



ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

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## Cap. 8.

An Act for *Charles Sheils' Almshouses Charity.*

[25th July 1864.]

**W**HEREAS *Charles Sheils*, then of *Mount Vernon Road, Liverpool*, in the County of *Lancaster*, Merchant, by his last Will in Writing, dated the Fourteenth Day of *February* One thousand eight hundred and forty-six, and duly executed and attested, appointed *George McBride* (since deceased), *Willoughby Chaplin Newton* of *Dublin*, Gentleman, and the Testator's Wife (since deceased) to be Trustees and Executors and Executrix of his Will, and after a Devise of a Messuage and Hereditaments to his Wife, and a Bequest to her of Chattels and a Sum of Money, he gave, devised, bequeathed, and appointed all the Real and Personal Estates and Property which at the Time of his Decease he should have Power to dispose of, and not therein-before specifically disposed of, unto his said Trustees and Executors and Executrix, their Heirs, Executors, Administrators, and Assigns respectively, upon the Trust therein-after declared, and after authorizing his Trustees to sell and convert into Money his Residuary Real and Personal Estates, and to continue for such Time as they should think fit any Investment of any Part of his Personal Estate which should be subsisting at his Decease, although the same might not be of such Investment as they would be authorized to make, and to invest the Monies arising from

Will of  
Charles  
Sheils, 14th  
Feb. 1846.

[*Private.*]

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his Residuary Real and Personal Estates upon Government, Parliamentary, or Real Security in *England, Wales, Ireland, or Scotland*, with Power from Time to Time, at their absolute Discretion, to vary the Investments of all or any Part of his Residuary Estates, and after giving divers pecuniary Legacies, and expressing his Desire that the same, with his Debts and Funeral Expenses, should be paid out of the Produce of his *English* Railway Shares and Hotel Stock, and giving divers Life Annuities, and directing that the same should be secured by setting apart out of his general Estate, exclusive of *English* Railway Shares or the Proceeds thereof, a competent Sum to produce each Annuity, and on the Decease of each Annuitant the Sum so set apart to secure his or her Annuity to form Part of the Charitable Fund therein-after designated "My General Charitable Fund," and forgiving a Debt, his Will proceeded as follows; (that is to say,)

" And as to all my *English* Railway Stock and other Property  
 " of like Nature, and Proceeds thereof respectively, not herein-  
 " before disposed of, in case the same shall not be lawfully appli-  
 " cable to charitable Purposes in *Ireland* under my Will, upon  
 " trust to pay or transfer the same unto my Wife for her absolute  
 " Use and Benefit, which Payment or Transfer I direct to be made  
 " to her in the full Confidence that she will employ the same in  
 " aid of the other Part of my Residuary Estates herein-after  
 " directed to be employed for charitable Purposes in *Ireland*, but  
 " without intending to impose any Obligation upon her so to  
 " employ the same; and as to the Produce or Surplus of such  
 " Parts of my Residuary Estates as may lawfully be given or  
 " bequeathed to the charitable Purposes herein-after mentioned  
 " (which Produce or Surplus is herein-after called 'My General  
 " Charitable Fund'), I direct that my Trustees or Trustee shall  
 " be possessed thereof and of the Income therefrom upon the  
 " Trusts herein-after declared: Wishing to rescue a few of the  
 " Thousands of destitute Persons scattered over almost all the  
 " Towns and Villages in *Ireland*, I purpose building Almshouses  
 " as far as the Balance of my Property and the Amount of Prin-  
 " cipal Monies to secure the said Annuities as they fall in will  
 " extend, first, to relieve as many as I can of those who from their  
 " former Lives are entitled to a better Provision in old Age than  
 " the Workhouse, and, secondly, with the Hope (should my  
 " Scheme work as well as I expect it will do) that this little Move  
 " may be followed by others, who even at this Moment are anxious  
 " to assist the poor People, but find a Difficulty in knowing how it  
 " can be accomplished. This is not a Time or Place to go into  
 " a List of Grievances, and well known to all; the Subject,  
 " however, must soon force itself upon those who have the Power  
 " of granting Redress, and once fairly taken up in proper Spirit  
 " great Good must be the Result. A starving People never can be  
 " contented,

