



ANNO SEXTO

GULIELMI IV. REGIS.

Cap. xx.

An Act to incorporate the Governors of the *Westminster* Hospital at the *Broad Sanctuary, Westminster*, and for conferring Powers the better to enable them to carry on their charitable Designs.

[19th May 1836.]

WHEREAS in or about the Year One thousand seven hundred and nineteen an Institution was formed for the Purpose of affording Medical and Surgical Relief to poor sick and infirm Persons inhabiting the City of *Westminster* and elsewhere; and for the Purposes of the said Institution a Hospital or public Infirmary, called "*The Westminster Hospital*," was shortly afterwards built and established by voluntary Contributions upon a Piece or Pieces of Ground situate in *James Street, Buckingham Gate*, at the Corner of *Castle Lane*, sometimes formerly called *Cabbage Lane*, in the Parish of *Saint Margaret* in the said City of *Westminster*: And whereas by an Indenture of Bargain and Sale bearing Date the Seventh Day of *March* One thousand seven hundred and forty-four, and made or expressed to be made between the Right Honourable *Charles Lord Cadogan* and *Justinian Ekins* (in the said Indenture now in recital stated to be surviving Devisees and Trustees named in the last Will and Testament of *Thomas Greene*) of the one Part, and the Right Honourable *Charles Earl of Arran*, *Sir John Crosse*, the Reverend *Pengry Hayward*, the Reverend *Scarwen Kenrick*, *Charles Cotes*, *Richard Hoare*, *Mark Thurston*, *Henry Hatsell*, *Peter Leigh*,

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Indenture of
Conveyance,
7th March
1744.

Leigh, James Thomas, John Thornton, Hugh Watson, and Samuel Baldwin, (in the said Indenture now in recital described as Trustees of the said Infirmary,) of the other Part, in consideration of One thousand one hundred and six Pounds, paid as therein mentioned, the said *Charles Lord Cadogan and Justinian Ekins* did bargain and sell and confirm unto the said *Charles Earl of Arran, Sir John Crosse, Pengry Hayward, Scawen Kenrick, Charles Cotes, Richard Hoare, Mark Thurston, Henry Hatsell, Peter Leigh, James Thomas, John Thornton, Hugh Watson, and Samuel Baldwin,* and their Heirs and Assigns, all those Five Messuages or Tenements, late of him the said *Thomas Greene*, situate, standing, and being in or near *James Street and Castle Lane* otherwise called *Cabbage Lane*, in the Parish of *Saint Margaret Westminster*, as the same were then in the Tenure or Occupation of the Trustees of the said Infirmary, together with the other Buildings and Ground thereto belonging, which Ground did contain the several Dimensions and did abut as in the Indenture now in recital is mentioned, to hold the same, with their Appurtenances, unto and to the Use of the said *Charles Earl of Arran, Sir John Crosse, Pengry Hayward, Scawen Kenrick, Charles Cotes, Richard Hoare, Mark Thurston, Henry Hatsell, Peter Leigh, James Thomas, John Thornton, Hugh Watson, and Samuel Baldwin,* their Heirs and Assigns, for ever, in Trust for themselves and the rest of the Trustees of the said Infirmary for the Use and Benefit of the poor Sick and Lame under their Care :

And whereas by an Indenture of Bargain and Sale bearing Date on or about the Ninth Day of *May* One thousand seven hundred and sixty-eight, and made or expressed to be made between *Henry Hatsell* of the one Part, and the Right Honourable *Henry Earl of Lincoln, Elisha Biscoe, Joseph Baldwin, Joseph Gape, Abraham Acworth, Nathan Draper,* the Honourable *George Grimston, Richard Hoare, John Merest, George Quarme, Robert Quarme, and John Scott,* (in the said Indenture now in recital described as Trustees of the said Hospital or Infirmary,) of the other Part, after reciting the herein-before in part recited Indenture of Bargain and Sale of the Seventh Day of *March* One thousand seven hundred and forty-four, and reciting that the said *Charles Earl of Arran, Sir John Crosse, Pengry Hayward, Scawen Kenrick, Charles Cotes, Richard Hoare, Mark Thurston, Peter Leigh, James Thomas, John Thornton, Hugh Watson, and Samuel Baldwin* were all since dead, and the said *Henry Hatsell* was then the only surviving Trustee, and became seised of the said Messuages or Tenements, Ground, and Hereditaments, and all and singular other the Premises therein-before and herein-before mentioned, to him and his Heirs, by such Survivorship, and reciting that at a Quarterly General Board of the said Hospital or Infirmary it was ordered that the said *Henry Hatsell* should be desired to convey his Estate and Interest in the said Messuages or Tenements, Ground, and Hereditaments to the said *Henry Earl of Lincoln, Elisha Biscoe, Joseph Baldwin, Joseph Gape, Abraham Acworth, Nathan Draper, George Grimston, Richard Hoare, John Merest, George Quarme, Robert Quarme, and John Scott,* it is by the Indenture now in recital witnessed, that in pursuance of such Desire, and for the Considerations therein mentioned, he the said *Henry Hatsell* did grant, bargain, and sell and confirm unto the said *Henry Earl of Lincoln, Elisha Biscoe, Joseph Baldwin, Joseph Gape, Abraham Acworth, Nathan Draper, George Grimston, Richard Hoare, John Merest, George Quarme, Robert Quarme, and John Scott,* and their Heirs and Assigns, all those the said Five Messuages or Tenements late of him the said

