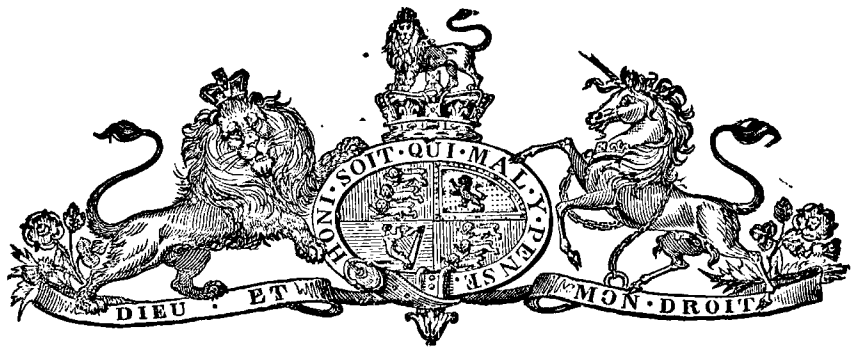


ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. XXXII.

An Act for confirming a Scheme of the Charity Commissioners for "The Hospital of the Blessed Trinity," at *Guildford* in the County of *Surrey*, and its subsidiary Endowments, with certain Alterations. [11th *July* 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 the Blessed Trinity" at *Guildford* in the County of *Surrey*, and its subsidiary Endowments, 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 CHARITY called "THE HOSPITAL of the BLESSED TRINITY" at GUILDFORD in the COUNTY of SURREY, and its subsidiary Endowments.

1. The existing incorporation of the Master, Brethren, and Sisters of the Hospital of the Holy Trinity in Guildford, by that or any other name, shall be dissolved.

The Charity shall be under the management of thirteen Governors, to be called "The Governors of Trinity Hospital at Guildford," and to consist of nine official Governors, viz.:—

The Mayor of Guildford;

The Rector of the parishes of Holy Trinity and Saint Mary in Guildford;

The Rector of the parish of Saint Nicholas in Guildford;

The Rector of Stoke-next-Guildford;

The Master of the Grammar School in Guildford respectively for the time being; and

The two senior Aldermen and two senior Town Councillors of Guildford respectively for the time being, who shall respectively be members of the Church of England;

and of four non-official Governors, being fit and proper persons, resident in the town of Guildford, or within the distance of seven miles therefrom, who shall be appointed in the first instance by the Board of Charity Commissioners for England and Wales, with the concurrence of the Archbishop of Canterbury, within three months next after the establishment of this scheme.

2. The office of a non-official Governor shall be vacated by his resignation, or bankruptcy or insolvency, or his ceasing to reside within the limit aforesaid, or his refusal or incapacity to act, or omission for a period of two consecutive years to attend any meeting of the Governors; and as soon as conveniently may be after the occurrence of any vacancy among the non-official Governors from any of the causes aforesaid, or by the death of any such Governor, the remaining Governors for the time being shall select some fit person resident within the limit aforesaid to fill such vacancy, so as to keep up the full number of four non-official Governors: provided that every such election shall be forthwith notified by the Governors to the Charity Commissioners for England and Wales, and to the Archbishop of Canterbury; and the appointment of the new Governor shall not be complete until the same shall have been approved by the said Commissioners and the Archbishop; and provided also, that during any vacancy among the Governors the remaining Governors shall be competent to exercise all the authorities hereby vested in the Governors for the time being.

3. All

Guildford Hospital.

3. All the real estate, of whatsoever tenure, and rights and privileges, belonging to or held in trust for the Charity (subject to the subsisting leases thereof, and the full benefit of all subsisting covenants, conditions, and securities made or reserved to the master and brethren of the said hospital, or to any person or persons in trust for them, or for the benefit of the Charity), and all the personal estate belonging thereto, and the right to sue for and recover all choses in action recoverable for the benefit thereof, shall be immediately vested in the said Governors hereby appointed, and shall from time to time vest and continue vested in the Governors of the said hospital for the time being, for the purposes and according to the provisions of this scheme, without any conveyance, assignment, or assurance; and the right to sue upon and enforce all covenants, conditions, or securities made or reserved to the said master and brethren before their dissolution, or to or with any preceding Governors of the said Charity, shall be exerciseable by them, in the name of the Governors of the said hospital for the time being, as fully and effectually as the same right might be exercised by such master and brethren if not dissolved, or by such preceding Governors, if still retaining their office; and in the same manner all contracts and liabilities of the said master and brethren, or of any preceding Governors for the time being of the said Charity, may be enforced against the Governors thereof for the time being, to the extent of the property or assets of the Charity, but not against their private estates.