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“ contented, nor can a Country ever thrive or prosper where so  
 “ large a Mass of its Inhabitants is placed so near the withering  
 “ Point of Destitution. The Landlord and Tenant Commissioners,  
 “ who are good Authority, say ‘they are badly fed, badly housed,  
 “ badly clothed, and badly paid for their Labour; Potatoes their  
 “ only Food, and Water their only Drink;’ in a Word they have  
 “ not had Justice done to them, and much is due to this im-  
 “ poverished Race; but I trust in God the Day is not far distant  
 “ when several friendly Hands will be held out to a People deserv-  
 “ ing better, and who will be found grateful when justly and  
 “ kindly treated. But to return to the immediate Subject of my  
 “ Will, I now, in the beautiful Language of the late Mr. *Barrett*  
 “ of *Trinity College, Dublin*, beseech all you who may from Time  
 “ to Time take a Part in carrying out my Wishes herein expressed,  
 “ ‘to have the Divine Power only before your Eyes, and to execute  
 “ the Trusts reposed in you without Favour or Partiality.’ And  
 “ first of the *Killough Almshouses*; I intend commencing with the  
 “ Village or Town of *Killough* aforesaid, containing about One  
 “ thousand two hundred to One thousand four hundred Inhabi-  
 “ tants, the great Majority of whom are miserably poor, requiring  
 “ Assistance, and several others in a State of absolute Destitution.  
 “ I direct my Trustees or Trustee, out of my General Charitable  
 “ Fund, as soon as conveniently may be after my Decease, having  
 “ regard to the Means of Endowment as well as of Building, to  
 “ purchase or to procure a Lease or Leases for Lives or Years,  
 “ renewable for ever, of the Ground whereon the Dwelling House  
 “ and Premises formerly occupied by my Father in *Killough*  
 “ aforesaid stood, with the Field attached thereto, containing Two  
 “ *Irish Acres*, and also of the House and Premises adjoining  
 “ thereto on the South, or so much thereof as my Trustees or  
 “ Trustee shall deem requisite for the Purposes herein-after  
 “ expressed. I have from Time to Time been in communication  
 “ with the Representatives of the late Lord *Bangor*, and I have  
 “ always been treated by them, in reference to the Site of my pro-  
 “ posed Almshouses, with the greatest Kindness and Considera-  
 “ tion, and I have been led to hope that on the coming of Age of  
 “ the present Lord *Bangor* the Site for the Almshouses and the  
 “ Couple of Acres of Land to which I have above referred would  
 “ be granted on most liberal Terms. Having the utmost Confi-  
 “ dence in the Honour and Liberality of Character of all the  
 “ Parties referred to, I indulge the Expectation that the Promises  
 “ held out to me personally will be extended to my Trustees.  
 “ However, in case my Trustees or Trustee should not be able to  
 “ purchase or procure a Lease of the said Premises formerly occu-  
 “ pied by my Father, and the said Premises on the South thereof,  
 “ or either of them, on reasonable Terms, or for any Reason should  
 “ think

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“ think it expedient to select any other Ground and Premises in  
 “ *Killough* for the Purposes herein-after mentioned, then to pur-  
 “ chase or procure a Lease or Leases for Lives or Years, renewable  
 “ for ever, of such and so much Ground in *Killough* aforesaid as  
 “ they, he, or she shall deem fit and proper for the Purposes  
 “ herein-after mentioned. But in case I should have purchased or  
 “ procured a Lease of any Ground in *Killough* aforesaid in my  
 “ Lifetime, sufficient for the Purposes herein-after mentioned, I  
 “ give and devise the same unto my said Trustees, their Heirs,  
 “ Executors, Administrators, and Assigns, (according to the  
 “ Nature of my Estate therein,) upon trust to apply the same  
 “ to the Purposes herein-after mentioned, in lieu of purchasing or  
 “ taking a Lease of any other Land in *Killough*. And in case  
 “ I should have merely entered into a Contract for the Purchase  
 “ of or for a Lease of any such Land, then I authorize my  
 “ Trustees or Trustee to enforce and carry into effect such  
 “ Contract, or to vary, waive, or abandon the same, as they, he,  
 “ or she shall deem expedient. I direct my Trustees or Trustee,  
 “ upon the Ground in *Killough* which shall have been so pur-  
 “ chased or taken on Lease by them, him, her, or me as aforesaid,  
 “ to complete such Almshouses as I may have commenced (if  
 “ any), and to erect Almshouses so as to make (together with  
 “ such Almshouses as I may have commenced (if any) the Num-  
 “ ber of Twelve, Thirteen, or Fourteen Almshouses in all (accord-  
 “ ing to the Extent and Convenience of the Ground), each Alms-  
 “ house to have a separate Entrance from the public Road or Path,  
 “ and to be about Fourteen or Fifteen Feet in Breadth and Twenty  
 “ Feet or upwards in Length, and to be built in a neat, permanent,  
 “ and workmanlike Manner, with Two Floors, the Ground Floor  
 “ to be raised at least One Foot above the Level of the adjacent  
 “ Ground, and to contain a Sitting-room or Kitchen, with a  
 “ Scullery, and Place for Coals and Potatoes, and Cupboards,  
 “ Shelves, and other suitable Conveniences, with a Yard, Midden,  
 “ Pighouse, and Privy in the Rear, the Upper Floor to contain  
 “ Two Sleeping-rooms, one a little larger than the other, each  
 “ Sleeping-room to contain One good sized Bed and other suitable  
 “ Furniture, each House to be furnished, at the Expense of my  
 “ General Charitable Fund, with a good strong Table and Four  
 “ strong Chairs for the Sitting-room, also a good Dresser, with  
 “ strong Drawers underneath, so as to leave no Exeuse for Want of  
 “ Tidiness, or for Things lying about in a slovenly Manner, also  
 “ an Iron Bedstead and a neat small Fireplace for each Bedroom,  
 “ and also a good strong Coverlet for each Bed, such as will bear  
 “ scouring on every Change of Tenant. And I direct that a con-  
 “ venient Room shall be provided within the Almshouses or  
 “ attached thereto for the Use of the Superintendent, and as a  
 “ Place

