Anno ſeptimo

Georgii III. Regis.

An Act for eſtabliſhing and well-governing a General Hoſpital, to be called *Addenbrooke's Hoſpital*, in the Town of *Cambridge*.

WHEREAS John Addenbrooke, Doctor of Phyſick, deceaſed, by his Will, dated the First Day of May, One thouſand ſeven hundred and nineteen, after making ſeveral Deviſes and Bequeſts, appointed Mr. Edward Green, of the Middle Temple, to be his Executor; and declared his Will to be, that whatever was left in the Hands of his Executor, after all his Legacies, Debts, and Charges whatſoever, were paid and diſcharged, and all his Perſonal Eſtate whatſoever ſold, he would have thus applied; he would have the Intereſt of it go to the Uſe of his Wife, for her Life, in Addition to her Jointure, and the Remainders that ſhould revert to him, at her Death, be inveſted as follows: First, in his Executor Edward Green, and in the Reverend Doctor Croſs, Fellow of Catherine Hall in Cambridge; and in Mr. Edmund Halfhyde, and Mr. Edward Hubbard, Fellows of the ſame College or Hall, for the Uſes and Truſts following; that is to ſay, When the ſaid Eſtate ſhould come in to them, that they, as ſoon as conveniently might be, ſhould hire, fit up, purchaſe, or erect, a Building fit for a ſmall Phyſical Hoſpital in the Town of Cambridge, for Poor People, and ſhould order, govern, Preamble.

and appoint, every Thing that belongs to it, accoꝛding to their Diſcretion, and as the Revenue would anſwer; and at all Times thereafter, to appoint any new Governoꝛ, oꝛ make any new Oꝛders, as their Pꝛudence ſhould direct; and the ſaid Teſtatoꝛ declared his Will further to be, that any pooꝛ ſick Perſon of any Pariſh oꝛ County might be admitted into the ſaid Hoſpital, if there ſhould be Room, and the Revenue would anſwer; pꝛovided that no Perſon ſhould be taken into the Hoſpital, unleſs the Pariſh would anſwer the Charges of the Burial if he oꝛ ſhe ſhould die: And whereas, by a Decree of the High Court of Chancery, made the Twenty third Day of March, in the Sixth Year of the Reign of his late Majeſty King George the Firſt, in a Cauſe wherein the ſaid Doctoꝛ Thomas Croſs, Edmund Halfhyde, Edward Hubbard, and John Addenbrooke, were Plaintiffs, and the ſaid Edward Green and others were Defendants, declaring, among other Things, the Death of the ſaid Suſan Addenbrooke, the Widow of the ſaid Teſtatoꝛ John Addenbrooke, and that the ſaid Will of the ſaid Doctoꝛ John Addenbrooke was well pꝛoved, and that the ſame ought to be eſtabliſhed, and the Truſts therein perfoꝛmed, which was oꝛdered and decreed accoꝛdingly: And whereas, after various other Pꝛoceedings in the ſaid Court of Chancery relating to the ſaid Truſt, it was oꝛdered by the ſaid Court, on the Twentieth Day of June, One thouſand ſeven hundꝛed and fifty eight, that it ſhould be referred to Mr. Burroughs, One of the Maſters of the ſaid Court, to appoint pꝛoper Perſons in the Room of the ſaid Doctoꝛ Thomas Croſs, Edmund Halfhyde, and Edward Hubbard, who were all dead, and of the ſaid Edward Green, to be Truſtees oꝛ Governoꝛs, together with James Burrough Eſquire; and it was oꝛdered that the ſaid Edward Green ſhould ſurrender up to the ſaid James Burrough, and ſuch other new Truſtees ſo to be appointed, all the Truſts veſted in him relating to the ſaid Charity, and that he ſhould conveꝛ to them, upon the Truſts in the Teſtatoꝛ's Will, all ſuch Meſſuages, Lands, Tenements, and Hereditaments, as had been purchaſed in his Name out of the ſaid Truſt Money, oꝛ were then in any Manner veſted in him as a Governoꝛ oꝛ Truſtee of the ſaid Charity: And whereas the ſaid Maſter by his Repoꝛt, dated the Twenty firſt Day of July, One thouſand ſeven hundꝛed and fifty eight, made in purſuance of the ſaid Oꝛder, did appoint John Green Doctoꝛ in Divinity, Maſter of Benet College in the Univerſity of Cambridge; Roger Long Doctoꝛ in Divinity, Maſter of Pembroke Hall in the ſame Univerſity; William

