CAP. LIX.

An Act for confirming a Scheme of the Charity Commissioners for the Management of the Charities in the Borough of *Ruthin* in the County of *Denbigh*, comprising the Hospital of *Christ* and its subsidiary Endowments, the Grammar School, *Edward Lloyd*'s Foundation, and Bishop *Goodman*'s Charity. [21st *July* 1863.]

10th Report, dated 27th Feb. 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 "Charities in the Borough of *Ruthin* in the County of *Denbigh*, comprising the Hospital "of *Christ* and its subsidiary Endowments, the Grammar School, *Edward Lloyd*'s Foun- "dation, and Bishop *Goodman*'s Charity," 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 REGULATION and MANAGEMENT of the CHARITIES known as—
The HOSPITAL of CHRIST, and its subsidiary endowments, comprising the gifts of—
Sir Robert Salusbury,
Rice Williams,
Peter Davis,
Hugh Pugh,
John Spire,
Middleton and Jones,
J. Madock,
Grace Parry,
J. S. Hughes,
The GRAMMAR SCHOOL,
EDWARD LLOYD'S FOUNDATION, and
BISHOP GOODMAN'S CHARITY,
in the borough and parish of Ruthin in the county of Denbigh, and elsewhere.

SCHEME.

1. The Charities shall be administered by one body of Governors, six of whom (being the several official persons next herein-after mentioned) shall be distinguished as "the official Governors," and the remainder of whom shall be distinguished as the "non-official Governors."

The Lord Bishop of St. Asaph;
The Lord Bishop of Bangor;
The Dean of St. Asaph;
The Mayor of Ruthin;
The Warden of the Hospital of Christ in Ruthin; and
The Master of the Grammar School in Ruthin,

respectively, and their respective successors for the time being, in right and during tenure of their respective offices, shall be the official Governors; and the following eight persons shall be the first non-official Governors, viz.

The Right Hon. Spencer Bulkeley Lord Newborough;

Townsend

Townsend Mainwaring, of Galtfoenan, Esq.;
Richard Miles Wynne, of Egarth House, Esq.;
John Jesse, of Llanbedr, Esq.;
The Rev. Edward Thelwall, of Llanbedr-Dyffryn-Clwyd, clerk;
The Rev. James Jones, of Llanfwrog, clerk;
The Rev. Francis Owen, of Efeenechtyd, clerk; and
The Rev. Reginald Hughes, of Llansantffraid-Glyn-Ceiriog, clerk.

The said Charities, as reconstituted and regulated by this scheme, shall be called "The Hospital, Grammar School, and Exhibition Charities of Ruthin."

2. The legal estate in all lands, tenements, and hereditaments belonging to or held in trust for the said Charities respectively shall be vested in "the official Trustee of Charity Lands," and his successors, in trust for the several Charities entitled thereto.

All sums of stock and money, and all securities for money, belonging to the said Charities respectively, shall be transferred to and vested in "the official Trustees of Charitable Funds," in trust for the respective Charities entitled thereto.

3. The full permanent number of non-official Governors shall be six.

Any non-official Governor who shall become bankrupt or incapacitated to act, or who shall not attend any meeting of the Governors during a consecutive period of two years, shall in any of such cases immediately cease to be a Governor; and when the number of non-official Governors shall thereby, or by death or resignation, be reduced to less than six, a new non-official Governor, being a person duly qualified by his attainments, station in life, and place of residence, to discharge the duties of his office, shall be appointed at the next half-yearly meeting of the Governors which shall be held after the lapse of one calendar month from the occurrence of such vacancy, by a resolution to be forthwith notified by them, with all proper information, to the Charity Commissioners for England and Wales, at their office in London; but no such appointment shall be valid until the same shall have been approved by the said Commissioners, and their approval certified under their official seal.

4. The Governors shall hold meetings in some convenient place at Ruthin or elsewhere, as often as may be found necessary for the management of the Charities, and there shall be two regular half-yearly meetings, which shall be held respectively on the second Wednesday in March and the second Wednesday in September in each year, unless the Governors shall at some previous meeting fix some other convenient day in the same months respectively for the holding of any such half-yearly meeting.