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“ Place of Meeting for the local Managers. And I direct that a  
 “ Clock shall be purchased and set up at some convenient and  
 “ conspicuous Part at the Outside of the Almshouses. And after  
 “ the Houses are built, and provided with the necessary Yard  
 “ Room and Space for drying Clothes, I direct the Remainder of  
 “ the Ground to be formed into an Inclosure, railed in with Iron  
 “ Railings, and neatly laid out in Walks, Grass, and Clumps of  
 “ Evergreens, and Flowers, to be kept in good Order by the  
 “ Inmates of the Houses. After Payment of the Expenses of and  
 “ incident to Execution of the Trusts aforesaid, I direct my  
 “ Trustees or Trustee to pay, by such Instalments as may be  
 “ required, to the local Managers of the *Killough* Almshouses, to  
 “ be apportioned in manner herein-after mentioned, the Sum of One  
 “ hundred Pounds, to be applied by such local Managers in giving  
 “ a good Outfit of Clothing and Household Goods and Utensils  
 “ to such Applicants as may be chosen for the first Inmates of the  
 “ said Almshouses, and to other Persons who may from Time to  
 “ Time be chosen as Inmates, until the whole Sum of One hundred  
 “ Pounds is exhausted. I direct my Trustees or Trustee to set  
 “ apart out of my Charitable Fund the further Sum of One  
 “ hundred Pounds, to be invested at Interest, the Principal to be  
 “ retained as a reserved Fund for the Purpose of repairing any  
 “ extraordinary Damage by Tempest or otherwise which the said  
 “ *Killough* Almshouses may sustain. And I direct that so long  
 “ as the said Sum of One hundred Pounds shall remain intact the  
 “ Interest thereof shall be applied in addition to the Sum of Fifty  
 “ Pounds next herein-after mentioned. And I direct that if the  
 “ said Principal Sum be diminished by such extraordinary Repairs,  
 “ then the Interest on the remaining Principal Sum shall be applied  
 “ in augmentation thereof until the same shall again amount to  
 “ One hundred Pounds. And, besides the Sum of One hundred  
 “ Pounds for general Outfit, I direct the Trustees or Trustee of  
 “ my Will to pay to the local Managers of the said *Killough*  
 “ Almshouses the Sum of Fifty Pounds yearly, to be applied by  
 “ them in providing an Outfit for such Persons as may from Time  
 “ to Time be chosen Inmates of the said Almshouses after the said  
 “ gross Sum of One hundred Pounds is expended, and the Residue  
 “ of the said yearly Sum of Fifty Pounds, together with all Fines,  
 “ Contributions, and Rents received from the Inmates, under the  
 “ Rules for Management herein-after contained, or otherwise, and  
 “ the Rent, if any, arising from the Land belonging to the *Killough*  
 “ Almshouses, and also the Interest to arise from the Sum of One  
 “ hundred Pounds directed to be invested and retained for any  
 “ extraordinary Repair, are to be applied in the Payment of Rent  
 “ or Renewal Fines, if any, for the Land so to be taken as afore-  
 “ said, and, in keeping the Property in good Repair and insured  
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“ against Fire, and in supplying the Room for the Use of the  
 “ Superintendent and as the Place of Meeting of the local  
 “ Managers with proper Furniture, and with Coals and Candles,  
 “ and with Account Books and Stationery, and in printing from  
 “ Time to Time Copies of so much of my Will as relates to the  
 “ Almshouses, and the Rules and Regulations herein contained  
 “ for the Management of the same, and to be annexed thereto, on  
 “ a large Sheet (so as to show the same at One View), the Scheme  
 “ I have herein-after drawn up for the Occupation of the Alms-  
 “ houses, such printed Copies to be used and distributed in such  
 “ Manner as the local Managers of the *Killough* Almshouses  
 “ shall judge best to promote the Objects I have herein set forth,  
 “ and also in paying small Premiums to such of the Inmates of  
 “ the Almshouses as shall keep their Persons and Dwellings most  
 “ tidy; and if there should be any Residue of the Sums last  
 “ mentioned after answering the Purposes aforesaid, such Residue  
 “ is to be distributed by the said local Managers amongst such  
 “ Persons of sober and industrious Habits residing in or near to  
 “ *Killough* as may be destitute of Means of Support, or without  
 “ Relatives or Friends to assist them, or amongst such of the poor  
 “ Fishermen of *Killough*, or other poor Persons struggling for  
 “ Bread, as, although not altogether destitute, may be occasionally  
 “ in much need of a little Assistance to enable them to pursue  
 “ their Trade or Calling with Advantage. This is the Kind of  
 “ Assistance which many of the poor People are most in need of.  
 “ I think it well at all Times to encourage Industry in preference  
 “ to giving Alms. The Bread that is earned by Labour is the  
 “ sweetest. And furthermore, if the Fund of Fifty Pounds (and  
 “ Additions, if any,) should not have been exhausted on the above-  
 “ mentioned Objects, I would wish at *Christmas* every Year to  
 “ give some of the poorest of the Inhabitants of *Killough* a Taste  
 “ of fresh Meat on every *Christmas Day* at their own Homes. I  
 “ direct my Trustees or Trustee to raise out of my General  
 “ Charitable Fund the yearly Sum of Three hundred and fifty  
 “ Pounds for ever, and to pay the same in advance to the local  
 “ Managers for the Time being, to be by them applied in Payment  
 “ to the Superintendent herein-after mentioned of the yearly  
 “ Salary of Thirty Pounds, and in Annuities or Payments to or  
 “ for the Benefit of the respective Inmates of the said Almshouses,  
 “ as pointed out in the Rules for Management and the Scheme  
 “ herein-after contained, and in small Sums to be paid to the  
 “ Children when leaving the Houses, as directed in my Rules  
 “ and Regulations, and in Medical Advice and Medicines for the  
 “ Inmates, and in the decent Interment of such of the Inmates  
 “ as shall die in the Almshouses, as mentioned in the Rules and  
 “ Regulations herein-after contained; and all or any Part of any  
 “ Surplus