4. The sum of 2,909*l.* 17*s.*, part of the sum of 3,904*l.* 15*s.* 6*d.*, new 3 per cent. annuities, now standing in the names of the Master and Brethren of the Hospital of the Blessed Trinity in Guildford, and all or any other sums of stock belonging to or held in trust for the benefit of the said hospital or the inmates thereof, including the sum of 2,000*l.* 3*l.* per cent. consolidated annuities arising from Molineux's Gift, and now standing in the names of Benjamin Kingston Finnimore, Charles Edward Mangles, Edmund Nicholls, and Joseph Weale, shall be transferred into the name of the Official Trustees of Charitable Funds in trust for the said hospital, and shall constitute part of the general endowment of the hospital.

The sum of 994*l.* 18*s.* 6*d.*, the remaining part of the said sum of 3,904*l.* 15*s.* 6*d.* new 3*l.* per cent. annuities, shall be transferred into the name of the Official Trustees aforesaid, in trust for Archbishop Abbot' School in Guildford.

5. The real estate and hereditaments constituting the joint endowment of the said hospital and the aforesaid Archbishop Abbot's School (two thirds of the rents whereof are payable to the hospital, and the remaining one third to the Trustees of the said school,) shall be divided in those proportions between the said hospital and school by a valuer to be appointed for the purpose by the said Board, who shall be at liberty to assign to such valuer such remuneration as to them shall seem fit, to be paid in the like proportions out of the funds of the hospital and school respectively, and on the execution by such valuer of his award or instrument of partition the respective shares of the hospital and the school in such estate and hereditaments shall vest in the said Governors and Trustees respectively, to be held by them in severalty for the purposes of the respective Charities.

6. The Governors shall, as soon as conveniently may be after the establishment of this scheme, subject to the approval of the said Board, make suitable regu-

regulations for the conduct and management of all matters connected with the administration of the Charity and its property, and may from time to time, with the like approval, vary such regulations; and all such regulations shall be binding upon all persons interested; provided that no regulation be so made which is at variance with any of the provisions of this scheme.

7. The Governors shall, out of the annual income of the Charity, pay the yearly sum of 1*l.* 10*s.* to the rector of the aforesaid parish of Holy Trinity in Guildford, and defray or provide for the expense of repairing and keeping insured the hospital and other buildings belonging to the Charity, and the necessary current outgoings and expenses of managing the said Charity.

8. The establishment of the hospital shall in future consist of a master and twenty brethren and sisters.

The master shall be a single person of good character, not less than 50 years old at the time of his appointment, and a native of Guildford, or resident there for a period of at least 20 years.

The brethren and sisters shall be respectively poor single persons of good character, not less than 60 years old at the time of appointment, natives of the ancient borough of Guildford, or resident there for a period of at least 20 years; provided that if and so often as there shall not be any duly qualified candidate from the said ancient borough, candidates from the municipal borough of Guildford, being otherwise duly qualified as directed by this scheme, shall be eligible for appointment. No person shall be eligible for any of the said appointments who is a drunkard or lunatic, or has any infectious or contagious disease, or who shall be in receipt of relief from any parochial or other rate for the relief of the poor, or who shall have received such relief at any time within the three next preceding years; and in the selection of candidates those persons are to be preferred who, being otherwise properly qualified, shall have borne office or been traders in the said borough of Guildford.

The brethren and sisters shall in general be in the proportion of twelve brethren to eight sisters, with power, nevertheless, for the Governors to relax this rule under special circumstances as they may find expedient.

9. Upon the occurrence of any vacancy in the office of master, a meeting of the Governors shall be held, at which some proper person shall be appointed by the Governors to fill the vacancy; provided that no appointment of a master shall be made until the expiration of six weeks after the vacancy in the office has occurred, and that every such appointment be forthwith notified by the Governors to the Archbishop of Canterbury for his approval, without which approval the appointment shall not be complete or valid.

10. All applications for admission as inmates shall be made in writing to the master, and shall be entered by the master in a register specifying the date, and the name, age, residence, description, and qualifications of every applicant. The master shall also keep a register of all inmates admitted to the hospital, in which register shall be entered the date of every admission, and the particulars of the qualifications of each person admitted, and the date and mode of occurrence of every vacancy.