The Lord Bishop of St. Asaph, or in his absence the Lord Bishop of Bangor, if present, shall be the chairman at every meeting. In the absence of both Bishops, the Governors present shall elect one of their number to be chairman. Five Governors shall form a quorum at any meeting.

Any two Governors may summon a special meeting, giving ten days' previous notice in writing to the other Governors, and specifying in such notice the object of such meeting, and no other business than that so specified shall be transacted at any such meeting. All matters and questions shall be determined by the majority of the Governors present at any meeting, and in case of equality of votes the chairman shall have a double or casting vote.

5. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for that purpose, and minutes of the entry into office or the appointment of every new Governor, and of all proceedings of the Governors, shall be entered in the minute book.

6. Full and separate accounts shall be kept of the receipts and expenditure of the Governors in respect of the Hospital, the Grammar School, and Exhibition Charities, in the books to be provided for that purpose; and such accounts shall be examined and passed annually at the March meeting, and signed by the Governors then present.

7. The Governors shall appoint and employ a person as clerk and treasurer, at an annual salary to be fixed from time to time by the Governors, with the approbation of the Charity Commissioners, and to be paid rateably out of the income of the Charities, exclusive of the Grammar School; and such person shall prepare and send all requisite notices, and attend the meetings of the Governors, and keep the minutes of the proceedings

at such meetings; and he shall also keep the accounts of the Charities, and shall receive the rents and income, and make the several payments thereout, under the immediate control and superintendence of the Governors, who shall be responsible for the due application by him of all such monies, and he shall discharge such other duties connected with the Charities as shall be properly required of him by the Governors.

8. All the estates and property of the Charities not required to be retained or occupied for the purposes thereof shall be let and otherwise managed by the Governors, and in every case public notice of the intention to let any land or other property shall be given by the said Governors in the said parish of Ruthin, and also in any different parish or parishes in which such land or property shall be situate, in such manner as they shall consider most effectual for giving full publicity to such intention, at least three weeks previously, and no lease shall be granted in reversion, or for more than seven years certain, or for less than the improved annual value at rack rent, without the sanction of the Charity Commissioners or a competent court.

9. Any money arising from the sale of timber or from any mines or minerals on the Charity estate shall be treated as capital, and invested in the Government funds, in the name of the official trustees of charitable funds, in trust for the Charities, except in any special cases in which the Governors may be authorized by the Charity Commissioners for England and Wales to apply such money or any part thereof as income.

10. The Governors shall, out of the yearly income of the property comprised in the First Schedule hereto annexed (being that derived from Bishop Goodman's Charity), pay the annual sum of thirty pounds in equal moieties, at Lady Day and Michaelmas, in respect of Bishop Goodman's gift for the poor of Ruthin, unto the Trustees of the Charities of the town of Ruthin, to be appointed according to a scheme to be prepared by the Charity Commissioners for England and Wales; and the same yearly sum shall be applied by the said Trustees, according to the provisions of such scheme, for the benefit of the poor of Ruthin.

11. The further yearly sum of seventy pounds shall be applied by the Governors out of the annual income of the said property comprised in the said First Schedule, in binding out as apprentices, or in otherwise advancing in the world, in such manner and subject to such regulations as shall be prescribed by the said Governors, young poor persons of good character of either sex, born in Ruthin, or being the children of poor persons who shall have been resident in that parish for a period of not less than three years next before such binding or advancement. The selection of poor persons under this provision shall be made in all cases by the Governors at some meeting of their body, due regard being had to the respective characters and other qualifications of the applicants.

12. The further yearly sum of sixty pounds shall be set apart by the Governors out of the income of the said property comprised in the said First Schedule, and shall be carried by them to the account of "The Exhibition Endowment" herein-after mentioned.

13. The residue of the said yearly income of the property comprised in the said First Schedule shall be carried by the Governors to the account of "The Hospital Endowment" herein-after mentioned.

