



CHAPTER lvi.

An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called or known as Henry Lucas's Hospital at Wokingham in the County of Berks. A.D. 1923.
[18th July 1923.]

WHEREAS the Charity Commissioners in their report to His Majesty of their proceedings during the year one thousand nine hundred and twenty-two reported that they had approved and certified a scheme for the application or management of the Charity called or known as Henry Lucas's Hospital at Wokingham in the county of Berks founded by will dated eleventh June one thousand six hundred and sixty-three and regulated by letters patent dated eighteenth January 18 Car. II. :

And whereas it is expedient that the scheme as the same is fully set out and defined in the schedule to this Act should be confirmed :

Be it therefore 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 as follows :—

1. The said scheme is hereby confirmed Provided Confirmation of scheme.
always that nothing in this Act or in the said scheme shall be held to interfere with the ordinary jurisdiction over endowed charities now exerciseable or hereafter to become exerciseable by the High Court of Justice and the Charity Commissioners.

2. This Act may be cited as the Lucas's Hospital Short title.
Charity Scheme Confirmation Act 1923.

[Price 6d. Net.]

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SCHEDULE.

Scheme for the application or management of the Charity called or known as Henry Lucas's Hospital at Wokingham in the County of Berks founded by Will dated 11th June 1663 and regulated by Letters Patent dated 18th January 18 Car. II.

1. *Administration of Charity.*—The above-mentioned Charity and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the said Charity shall be administered and managed subject to and in conformity with the provisions of this scheme under the title of Henry Lucas's Hospital by the body corporate called the Master and Wardens and Brethren and Sisters of the Guild or Fraternity of the Blessed Mary the Virgin of the Mystery of Drapers (hereinafter called "the Corporation") who shall be the Trustees of the Charity.

2. *Interpretation.*—In this scheme unless the context otherwise requires the expression "the beneficial area" means the Forest of Windsor in the county of Berks and the bailiwick or reputed bailiwick of Surrey in or near the forest as constituted at the date of the above-mentioned letters patent and shall include the following ancient parishes namely Chobham Chertsey Bisley Pyrford Wanborough Egham Frimley Bagshot Stoke-next-Guildford Thorpe Pirbright Worplesdon Byfleet Woking Horsell Wokingham Parish Arborfield Wokingham Town Finchhampstead New Windsor Easthampstead Clewer Old Windsor Barkham Binfield Hurst Bray Sandhurst Winkfield Swallowfield and Sunninghill.

3. *Dissolution of Corporation.*—The Corporation of the Master and Brethren of the Hospital of Wokingham otherwise Okeingham of the foundation of Henry Lucas Esquire deceased constituted by the said letters patent is hereby dissolved.

4. *Vesting.*—Any freehold or leasehold lands and hereditaments comprised in this scheme are hereby vested in "The Official Trustee of Charity Lands" for all the estate and interest therein belonging to or held in trust for the Charity.

5. *As to Stock and Cash.*—The sum of 6440*l.* 6*s.* 1*d.* Consols specified in the schedule hereto shall be transferred under the authority of a further Order of the Charity Commissioners into the name of "The Official Trustees of Charitable Funds" and all sums of cash now or at any time belonging to the Charity and not needed for immediate working purposes shall (unless otherwise ordered) as soon as possible be invested under the like authority in the name of the said Official Trustees.

6. *Paymaster.*—The Corporation may from time to time appoint their clerk or some other person to be the paymaster of the Charity. A.D. 1923.
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MANAGEMENT OF REAL PROPERTY.

7. *Allotments Extension Act 1882.*—The Corporation may set apart and let in allotments in the manner prescribed by and subject to the provisions of the Allotments Extension Act 1882 any portion of the land belonging to the Charity other than buildings and the appurtenances of buildings.

8. *Management and Letting of Property.*—Subject as aforesaid all the property of the Charity not required to be retained or occupied for the purposes thereof shall be let and otherwise managed by the Corporation. In every case public notice of the intention to let any land or other property shall be given by the Corporation in such manner as they consider most effectual for ensuring full publicity. The Corporation shall not create any tenancy in reversion after more than 3 years of any existing term or for more than 21 years certain or for less than the improved annual value at rackrent without the sanction of the Charity Commissioners or a competent court.

9. *Leases.*—The Corporation shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof and every lease shall contain covenants on the part of the lessee for the payment of rent and the proper cultivation of the land and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.

APPLICATION OF INCOME &C.