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“ Surplus of the said yearly Sum of Three hundred and fifty  
 “ Pounds which may remain after fully satisfying the Direc-  
 “ tions for the Application thereof above contained or referred to  
 “ shall be added to the above-mentioned Fund of Fifty Pounds a  
 “ Year, and applied accordingly. I direct my Trustees from Time  
 “ to Time to pay to the said local Managers in advance, either  
 “ half-yearly, quarterly, or monthly, or oftener, as my Trustees  
 “ or Trustee shall think fit, the Portion of the said yearly Sums of  
 “ Fifty Pounds and Three hundred and fifty Pounds which will  
 “ probably be required for Expenditure on account of the *Killough*  
 “ Poor and the *Killough* Almshouses before the next Time of  
 “ Payment, and at the same Time to require from the said local  
 “ Managers the Vouchers for their Expenditure of the Sum or  
 “ Sums previously advanced. Before declaring the Trusts of the  
 “ Residue of my General Charitable Fund, I shall refer to the  
 “ Management of the *Killough* Almshouses; and, first, as soon  
 “ as the Houses are built my Trustees or Trustee should, by  
 “ Writing under their, his, or her Hands or Hand or Seal, attested  
 “ by One Witness, appoint Five local Managers of the *Killough*  
 “ Almshouses. I leave the Choice of such local Managers entirely  
 “ to the Discretion of my Trustees or Trustee, suggesting only, in  
 “ case my Trustees or Trustee should not see good Reason for a  
 “ different Choice, that the Choice should fall on the Protestant  
 “ Curate or Incumbent of the Perpetual Curacy of *Killough*, the  
 “ nearest Presbyterian Minister, the Roman Catholic Clergyman  
 “ of the Parish of *Bright*, the nearest resident Magistrate, not being  
 “ a Clergyman, and the Seneschal or Churchwarden of the Parish  
 “ of *Rathmullen*. It will be perceived that I have suggested a  
 “ Minister from each of the Three predominant Religious Creeds in  
 “ *Ireland* to be Members of the Committee of Management. I do  
 “ so in the confident Belief that they will heartily co-operate in  
 “ promoting the paramount Object I have in view, the Improve-  
 “ ment of the Physical Condition of a certain Portion of my  
 “ Countrymen and Countrywomen, and that as there are many  
 “ necessitous Persons of all Religions the Clerical as well as Lay  
 “ Managers will not only forbear any Attempts at Proselytism  
 “ amongst the Inmates of the Almshouses, but will discountenance  
 “ it in others, so that each Inmate may always be left to the free  
 “ Exercise of his own Religious Persuasion, and to the Spiritual  
 “ Direction of his own Minister. I authorize my Trustees or  
 “ Trustee from Time to Time, as they, he, or she shall think fit,  
 “ by Writing under their, his, or her Hands or Hand or Seal,  
 “ attested by One Witness, to revoke the Appointment of any local  
 “ Manager or Managers, and by the same or the like Writing to  
 “ supply Vacancies in the Office occasioned by Dismissal, Resig-  
 “ nation, Incapacity, or Death, so as at all Times to keep up  
 “ as

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“ as constantly as may be the Number of Five local Managers.  
 “ All Questions which may arise in the Management or Administration of any Matters within the Discretion of the local Managers shall be decided by the Majority of the local Managers present at any Meeting of which all shall have had due Notice ; but the Conduct and Authority of the local Managers are to be in all respects and at all Times subject to the Superintendence and Control of my Trustees or Trustee, in the Exercise of which Control my Trustees or Trustee will of course bear in Mind the Respect due to the Character and Benevolence of the local Managers, so as to avoid giving needless Offence, and will in particular settle their Accounts and make them the necessary Advances with all convenient Liberality and Promptitude. The chief Duties of the local Managers will be to carry into effect and enforce Obedience to the Rules for Management herein-after contained, or to be from Time to Time laid down by my Trustees or Trustee, and from Time to Time to make and submit to my Trustees or Trustee for Approval such subordinate Rules for the Management and Regulation of the Almshouses as such local Managers shall think expedient, and to administer and keep proper Accounts of the Funds paid to them by my Trustees or Trustee, and from Time to Time to submit such Accounts and the Vouchers for the same to my Trustees or Trustee, and from Time to Time to recommend some Person to my Trustees or Trustee, to act as Superintendent, with the before-mentioned yearly Salary of Thirty Pounds, to be paid out of the said yearly Sum of Three hundred and fifty Pounds. And if the said *Robert Nelson* of *Killough* be living, and competent to perform the Duties of that Office, I wish him to be recommended to their Notice for his Efficiency, his Knowledge, and his Kindness to the Poor : Provided always, that my Trustees or Trustee may appoint any Person to be Superintendent without any previous Recommendation by the local Managers, and may at any Time dismiss any Superintendent from his Office, on giving to him Three Calendar Months Notice, or paying to him Three Calendar Months Salary in advance. The Duties of the Superintendent will be to assist the local Managers in the Performance of their Duties, both in ascertaining the Character of Candidates for Admission and in seeing that the Inmates conform to the Rules for Management herein-after contained or hereafter to be prescribed, and to see frequently the Inmates, and the Outside and Inside of their Dwellings, and patiently and kindly to mediate in their Differences and Disputes, and from Time to Time to explain the Rules to them, so that they may not be ignorant of them, or misunderstand or forget them, and

