CAP. LVIII.

An Act for confirming a Scheme of the Charity Commissioners for the Management of the Charity of Sir *Robert Hitcham*, Knight, King's Serjeant, for the Benefit of *Framlingham*, *Debenham*, and *Levington*, in the County of *Suffolk*, and of *Coggeshall* in the County of *Essex*. [21st *July* 1863.]

10th Report, dated 27th February 1863.

'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-two, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for "The Charity of Sir *Robert Hitcham*, Knight, King's Serjeant, for the Benefit of *Framlingham*, *Debenham*, and *Levington*, in the County of *Suffolk*, and of *Coggeshall* in the County of *Essex*," 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:

Scheme confirmed.

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

SCHEDULE.

SCHEME

For the Management and Regulation of the under-mentioned Charity, viz.

The CHARITY of Sir ROBERT HITCHAM, Knight, King's Serjeant, for the Benefit of FRAMLINGHAM, DEBENHAM, and LEVINGTON, in the County of SUFFOLK, and of COGGESHALL in the County of ESSEX.

1. The Charity shall be managed by the Master and Fellows of Pembroke College in the University of Cambridge (which said Master and Fellows are herein-after called the College), and their successors, for the purposes and according to the provisions of this Scheme, from the time herein-after appointed for its coming into operation.

2. The almshouse founded at Framlingham for twelve poor persons there, and also the almshouse founded at Levington in the County of Suffolk for six poor females of Levington and Nacton, and the school founded at Framlingham for teaching thirty or forty or more of the poorest and neediest children of the towns of Framlingham, Debenham, and Coggeshall to read, write, and cast accounts, and now consisting of a school for boys and a school for girls, and the schools which have been erected at Debenham and Coggeshall respectively for the education of boys, shall be respectively maintained out of the income of the said Charity.

3. The allowance now made of forty-five pounds a year to the reader of daily prayers in the Church of Framlingham, and the annual payment of seven pounds ten shillings to the parish clerk at Framlingham, shall be respectively continued.

4. For the purpose of paying off the debt of three thousand three hundred pounds or thereabouts, incurred in and for building the school at Coggeshall, and for repairing and renewing the farm buildings on several of the trust estates, and in order to provide for the due payment of the interest thereon, the annual sum of two hundred pounds, with a sufficient sum to keep down the interest of the said debt, shall be a first charge on the revenues of the Charity, and the College shall invest the said sum of two hundred pounds yearly in consolidated Three pound per cent. annuities, together with the dividends or interest accruing thereon from time to time, so as to form a sinking fund, to be applied in the

the first place to extinguish the said debt, and thereafter, so soon as the whole debt shall have been paid off, the like accumulation shall continue to be made until such time as, in the judgment of the said College (subject to the approval of the Charity Commissioners for England and Wales), the annual interest of the fund so accumulated shall be sufficient, in ordinary years, to cover the expense of the management of the estates and the repairs and renewals of the buildings thereon; and from and after that time the annual investment of two hundred pounds shall cease, and that sum shall become available for the general purposes of the Charity.

5. In any year in which the expense of repairs and improvements on the Charity estates shall not exceed twenty pounds per cent. of the gross rents and profits of those estates for that year, the same shall be deemed ordinary expenses, and shall be charged against the income of that year; but if the College shall, with the approval of the Charity Commissioners for England and Wales, incur in any year a larger or extraordinary expenditure for such repairs or improvements, then such expenditure shall not be charged wholly against the income of that year, but the excess beyond twenty pounds per cent. shall be defrayed by means of an advance or loan to be made or procured by the College on account of the Charity, the principal of which shall be repaid either out of a sinking fund to be formed for that purpose, in like manner as herein-before expressed, or out of the income of the Charity, by equal annual nstalments extending over not more than twenty years, and the interest on which advance or loan, or the unextinguished part thereof, at a rate not exceeding five pounds per cent. per annum, shall be paid out of the income of the Charity for the current year.

6. The said College shall also be at liberty, with the previous sanction of the said Charity Commissioners, from time to time to defray by means of an advance or loan, to be made or procured upon the terms aforesaid, or upon any other terms to be approved by the said Charity Commissioners, any unusual expenditure which they may think it necessary to incur in any year, in or about the repairing or restoring any of the almshouses or schoolhouses belonging or attached to the Charity.

7. The said College may grant and convey a piece or parcel of freehold land not exceeding fifteen acres, on such part of the estates situate in the parish of Framlingham belonging to the said Charity as may be best suited for the purpose, as and for a site for a School or College for the better education of the middle classes of the county of Suffolk, to be known as the Albert Memorial School or College.

8. So far as the endowments of the said Charity are not affected by any provisions of this scheme, the same shall be administered by the said College under and subject to the trusts declared by the will of Sir Robert Hitcham, the founder.

9. This scheme shall come into operation at the expiration of two calendar months next after the passing of the Act establishing the same.

10. If any doubt or question shall arise as to the proper construction or application of any of the provisions of this Scheme, or as to the management of the Charity, application may be made by the College to the Charity Commissioners of England and Wales for direction thereon, which direction, when given, shall be binding on the College; and any provision herein contained which may be found inconvenient or insufficient, or to require to be more exactly adapted to the circumstances of the Charity for the time being, may be modified, explained, extended, or adapted accordingly, by an order either of the Court of Chancery, or of the said Commissioners, to be made upon the application of the College, so that no such order shall involve any deviation from the main objects and principles of this Scheme.