



# Greenwich Hospital Act 1865

## 1865 CHAPTER 89

### *Property*

#### **22 As to Transfer of Real Property.**

All Lands which at the Commencement of this Act are by virtue of any Act of Parliament or Letters Patent, or otherwise, settled on or vested in or held by or in trust for the Commissioners of *Greenwich Hospital*, shall thenceforth, by virtue of this Act, remain and be settled on and vested in the Admiralty for the Time being for such Estate or Interest as at the Commencement of this Act the Commissioners of *Greenwich Hospital* have therein.

#### **23 Lands to be held for Benefit of Hospital and subject to this Act and 27 & 28 Vict. c.57.**

All Lands vested in the Admiralty by virtue of this Act shall go to and be held by the Lord High Admiral for the Time being or the Commissioners for the Time being for executing the Office of Lord High Admiral, in succession, in trust for Her Majesty, Her Heirs and Successors, for the exclusive Benefit of *Greenwich Hospital* ; and, subject thereto and to the other Provisions of this Act, the same shall be held in the same Manner, and with, under, and according to the same Powers, Restrictions, and Provisions, as Lands vested in the Admiralty under The Admiralty Lands and Works Act, 1864.

#### **24 Quitrents, &c. for Lands.**

Lands vested in the Admiralty by virtue of this Act shall continue subject to any Quitrents, Crown Rents, and Duchy Rents to which the same are respectively liable, as if this Act had not been passed.

#### **25 Services of Tenants.**

On the Death of every successive Queen or King of this Realm, and at all other customary Times, all such Acts and Services shall be done and performed, and all

such Fines and Sums of Money shall be paid, by the Tenants of the Lands vested in the Admiralty by virtue of this Act, as by ancient Tenure, or by any Contract, Law, or Custom, or otherwise, have been or ought to be done, performed, and paid by them, and as if this Act had not been passed; and on their Default the same Forfeitures and Penalties shall accrue as would have accrued if the said Lands were vested in Her Majesty, Her Heirs and Successors, individually and not in a political Capacity, and as if this Act had not been passed.

**26 Protection of existing Leases.**

Every Lease made before the Commencement of this Act of Lands of *Greenwich* Hospital shall be as valid and binding in favour of and against the Admiralty as if the Admiralty had been therein named as the Lessors.

**27 Payment of Rents and Profits into Bank.**

The Rents and Profits of the Lands vested in the Admiralty by virtue of this Act shall, as and when received, be paid, without Deduction, into the Bank of *England*, to the Cash Account of Her Majesty's Paymaster General, who shall keep in his Books a separate Account to be called The *Greenwich* Hospital Income Account, and shall carry thereto the Sums so paid in.

**28 Expenses of Management, &c.**

The Expenses of Management of the Lands vested in the Admiralty by virtue of this Act, and all necessary and proper Outgoings in respect thereof, shall be defrayed, under the Direction of the Admiralty, out of the Money for the Time being standing to the Credit of the *Greenwich* Hospital Income Account.

**29 Restrictions on leasing.**

The Power of the Admiralty to make Leases of any of the Lands vested in them by virtue of this Act shall be exercised subject and according to the following Restrictions and Provisions :

First, The Term of an Agricultural Lease shall not exceed Twenty-one Years, of a Building Lease Ninety-nine Years, and of a Mining Lease Forty-two Years :

Secondly, Every Lease shall take effect in Possession and not in Reversion, and there shall be reserved thereby the best yearly Rent, to be incident to the immediate Reversion, that can reasonably be gotten; and a Fine or anything in the Nature thereof shall not be taken :

Thirdly, There shall be contained in every Lease a Condition of Re-entry for Nonpayment of Rent:

Fourthly, The Lessee shall execute a Counterpart of every Lease, and shall thereby covenant for Payment of the Rent thereby reserved:

Fifthly, In the Case of an Agricultural or Building Lease, the Lessee shall not be made dispunishable for Waste :

Sixthly, In the Case of a Building Lease a Rent smaller than the Rent ultimately payable may be reserved for all or any Part of the first Five Years of the Term :

Seventhly, In the Case of a Mining Lease, Rent may be reserved by way of Toll, Duty, Royalty, or Reservation, by the Acre, the Ton, or otherwise.