“ to



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“ to keep a Register of such Faults and Offences of the Inmates  
 “ as may be worthy of Notice, and deliver or present the same to  
 “ the local Managers at the next Meeting, and, if required by  
 “ the local Managers, to keep such Cash Books or other Books  
 “ of Account as they may intrust to him well and truly entered  
 “ and posted up. And I direct that once a Year the Superin-  
 “ tendent for the Time being of the *Killough* Almshouses shall  
 “ visit all the Almshouses which shall be established in any other  
 “ Part of *Ireland* under the Trusts herein contained. He must  
 “ so visit them in a kindly and friendly Spirit, in order to give the  
 “ respective Superintendents of such Almshouses the Benefit of  
 “ his greater Experience, pointing out such Matters as in his  
 “ Judgment may be deemed Improvements. At the same Time  
 “ I should wish him to report to the Trustees of my Will the  
 “ Result of his Visit, and to state candidly how far in his Opinion  
 “ the Spirit of my Scheme is carried into effect, and I wish a  
 “ Copy of his Report to be sent to the local Managers of the  
 “ Almshouses to which his Report relates. He will be subject  
 “ to the Superintendence and Control of the local Managers, who  
 “ are to see that he discharges his Duty properly, and to report  
 “ any Misconduct to the Trustees or Trustee. After providing  
 “ for the Trusts and Purposes aforesaid, I direct my Trustees or  
 “ Trustee to be possessed of the clear Residue of my General  
 “ Charitable Fund upon the Trusts following; (that is to say,)  
 “ Upon trust to apply the same, in the Discretion of my Trustees  
 “ or Trustee, in the Building or Endowment of other Almshouses,  
 “ upon Ground to be by my Trustees or Trustee purchased or  
 “ taken upon Lease, renewable for ever, in other Towns or Villages  
 “ in some One or more of the Counties of *Down, Tyrone, Antrim,*  
 “ and *Armagh* in the North of *Ireland*, wherever my Trustees  
 “ or Trustee shall think that they are most needed, and that the  
 “ Head Landlord of the Place will be disposed to assist sub-  
 “ stantially for the Benefit of the Poor. Not more than Ten  
 “ Almshouses, similar to those herein-before directed to be built  
 “ at *Killough*, to be built in or near each Town or Village which  
 “ shall be selected; to be provided also with a convenient Room  
 “ for the Use of the Superintendent and as a Place of Meeting for  
 “ the local Managers. Such Almshouses to be provided or not  
 “ with a Piece of ornamental Ground, as my Trustees or Trustee  
 “ shall in each Case deem expedient. Each Set of Almshouses to  
 “ be managed by local Managers and a Superintendent, to be  
 “ respectively from Time to Time appointed by my Trustees or  
 “ Trustee, in like Manner, and with the like Power of Super-  
 “ intendence, Control, and Removal, as herein-before mentioned  
 “ with respect to the local Managers and Superintendent at  
 “ *Killough*, and the Endowment, Management, and Regulation  
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“ of such Almshouses to be in all respects similar to the  
 “ Endowment, Management, and Regulation of the *Killough*  
 “ Almshouses, according to the Trusts herein-before declared, and  
 “ the Rules for Management herein-after contained or to be  
 “ hereafter established by my Trustees or Trustee, except that  
 “ the total yearly Allowance in respect of each such Set of  
 “ Almshouses shall be Two hundred and fifty Pounds instead  
 “ of Three hundred and fifty Pounds, and that the yearly Salary  
 “ of the Superintendent of each Set of Almshouses shall be  
 “ Twenty Pounds. Only I do not give any gross or annual Sum  
 “ to be applied for Outfits, or for any of the other Purposes  
 “ for which I have provided as to the *Killough* Almshouses, it  
 “ being my Hope that the Landlord and Neighbours who are  
 “ able will help the deserving Poor in this respect, so that they  
 “ shall enter the Houses well and decently clad and with decent  
 “ Appearance they must support during the Time of their  
 “ Residence in the Almshouses. And if after the Building and  
 “ Endowment of One Set of Ten Almshouses in One of the said  
 “ Counties of *Down, Tyrone, Antrim, and Armagh*, there should  
 “ remain sufficient Funds for another Set or other Sets of Alms-  
 “ houses, it shall be lawful for my Trustees or Trustee, if they,  
 “ he, or she should think fit to procure Land for, and to build  
 “ and endow One Set of Ten Almshouses in manner aforesaid  
 “ in either *Leinster, Munster, or Connaught*, such Set of Ten  
 “ Almshouses to be managed and regulated in all respects as  
 “ herein-before directed concerning the Set or Sets of Ten Alms-  
 “ houses to be built in the North of *Ireland*. My chief Reason  
 “ for inclining to build One Set of Almshouses in the South of  
 “ *Ireland* is to let those who have Power to serve the poor  
 “ People see the Comfort which in the South as well as in the  
 “ North such Establishments, can bestow upon the worn-out and  
 “ destitute of good Character, in place of sending all such to  
 “ the Workhouse, there to be shut up with Persons who must  
 “ be admitted, if destitute, without Reference to their previous  
 “ Characters, a Consideration which may perhaps induce the  
 “ Government, in administering the public Poor's Fund, to establish  
 “ Two Classes of Workhouses or Houses of Relief for the Poor,  
 “ so as to provide for the public Pensioners of good Character  
 “ a more comfortable Provision and Retreat, apart from the idle,  
 “ improvident, and undeserving. If any Surplus shall remain as  
 “ to the yearly Allowance of Two hundred and fifty Pounds  
 “ in respect of any Set of Almshouses, such Surplus shall be  
 “ applicable, at the Discretion of the local Managers, in or  
 “ towards any of the Objects or Purposes connected with the  
 “ Almshouses under their Management, or the Inmates thereof,  
 “ or the Poor out of the Almshouses in the Town where such  
 “ Almshouses