Richardſon Doctor in Divinity, Maſter of Emanuel College in the ſame Univerſity; John Sumner Doctor in Divinity, Provoſt of King's College in the ſame Univerſity; Edmund Law Doctor in Divinity, Maſter of Saint Peter's College in the ſame Univerſity; Thomas Chapman Doctor in Divinity, Maſter of Magdalen College in the ſame Univerſity; Hugh Thomas Doctor in Divinity, Maſter of Chriſt College in the ſame Univerſity; Lynford Caryl Doctor in Divinity, Maſter of Jeſus College in the ſame Univerſity; Francis Sawyer Parris Doctor in Divinity, Maſter of Sidney College in the ſame Univerſity; and Kenrick Preſcott Doctor in Divinity, Maſter of Catherine Hall in the ſame Univerſity; to be Truſtees and Governors of the ſaid Charity and Charity Eſtate, together with the ſaid James Burrough, in the Room of the ſaid Doctor Thomas Croſs, Edmund Halfhyde, and Edward Hubbard, who were dead, and of the ſaid Edward Green: And whereas the ſaid Edward Green, in purſuance of the ſaid Order, did grant and convey to the ſaid James Burrough, and the other new Truſtees ſo appointed as aforeſaid, the ſeveral Meſſuages, Lands, Tenements, Hereditaments, and Premiſſes, purchaſed in his Name with Part of the ſaid Truſt Money, together with the Phyſical Hoſpital, or Edifice intended for an Hoſpital, erected and built upon the ſaid Premiſſes, or ſome Part thereof, upon the Truſts, and to and for the ſeveral Uſes, Intents, and Purpoſes, mentioned and expreſſed in and by the ſaid recited Will and Decree; and the ſaid Edward Green did alſo, in purſuance of the ſaid Order, ſurrender, releaſe, and transfer, unto the ſaid James Burrough, and the other new Truſtees, all and ſingular the Truſts veſted in him under or by virtue of the ſaid Will of the ſaid Doctor John Addenbrooke, or otherwiſe in any Manner howſoever, relating to the ſaid Charity or Phyſical Hoſpital: And whereas divers Orders have been made at ſeveral Times by the ſaid Court of Chancery for the Payment of ſeveral Sums of Money to the ſaid Governors and Truſtees, for carrying on the Building of the ſaid Hoſpital, for purchaſing Two Tenements, and repairing the Garden Wall of the ſaid Hoſpital: And whereas by an Order of the ſaid Court, dated the Second Day of June, One thouſand ſeven hundred and ſixty three, it was ordered, that the Accountant General of the ſaid Court ſhould transfer to the ſaid Governors and Truſtees the Sum of One thouſand ſeven hundred and eighty three Pounds, Eleven Shillings, and One Penny, Bank Three per Centum Annuities,