14. The Governors shall pay one third part of the clear yearly income of the property comprised in the second part of the Second Schedule hereunto annexed, and distinguished as Pugh's Gift, unto the rector of Llanbedr, and one other like third part of the same income unto the rector of Llanfwrog, to be held and applied by the said rectors respectively upon the trusts of the will of the Rev. Hugh Pugh.

15. The remainder of the clear yearly income of the property comprised in the said Second Schedule (being that derived from the endowments of Dean Goodman and others for the benefit of the Hospital), together with the residue of the income of the property in the said First Schedule, which shall remain after the several annual payments aforesaid, shall constitute "The Hospital Endowment," and shall be applied by the Governors for the purposes of the Hospital herein-after mentioned, in accordance with the provisions of this scheme.

15. The property comprised in the Third Schedule hereunto annexed (being that belonging to the Grammar School) shall constitute "The Grammar School Endowment," and

and shall be held and applied by the said Governors in trust for the purposes of the Grammar School herein-after mentioned, subject to and in accordance with the provisions of this scheme.

16. The property comprised in the Fourth Schedule hereunto annexed (being that derived from Edward Lloyd's Foundation), shall, together with the yearly sum of sixty pounds mentioned in the 12th clause of this scheme, constitute "The Exhibition Endowment," and shall be held and applied by the Governors for the purposes of the Exhibition Charity herein-after mentioned, subject to and in accordance with the provisions of this scheme.

As to the Hospital.

17. The Governors shall, as soon as conveniently may be, cause the present hospital buildings to be reconstructed, according to plans to be approved by the Charity Commissioners, and shall appropriate to that object, with the like approval, the cash balances in hand, and the whole or any necessary part of the sum of 583*l.* 16*s.* consols, now standing to the credit of Bishop Goodman's Charity.

The hospital building and the appurtenances shall be used only for the purposes of the Charity, and shall be kept in repair and insured against fire by the Governors out of the income of the Hospital Endowment.

18. The establishment of the Hospital shall consist of a warden and 12 almspeople, of whom 10 shall be poor men, to be called "Brethren," and two shall be poor women, to be called "Sisters."

19. The warden, who shall be appointed as heretofore, shall discharge the clerical duties hitherto incident to his office or customarily performed by him, and shall be amenable to the ordinary jurisdiction of the bishop of the diocese in respect thereof.

The warden shall reside in the house in Ruthin known as "The Cloisters," which, with the appurtenances, shall be kept in repair by him, and he shall in respect thereof be subject to the same liabilities, and enjoy the same privileges, as a parochial incumbent in respect of his parsonage or vicarage house.

20. The Governors shall pay to the warden, out of the income of the Hospital Endowment, by equal half-yearly payments, the annual stipend or sum of three hundred pounds, clear of all deductions, except for property or income tax. But whenever there shall be any surplus income of the said Hospital Endowment, after providing for and satisfying the several payments and objects directed or contemplated by this scheme, such surplus shall be applied by the Governors in augmenting the warden's stipend to an amount not exceeding in any year the sum of four hundred pounds.

21. This scheme shall not alter or affect the relative rights or interests of the warden of the Hospital, and the Reverend Edward Hugh Davies, the present stipendiary curate of Llanrhydd, during the tenure of the said curacy by him, but from and after the avoidance of such curacy by the said Edward Hugh Davies, the warden of the said Hospital for the time being shall be deemed to be the incumbent or perpetual curate of the parishes of Ruthin and Llanrhydd, subject in all respects as any other incumbent to the jurisdiction to the bishop of the diocese, and to the obligation of nominating and paying, under the control of the said bishop, a curate or curates for the due performance of the spiritual duties of such incumbency. It shall, however, be lawful for the bishop of the diocese, at any time after the avoidance of the office of warden of the said Hospital by the present warden, or during his tenure of the said office with his assent, to direct that the said two parishes of Ruthin and Llanrhydd shall be severed, and held separately thereafter as distinct ecclesiastical benefices; and from and after such severance the said parish of Llanrhydd shall be deemed to be a perpetual curacy, the patronage whereof shall be vested in the warden of the Hospital of Christ in Ruthin and his successors, and the Governors shall thenceforth pay to the perpetual curate or incumbent of the same parish a yearly stipend or sum of not less than eighty pounds and not more than one hundred pounds, to be provided out of, and deducted from, the annual stipend or sum hereby directed to be paid to the warden of the said Hospital out of the income of the Hospital endowment.