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“ Almshouses shall be situate, as I have above directed in con-  
 “ nexion with the *Killough* Almshouses and the Inmates thereof,  
 “ and the Poor of *Killough*, with respect to the Sums of One  
 “ hundred Pounds and One hundred Pounds and Fifty Pounds,  
 “ and the Surplus arising from the Sum of Three hundred and  
 “ fifty Pounds after paying the Superintendent's Salary, and the  
 “ Annuities to the Inmates. I direct my Trustees not to take  
 “ any Steps towards building any Almshouses other than those at  
 “ *Killough* aforesaid until after the Expiration of Two Years at  
 “ least from my Decease, in order that all the prior Trusts and  
 “ Charges upon my Property may be fully provided for and  
 “ secured, and also that my Trustees or Trustee may from the  
 “ working of the *Killough* Almshouses be enabled to make some  
 “ Improvements in those which are to follow, both as to the Mode  
 “ of Building and as to the Rules of Management. And in case  
 “ at any Time or Times my General Charitable Fund should  
 “ prove to be insufficient for the due Completion and Endowment  
 “ or Maintenance of all the Almshouses which may have been  
 “ commenced or built, the last built Houses shall not be endowed,  
 “ and if necessary for the full Endowment and Maintenance of  
 “ the Houses previously built, or for the Performance of any prior  
 “ Trusts or Engagements, or if an Endowment for such last-built  
 “ Houses cannot be obtained from other Sources, such last-built  
 “ Houses and the Site thereof shall by my Trustees or Trustee,  
 “ in their, his, or her absolute Discretion, be sold, mortgaged,  
 “ leased, or otherwise disposed of or dealt with for the Benefit  
 “ of my General Charitable Fund. And so soon as my General  
 “ Charitable Fund shall have been so far applied and engaged  
 “ in the Building and Endowment of Almshouses in manner  
 “ aforesaid that the clear Residue thereof after fully providing  
 “ for the Support of the Almshouses already built, shall be in-  
 “ sufficient to procure a Site for and to build and endow a Set  
 “ of Ten Almshouses, but shall be sufficient to procure a Site for  
 “ and to build and endow a Set of Six Almshouses at a propor-  
 “ tionate Expense, then I direct that such Set of Six Almshouses  
 “ shall be built and endowed accordingly in any of the Counties  
 “ of *Down, Armagh, Antrim, or Tyrone*, and the Rules and Regu-  
 “ lations herein contained as to a Set of Ten Almshouses shall in  
 “ like Manner apply to such Set of Six Almshouses; and when  
 “ such clear Residue, after so providing as aforesaid, shall not  
 “ suffice to procure a Site for and to build and endow a Set of Six  
 “ Almshouses, I direct that the Income from such clear Residue  
 “ shall from Time to Time, at the Discretion of my Trustees or  
 “ Trustee, either be given to Dispensaries in all or any of the  
 “ Counties in which the Almshouses may be built or other  
 “ Establishments there for the Benefit of the Poor, or be applied  
 “ in