Indenture of
Conveyance,
9th May 1768.

said *Thomas Greene*, and other the Premises by the therein-before and herein-before in part recited Indenture of Bargain and Sale granted and conveyed, or intended so to be, to hold the same, with their Appurtenances, unto and to the Use of them the said *Henry Earl of Lincoln, Elisha Biscoe, Joseph Baldwin, Joseph Gape, Abraham Acworth, Nathan Draper, George Grimston, Richard Hoare, John Merest, George Quarme, Robert Quarme, and John Scott*, their Heirs and Assigns, for ever, in Trust for themselves and the rest of the Trustees of the said Hospital or Infirmary for the Time being for the Use and Benefit of the poor Sick and Lame under their Care: And whereas by an Indenture of Bargain and Sale bearing Date on or about the Eleventh Day of *February* in the Year One thousand seven hundred and sixty, and made or expressed to be made between *Isaac Mills* and *Frances* his Wife of the one Part, and the Right Honourable *Henry Earl of Lincoln, Sir John Crosse, Samuel Baldwin, Elisha Biscoe, Bertie Burgh, Joseph Baldwin, Joseph Gape, Henry Strachey, Abraham Acworth, Nathan Draper*, the Honourable *George Grimston, Richard Hoare, John Merest, Robert Quarme, George Quarme, and John Scott*, (in the said Indenture now in recital described as Trustees of the said Hospital or Infirmary,) of the other Part, in consideration of One hundred Pounds, paid as therein mentioned, the said *Isaac Mills* and *Frances* his Wife did grant, bargain, and sell and confirm unto the said *Henry Earl of Lincoln, Sir John Crosse, Samuel Baldwin, Elisha Biscoe, Bertie Burgh, Joseph Baldwin, Joseph Gape, Henry Strachey, Abraham Acworth, Nathan Draper, George Grimston, Richard Hoare, John Merest, Robert Quarme, George Quarme, and John Scott*, and their Heirs and Assigns, all that Piece or Parcel of Ground situate, lying, and being on the South Side of *Castle Lane* otherwise *Cabbage Lane* in the Parish of *Saint Margaret Westminster* in the County of *Middlesex*, adjoining on the East to the said Hospital, and on which theretofore stood several Tenements, the same being then called *Powder Beef Court*, and which said Piece or Parcel of Ground contained the several Dimensions and abutted as in the Indenture now in recital is mentioned, to hold the same, with their Appurtenances, unto and to the Use of the said *Henry Earl of Lincoln, Sir John Crosse, Samuel Baldwin, Elisha Biscoe, Bertie Burgh, Joseph Baldwin, Joseph Gape, Henry Strachey, Abraham Acworth, Nathan Draper, George Grimston, Richard Hoare, John Merest, Robert Quarme, George Quarme, and John Scott*, their Heirs and Assigns, for ever, in Trust for themselves and the rest of the Trustees of the said Hospital or Infirmary for the Time being for the Use and Benefit of the poor Sick and Lame under their Care: And whereas by an Indenture bearing Date on or about the Thirty-first Day of *August* One thousand eight hundred and thirty-two, and made or expressed to be made between the King's most Excellent Majesty of the First Part; the Right Honourable *John William Ponsonby* commonly called *Viscount Duncannon* and *William Dacres Adams* (in the Indenture now in recital described as Two of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings,) of the Second Part; the Most Noble *Hugh Duke of Northumberland, Charles William Hallett, Charles Hoare*, the Honourable *Philip Pleydell Bouverie, Alexander Copland*, the Honourable *John Scott* commonly called *Viscount Encombe*, the Right Honourable *Robert Henley Lord Henley, John Lettsom Elliott, Joseph Carter Wood, John Spottiswoode*, the Right Honourable *Sir John Cam Hobhouse*, the Most Honourable *Robert Marquess of Westminster, Henry Charles Hoare*, and *Henry Hoare* the younger, (in the said Indenture

Indenture of
Conveyance,
11th Feb.
1760.

Indenture of
Conveyance,
31st August
1832.