then ſtanding in his Name in Truſt in the ſaid Cauſe; and that the Sum of One hundred and ſixty Pounds, Ten Shillings, and Six Pence, Caſh then in the Bank in the ſaid Cauſe, together with the future Dividends, to become due on the ſaid Bank Annuities, till ſuch Transfer ſhould be paid to the ſaid Truſtees, which was done accordingly: And whereas the ſaid Governors and Truſtees, acting under the Will of the ſaid Doctor John Addenbrooke, have, in the Execution of the ſaid Truſt, laid out and expended in the Purchaſe of Lands, Tenements, and Hereditaments, and in building an Hoſpital, and in Furniture, the Sum of Four thouſand and ten Pounds, Three Shillings, and an Halfpenny; and having ſuffered great Loſſes, and been at great Expences in the Execution of the ſaid Truſt, the Capital belonging to the ſaid Charity was, on the Ninth Day of April, One thouſand ſeven hundred and ſixty ſix, reduced to the Sum of One thouſand eight hundred and four Pounds, Sixteen Shillings, and Four Pence, which being found inſufficient for the carrying on ſo good a Deſign, ſeveral Noblemen, Gentlemen, Clergy, and others, have entered into a voluntary Subſcription for making the ſaid Hoſpital a General Hoſpital, and ſeveral conſiderable Sums have been ſubſcribed and paid for that Purpoſe: And whereas Application has been made to the ſaid Truſtees to give up the Truſt repoſed in them by the ſaid Will to the ſaid Subſcribers, for the Purpoſe of making the ſaid Hoſpital a General Hoſpital, which the ſaid Truſtees are willing and deſirous of doing, but are adviſed they cannot give up the ſaid Truſt, nor extend or vary the Teſtator's Plan, without the Aid of Parliament: Now in order to effectuate the Plan of making the ſaid Hoſpital a General Hoſpital, according to the good and pious Intention of the ſaid Doctor John Addenbrooke, and of the ſaid Subſcribers; May it pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King'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,

Governors: That from and after the Twenty fourth Day of June, in the Year of our Lord One thouſand ſeven hundred and ſixty ſeven, there be and ſhall be a Corporation, to continue for ever, for eſtabliſhing and well governing a General Hoſpital in the Town of Cambridge, to be called Addenbrooke's Hoſpital; and that the Right Honourable Philip Earl of Hardwicke Lord Lieutenant of the County of Cambridge, and the Lord Lieutenant of the County

ty of Cambridge for the time being; the moſt Noble Thomas Holles Duke of Newcaſtle Chancellor of the Univerſity of Cambridge, and the Chancellor of the ſaid Univerſity for the time being; the Lord Biſhop of Ely for the time being, the Right Honourable Thomas Lord Montfort High Steward of the Corporation of Cambridge, and the High Steward of the ſaid Corporation for the time being; the High Sheriff of the County of Cambridge for the time being, the Repreſentatives in Parliament for the County, Univerſity, and Town of Cambridge for the time being, the Vice Chancellor of the Univerſity of Cambridge for the time being, and the Mayor of the Town of Cambridge for the time being, together with any Perſon who hath paid, or at any Time hereafter ſhall pay, into the Hands of the Treaſurer or Treaſurers of the ſaid Hoſpital for the time being, the Sum of Twenty one Pounds, or upwards, at one Time, for the Uſe of the ſaid Hoſpital, ſhall be and are appointed Governors of the ſaid Hoſpital; and alſo every Perſon who ſhall, at any Time hereafter, pay into the Hands of ſuch Treaſurer or Treaſurers the yearly Sum of Two Guineas, or more, for the Uſe of the ſaid Hoſpital, ſhall, during ſuch Time as they ſhall reſpectively continue to pay the ſame, be reſpectively Governors of the ſaid Hoſpital; and the ſaid Governors ſhall be, and they are hereby declared and adjudged to be, One Body Corporate and Politick in Deed and in Law, by the Name of The Preſident and Governors of *Addenbrooke's Hoſpital* in the Town of *Cambridge*; and that by the ſame Name they ſhall have perpetual Succeſſion and a Common Seal, with Power to change, alter, break, and renew, the ſame, from time to time, as they ſhall judge expedient; and that they and their Succeſſors, by the ſame Name, may ſue and be ſued, implead and be impleaded, anſwer and be anſwered unto, in all or any Court or Courts of Record, and Places of Judicature, within this Kingdom; and that they, by the Name aforeſaid, ſhall be able and capable in Law to have, hold, receive, enjoy, poſſeſs, and retain to them and their Succeſſors, in Truſt for and for the Benefit of the ſaid Hoſpital, all ſuch Sum and Sums of Money as have been paid, or ſhall, at any Time or Times hereafter, be paid, given, deviſed, or bequeathed, by any charitable or well diſpoſed Perſons, to and for the charitable Ends and Purpoſes in this Act mentioned; and that they, by the Name aforeſaid, ſhall and may, at any Time hereafter, without Licence in Mortmain, purchaſe, take, or receive, any Lands, Tenements, or Hereditaments,