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“ in extension or augmentation of some or all of the charitable  
 “ Purposes herein-before declared concerning my General Charit-  
 “ able Fund. I declare, that if any Person hereby named or here-  
 “ after being a Trustee of my Will be now dead, or should die, or  
 “ go to reside out of or be absent for a whole Year from *England*  
 “ and *Ireland*, or disclaim, neglect, refuse, or be incapable to  
 “ perform, or desire to retire from the Office, it shall be lawful for  
 “ the retiring Trustee or Trustees, jointly with the continuing  
 “ Trustees or Trustee (if any), or if no Trustee retire for the  
 “ other Trustees or Trustee (being competent), or if there be no  
 “ such Trustee for my Executor or Administrator or One of my  
 “ Executors or Administrators, by Writing, attested by One  
 “ Witness, to appoint a Trustee in the Room of such Person, and  
 “ that it shall not be necessary to supply several Vacancies at the  
 “ same Time; and that every Instrument appearing on its Face  
 “ to be made in pursuance of the foregoing Power shall, though  
 “ not so made, be valid for all Purposes other than the Exoneration  
 “ of Persons being Parties or Privies to the making thereof from  
 “ personal Responsibility: Provided always, that at the Expiration  
 “ of Five Years from the Time of my Decease, or so soon after  
 “ the Expiration of such Five Years as may be convenient to  
 “ my Trustees or Trustee, and after they, he, or she shall have  
 “ discharged or provided for the Payment of all my Debts,  
 “ Legacies, and Annuities, and for the Payment of the Debts due  
 “ from my Estate up to that Time, my Trustees or Trustee for  
 “ the Time being shall, by Writing under their, his, or her Hands  
 “ or Hand, attested by One Witness, appoint some Persons or  
 “ Body or Bodies Corporate to be, for all the Purposes of my  
 “ Will, in lieu of my said Testamentary Trustees or Trustee, the  
 “ permanent Trustees or Trustee of and to manage and administer  
 “ my Residuary Estate, from the Time of such Appointment, with  
 “ Authority from Time to Time to appoint or remove and to  
 “ superintend and control the local Managers and Superintendents  
 “ of the Almshouses according to the Trusts of my Will, and shall,  
 “ if deemed expedient, in or by such Instrument of Appointment,  
 “ insert such Powers or Provisions for the Retirement of any  
 “ Trustee or Trustees, and for the Appointment of new Trustees,  
 “ from Time to Time, as they, he, or she shall deem expedient. I  
 “ suggest to my said Trustees or Trustee, but by no means require  
 “ from them, him, or her, the Appointment of the Commissioners  
 “ of Charitable Donations and Bequests for *Ireland*, and their  
 “ Successors, as such permanent Trustees of my Residuary Estate.  
 “ Upon the Appointment of such permanent Trustees or Trustee my  
 “ said Testamentary Trustees or Trustee shall transfer unto such  
 “ permanent Trustees or Trustee all my Residuary Estate or such  
 “ Parts thereof as may lawfully be transferred to such Trustees or  
 “ Trustee,

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“ Trustee, reserving only such a Sum as may be sufficient for the  
 “ Support during the next Six Months of the Almshouses which  
 “ at that Time may be inhabited, and of the Inmates thereof. And  
 “ I declare that in case any Difference of Opinion should at any  
 “ Time or Times exist among either my Testamentary Trustees  
 “ or my permanent Trustees for the Time being as to any Matters  
 “ within their Discretion, such Matter and Difference shall be  
 “ decided by the Voice of the Majority of such Trustees present  
 “ at any Meeting whereof due Notice shall have been given to all  
 “ the Trustees. And I declare that the Receipts in Writing of  
 “ my Trustees or Trustee for the Time being for any Monies or  
 “ Funds to be paid or transferred to them, him, or her, by virtue  
 “ of the Trusts of my Will, shall fully discharge the Person or  
 “ Persons paying or transferring the same from all Responsibility  
 “ in respect of the Application thereof, and that no Trustee under  
 “ my Will shall be answerable for any Money which he or she  
 “ shall not actually receive, or for any Loss or Damage which may  
 “ happen without his or her actual wilful Neglect or Default,  
 “ notwithstanding his or her joining in any Receipt or Receipts, or  
 “ doing any other Acts for the sake of Conformity, otherwise; and  
 “ that my Trustees or Trustee for the Time being, and their, his,  
 “ or her respective Successors, Executors, or Administrators, may  
 “ receive and retain, or allow to their, his, or her Co-trustee or  
 “ Co-trustees, or the Executors or Administrators of such Co-  
 “ trustee or Co-trustees, out of the first Monies which may come  
 “ to their, his, or her Hands or Hand, by virtue of my Will, all  
 “ their, his, or her Costs, Charges, and Expenses of or incidental  
 “ to the Execution of the Trusts of my Will or any of them,  
 “ including Fees to Counsel for Advice or otherwise, and the  
 “ travelling and other Expenses of the local Managers, Superin-  
 “ tendents, and other Persons from Time to Time employed in the  
 “ Administration of my Residuary Estate or any Part thereof. I  
 “ declare that the following are the Rules for the Management of  
 “ the *Killough* Almshouses herein-before referred to; (that is to  
 “ say,)

