of this Act by dismissal for the like cause or upon the like notice or payment in lieu of notice from the governors for or upon which the same might have been determined if this Act had not passed.

Continuance
of existing
master &c.

54. The governors may from time to time grant to any head master or head masters to any existing officer or to any other person in their employment who otherwise than through misconduct shall become incapable of further duty or whose services shall be no longer required including any head master removed from office by the section of this Act of which the marginal note is "Removal of head master" such reasonable retiring pension or gratuity as shall be fixed by the governors with due regard to length of service and to the other circumstances of his or her employment. Provided that no pension or gratuity paid to any head master removed from office under the section of this Act of which the marginal note is "Removal of head master" shall be paid out of moneys provided by the Irish Society in pursuance of the section of this Act of which the marginal note is "Endowments by Irish Society."

Pensions to
officers.

55. Immediately after the passing of this Act the Foyle College Governors and the Institution Governors shall proceed to pay and discharge out of the moneys in their hands all the salaries outgoings and liabilities due or payable by them up to the commencement of this Act so far as possible without selling or incumbering any portion of their lands or buildings or the equipment or fittings used

Transfer of
assets and
liabilities to
governors.

A.D. 1896. in connection with the old college or the institution and shall prepare a final account of all their receipts and disbursements commencing from their last audited accounts and shall submit the same for audit to some competent authority to be appointed or approved by the governors. Upon such audit the net cash balances remaining in their hands or the hands of their treasurers or bankers or of any other person on their account shall be ascertained and certified and thereupon the same and all securities held by the Foyle College Governors and Institution Governors shall be forthwith transferred or paid to the governors to be by them held and applied for the purposes of this Act and accounted for accordingly. The Foyle College Governors and Institution Governors and any other person or persons having custody thereof for them shall at the same time deliver to the governors all books documents and other chattels and effects belonging to or held by them as such governors or for such governors and thereupon the Foyle College Governors and Institution Governors shall be discharged. All debts and other sums then accruing or payable to or recoverable by the Foyle College Governors and Institution Governors shall thereupon and thenceforth accrue and become payable to or recoverable by the governors and all sums then payable by and recoverable from the Foyle College Governors and Institution Governors and all contracts then binding upon them shall be thereupon and thenceforth payable by and recoverable from and binding upon the governors.

Repeal of
Act and
scheme.

56. The Foyle College Act 1874 and the said scheme for the government and management of the institution are hereby repealed and cancelled as from the commencement of this Act. Provided that such repeal shall not affect the validity or invalidity of any appointment already made or any instrument or thing already executed made done or suffered or any right or title already acquired or accrued or any remedy in respect thereof or any release or discharge of any debt claim or demand or the proof of any past act or thing.

Commence-
ment of Act.

57. This Act shall come into operation on the first day of July one thousand eight hundred and ninety-six or if this Act shall not before that day have passed into law then on the day of the passing of this Act. The day on which this Act shall come into operation is in this Act referred to as the commencement of this Act.

SCHEDULES.

A.D. 1896.

The **FIRST SCHEDULE** referred to in the foregoing Act.

THE FIRST PART.

The site of Foyle College in the city of Londonderry containing by admeasurement three acres three roods nineteen perches Irish plantation measure abutting upon the Strand Road leading from Derry to Muff which was formerly described as a piece or parcel of ground containing about four acres (more or less) situate within the north liberties of the city of Londonderry about one mile and a half from the said city and lying between the road leading to Buncrana and the road leading to Muff.

THE SECOND PART.

A piece of land in the city of Londonderry containing two acres one rood twenty-two perches Irish plantation measure bounded on the front or west by the Old or Black Bush Road leading from Derry to Buncrana on the east by the land described in the first part of this schedule on the north by premises called Richmond and on the south by the grounds of the Londonderry Lunatic Asylum and situate in that part of the city of Londonderry formerly known as a portion of the north liberties thereof.

The **SECOND SCHEDULE** referred to in the foregoing Act.

All that and those the two town fields being two of the town parks formerly in the possession of James Clarke and marked numbers 61 and 62 in a map or survey thereof made by Charles Stewart land surveyor containing three acres and thirty-seven perches Cunningham measure be the same more or less situate in the townland of Eden Ballymore parish of Templemore and city and liberties of Londonderry held in fee simple in trust for the institution subject to such of the instalments secured by a mortgage dated the twelfth day of November one thousand eight hundred and seventy-eight as remain unpaid.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
 EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
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