Incorporated.

ments, or any Eſtate or Intereſt ariſing or derived out of any Lands, Tenements, or Hereditaments, for the Purpoſes aforeſaid.

Phyſicians and Surgeons may act as Governors.

Provided always, That the Phyſicians and Surgeons to be appointed to the ſaid Hoſpital, ſhall and may act as Governors at all General Courts.

No Governor to hold a Place of Profit, &c.

Provided alſo, That no Perſon ſhall be capable of acting as a Governor of the ſaid Hoſpital, who ſhall hold or enjoy any Place of Profit ariſing by virtue of this Act, or who ſhall enter into any Bargain or Contract for the Sale of any Goods or other Things for the Uſe of the ſaid Hoſpital, during the Time ſuch Bargain or Contract ſhall be ſubſiſting.

Hoſpital veſted in the Corporation.

And be it further enacted, That the ſaid Edifice or Hoſpital erected by the ſaid Truſtees acting under the Will of the ſaid Doctor John Addenbrooke, or ſome of them, and the Buildings thereto belonging, and the Ground and Soil thereof, and all the Lands, Tenements, and Hereditaments, heretofore purchaſed or contracted for by the ſaid Truſtees, or any of them, for the Purpoſes of carrying into Execution the Truſts repoſed in them by the ſaid Will and Decree, and their Rights and Intereſts therein, together with the Furniture of the ſaid Hoſpital, and other Premiſſes thereto belonging, ſhall, from and after the ſaid Twenty fourth Day of June, be veſted in, and the ſame are hereby veſted in, the ſaid Corporation, according to the Tenor of the ſeveral Contracts and Purchaſes already made thereof, for the ſeveral Uſes, Intents, and Purpoſes, of this Act.

Truſtees to pay the Money in their Hands to the Corporation.

And be it further enacted, That the ſaid Truſtees acting under the ſaid Will of the ſaid Doctor John Addenbrooke and the ſaid Decree, ſhall, and they are hereby required to, pay and deliver over, or cauſe to be paid and delivered over, to the ſaid Governors, or any Nine or more of them, or to ſuch Perſon or Perſons as they the ſaid Governors, or any Nine or more of them, ſhall appoint to receive the ſame, all and every ſuch Sum and Sums of Money, and other Effects, as ſhall be in their any or either of their Hands, Cuſtody, or Power, belonging to the ſaid Truſt; and that from and immediately after ſuch Payment and Delivery as aforeſaid, the ſaid Truſtees acting under the ſaid Will of the ſaid Doctor John Addenbrooke and the ſaid Decree, their Heirs, Executors, Adminiſtrators, and Aſſigns, ſhall be, and they are hereby, freed and diſcharged, and abſolutely acquitted, exempted, and exonerated, of, from, and againſt, all and every the Truſts, Uſes, Intents, and Purpoſes, mentioned, expreſſed, and declared, in the ſaid Will of the

ſaid

ſaid Doctor John Addenbrooke and the ſaid Decree, or either of them.