**30 Power to make free Grants 'of Land for Places of Worship, &c.**

The Admiralty, with the Approval of Her Majesty in Council, may from Time to Time make free Grants of Land Part of the Lands vested in them by virtue of this Act, and Grants of Money, for the Erection of Buildings and providing Conveniences for Places of Worship, Residence of Ministers, Education of Children, or other public Purposes (so that any such Grant of Land do not include any Right to the Minerals under the Land granted, or comprise more than Two Acres in any One Parish).

**31 As to Purchase Money of Land sold.**

Any Purchase Money paid to Her Majesty's Paymaster General in respect of any Part of the Lands vested in the Admiralty by virtue of this Act no longer required to be held by the Admiralty for the Benefit of the Hospital, and accordingly sold by them under the Powers of The Admiralty Lands and Works Act, 1864, as applied by this Act, shall be carried by him to an Account to be called The *Greenwich* Hospital Capital Account.

**32 Transfer of Stock.**

On or as soon as may be after the Commencement of this Act the Governor and Company of the Bank of *England* shall, .on Requisition in Writing from the Admiralty, cause all Bank Annuities then standing in the Books of the Governor and Company of the Bank of *England* in the Names of the Commissioners of *Greenwich* Hospital to be transferred to an Account to be called The Account of the Lord High Admiral or Commissioners of the Admiralty for the Time being *ex parte Greenwich* Hospital, and the same shall belong to the Admiralty on behalf of Her Majesty for the exclusive Benefit of *Greenwich* Hospital.

**33 Payment of Dividends.**

The Governor and Company of the Bank of *England* shall from Time to Time, under the Direction of the Admiralty, place to the Cash Account of Her Majesty's Paymaster General the Dividends for the Time being accrued due in respect of the Bank Annuities held by the Admiralty for the Benefit of *Greenwich* Hospital (inclusive of any such Dividend accrued due but not paid before the Commencement of this Act), and the same shall be carried to the *Greenwich* Hospital Income Account.

**34 Transfer of Cash Balances.**

On the Commencement of this Act the Governor and Company of the Bank of *England* shall transfer any Cash Balance then standing in their Books belonging to the Commissioners of *Greenwich* Hospital to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the *Greenwich* Hospital Income Account.

**35 Transfer of other Personal Property.**

All Personal Property not in the foregoing Provisions specified belonging to the Commissioners of *Greenwich* Hospital is hereby vested in Her Majesty and Her Successors, for the exclusive Benefit of *Greenwich* Hospital.

**36 Payment of other Income.**

All Income not in the foregoing Provisions specified arising from Property held for the Benefit of *Greenwich* Hospital, or otherwise accruing to the Hospital, shall be paid into the Bank of *England* to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the *Greenwich* Hospital Income Account.

**37 Not to affect Sect. 2 of 4 & 5 W.4 c.34 as to Charge on Consolidated Fund.**

Nothing in this Act shall affect the Provisions of Section Two of the Act of the Session of the Fourth and Fifth Years of the Reign of King *William* the Fourth (Chapter Thirty-four), " to repeal the " Laws relating to the Contribution out of Merchant Seamen's " Wages towards the Support of the Royal Naval Hospital at " *Greenwich*, and for supplying other Funds in lieu thereof," whereby there is annually charged upon the Consolidated Fund of the United Kingdom the Sum of Twenty thousand Pounds, save only that after the Commencement of this Act that Sum shall be carried to the *Greenwich* Hospital Income Account, instead of being paid to the Commissioners of *Greenwich* Hospital.

**38 Conversion of Stock, &c.**

The Admiralty may from Time to Time, with a view to the Execution of any of the Purposes of this Act, or to a Change of Investment, convert into Money any Bank Annuities, Stocks, Funds, or Securities for the Time being held by them for the Benefit of *Greenwich* Hospital, and all such Money shall be paid into the Bank of *England* to the Cash Account of Her Majesty's Paymaster General, who shall carry the same to the *Greenwich* Hospital Capital Account.

**39 Transfers between Capital and Income Accounts.**

Her Majesty's Paymaster General shall from Time to Time, under the Direction of the Admiralty, carry over such Sums as Circumstances require from the *Greenwich* Hospital Income Account to the *Greenwich* Hospital Capital Account, and vice versa.