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now in recital described as Fourteen of the Trustees of the said Hospital or public Infirmary,) of the Third Part; after reciting that the then present Building called the *Westminster* Hospital or public Infirmary, situate in *James Street, Westminster*, having been erected for a great Number of Years, was then in a dilapidated State, and not sufficiently extensive to carry into effect the charitable Designs with which it was erected, and the same had become in other respects inconvenient for the Purposes of the said Society or Institution, and it was therefore desirable that a larger and more convenient Building should be erected in the Stead thereof, and in a Situation better adapted for the said Institution; and reciting that the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for and on behalf of His Majesty, and under the Authority and by the Direction of the Lords Commissioners of His Majesty's Treasury, and also under or by virtue of the Powers given to them in and by a certain Act of Parliament made and passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, 10 G. 4. c. 50. intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown, within the Survey of the Exchequer in England; and of the Land Revenue of the Crown in Ireland; and for extending certain Provisions relating to the same to the Isles of Man and Alderney*, and in and by a certain other Act of Parliament made and passed in the 2 W. 4. c. 1. Second Year of the Reign of His present Majesty, intituled *An Act for uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and for other Purposes relating to the Land Revenues*, had contracted and agreed with the said *Hugh Duke of Northumberland, Charles William Hallett, Charles Hoare, Philip Pleydell Bouverie, Alexander Copland, John Viscount Encombe, Robert Henley Lord Henley, John Lettsom Elliot, Joseph Carter Wood, John Spottiswoode, Sir John Cam Hobhouse, Robert Marquess of Westminster, Henry Charles Hoare, and Henry Hoare the younger*, on the Part and Behalf of themselves and the rest of the Trustees of the said Hospital or public Infirmary, for the Sale to them the said Trustees of the Piece or Parcel of Ground therein-after and herein-after described or referred to, for the Site of a new Hospital or Building, for the Purposes of the said Institution, intended to be erected thereon, and of the Fee Simple and Inheritance thereof; it is by the Indenture now in recital witnessed, that in pursuance of the said therein and herein-before recited Contract, and in consideration of the Sum of Six thousand Pounds paid into the Bank of *England* by the said Trustees to the Account of the said Commissioners entitled "The Woods and Forests Fund," they the said *John William Viscount Duncannon and William Dacres Adams*, as Two of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of His Majesty and under the Authority of the said Acts of the Tenth Year of the Reign of His late Majesty King *George* the Fourth and the Second Year of the Reign of His present Majesty, did grant, bargain, sell, and convey unto the said *Hugh Duke of Northumberland, Charles William Hallett, Charles Hoare, Philip Pleydell Bouverie, Alexander Copland, John Viscount Encombe, Robert Henley Lord Henley, John Lettsom Elliot, Joseph Carter Wood, John Spottiswoode, John Cam Hobhouse, Robert Marquess of Westminster, Henry Charles Hoare, and Henry Hoare the younger*, their Heirs and Assigns, all that Piece or Parcel of Ground situate, lying, and being

being in the Parish of *Saint Margaret* within the Liberties of *Westminster* in the County of *Middlesex*, in or near a certain Place there called the *Broad Sanctuary*, on the North Side thereof, the Form of which said Piece or Parcel of Ground thereby granted and conveyed, or intended so to be, and the Abuttals, Dimensions, and Boundaries thereof, is and are more particularly mentioned, delineated, marked out, and described in the Plan thereof drawn in the Second Skin of the Indenture now in recital, and therein coloured Red, together with the Use of the Way or Passage also shown in the said Plan, containing in Width Eleven Feet or thereabouts, and extending from West to East along the whole of the North Side of the said Piece or Parcel of Ground thereby granted, such Way or Passage to be enclosed by and at the proper Costs and Charges of the Trustees for the Time being of the said Hospital or public Infirmary with Iron Rail Gates at the West and East Ends thereof, and to be used only as and for an additional open Airing Ground for the Patients or Inmates of the said Hospital, but no Erection or Building whatsoever, except the Iron Rail Gates aforesaid, was to be erected or built on the said Way or Passage or any Part thereof, with the Appurtenances, excepting, saving, and reserving as in the said Indenture now in recital is saved, excepted, and reserved; to hold the same, with the Appurtenances, (except as therein-before is excepted,) unto and to the Use of the said *Hugh Duke of Northumberland, Charles William Hallett, Charles Hoare, Philip Pleydell Bouverie, Alexander Copland, John Viscount Encombe, Robert Henley Lord Henley, John Lettson Elliot, Joseph Carter Wood, John Spottiswoode, Sir John Cam Hobhouse, Robert Marquess of Westminster, Henry Charles Hoare, and Henry Hoare the younger*, their Heirs and Assigns, upon Trust nevertheless for themselves and the rest of the Trustees of the said Hospital or public Infirmary for the Time being for the Use and Benefit of the poor Sick and Lame under their Care: And whereas the said Hospital or public Infirmary in *James Street* aforesaid having been erected a great Number of Years became dilapidated, and moreover not being sufficiently capacious to carry into effect the charitable Design with which it was erected, and being situated not in the most healthy Part of *Westminster*, it was determined, with the Consent and Approbation of the Governors duly qualified and convened for that Purpose, to remove the said Hospital or public Infirmary to the said Piece or Parcel of Ground situate at or near the *Broad Sanctuary* aforesaid, and so as aforesaid conveyed by the said in part recited Indenture of the Thirty-first Day of *August* One thousand eight hundred and thirty-two; and a new Hospital, which is called the *Westminster Hospital*, hath been erected upon the said last-mentioned Piece of Ground or Part thereof, and a Sum exceeding Thirty-nine thousand Pounds hath been expended in and about the Purchase of Ground and the erecting and fitting-up of the same Hospital or public Infirmary, Part of which Sum of Thirty-nine thousand Pounds was raised by voluntary Contributions for that Purpose, and the Deficiency thereof hath been made good out of the general Funds belonging to the said Hospital or public Infirmary: And whereas it is expedient that the Pieces or Parcels of Land situate in *James Street* aforesaid, whereon the old Hospital now stands or lately stood, should be sold, mortgaged, or let, and the respective Proceeds thereof applied in part Payment of the said Sum of Thirty-nine thousand Pounds, or in making good such of the general Funds of the said Hospital or public Infirmary as have been applied in part Payment of