And be it further enacted, That the Right Honourable Philip Earl of Hardwicke Lord Lieutenant of the County of Cambridge, and from and after the Deceaſe of the ſaid Earl, the Lord Lieutenant of the County of Cambridge for the time being, ſhall be, and he is hereby, appointed Preſident of the ſaid Corporation; and that the ſaid Preſident, with any Eight or more of the ſaid Governors, or, in the Abſence of the Preſident, any Nine or more of the ſaid Governors, ſhall compoſe a General Court: And the ſaid Governors ſhall hold their Firſt General Court on Monday the Twenty ninth Day of June, One thouſand ſeven hundred and ſixty ſeven, at the ſaid Hoſpital; and ſhall then, and from time to time, adjourn the ſaid Court to ſuch Times and Places as they ſhall think neceſſary for the due Execution of this Act; and a General Court of the ſaid Governors ſhall be held at the ſaid Hoſpital Four Times at the leaſt in every Year; that is to ſay, On the Monday next after the Twenty fourth Day of March, on the Monday next after the Twenty fourth Day of June, on the Monday next after the Twenty ninth Day of September, and on the Monday next after the Twenty fifth Day of December, or oftener, if Occaſion ſhall require, upon Notice thereof given by the ſaid Governors, or any Seven or more of them, or by their Order, by publiſhing the ſame in the Cambridge News Papers, and by affixing a like Notice in Writing upon the Gate and in the Board-room of the ſaid Hoſpital, Twenty Days at leaſt before every ſuch Meeting: And the ſaid Governors aſſembled at any ſuch General Court ſhall have full Power and Authority, in the Name of the ſaid Corporation, and on their Account, to enter into ſuch Contracts as they, or any Nine or more of them, ſhall think proper; and to do, manage, tranſact, and determine, all ſuch Matters and Things as ſhall to them, or any Nine or more of them, at any ſuch General Court, appear to be neceſſary or proper for the effecting and carrying on the good Purpoſes of this Act; and ſhall and may alſo appoint ſuch Weekly or other Meetings of the ſaid Governors, or any Five or more of them, with ſuch Powers and Authorities as they ſhall think neceſſary for the more eaſy, ſpeedy, and effectual, Execution of this Act; and it ſhall and may be lawful to and for the ſaid Governors, in a General Court aſſembled, or any Nine or more of them, to make, ordain, and conſtitute, ſuch and ſo many Bye-laws, Conſtitutions, and Ordinances, as to them ſhall ſeem neceſſary

Preſident appointed.

Firſt Court of Governors.

Power to adjourn.

Four General Courts in every Year.

General Powers of the Governors.

Power to make Bye-laws.

and convenient for the finiſhing and completing the ſaid Hoſpital, and for the better governing, regulating, ordering, and Management thereof, and of the Officers, Servants, and Perſons, employed in and about the Affairs of the ſaid Hoſpital, and the ſick Perſons or Patients to be taken therein under their Care, and for the auditing of the Accounts of the ſaid Hoſpital; and the ſame Bye-laws, Conſtitutions, and Ordinances, ſo made, to put in Uſe accordingly, and at their Will and Pleaſure to revoke, change, and alter, the ſame, or any of them: Which ſaid Bye-laws, Conſtitutions, and Ordinances, ſo as aforeſaid made, ſhall be duly kept and obſerved; provided that the ſaid Bye-laws, Conſtitutions, and Ordinances, be not contrary or repugnant to the Statutes, Cuſtoms, or Laws, of this Kingdom.

Preſident to have the caſting Voice.

And be it further enacted, That at all and every General Court, and other Meetings of the ſaid Governors, in caſe of an Equality of Voices, the Preſident or Chairman ſhall have the caſting Vote.

Officers to be appointed.