10. *Repairs to Hospital Buildings.*—The Corporation having undertaken to provide out of their corporate funds the moneys necessary (a) for making the hospital buildings belonging to the Charity suitable for the accommodation of not more than seven married couples and (b) for keeping such buildings in repair all moneys so provided shall be so applied provided always that the obligation to provide moneys for such repairs shall only continue during such period as the Corporation shall be the Trustees of the Charity.

11. *Expenses of Management.*—The cost of repairs (subject as aforesaid) and insurance and all other charges and outgoings payable in respect of the property of the Charity and all the proper costs charges and expenses of and incidental to the administration and management of the Charity (including such salary or other remuneration for the paymaster as may from time to time be approved by the Charity Commissioners) shall be first defrayed by the Corporation out of the income thereof.

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A.D. 1923. 12. *Benefit of Almspeople.*—Subject to the payments aforesaid the yearly income of the Charity shall be applied by the Corporation for the benefit of the almspeople of the Charity as hereinafter prescribed.

HOSPITAL BUILDINGS AND ALMSPEOPLE.

13. *Hospital Buildings.*—The hospital buildings belonging to the Charity and the property heretofore occupied therewith shall (subject as hereinafter mentioned) be appropriated and used for the residence of the almspeople in conformity with the provisions of this scheme.

14. *Absence from Hospital Buildings.*—No almsperson shall be absent from the hospital buildings for a period exceeding 24 hours without the consent in writing of the Corporation or the paymaster but in special cases such consent may for any sufficient reason be given retrospectively after the absence has occurred.

15. *Rooms not to be let.*—No almsperson shall be permitted to let or part with the possession of the room or rooms allotted to him or her or except with the special permission of the Corporation to suffer any person to share the occupation of the same or of any part thereof.

16. *Chaplain.*—There shall be a chaplain to the Charity who shall be appointed by and hold office during the pleasure of the Corporation and shall be paid out of the income of the Charity a salary not exceeding 50*l.* a year. The chaplain shall be an ordained minister of the Church of England. The duties of the chaplain shall be to read at least one full service in the chapel attached to the hospital buildings on every Sunday Good Friday and Christmas Day and to pay occasional visits to the almspeople and particularly during sickness.

17. *Medical Practitioner &c.*—The Corporation may if they think fit appoint subject to dismissal at their pleasure a duly qualified medical practitioner to attend the almspeople in case of illness and may pay to him out of the income of the Charity a salary not exceeding 20*l.* a year. The Corporation may provide the almspeople at the cost of the Charity with any necessary attendance in case of illness or permanent infirmity.

18. *Master or Matron and Nurse.*—The Corporation may if they think fit whenever the income of the Charity suffices for the purpose appoint a master or matron and a nurse dismissable at their pleasure to perform such duties as may be necessary for the superintendence and care of the almspeople at a salary not exceeding in each case 3*l.* a week and may allot to such master or matron or nurse a room or rooms in the hospital buildings as a residence while he or she holds office.

19. *Saving for existing Almspeople.*—Appointments of almspeople under this scheme shall be made without prejudice to the interests of the existing almspeople.

20. *Qualifications of Almspeople.*—The almspeople shall subject as hereinafter provided with respect to single almspeople be married couples both of whom possess the following qualifications They shall be poor persons of good character who (except in special cases to be approved by the Charity Commissioners) have resided in the beneficial area for not less than two years next preceding the time of their appointment who are not at the time of their appointment in receipt of Poor-law relief other than medical relief and who from age ill-health accident or infirmity are wholly or in part unable to maintain themselves by their own exertions.

21. *Single Almspeople.*—In the case of the death or removal of one of a married couple of almspeople the Corporation may permit the other to become a single almsperson of the Charity or in any special cases the Corporation may with the approval of the Charity Commissioners appoint a person who has no wife or husband living but is otherwise qualified to be a single almsperson of the Charity.

22. *Stipends of Almspeople.*—There shall be paid to the almspeople out of the income of the Charity by weekly or other periodical payments as the Corporation think fit such a stipend being at the rate of not less than 15s. a week and not more than 20s. a week in the case of a married couple of almspeople and not less than 10s. a week and not more than 15s. a week in the case of a single almsperson as the Corporation may from time to time fix having regard to the needs and circumstances of the respective almspeople and to the income and other circumstances of the Charity Provided that—

- (1) The Corporation instead of paying the whole amount of the stipend to any married couple of almspeople or to any almsperson in money may from time to time expend the whole or any portion thereof for their his or her benefit as they think fit;
- (2) In the case of a person appointed or qualified to be appointed as an almsperson possessing or becoming possessed of a properly secured income from other sources or in receipt of assistance from relations or others the Corporation may fix such a smaller stipend to be payable out of the income of the Charity as they think fit provided that the total income of the married couple of almspeople or single almsperson shall not be less than the prescribed minimum.

