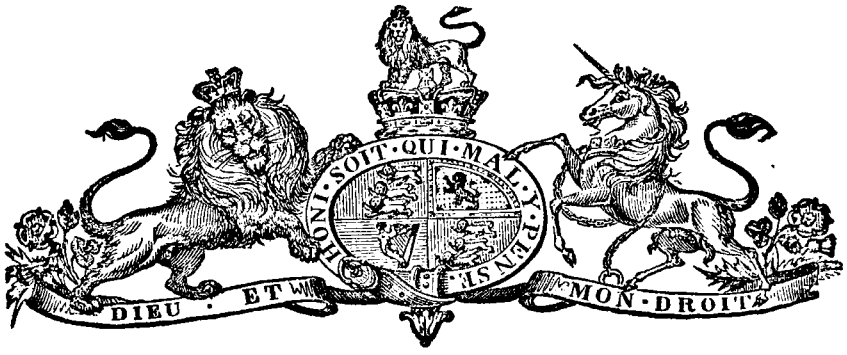


ANNO VICESIMO QUARTO & VICESIMO QUINTO

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CAP. XXIV.

An Act for confirming a Scheme of the Charity Commissioners for the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*. [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 the Hospital of Lady *Katherine Leveson* at *Temple Balsall* in the County of *Warwick*, 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 Regulation and Management of the Hospital of LADY KATHERINE LEVESON at Temple Balsall in the county of Warwick.

1. The full number of almswomen to be appointed to the hospital shall in future be 35.

2. The almswomen shall be appointed from time to time by the Governors at some meeting of their body, and shall respectively be poor women of good character, either widows or unmarried, and not less than 60 years of age at the time of appointment, with a preference for those persons, having the qualifications aforesaid, who shall have been reduced from better circumstances by accident or misfortune; provided nevertheless, that poor women, who are disabled by illness or infirmity from maintaining themselves, shall be eligible for appointment under the age of 60 years, if otherwise duly qualified as aforesaid.

3. Twenty of the almswomen shall always be taken from residents in the hamlet of Balsall, qualified as aforesaid, if such can be found; and the remainder of the almswomen (including any deficiency in the aforesaid number of 20) may be taken from persons, qualified as aforesaid, who shall be resident either in the said hamlet or in the adjoining parishes of Barston and Hampton-in-Arden respectively, including the hamlets within the said parish of Hampton-in-Arden.

4. Each almswoman shall receive in future, out of the income of the Charity, the sum of 6*s*. per week, in lieu of the present weekly and other pecuniary allowances and payments, and shall also be provided with such reasonable quantities of bread, milk, and coal or other fuel, at the cost of the Charity, as the Governors shall from time to time direct. Each almswoman shall also be provided yearly, at the cost of the Charity, with a grey cloth gown, marked as required by the will of Lady Katherine Leveson, and a suitable bonnet and shawl.

5. The Governors shall have power to remove or expel, or to suspend temporarily from all emoluments under the Charity any almswoman who shall be guilty of immorality, breach of rules, or other misconduct, or who shall become of unsound mind, or shall cease from any alteration of her circumstances to be a proper object of the Charity.

6. The

Temple Balsall Hospital.

6. The Governors shall from time to time appoint and employ a competent medical practitioner to attend the almswomen, and to supply them with medicines and medical appliances in sickness or need, and may pay him a reasonable salary out of the revenues of the Charity in respect of his attendance, and the medicines and other articles supplied by him; and the Governors may also appoint one or more nurse or nurses to attend upon the almswomen, when required, and may provide such nurses with apartments, and pay them suitable wages out of the income of the Charity.

7. In lieu of the contingent benefits given by the founder of the Charity to the poor of the several parishes of Long Itchington in the county of Warwick, Trentham in the county of Stafford, and Lilleshall in the county of Salop, there shall be four pensioners for each of those parishes respectively, who shall be appointed in accordance with the provisions herein-after contained.

8. The pensioners shall respectively be poor women resident in the parish for which they respectively shall be appointed, and having in all other respects, except their place of residence, the same qualifications which are herein-before prescribed for the said almswomen; and such pensioners respectively shall be appointed from time to time by the Governors of the hospital, upon the recommendation of the incumbent or officiating minister and churchwardens of the parish for which the appointment shall be made, or the majority of them; and such incumbent or minister and churchwardens respectively, upon forwarding any such recommendation to the Governors, shall certify to them that the person so recommended is duly qualified for appointment as a pensioner, in accordance with the provisions of this scheme. If the said incumbent or officiating minister and churchwardens shall omit to transmit such recommendation and certificate to the Governors before the expiration of two calendar months next after the time when the deprivation of any pensioner shall have been notified to them by the Governors, as herein-after mentioned, or next after the occurrence of any vacancy amongst the pensioners, otherwise than by deprivation, the Governors may proceed to make the appointment to fill such vacancy without any such recommendation as aforesaid.

9. Each pensioner shall be entitled to an allowance of 8*s*. per week out of the income of the Charity; and the amount of the pensioners allowances shall be paid by the Governors half-yearly in advance to the incumbent or officiating minister and one of the churchwardens of the respective parishes to which such pensioners shall respectively belong, who shall pay and distribute the same weekly amongst the pensioners.

10. The pensioners shall respectively vacate their appointments upon ceasing to reside in the respective parishes for which they shall have been appointed, and they may respectively be deprived or suspended by the Governors for disqualification, improper conduct, or other sufficient cause; but every such deprivation or suspension shall be forthwith notified by the Governors to the incumbent or officiating minister and the churchwardens of the parish for which the pensioner so deprived or suspended shall have been appointed.