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the said Sum of Thirty-nine thousand Pounds, and that there should be a Power to sell, mortgage, or let the Ground or Part thereof whereon the present Hospital now stands if Occasion should arise hereafter: And whereas the Property and Income of the said Hospital or public Infirmary are of considerable Value, and consist of the said Pieces or Parcels of Land and Premises in *James Street* aforesaid, and of the Piece or Parcel of Land in or near the *Broad Sanctuary* aforesaid, and of the new Hospital built thereon, and of the Household Goods and Furniture in and about the same new Hospital, and of Stock in the Public Funds of considerable Amount, and of annual Subscriptions, and of Donations and Bequests of Sums of Money and Stock in the Public Funds: And whereas, if the said Hospital or public Infirmary were more permanently established, and the President, Vice Presidents, Treasurers, and Governors thereof were made a Body Politic and Corporate, and were empowered to hold in Mortmain the said Hospital or public Infirmary, and the Piece of Ground whereon the same now stands, at or near the *Broad Sanctuary* aforesaid, and the said Pieces or Parcels of Land and Premises in *James Street* aforesaid, and to hold in Mortmain other Lands, Messuages, Buildings, Tenements, and Hereditaments, with sufficient Powers to sell, mortgage, or let the same respectively, and to hold, retain, and dispose of the Stocks in the Public Funds, Monies, and other Personal Estate and Property of all Descriptions belonging to the said Hospital or public Infirmary, it would greatly promote its benevolent Purposes; but the several Purposes aforesaid cannot be carried into effect without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the President, the Vice Presidents, the Treasurers, and Governors for the Time being of the said Hospital or public Infirmary shall be and they are hereby declared to be One Body Politic and Corporate for the Purposes of the said Institution or Hospital, by the Name and Style of "The President, Vice Presidents, Treasurers, and Governors of the *Westminster Hospital*," and by that Name and Style shall have perpetual Succession and a Common Seal, with Power to make, change, alter, break and make new, order and dispose of the Use of the same Common Seal when and so often as the same shall be expedient, and by the same Name or Style may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in any Court or Courts of Law or Equity, whether of Record or not of Record, or Place or Places of Judicature, within this Kingdom, and by the same Name shall be able and capable, without incurring the Penalties or Forfeitures of the Statutes of Mortmain, to hold and retain for the Purposes of the said Hospital the said Hospital or Building in and near the *Broad Sanctuary* aforesaid, and the Piece of Ground there whereon the same stands, and the said Piece or Pieces of Land or Ground in *James Street* aforesaid, and by Will, Gift, Purchase, or otherwise to obtain, acquire, hold, and retain, for the Purposes of the said Hospital, any Manors, Messuages, Lands, Tenements, and Hereditaments of any Kind, Name, Quality, or Sort, either in Fee or for Terms of Life or Years, or otherwise howsoever, so as such Manors, Messuages, Lands, Tenements, and Hereditaments (exclusive of the said Hospital at or near the *Broad Sanctuary* aforesaid, and the Piece or Parcel of Ground whereon the

President,
&c. of the
Hospital
incorporated,
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same stands, and exclusive of the said Pieces or Parcels of Ground in *James Street* aforesaid, and also exclusive of any Manors, Messuages, Lands, Tenements, and Hereditaments that may at any Time or Times after the passing of this Act be vested in the said Corporation hereby created, or in any Trustee or Trustees for the said Corporation hereby created, by way of Mortgage, or upon which any Sum or Sums of Money belonging to the said Corporation hereby created may be charged,) do not in the whole exceed the clear yearly Value of Twenty thousand Pounds over and above all Charges and Reprises, computing the same at the Rack Rent which might have been had or gotten for the same respectively at the Time of the attaining or Acquisition thereof; and also by Will, Gift, Purchase, or otherwise to obtain, acquire, hold, and retain for the Purposes of the said Hospital any Kind of Personal Estate, and any Monies and Property of what Nature or Kind soever, including Money secured on Mortgage of or charged upon any Manors, Messuages, Lands, Tenements, or Hereditaments; and also for the Purposes of the said Hospital to grant, sell, alien, convey, surrender, lease, assign, or dispose of the said Hospital or Building in or near the *Broad Sanctuary* aforesaid, and the Piece of Ground whereon the same stands, and the said Piece or Pieces of Ground in *James Street* aforesaid, and any other Manors, Messuages, Lands, Tenements, Hereditaments, Monies, or Personal Estate and Property for the Time being belonging to the said Hospital, and to do and execute all such Acts, Deeds, Matters, and Things as may be necessary for the effecting and completing of any such Grant, Sale, Alienation, Conveyance, Assignment, Surrender, Lease, or Disposition; and upon Receipt and Payment of the Money which shall arise by such Grant, Sale, Alienation, Conveyance, Assignment, Surrender, Lease, or Disposition of any Manors, Messuages, Lands, Tenements, Hereditaments, Monies, or Personal Estate and Property, it shall be lawful for the Treasurers or Treasurer of the said Hospital for the Time being to sign and give Receipts for the Money for which the same shall be granted, sold, aliened, conveyed, assigned, surrendered, leased, or disposed of, which Receipts shall be sufficient Discharges to the Purchaser or Purchasers for the Money for which such Places shall be granted, sold, aliened, conveyed, assigned, surrendered, leased, or disposed of, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received, and such Purchaser or Purchasers shall not be compelled to see to the Application of such Purchase Money or any Part thereof, and shall not be answerable or accountable for any Losses, Misapplication, or Nonapplication of such Purchase Money or any Part thereof.