**40 Change of Investment and Purchase of Lands.**

The Admiralty may from Time to Time lay out or invest any Cash standing to the *Greenwich* Hospital Capital Account in the Purchase of any Bank Annuities, or in or on any Stocks, Funds, or Securities the Principal or Interest whereof is charged on or payable, by way of Guarantee or otherwise, out of the Revenues of the United Kingdom or of India, or on Mortgage of Freehold Lands in the United Kingdom, or, with the Approval in each Instance of the Commissioners of Her Majesty's Treasury, in or on any other Stocks, Funds, or Securities, or, with the like Approval, in the Purchase of Lands.

**41 27 & 28 Vict. c.57 to apply to this Act.**

The Provisions of The Admiralty Lands and Works Act, 1864, shall apply to and for the Purposes of every such Purchase of Lands.

**42 Vesting of Lands purchased.**

Lands so purchased shall be assured to the Admiralty, and the same shall go and be held in the same Manner, and with, under, and according to the same Powers, Restrictions, and Provisions, as the Lands vested in the Admiralty by virtue of this Act.

**43 Devises, &c. for Hospital.**

Any Person may, notwithstanding any Statute passed or to be passed restraining Alienation in Mortmain or Dispositions for Charitable Uses, by Deed or Testamentary Writing, grant, give, or appoint any Property for any Estate or Interest for which he is empowered to dispose thereof, to be held for the Benefit of *Greenwich* Hospital; and the same (according to the Nature and Quality of such Property) shall accordingly be held as the Lands vested in the Admiralty by virtue of this Act are held, or as Personal Property by this Act vested in Her Majesty and Her Successors, for the Benefit of *Greenwich* Hospital, is held.

**44 Sale of Advowsons to be arranged similar to those contained in 26 & 27 Vict. c.120.**

The Admiralty shall sell and convey the Advowsons of and Rights of Presentation to the Benefices and Perpetual Curacies belonging to *Greenwich* Hospital, discharged from the Provisions of any Act of Parliament relative thereto other than this Act, and subject and according to the Provisions of a Scheme to be prepared by the Admiralty with the Advice and Assistance of the Ecclesiastical Commissioners for *England*, and to be approved by Her Majesty in Council, the Arrangements made by such Scheme to be as nearly as Circumstances admit similar to the Arrangements contained in The Lord Chancellor's Augmentation Act (1863), subject to the following Provisions :

- (1) One Moiety of the Purchase Money received on any such Sale shall be applied to the Creation and Maintenance of a Fund for the Benefit of Retired Naval Chaplains, the Mode of Creation and Maintenance of the Fund and the Application thereof to be from Time to Time determined by Order in Council:
- (2) The other Moiety of the Purchase Money shall be applied to the Augmentation of the Income of any of the said Benefices and Perpetual Curacies in manner prescribed by any such Scheme :

The Draft of any such Scheme shall be laid before both Houses of Parliament One Month at least before the Scheme is submitted for the Approval of Her Majesty in Council.

**45 Marked Stores to be deemed Naval Stores as in 27 & 28 Vict. c.91.**

The following Mark may be applied in or on Stores used or intended to be used for the Purposes of *Greenwich* Hospital, to denote Her Majesty's Property in Stores so marked, namely,—an Anchor, surmounted with a Naval Crown, with Two Flags over the Crown, and the Letter G on one Side, and the Letter H on the other Side; and Stores used or intended to be used as aforesaid shall be deemed Naval Stores within the Meaning of The Naval and Victualling Stores Act, 1864, and that Act shall apply thereto as if the Mark in the present Section described were described in the Schedule to that Act; and that Act shall apply to all Stores so marked before the Commencement of this Act becoming by virtue of this Act the Property of Her Majesty.

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*Status: This is the original version (as it was originally enacted).*

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**46 Comptroller of Hospital Estate.**

There shall be an Officer styled The Comptroller of the *Greenwich*, Hospital Estate, who shall be appointed by the Admiralty on behalf of Her Majesty, and shall hold Office during the Pleasure of the Admiralty, and shall have the general Superintendence, under the Direction of the Admiralty, of the Lands and other Property held for the Benefit of the Hospital.