11. All appointments of inmates shall be made by the Governors at some meeting of their body, and the persons to be so appointed shall be selected by the Governors from the register of applicants, and (except in such special or urgent cases as may be considered by the Governors to require the relaxation of this rule)

rule) no appointment of any inmate shall be made until after the expiration of one calendar month at the least from the date of his or her application for admission. In making the appointments preference shall in all cases be given by the Governors, as far as possible, to the most deserving candidates, qualified as aforesaid, regard being had to the age, personal character, and the circumstances and necessities of each candidate.

12. The master shall receive a yearly salary of 70*l.*, to be paid to him by the Governors half-yearly out of the income of the Charity, and an allowance of 5*l.* annually for coals, and shall occupy such rooms within the hospital as may from time to time be assigned by the Governors for his use. The Governors, however, with the consent in writing of the Archbishop of Canterbury, and with the sanction of the Charity Commissioners, may from time to time vary the amount of the stipend and allowance to be paid to the master.

13. The Governors shall pay to each of the brethren and sisters respectively such weekly or other stipends or allowances, not exceeding the rate of 8*s.* per week, as the income and resources of the Charity will from time to time admit; provided that if the available income of the Charity at any time will not admit of the payment of a stipend at the rate of 5*s.* per week to each brother and sister the Governors shall be at liberty, with the consent of the Charity Commissioners, to suspend the appointment of the full number of inmates, so that such inmate may receive a stipend amounting to that weekly rate at the least.

The Governors shall also be at liberty to make reasonable allowances of coal or other necessaries to each of the brethren and sisters, to be provided out of the income of the Charity, in addition to their pecuniary stipends, whenever such income shall be sufficient for the purpose.

14. The salary of the master and the weekly stipend of each brother and sister hereafter to be elected shall commence from the day of his or her admission to the hospital; but the Governors shall be at liberty, if they so think fit, to set apart any proportion, not exceeding one half of such salary or stipend, for a period not exceeding three months, towards defraying the expense of cleansing, papering, or painting the apartment of such master, brother, or sister.

15. One room in the hospital shall be assigned by the Governors to each brother and sister for his or her exclusive use, and every such room with its fixtures shall be maintained and kept in repair out of the income of the Charity.

16. The Governors shall from time to time inspect the apartments of the master, brethren, and sisters respectively, and whenever they shall consider it necessary shall direct the same to be cleansed and whitewashed, and the windows to be mended, at the expense of the occupier, and they may defray the cost by deducting the same from his or her stipend, at their discretion.

17. The Governors shall have the power of removing the master and any of the brethren or sisters, in case they shall cease to be objects of the Charity, or for immorality, insubordination, or other misconduct; provided that the removal of the master shall not be valid without the approval in writing of the Archbishop of Canterbury.

18. The master may at any time, with the concurrence of one Governor or more, suspend any brother or sister, for misconduct, from the receipt of any allowance or benefit from the Charity until the case can be reported by the master to the Governors, and decided upon by them.

19. One of the brethren shall be appointed by the Governors to be the vice-master, and during his tenure of such appointment shall receive a salary at the rate of 4*l.* per annum, to be paid to him quarterly, in addition to his stipend as a brother.

The Governors shall be at liberty at any time to remove such vice-master, at their discretion, and to appoint another in his place.

20. The oaths hitherto administered to the master, brethren, and sisters respectively shall in future be discontinued. The sisters shall also be relieved from the duty of attending the sick; and the stipend of 13*s.* 4*d.* allowed as a remuneration for such service, and all allowances and gifts to the inmates, other than those directed or provided by this scheme, shall respectively cease.

All existing regulations and usages now in force with respect to the administration of the Charity, which are in any way at variance with this scheme or any of the provisions or objects thereof, shall also repectively cease and be discontinued.

21. Subject to the provisions of this scheme, the Governors may from time to time prescribe such reasonable rules and regulations as they may think expedient for the government and conduct of the hospital, and the master, inmates, and officers thereof, and all such rules and regulations shall be observed by the persons affected thereby.

22. If any doubt or question shall arise amongst the Governors or any of them as to the proper construction or application of any of the provisions of this scheme, or the management of the Charity, application may be made by the Governors 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 Governors and on all other persons affected thereby; and if any of the provisions hereof relating to the detailed management of the Charity, and not prescribing or defining the principal objects thereof, shall be found to be unsuitable or practically inconvenient, the same may be modified or altered or annulled by the Governors, with the sanction of the said Commissioners.

23. This scheme shall be printed, and a copy given to every person who shall become a member of the governing body of the Charity, and to every master and inmate of the hospital.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1861.