23. *Payment of Stipends and Conduct of Inquiries.*—The paymaster or some other person appointed by the Corporation

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A.D. 1923. — for the purpose shall pay the stipends to the almspeople and conduct any inquiries with regard to them and to applicants for appointment.

24. *Appointments of Almspeople.*—Every appointment of an almsperson shall be made by the Corporation as soon as conveniently may be after an interval of one month from the occurrence of the vacancy to be filled up allowing a reasonable time for inquiries as to the applicants. Provided always that a vacancy need only be filled up if and so far as the income of the Charity shall permit.

25. *Selection of Almspeople.*—The almspeople shall be selected under the following conditions :—

- (1) After full investigation of the character and circumstances of the applicants and inquiry whether they have shown reasonable providence and whether and to what extent they may reasonably expect assistance from relations or others.
- (2) Where claims are equal preference shall be given to those applicants who have been longest resident in the beneficial area.

For the purposes of this clause the Corporation may avail themselves of the agency of any Charity Organisation Society or other like agency.

26. *Register.*—The Corporation shall provide and keep a book in which shall be entered the name age and description of every person appointed to be an almsperson the date of every appointment and the date and occasion of every vacancy. They shall also keep a register of all applications for appointment.

27. *Removal of Almspeople.*—(1) The following persons shall be removed from being almspeople :—

- (a) Any almsperson who receives Poor-law relief other than medical relief ;
- (b) Any almsperson detained under lawful authority as a person suffering from mental disease ;
- (c) Any almsperson becoming an inmate of any Poor-law institution for the purpose of receiving medical relief.

(2) If in the opinion of the Corporation any almsperson is guilty of insobriety insubordination breach of regulations or immoral or improper conduct or is disqualified for retaining his or her appointment by having become entitled to a sufficient income from sources other than the Charity or on account of mental or other disease or from any other cause or if in any case it appears that any almsperson has been appointed without having the required qualifications the Corporation upon proof thereof to their satisfaction may remove the almsperson.

(3) Upon the removal of any almsperson the Corporation shall subject as hereinbefore provided with respect to single almspeople take possession of the tenement or room occupied by him or her and may proceed to fill the vacancy.

(4) In any case of such misconduct as aforesaid by any married couple or by one of such couple or by any single almsperson the Corporation may suspend such married couple or single almsperson from the receipt of any stipend from the Charity either wholly or in part during such time as they think fit.

(5) Any almsperson removed under head (b) or (c) of section (1) of this clause or on account of mental or other disease under section (2) of this clause may on recovery be re-appointed and need not possess the qualifications as to residence and non-receipt of Poor-law relief.

28. *Regulations.*—The Corporation may from time to time prescribe such reasonable regulations as they consider expedient for the government of the almspeople provided that the same shall not be at variance or inconsistent with any of the provisions of this scheme and by such regulations may provide that the almspeople shall render such assistance to each other and to the master or matron and nurse as is within their power.

GENERAL PROVISIONS.

29. *Accounts.*—All proper accounts in relation to the Charity shall in each year be made out and certified in such manner as the Charity Commissioners require and copies thereof shall be transmitted to the said Commissioners and published in conformity with the provisions of the Charitable Trusts Acts.

30. *Alteration of Scheme.*—The Charity Commissioners may from time to time in the exercise of their ordinary jurisdiction establish schemes for the alteration of any of the provisions of this scheme as if those provisions had been made by the founder in the case of a Charity having a founder.

31. *Questions under Scheme.*—Any question as to the construction of this scheme or as to the regularity or the validity of any acts done or about to be done under this scheme shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

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SCHEDULE OF PROPERTY.

| Description. | Income. | | |
|--|---------|----|----|
| | £ | s. | d. |
| The Hospital buildings and gardens at Wokingham containing 1A. 2R. 27P. | — | — | — |
| Two cottages and land containing 2R. 25P. in the parish of Harlington in the county of Bedford let to B. J. H. Forder for 99 years from 1895 | 10 | 0 | 0 |
| 6,440 <i>l.</i> 6 <i>s.</i> 1 <i>d.</i> Consols held by the Drapers' Company | 161 | 0 | 4 |
| 2,282 <i>l.</i> 3 <i>s.</i> 6 <i>d.</i> Consols held by "The Official Trustees of Charitable Funds" | 57 | 1 | 0 |
| 7,201 <i>l.</i> 17 <i>s.</i> 1 <i>d.</i> 5 per cent. War Stock 1929-47 held by the said Official Trustees | 360 | 1 | 10 |

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