Power to sell
or lease
Property.

Treasurer's
Receipts to
be good Dis-
charges for
the Purchase
Money.

II. And be it further enacted, That immediately after the passing of this Act the said herein-before mentioned Piece or Parcel of Ground situate, lying, and being in the Parish of *Saint Margaret* aforesaid in or near a certain Place there called the *Broad Sanctuary*, on the North Side thereof, whereon or on Part whereof the said new *Westminster* Hospital now stands and is built, and which Piece or Parcel of Ground is contained in, and granted, bargained, sold, and conveyed as aforesaid by the said herein-before in part recited Indenture of the Thirty-first Day of *August* One thousand eight hundred and thirty-two, (except as is excepted in the said Indenture of the Thirty-first Day of *August* One thousand eight hundred and thirty-two,) shall be vested in Fee Simple in the said Corporation by this Act created of "The President, Vice Presidents, Treasurers,

The Ground,
Hospital, and
Premises at
the Broad
Sanctuary
vested in the
Corporation.

Treasurers, and Governors of the *Westminster* Hospital," absolutely and for ever, for the Purposes of the said Hospital, subject to the Covenants, Agreements, Provisoes, and Declarations in the said Indenture of the Thirty-first Day of *August* One thousand eight hundred and thirty-two contained and to be performed by or affecting the Persons therein mentioned and contained of the Third Part and their Heirs.

The Ground
and Premises
in James
Street vested
in the Cor-
poration:

III. And be it further enacted, That immediately after the passing of this Act all those the Pieces or Parcels of Land or Ground and Premises conveyed by and described in the said herein-before recited Indentures of the Seventh Day of *March* One thousand seven hundred and forty-four, the Ninth Day of *May* One thousand seven hundred and sixty-eight, and the Eleventh Day of *February* One thousand seven hundred and sixty, whereon or on Part whereof the said old Hospital in *James Street* stands or formerly stood, together with the Appurtenances, shall be vested in Fee Simple in the said Corporation hereby created of "The President, Vice Presidents, Treasurers, and Governors of the *Westminster* Hospital," absolutely and for ever, for the Purposes of the said Hospital, and with full Benefit and Advantage of all Covenants, Provisoes, Declarations, and Agreements contained in the said Indentures of the Seventh Day of *March* One thousand seven hundred and forty-four, the Ninth Day of *May* One thousand seven hundred and sixty-eight, and the Eleventh Day of *February* One thousand seven hundred and sixty, which on the Part of the Party or Parties conveying and granting therein respectively, his and their Heirs, Executors, and Administrators, ought to be kept, performed, and fulfilled, and with full and ample Powers to the said Corporation hereby created of "The President, Vice Presidents, Treasurers, and Governors of the *Westminster* Hospital," in case of Breach or Nonperformance of any Covenant or Agreement, or Nonobservance of any Declaration or Proviso contained in any of the said Indentures of the Seventh Day of *March* One thousand seven hundred and forty-four, the Ninth Day of *May* One thousand seven hundred and sixty-eight, and the Eleventh Day of *February* One thousand seven hundred and sixty, to commence and prosecute any Action or Suit, or Actions or Suits, either at Law or in Equity, against the Person or Persons for the Time being subject or liable thereto.

Persons in
whose Name
the Stock in
the Public
Funds stands
to transfer
the same to
the Corpo-
ration.

Release to
Persons so
transferring.

IV. And be it further enacted, That it shall be lawful for all Persons in whose Names any Stock in the Public Funds is standing, whether the same forms the general Funds of the said Hospital or the Fund called "The Incurable Fund" herein-after mentioned, or in whose Names any other Personal Property is standing or vested in Trust for the Purposes of the said Hospital, to transfer, convey, and assign the same into the Name of the President, Vice Presidents, Treasurers, and Governors of the *Westminster* Hospital, and the same respectively shall be so transferred, conveyed, and assigned as soon as may be after the passing of this Act, and the same respectively, when so transferred, conveyed, and assigned, shall, together with the Dividends, Interest, and annual Produce thereof, be held and possessed by the said Corporation hereby created for the Purposes to which the said respective Funds are applicable; and the Person or Persons so transferring, conveying, and assigning the same respectively shall not be compelled to see, and are hereby released and discharged from seeing, to the Application thereof or of any Part thereof, and

and shall not be answerable or accountable for the Loss, Misapplication, or Nonapplication thereof or of any Part thereof.

V. And be it further enacted, That any of the Monies for the Time being belonging to the said Hospital may be from Time to Time invested either in the Name of the said Corporation hereby created of "The President, Vice Presidents, Treasurers, and Governors of the *Westminster Hospital*," or in the Name or Names of any other Person or Persons as Trustee or Trustees for the said Corporation hereby created, on Mortgage of any Manors, Messuages, Lands, Tenements, or Hereditaments of a clear and indefeasible Estate of Inheritance in Fee Simple, in *England* or *Wales*, free from Incumbrances, except Quit Rents or other small annual Payments, and that any Money or any Part of any Money so invested may be called in, and the Payment of the same and of the Interest thereof or any Part thereof respectively may be required and enforced, when thought advisable so to do on the Part of the said Corporation hereby created: Provided nevertheless, that no Money shall be so invested on Mortgage unless, as a further Security for the Repayment of the Money invested and the Interest thereof, the Mortgage be accompanied with a Power of Sale, to be exercised by or on behalf of the said Corporation hereby created.