And be it further enacted, That the ſaid Governors, or any Nine or more of them, at a General Court, ſhall have Power, from time to time, and at all Times, to appoint ſuch Officers, and other Perſons, as they ſhall think neceſſary to employ for the Purpoſes, and in the Execution of this Act; and, from time to time, to ſuſpend or remove ſuch Officers, and other Perſons, or any or either of them, as they ſhall think fit, and appoint others, in caſe of Death, or ſuch Suſpenſion, or Removal: And may, out of the Monies to be received for the Purpoſes of this Act, make ſuch Allowances to ſuch Officers, and other Perſons, for their Services, as to the ſaid Governors, or any Nine or more of them, at a General Court, ſhall ſeem reaſonable: And it ſhall and may be lawful to and for the ſaid Governors, or any Five or more of them, at any Weekly or other Meeting, being impowered by the ſaid Governors, or any Nine or more of them, at a General Court ſo to do, to ſuſpend or remove any ſuch Officers, and other Perſons, and to appoint others, in caſe of Death, or ſuch Suſpenſion or Removal, until a General Court ſhall be held; and the ſaid Governors, or any Nine or more of them, at a General Court, ſhall and may confirm ſuch Appointments, or may remove ſuch Officers, or other Perſons, and appoint others in their Room, as they ſhall think fit; and all and every ſuch Officers, and other Perſons, ſhall, from time to time (when thereunto required by the ſaid Governors, or any Nine or more of them) make and render to the ſaid Governors, or any Nine or more

Officers to account upon Oath.

of them, a true, exact, and perfect Account in Writing under their reſpective Hands, upon Oath to be taken before Two or more of the ſaid Governors (which Oath Two of the ſaid Governors are hereby impowered to adminiſter) of all Monies which he, ſhe, or they, and every of them reſpectively, ſhall to that Time have received, paid, and diſburſed, by virtue of this Act, or by reaſon of their reſpective Offices; and in caſe any Money ſo received ſhall remain in their or any of their Hands, the ſame ſhall be paid to the ſaid Governors, or any Nine or more of them, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame: And in caſe any ſuch Officer, or other Perſon, ſhall not make and render, or ſhall refuſe to verify upon Oath, any ſuch Account, or to make ſuch Payment as aforeſaid; then any One or more Juſtice or Juſtices of the Peace for the County or Town of Cambridge ſhall make Enquiry of and concerning ſuch Default in a ſummary Way, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter): And if any ſuch Officer, or Perſon, ſhall be convicted of all or any the Offences aforeſaid, ſuch Juſtice or Juſtices ſhall, upon ſuch Conviction, commit the Party offending to the Common Gaol of the County of Cambridge, there to remain, without Bail or Mainprize, until he or ſhe ſhall have made a true and perfect Account and Payment as aforeſaid, or until he or ſhe ſhall have compounded and agreed with the ſaid Governors, or any Nine or more of them, and have paid ſuch Compoſition-money; which Compoſition the ſaid Governors, or any Nine or more of them, are hereby impowered to make. Balance how to be levied.

And be it further enacted, That the ſaid Governors, or any Nine or more of them, ſhall, and they are hereby required to, take ſuch Security from the Treaſurer or Treaſurers to be appointed for the Purpoſes of this Act, as to the ſaid Governors, or any Nine or more of them, ſhall ſeem meet. Treaſurer to give Security.

And be it further enacted, That no Perſon whatſoever, who ſhall be employed in the ſaid Hoſpital as a Hired Servant, ſhall, by reaſon of ſuch Service, gain a Settlement in the Pariſh in which the ſaid Hoſpital is ſituate. Servants employed not to gain a Settlement.

And be it further enacted, That the Charges and Expences of procuring and paſſing this Act, and all other the Expences incident thereto, ſhall be paid by the ſaid Corporation, out of the Firſt Monies to be by them received for the Purpoſes of this Act. The Expences of the Act to be firſt paid.

And

Limitation of Actions. And be it further enacted, That if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons for any thing done in purſuance of this Act, or in relation to the Premiſſes, or any of them, every ſuch Action or Suit ſhall be laid or brought within Six Months next after the Fact done, and ſhall be laid or brought in the County of Cambridge, and not elſewhere; and the Defendant or Defendants in ſuch Action may plead the General Iſſue. General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other County or Place than as aforeſaid; then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs; Treble Coſts. the ſaid Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

Publick Act. And be it further enacted, That this Act ſhall be taken and allowed in all Courts as a Publick Act; and all Judges and Juſtices are hereby required as ſuch to take Notice thereof, without ſpecially pleading the ſame.

FINIS.