22. The Hospital Building shall be appropriated and used for the occupation of the almspeople, in such a manner and subject to such reasonable regulations as the Governors may from time to time prescribe, consistently with the provisions of this scheme.

23. The

23. The almspeople respectively shall be poor persons, not less than fifty years of age, of good character, and not having a wife or husband living, who shall have resided in the borough of Ruthin without receiving parish relief, for not less than three years next preceding the time of their appointment, and who, from age, ill-health, accident, or infirmity, shall be unable to maintain themselves by their own exertions, with a preference for those persons who, being otherwise qualified as aforesaid, shall have become reduced by misfortune from better circumstances.

Whenever there shall be no proper candidate for a vacancy in the Hospital from the borough of Ruthin, poor persons from the deanery of Dyffryn Clwyd, having the like qualifications, shall be eligible for the appointment.

24. There shall be paid to each almsperson, out of the income of the Hospital Endowment, a weekly sum of not less than six shillings, and the Governors, in lieu of paying the whole amount of such weekly sums in money, may from time to time expend any suitable portions thereof in providing the almspeople respectively with fuel, clothing, or other necessaries or comforts, as the Governors in their discretion shall think fit.

25. Every vacancy in the Hospital shall be filled up by the Governors, by the appointment of some duly qualified person at their next half-yearly meeting which shall be held after the lapse of one calendar month from the occurrence of such vacancy.

26. No appointment shall be made by the Governors to fill any vacancy in the Hospital, until a notice of such vacancy, specifying the qualification required from candidates, shall have been affixed to or near the principal outer door or entrance gate of the Hospital, and of the parish church of Ruthin, respectively, for the period of 15 days at the least. Such notice shall be given in every case before the expiration of one calendar month from the occurrence of the vacancy, and may be in the form inserted in the Schedule No. 5.

27. The Governors shall provide and keep a book, in which shall be entered the names, ages, and descriptions of all persons appointed to the Hospital, together with the dates of their respective appointments, and the date and occasion of every vacancy.

28. Application for admission to the Hospital shall be made to the Governors or their clerk, either personally or in writing, and every applicant must be prepared with sufficient testimonials and other evidence of (his) or (her) qualification for the appointment.

29. The Governors may, if they shall so think fit, and whenever the income and resources of the Charity shall suffice for the purpose, appoint a medical officer to attend upon the almspeople, and to supply them with medicines, and such medical appliances as may be necessary, at a yearly salary not exceeding ten pounds, such salary to include the cost of such medicines and appliances; and they may also provide the almspeople with any necessary attendance in case of illness, at the cost of the Charity.

30. If any almsperson shall be guilty of insobriety, insubordination, breach of rules, or immoral or unbecoming conduct, or shall become disqualified from retaining (his) or (her) appointment, or if in any case it should appear that any almsperson has been appointed without having the required qualifications, the Governors, upon proof thereof to their satisfaction, may remove such almsperson, and take possession of the tenement or room occupied by (him) or (her), and may proceed to appoint another almsperson in (his) or (her) place, or in any such case (except that of disqualification) the Governors may, if they so think fit, suspend the payment of the stipend to the almsperson, either wholly or in part, during such time as they shall think fit and expedient.

31. No almsperson shall be permitted to let or part with the possession of the room or rooms allotted to (him) or (her) or to suffer any stranger to occupy the same, or any part thereof.

32. The Governors may from time to time prescribe such reasonable regulations as they may consider expedient for the government of the almshouses and the inmates thereof, provided that no such regulation be at variance or inconsistent with any of the provisions of this Scheme.

