

ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. XXII.

An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Town and Parish of *Burford* in the County of *Oxford*. [28th *June* 1861.]

WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for certain Charities in the Town and Parish of *Burford* in the County of *Oxford*, and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

8th Report, dated 26th February 1861.

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

Scheme in Schedule confirmed.

SCHEDULE.

SCHEME.

For the Application and Management of the several Charities in the Town and Parish of Burford in the County of Oxford, herein-after mentioned or referred to, namely:—POOLE'S ESTATE; the School, including Wisdom's, Symon's, Reynold's, Rolfe's, Richard Hunt's, and William Hunt's gifts:—THE TRADESMAN'S FUND, including all sorts of money, and Cleaveley's, Hopton's, Lenthall's, Hayter's, and Harris' Gifts:—THE FIFTEENTHS ESTATE, or John Hill's Gift:—THE GREAT ALMSHOUSE and WISDOM'S ALMSHOUSE:—THE CHURCH ESTATE, including More's, Rolfe's, and Hunt's gifts:—And the several other Charities heretofore vested in or under the management of the Feoffees or Trustees of the Burford Charities, or the Corporation of the Borough of Burford respectively.

1. The existing Corporation of the alderman, steward, bailiffs, and burgesses of the Borough of Burford is hereby dissolved, and all lands, hereditaments, and other real estate and property whatsoever, heretofore vested in or held by, the said Corporation, or by the Trustees or Feoffees of the above-mentioned Charities, or any of them, in trust for the purposes thereof respectively, shall from and after the establishment of this Scheme be vested in and held by the Official Trustee of Charity Lands and his successors, in trust for the "Burford Charity Trustees," herein-after mentioned, and to the intent that the same may be managed and administered by the said last-mentioned Trustees in conformity with the provisions of this Scheme: Provided nevertheless, that all subsisting legal debts and liabilities of the said Corporation shall be in the first instance paid or provided for by the said Trustees out of the income of the estates heretofore held in trust for or for the use of the said Corporation.

2. All sums in the public stocks or funds belonging to or held by any person or persons in trust for the said Charities, or any of them, or for the said Corporation, shall be forthwith transferred into the name of the Official Trustees of Charitable Funds, in trust for the said Charities respectively.

3. The said Charities, and the estates and property thereof, shall from and after the establishment of this Scheme be under the management of one body of Trustees, to be called "The Burford Charity Trustees," who shall consist of the vicar for the time being of the parish of Burford (who shall be an ex-officio Trustee), and eleven non-official Trustees, to be appointed as herein-after mentioned. The non-official Trustees shall respectively be fit and competent persons, resident in the parish of Burford, if such can be found; but residents in any of the adjoining parishes shall be eligible for appointment, upon any default of a sufficient number of duly qualified persons residing in the said parish.

4. The first non-official Trustees shall be appointed by the Board of Charity Commissioners for England and Wales within three calendar months after the establishment

establishment of this Scheme. The office of any non-official Trustee shall be vacated by his resignation, bankruptcy, or insolvency, or by his ceasing to be such resident as aforesaid, or omitting to attend a meeting of the Trustees for two consecutive years; and as soon as conveniently may be after the occurrence of any such vacancy, or after the death of any non-official Trustee, the remaining Trustees of the said Charities shall, with the sanction of the said Board, appoint some fit and proper person, resident within the limits aforesaid, to fill the vacancy to be so occasioned, so as to keep up the full number of eleven non-official Trustees.

5. The Trustees, with the approval of the said Board, shall forthwith establish suitable regulations for the conduct of their proceedings, and the business connected with the administration of the said Charities, and may from time to time, with the like approval, vary such regulations or any of them.

6. The Trustees shall apply the net annual income of the Charity known as "The Fifteenths Estate" to the purposes of the national or parochial school in the parish of Burford.

7. The almshouse known as "Wisdom's Almshouse" shall be abolished; and the Trustees shall, with the sanction of the said Board, sell or otherwise dispose of the building and premises thereunto belonging, and apply the income to be derived from the proceeds of such sale or disposition to the purposes of "The Great Almshouse" in Burford, which shall be placed under suitable regulations, to be established by the Trustees, with the approval of the said Board.

8. The Trustees shall apply the net annual income of "The School Estate" and "The Tradesmen's Fund" respectively, and so much of the net annual income of "Poole's Estate" as has been heretofore applicable for the benefit or purposes of the Corporation of the borough of Burford, to the purposes of the Burford free school, as re-established and regulated in accordance with the provisions of this scheme.

9. The said school so to be re-established shall be for the instruction and benefit of the sons of the inhabitants of the town of Burford and its neighbourhood; and the Trustees, with the sanction of the said Board, shall forthwith make and establish proper regulations prescribing the nature of the instruction to be given at the said school, and dividing the same into separate departments, and providing for the appointment and removal of the scholars, masters, and teachers respectively, and fixing the amounts of the stipends of the masters and teachers, and of the capitation fees (if any) to be paid by the scholars, and generally for the constitution, government, and conduct of the said school, and the masters and scholars thereof; and the Trustees, with the like sanction and approval, may from time to time vary or modify such rules and regulations, or any of them.

10. The several other above-mentioned Charities, for the administration of which no special provision has been heretofore made, shall be managed and administered by the said "Burford Charity Trustees," in conformity with their respective trusts, according to suitable regulations to be established by the said Trustees, with the approval of the said Board.

11. If any doubt or question shall arise amongst the Trustees or any of them as to the proper construction or application of any of the provisions of this Scheme, or the management of the Charities, application may be made by the Trustees to the Charity Commissioners for England and Wales, for their opinion and advice thereon, which opinion and advice, when given, shall be binding on the Trustees; and any provision in this Scheme which may require to be explained or more closely adapted to the circumstances for the time being of the Charities, may be explained and adapted accordingly, by an order of the Board of Charity Commissioners for England and Wales, to be made upon the application of the Governors to the said Board; and any provision in this Scheme which shall be found inconvenient or objectionable may be modified accordingly by an order of the said Board; provided that no alteration shall be made by any such order involving a deviation from the main objects and principles of this Scheme.

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