Power to invest Monies of the Corporation on Mortgage.

VI. Provided always, and be it further enacted, That when any Manors, Messuages, Lands, Tenements, or Hereditaments are vested in the Name of the said Corporation hereby created, or of the President, Vice Presidents, Treasurers, and Governors of the *Westminster Hospital*, or in the Name of any Trustee or Trustees for the said Corporation hereby created, for securing by way of Mortgage any Monies belonging to and lent by the said Corporation hereby created, and the Person or Persons entitled in Equity to redeem the said Manors, Messuages, Lands, Tenements, or Hereditaments shall release the Right to redeem the same, or shall be absolutely foreclosed his Equity of Redemption in the said Manors, Messuages, Lands, Tenements, or Hereditaments, then the said Manors, Messuages, Lands, Tenements, and Hereditaments may, after such Release or after the final Order upon the Decree of Foreclosure, be held and retained by "The President, Vice Presidents, Treasurers, and Governors of the *Westminster Hospital*" for the Purposes of the said Hospital, provided the clear yearly Value of the same, over and above all Reprizes, computed at the Rack Rent which at the Time of such Release or final Order (as the Case may be) could be had or gotten for the same, should not exceed, with the other Hereditaments then vested in the said Corporation hereby created of the President, Vice Presidents, Treasurers, and Governors of the *Westminster Hospital*, for the Purposes of the said Corporation hereby created, (exclusive of the said Hospital and Pieces or Parcels of Ground at or near the *Broad Sanctuary* and at *James Street* aforesaid, and also exclusive of any Manors, Messuages, Lands, Tenements, and Hereditaments then vested in the President, Vice Presidents, Treasurers, and Governors of the *Westminster Hospital*, or any Trustees for them, by way of Mortgage, or upon which any Sum or Sums of Money belonging to the said Corporation hereby created may be charged,) the clear yearly Value of Twenty thousand Pounds over and above all Reprises, the yearly Value of such other Hereditaments being computed at the Rack Rent which at the Time of such Release or final Order (as

If the Equity of Redemption of Lands mortgaged to the Corporation be released or foreclosed, the Corporation may hold the same, unless with other Lands the Value exceeds 20,000*l.*, in which Case the same shall be sold.

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the Case may be) could be had or gotten for the same respectively; but if the clear yearly Value of any such Manors, Messuages, Lands, Tenements, and Hereditaments as aforesaid in regard to which such Release or such final Order upon a Decree of Foreclosure shall have been obtained shall exceed the Value above limited, then the President, Vice Presidents, Treasurers, and Governors of the *Westminster* Hospital, shall absolutely sell and dispose of the same for the Benefit of the said Corporation hereby created, and shall not be liable to the Penalties and Forfeitures of the Statutes of Mortmain for holding and retaining the same after such Release or final Order, provided they absolutely sell and dispose of the same within Twelve Calendar Months next after the obtaining such Release or final Order.

The Right of
suing on
Bonds, &c.
transferred
to the Cor-
poration.

VII. And be it further enacted, That all Bonds or Obligations heretofore entered into, whereby any Person or Persons is or are bound or liable to any Person or Persons as Trustees or otherwise for or on behalf of the said Hospital or otherwise, or whereby any Person or Persons is or are bound to do or perform any Duty, Act, Matter, or Thing touching or concerning the said Hospital or the Business thereof, or whereby any Person or Persons is or are Surety or Sureties or otherwise responsible for any other Person or Persons doing or performing any Duty, Act, Matter, or Thing touching the said Hospital or the Business thereof, are hereby assigned, transferred, and set over to the President, Vice Presidents, Treasurers, and Governors of the *Westminster* Hospital, and on Breach or Nonperformance of the Condition or Conditions of any such Bond or Obligation the President, Vice Presidents, Treasurers, and Governors of the *Westminster* Hospital may sue and take such Proceedings thereon at Law or in Equity or otherwise as if they were now and had originally been the Obligees of such Bond or Obligation: Provided nevertheless, that the Person or Persons appearing on the Face of such Bond or Obligation as Obligee or Obligees thereof may, if expedient, sue and take any Proceedings thereon at Law or in Equity or otherwise as if this Act had not been passed.

Service of
Notices, &c.
upon the
Corporation.

VIII. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Persons or Party or Parties to serve upon the said Corporation hereby created any Notice, Writ, Summons, or other Proceeding or Proceedings at Law or in Equity, the Service thereof upon the Secretary for the Time being of the said Corporation hereby created, or upon any other Officer thereof performing the Duties of the Secretary, or left at the Rooms of the Secretary at the said *Westminster* Hospital at or near the *Broad Sanctuary*, or Service thereof personally upon either of the Treasurers of the said Hospital, shall be deemed good and sufficient Service of the same respectively upon the said Corporation hereby created.

Appoint-
ment of the
President,
Vice Presi-
dents, and
Treasurers.