As to the Grammar School.

33. The school buildings and the master's house and appurtenances shall be kept in repair and insured against fire, and all rates and taxes chargeable thereon paid by the Governors, out of the yearly income of the school endowment.

34. The object of the school shall be to provide for the sons of the inhabitants of Ruthin and

and Llanelidan, in the first place, and (subject to the preferential right of inhabitants of those localities to the benefit of the school) for the sons of all other persons, a sound, classical, commercial, and generally useful education, at a moderate cost; and the Governors, with the sanction and approval of the Charity Commissioners for England and Wales, shall (subject as herein-after mentioned) make and establish, from time to time, proper rules and regulations with regard to the nature of the instruction to be given at the said school, for the admission thereto of boarders, for the payment, regulation, and application of capitation fees, the establishment of prizes, and for dividing the school (if found necessary or proper for the purposes of convenient instruction) into separate departments or sections, and for the appointment of such under-masters, teachers, and instructors as may be required, with such salaries as may be thought proper, and as the circumstances will admit, and generally for the constitution, government, and conduct of the school, and the masters and scholars thereof.

35. So long as the Reverend E. L. Barnwell, the present master of the school, shall continue to hold the office of master, there shall be one master and one under-master of the school; and the said Reverend E. L. Barnwell shall retain the right heretofore enjoyed by the master of appointing the under-master.

36. The said E. L. Barnwell, during his tenure of the said office of master of the said school, shall be entitled to receive two thirds of the net annual income of the said school endowment; and the under-master appointed or to be appointed by him shall be entitled to receive the remaining one third of such income, for their respective salaries or stipends.

Any regulation to be made by the Governors under the provisions of this scheme, relative to the amount of the capitation fees or other payments to the master or under-master, shall, during the tenure of office by the said Reverend E. L. Barnwell, be subject to his assent.

37. Upon the occurrence of a vacancy in the office of master, notice shall forthwith be given by the clerk to the bishop of the diocese, and sufficient notices shall likewise be inserted by the clerk, at the cost of the Charity, in at least one local newspaper, and in some one or more newspaper published in Oxford, Cambridge, and London, respectively, announcing the vacancy, and inviting candidates to apply for the office.

The master shall be appointed by the bishop of the diocese, not sooner than six weeks, and not later than twelve weeks, after the occurrence of the vacancy, and if the said bishop shall from any cause fail or omit to appoint a new master before the expiration of the said period of twelve weeks, the right of appointment shall for that occasion lapse to the Governors and be exercised by them.

38. Subject to the rights of the present master and usher, the master and under-master respectively shall be removeable by the Governors at any time for reasonable cause, or without the assignment of cause, after three months notice in writing from the Governors, according to the resolution of any meeting of the Governors, in which resolution not less than two thirds of their whole number shall concur.

Provided, nevertheless, that no such removal shall be valid or complete until the assent in writing of the bishop of the diocese shall have been given thereto.

39. Nothing herein contained shall authorize any act whereby the income of the present master or under-master shall be diminished, or their tenure of office rendered less secure than at present, without their respective assent.

As to the Exhibition Charity.

40. The income of the Exhibition Endowment shall be applied by the Governors in the payment of exhibitions or scholarships at some university in England to young men educated at the said Grammar School, and elected therefrom after sufficient examination, in such proportions or amounts, for such periods, and according to such rules and regulations, as the Governors, with the sanction of the Charity Commissioners, shall from time to time direct.

Provided, nevertheless, that if in any year or years, owing to the want of duly qualified candidates, or from any other sufficient cause, the whole of the annual income of the said Exhibition Endowment shall not be required for the payment of the aforesaid exhibitions or scholarships, the amount of such income so remaining undisposed of shall be applicable to the repair of the school buildings and the extraordinary requirements of the school, and shall be reserved and accumulated by the Governors as a fund for those purposes, subject to the order or direction of the Charity Commissioners.