11. The Governors, with the approval of the Charity Commissioners for England and Wales, may prescribe from time to time suitable regulations for the

the management and administration of the branch of the Charity relating to the pensioners, subject to the provisions of this scheme, and such regulations shall be binding on the pensioners and all other persons concerned.

12. The boys and girls schools which have been established by the Governors in the hamlet of Balsall shall be maintained and carried on by them out of the funds of the Charity, for the instruction of children residing in the said hamlet or in the manor of Balsall; and the Governors, with the approval of the Board of Charity Commissioners for England and Wales, shall make and establish suitable rules for the conduct and regulation of the said schools, and the masters, teachers, and scholars thereof respectively, and for fixing and determining the number, salaries, and emoluments of the master and teachers, and their respective qualifications and duties; and, with the like approval, may from time to time alter and vary such rules.

13. Subject to a preference which shall always be given to children resident in the hamlet of Balsall for admission to the schools, the Governors may direct that children residing in any of the adjoining or neighbouring parishes or hamlets shall be admissible to the schools or any of them, subject to any suitable conditions or regulations which the Governors may prescribe.

14. The church or chapel of Saint Mary at Balsall shall be maintained in proper repair by the Governors out of the income of the Charity.

15. In case an ecclesiastical district shall be legally assigned to the said church or chapel, the Governors may assign and pay to the person who shall for the time being hold the office of perpetual curate or minister of the said church or chapel, out of the income of the Charity, an annual stipend not exceeding 100*l.* (in addition to the annuity of 50*l.* now payable to the perpetual curate or minister of the said chapel under the will of Lady Ann Holbourne), as a remuneration for his performing such services in the said church or chapel as shall be required by the bishop of the diocese or other competent authority, and for visiting and giving spiritual attendance and ministration to the inhabitants of the said district, and upon condition that he shall keep a curate to assist him in the performance of the above-mentioned duties.

16. The Governors shall pay out of the income of the Charity an annual salary not exceeding 10*l.* to a clerk and sexton to officiate in the said church or chapel, who shall be nominated by the minister or perpetual curate thereof, and shall hold his office during the pleasure of the said minister or perpetual curate, and the Governors shall also pay and defray the reasonable and proper expenses of conducting Divine Service in the said church or chapel.

17. The master of the hospital shall be a clergyman in Holy Orders of the Church of England, and shall be appointed by the Governors at a special meeting to be convened for the purpose.

18. The Governors shall pay to the master out of the income of the Charity an annual salary of 200*l.* by half-yearly payments, and shall allow him to occupy the present master's residence, garden, and the land at present attached thereto, rent free.

19. The

19. The duties of the master shall be to read prayers to the almswomen, as the Governors may direct, to visit and administer spiritual consolation to the almswomen, and, subject to the authority and directions of the Governors, to exercise a general superintendence and control over the hospital and schools, and their respective establishments.

20. The master, with the permission of the Governors, may hold the office of minister or perpetual curate of the church or chapel at Balsall.

21. The Governors, with the sanction of the Charity Commissioners for England and Wales, shall have power to remove or suspend the master for incapacity, immorality, neglect of duty, permanent illness or infirmity, or other sufficient cause; and within one month after the removal of the master, or of his legally ceasing to hold his office, he shall deliver up to the Governors, or to any person appointed by them, the possession of the dwelling-house, garden, and land, and schoolrooms belonging to the Charity; and in default thereof the Governors shall be at liberty to recover such possession under the powers contained in the 18th section of the Act 4 & 5 Vict. cap. 38.

22. The Governors shall appoint some competent person as Bailiff, who shall act in the supervision of the estates and property of the Charity, and the collection and receipt of the rents and income, and shall perform all such duties connected with the office of bailiff as the Governors shall direct; and the Governors shall pay to the bailiff, out of the income of the Charity, an annual salary not exceeding 100*l.*

23. The surplus income of the Charity, if any, which shall not be required for the purposes aforesaid, shall be applied by the Governors in the first instance in forming a suitable and sufficient reserve fund for extraordinary repairs and other contingencies, and, subject thereto, such surplus income may be applied, with the sanction of the Charity Commissioners for England and Wales, and in such manner as they may authorize or direct, to increasing the number, either of the said almswomen to be taken from the hamlet of Balsall aforesaid, or of the said pensioners respectively, or for the purposes of education in the hamlet of Balsall aforesaid, or in the said parishes of Long Itchington, Trentham, and Lilleshall respectively, or any of them, due regard being had in all cases to the preferential claim of the aforesaid hamlet of Balsall to the benefit of the said Charity.

24. Five Governors shall constitute a quorum at any meeting, and the majority of the Governors present at any meeting, of which seven clear days notice shall have been given, shall have full power to bind the whole of the Governors.

25. Subject to the provisions herein contained, the Governors, with the sanction of the Charity Commissioners for England and Wales, may from time to time prescribe suitable rules for the administration and management of the Charity, and its estates and property, and for the regulation of the proceedings of the Governors, and for the government of all members and officers of the Charity; provided that such rules shall not be inconsistent or at variance with the provisions or objects of this Scheme.

 26. If

Temple Balsall Hospital.

26. If any doubt or question shall arise as to the construction or application or effect of any of the provisions herein contained, the Governors shall apply to the Charity Commissioners for England and Wales for their advice and opinion thereon, which, if given, shall be binding on all persons affected thereby.

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