IX. And be it further enacted, That the Most Noble *Hugh* Duke of *Northumberland* shall be and he is hereby appointed President of the said Corporation hereby created, and that the Most Reverend *William* Archbishop of *Canterbury*, Primate of all *England*, and Metropolitan, the Most Reverend and Honourable *Edward* Archbishop of *York*, Primate of *England*, the Most Honourable *Robert* Marquess of *Westminster*, the Right Honourable *William* Earl of *Dartmouth*, the Right Honourable
Charles

Charles William Wentworth Earl *Fitzwilliam*, the Right Honourable *George O'Brien* Earl of *Egremont*, the Right Honourable *William* Earl of *Radnor*, the Right Honourable *John Charles* Earl *Spencer*, the Right Honourable *John* Earl of *Eldon*, the Right Honourable *Frederick John* Earl of *Ripon*, the Right Honourable *Henry* Viscount *Sidmouth*, the Right Honourable *Charles Manners* Viscount *Canterbury*, the Honourable *James Stuart* commonly called Lord *James Stuart*, the Right Honourable and Right Reverend *Charles James* Bishop of *London*, the Right Honourable *Robert* Lord *Henley*, the Right Honourable *Charles George* Lord *Arden*, the Right Honourable *Nicholas* Lord *Bexley*, the Right Honourable *Charles* Lord *Farnborough*, the Honourable *Philip Pleydell Bouverie*, the Right Honourable Sir *Robert Peel* Baronet, the Right Honourable *Henry Goulburn*, Sir *Francis Burdett* Baronet, the Very Reverend *John Ireland*, Doctor in Divinity and Doctor of Civil Law, Dean of *Westminster*, *George Byng* Esquire, *Henry Seymour* Esquire, and *William Archibald Armstrong White* Esquire, shall be and they are hereby appointed Vice Presidents of the said Hospital; and that *Charles Hoare* Esquire and *Charles William Hallett* Esquire shall be and they are hereby appointed Treasurers of the said Corporation hereby created: Provided always, that in case of any Vacancy in the Office or Offices of the President, Vice Presidents, or Treasurers of the said Corporation hereby created, by Death or otherwise, or in case it shall be deemed expedient to increase the Number of such Officers, such Vacancy or new Appointments may from Time to Time be supplied or made, when considered expedient by a Special General Board, in manner to be directed by any Rule or Bye Law now existing or hereafter to be made in that Behalf, such Rule or Bye Law being made in such Manner as is or shall be prescribed by the now present or any future Bye Law of the said Hospital: Provided also, that during the Vacancy of the Office of Treasurer the House Committee may, in case of necessity, nominate any Person or Persons to discharge the Duties of Treasurer till a Treasurer be regularly appointed by a Special General Board as aforesaid.

For supplying Vacancies in Offices of President, Vice Presidents, and Treasurers.

X. And be it further enacted, That the Persons who immediately before the passing of this Act were the Chaplain and the Medical and other Officers of the said Hospital or public Infirmary shall, from and after the passing of this Act, continue to hold their respective Offices in the said Hospital under the said Corporation hereby created, for such Period or Periods as is provided by the present Rules and Regulations of the said Hospital, or as shall be provided by any future Law, Bye Law, Rule, or Regulation of the said Corporation hereby created, to be made as herein-after mentioned, and under and subject to such other Laws, Bye Laws, Rules, Regulations, and Conditions as are in existence in relation to such Offices at the Time of passing this Act, or may hereafter be made, adopted, or agreed upon, as herein-after provided.

The Medical and other Officers to continue.

XI. And be it further enacted, That the Laws, Bye Laws, Rules, and Regulations by or under which the Qualifications for and Rights of Governors, and the Rights of Subscribers and Benefactors, and the Election or Appointment of the present or any future Medical and other Officers, and their respective Duties and Privileges and their Continuance as Members or Officers of the said Hospital, have been regulated, and by or under which the Meetings of the Governors and Committees have been held,

Present Laws, &c. to be the Bye Laws of the Corporation till altered.

held, and by or under which such Meetings and the Business at such Meetings have been managed and conducted, and by or under which the Affairs and Business of the said Hospital have been carried on and the Property thereof hath been managed, shall, after the passing of this Act, be and continue to be the Laws, Bye Laws, Rules, and Regulations of the said Corporation hereby created and of the said Hospital, except so far as they may be amended, altered, or repealed, or any new Laws, Bye Laws, Rules, or Regulations may be made, as herein-after provided.

New Bye
Laws may be
made.

XII. And be it further enacted, That all or any of the Laws, Bye Laws, Rules, and Regulations of the said Corporation hereby created or of the said Hospital, existing at the Time of the passing this Act or at any Time or Times hereafter, may be amended, altered, repealed, or suspended, and any new Laws, Bye Laws, Rules, and Regulations for the said Corporation hereby created or the said Hospital, and for carrying on the Affairs and Business thereof and for the Management of the Property thereof, (so as such Amendments, Alterations, Repeals, and Suspensions, Laws, Bye Laws, Rules, and Regulations be not repugnant to this Act or to the Laws and Statutes of that Part of the United Kingdom of *Great Britain and Ireland* called *England*;) may be made at such Meetings of the Governors for the Time being of the said Corporation hereby created, and in such Manner, as is or shall be prescribed by the present or any future Laws, Bye Laws, Rules, and Regulations thereof.

Incurable
Fund of the
Hospital to
contribute
4,105*l.*
towards the
Expence of
building and
fitting-up the
present
Hospital.