41. In

41. In the event of the increase or diminution of the income of the respective estates comprised in the said Schedules hereunto annexed, the Governors, with the sanction of the Charity Commissioners, may from time to time increase or reduce as the case may require, the amount of the annual sums payable under the foregoing provisions out of the income of the same estates respectively.

42. 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 charities, application may be made by the Governors to the Charity Commissioners for England and Wales, for their opinion and advice thereon, which when given shall be binding on the Governors; 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.

SCHEDULE 1.

Description.	Contents.	Income.
	A. R. P.	£ s. d.
Lands and tenements at Llanberis in the county of Carnarvon -	766 2 11	368 15 0
Yale estate, situated at Llanarmon in Yale in the county of Denbigh	104 0 22	48 0 0
		£416 15 0

SCHEDULE 2.

Description.	Contents.	Income.
PART 1.	A. R. P.	£ s. d.
Site of cloister and hospital, tithes of Ruthin and Llanrhydd -	—	462 10 0
Salusbury's Gift:		
Tyr Tylodion - - - - - - - -	7 1 33	10 0 0
Rent-charge from Ydoll Rhydowen - - - -	—	2 0 0
Rice Williams' Gift:		
Rent-charge from Egarth - - - - -	—	4 0 0
Peter Davies' Gift:		
Houses at Llanrhydd and Ruthin - - - -	—	11 0 0
John Spires' Gift:		
House and garden - - - - - - -	—	5 5 5
Turnpike bonds - - - - - - -	£639 19 3	31 19 6
		£526 14 11
PART 2.		
Pugh's Gift:		
House and land in Llanbedr - - - - -	13 1 0	19 0 0
		£545 14 11

SCHEDULE 3.

School, school-house, garden, and appurtenances adjoining the Church and Hospital of Christ at Ruthin - - - - -	—	—
One moiety of the great and small tithes of the parish of Llanelidan, commuted at 600*l.* by agreement confirmed 23d April 1839, the moiety being - - - - - - - - -	—	300 0 0

SCHE-

SCHEDULE 4.

	A. R. P.	£ s. d.
Carreglwyd estate, situated in Bistre in the parish of Mold in the county of Flint	78 3 28	100 0 0
	£ s. d.	
Money on mortgage	180 0 0	9 0 0
Stock	226 16 11	6 12 2
		£115 12 2
Mineral dead rent	—	25 0 0
		£140 12 2

SCHEDULE 5.

In the matter of the Hospital Charity of Ruthin.

The Governors of this Charity give notice that they will, on the day of 18 , proceed to elect an alms to fill a vacancy in the Hospital which has been occasioned by the of . The election will take place at o'clock on that day, at poor of good character, who have been resident in the parish of for three years at least, and who, from age, ill-health, accident, or infirmity, are unable to maintain themselves by their own exertions, are eligible for the appointment, those persons who have become reduced by misfortune from better circumstances being entitled to a preference.

Application for the appointment must be made either personally or in writing to the Governors, or their clerk, at fourteen days at least previously to the election. Every applicant must state his or her name, address, age, and occupation, and must be prepared with sufficient testimonials and other evidence of his or her qualification for the appointment.

By order
(Signed) Clerk.

CAP. LX.

An Act to confirm a certain Provisional Order under the General Police and Improvement (*Scotland*) Act, 1862, relating to the Burgh of *Leith*.

[21st *July* 1863.]

'WHEREAS the Secretary of State for the Home Department, being One of Her 'Majesty's Principal Secretaries of State, has, under the Provisions of the General 'Police and Improvement (*Scotland*) Act, 1862, (25 & 26 *Vict.* cap. 101.,) duly made 25 & 26 Vict. 'a certain Provisional Order, which is contained in the Schedule to this Act annexed, and c. 101. 'it is provided by the first herein-before recited Act that no such Order shall be of any 'Validity whatever until it has been confirmed by Parliament; and it is expedient that the 'said Order shall be so confirmed:' Be it therefore 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:

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act, except in so far as the said Provisional Order is inconsistent with the Nineteenth Clause of the General Police and Provisional Order in Schedule confirmed.