XIII. And whereas divers Bequests and Gifts of Sums of Money and Stock in the Public Funds have been made to divers Persons, as Trustees for the said Hospital, in order to form a Fund the Interest and Dividends whereof should be applied to the Board, Maintenance, and Lodging within the said Hospital of certain poor Persons admitted as Patients into the said Hospital with Diseases or Hurts which are subsequently declared incurable, and such Incurables were to be boarded, maintained, and lodged as long as they should live, unless they should be so recovered as to be able to work for their Living, of which the Medical Officers of the said Hospital were to be the Judges, or unless it should appear that they had a Competency to maintain themselves without the Assistance of the Charity, and such Fund is called the "Incurable Fund," and now consists of Nineteen thousand Pounds Three *per Centum* Reduced Bank Annuities, and of the Sum of Two thousand four hundred and ninety-eight Pounds Five Shillings and Nine-pence due from the general Funds of the said Hospital to the said Incurable Fund, and which Sum of Two thousand four hundred and ninety-eight Pounds Five Shillings and Nine-pence has arisen from the Accumulation of the Interest and Dividends of the said Incurable Fund, after retaining thereout the Costs and Expences of the said incurable Patients: And whereas the said Hospital at the *Broad Sanctuary* aforesaid contains Nineteen Wards, and Two of such Wards will be required for the Accommodation of the incurable Patients to be maintained by the said Fund, one of such Wards for the Male Patients and the other for Female Patients: And whereas the said "Incurable Fund" ought to bear its Proportion of the Sums expended in building and fitting-up the said Hospital at the *Broad Sanctuary* aforesaid and in the Purchase Money for the Ground whereon the same stands, which together amount to the Sum of Thirty-nine thousand Pounds; be it therefore enacted, That the said "Incurable Fund" shall contribute the Sum of Four thousand

one hundred and five Pounds (being Two Nineteenth Parts of the said Sum of Thirty-nine thousand Pounds,) towards the said Sum of Thirty-nine thousand Pounds, in manner following, (that is to say,) in the first place, that the said Sum of Two thousand four hundred and ninety-eight Pounds Five Shillings and Nine-pence, so as aforesaid owing to the said "Incurable Fund" from the said General Fund, shall (together with the Interest and Dividends thereof) be retained by the said General Fund instead of being repaid to the said "Incurable Fund," and in the second place, such Amount of Stock wherein the said "Incurable Fund" is invested shall be sold out as will produce the Sum of One thousand six hundred and seven Pounds, or such an Amount of the said Stock wherein the said "Incurable Fund" is invested shall be transferred to the said General Fund as at the Market Price of Stock on the Day of such Transfer shall be equivalent to the said Sum of One thousand six hundred and seven Pounds Cash, and such Sum of One thousand six hundred and seven Pounds Cash or such Amount of Stock as aforesaid, with the Interest and Dividends thereof, shall go and be applied to make up such Contribution or Sum of Four thousand one hundred and five Pounds as aforesaid; and the Trustees of the said "Incurable Fund" are hereby released from seeing to the Application of such Sum of Two thousand four hundred and ninety-eight Pounds Five Shillings and Nine-pence, or One thousand six hundred and seven Pounds Cash, or of the Stock to be transferred in lieu of such last-mentioned Sum, or of the said Sum of Four thousand one hundred and five Pounds Cash, or any Part or Parts thereof respectively, and shall not be answerable for the Loss, Misapplication, or Nonapplication of the same respectively or of any Part thereof respectively.

XIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, and their respective Heirs, Executors, Administrators, Successors, and Assigns, (other than and except His most Excellent Majesty, His Heirs and Successors, in regard to the said Piece or Parcel of Ground, Hereditaments, and Premises at or near the *Broad Sanctuary* aforesaid, conveyed by the said herein-before in part recited Indenture of the Thirty-first of *August* One thousand eight hundred and thirty-two, and other than and except the respective Heirs, Executors, Administrators, and Assigns of the Right Honourable *Charles* Lord *Cadogan* deceased and *Justinian Ekins* deceased, and also other than and except the respective Heirs, Executors, Administrators, and Assigns of the said *Isaac Mills* deceased and *Frances* his Wife deceased, and also other than and except the Heirs, Executors, Administrators, and Assigns of the said *Henry Hatsell* deceased, and also other than and except the said Right Honourable *William Ponsonby* commonly called Viscount *Duncannon* and *William Dacres Adams*, and their Successors, Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, saving nevertheless out of this Exception their Rights under the said herein-before in part recited Indenture of the Thirty-first Day of *August* One thousand eight hundred and thirty-two,) all such Estate, Right, Title, Trust, Interest, Claim, and Demand whatsoever in, to, or out of or upon the said Hospital and Pieces of Ground at or near the *Broad Sanctuary* and *James Street* aforesaid, or any of them, or any Part thereof, as they or any of them had before the passing of this Act or could or might have had if this Act had not been passed.

General
Saving.

[Local.]

6 F

XV. And

For paying
the Expences
of the Act.

XV. And be it further enacted, That the Costs, Charges, and Expences attending or incident to the obtaining and passing of this Act shall be paid by the Treasurers of the said Corporation hereby created, out of the Money already received or hereafter to be received by the said Treasurers.

Public Act.

XVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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