“ First. As to the Qualifications of Applicants for Admission.  
 “ An Adult must have resided in or within Three Miles from  
 “ *Killough* aforesaid during at least Five Years next preceding  
 “ the Time of Election, or if a Widow, she or her Husband, or  
 “ both of them, must have been resident in or within Three Statute  
 “ Miles from *Killough* during the Five Years next preceding the  
 “ Time of Election. Adults must be of the Age of Fifty-five  
 “ Years or upwards, either quite past their Labour or unable to  
 “ gain a Livelihood, and without Relations or Friends able and  
 “ willing to support them. They must be People who have not  
 “ been previously expelled from the Almshouses and who have borne  
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“ a good Character for Sobriety, Honesty, Cleanliness, and good  
 “ Conduct, who have worked for their Bread as long as they were  
 “ able and could obtain Work; and who did not waste their hard  
 “ Earnings through the Love of Drink or from any other bad  
 “ Propensity. The lazy and indolent, who may be able to work,  
 “ and to procure Employment by seeking for it, are to be in all  
 “ Cases rejected, and on no Account is Improvidence to be  
 “ encouraged by the Expectation that any one may reckon on  
 “ having a comfortable Asylum prepared for him in old Age; but,  
 “ on the other hand, a Person under the Age of Fifty-five Years,  
 “ who may happen, from Infirmary either of Mind or Body, to be  
 “ quite unable to earn his or her Bread, being of good Character  
 “ and harmless, and having no Person to look to for Support, may  
 “ be admitted and taken care of. Children under the Age of Four-  
 “ teen Years, either Relations of Inmates, or Orphans, may be  
 “ admitted; but no Child above the Age of Fourteen Years  
 “ (except the Imbecile, the Cripple, or the Blind), is to be  
 “ admitted. Orphans to be admissible in case One of their  
 “ Parents shall have resided in or near *Killough* for the Space of  
 “ Twelve Calendar Months previous to his or her Decease. It is  
 “ my Wish that the local Managers should not be so over anxious  
 “ about the occupying of the Almshouses as to incline them  
 “ to grant Admission to the Almshouses to Applicants whose  
 “ previous Habits of Life would disqualify them from Admission  
 “ according to the true Spirit of my Regulations. My immediate  
 “ Object in building and endowing the Houses is twofold. First,  
 “ to provide the poor People of good Character and decent Habits  
 “ with comfortable Dwellings; the Second, to raise their Condi-  
 “ tion and improve their Appearance, as a Comfort to themselves  
 “ and as an Example to others, not only in *Killough* but also in  
 “ other similar Places in *Ireland*. The past Lives and Habits of  
 “ all who are admitted must hold out a fair Promise that their Part  
 “ shall be performed in carrying out my Rules and Regulations as  
 “ herein set forth. All must be orderly, and clean and neat in  
 “ their Persons and Dwellings, thereby showing others the Comfort  
 “ which Cleanliness and orderly Habits are capable of producing;  
 “ and Cleanliness and good Order being once established through  
 “ the kind and benevolent Attention of the Managers, and the  
 “ unremitting and cheerful Exertions of the poor People them-  
 “ selves, will I am sure be followed by great and extensive Good,  
 “ such as amply to reward those who take an active Part in pro-  
 “ ducing it. The local Managers will please to have these Points  
 “ in their View when first occupying the Almshouses, and after-  
 “ wards in supplying Vacancies; and if, in the working of the  
 “ Almshouses, it should appear that I have in my Scheme herein-  
 “ after set forth put down too many Persons as Inmates for the  
 “ Almshouses

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“ Almshouses, I desire that the local Managers shall use their  
 “ Discretion in reducing the Number of Inmates, so that the  
 “ Houses shall not at any Time or under any Circumstances (even  
 “ where Persons fully qualified apply in sufficient Number) be  
 “ stocked beyond what is consistent with Decency, good Order,  
 “ and Comfort.

“ Second. The Inmates are, from Time to Time as Vacancies  
 “ occur, to be chosen, without Reference to Religious Creed, by the  
 “ Trustees or Trustee, from among the most deserving of such  
 “ Applicants as shall by such Trustees or Trustee, or by the local  
 “ Managers or a Majority of them, have been ascertained to be  
 “ qualified.

“ Third. Each Adult Person of competent Understanding who  
 “ may be elected is before Admission to read or have explained  
 “ to him or her a printed Copy or Abstract of such of the Rules  
 “ for the Time being in force as shall in the Opinion of my  
 “ Trustees or Trustee concern or be material to be understood by  
 “ the Inmates, and shall agree to conform to such Rules, and shall  
 “ sign a Copy thereof, to be kept for the Purpose in a Book by the  
 “ local Managers or Superintendent for the Time being, who shall  
 “ furnish each such Adult Person, for his or her own Use, with  
 “ another Copy, in addition to the Copy or Copies of Rules  
 “ herein-after directed to be hung up in the Almshouses.

“ Fourth. After the Election and before the Admission of any  
 “ Applicant, the House or Apartment intended to be occupied by  
 “ him or her, and the Furniture thereof, must be thoroughly  
 “ scoured and cleaned, and the Superintendent must be informed  
 “ of the Particulars and Condition of the Clothes and Furniture  
 “ belonging to such Applicant, in order that he may, according to  
 “ his Judgment, direct that any Part thereof be rejected, or cleaned  
 “ and admitted, such Articles belonging to any Applicant as may  
 “ be rejected to be sold, given away, or otherwise disposed of as  
 “ he or she may desire.

“ Fifth. No more than Two Beds or other Sleeping Places are  
 “ to be allowed in each House, unless Sickness should, in the  
 “ Opinion of the Managers, render a Third Bed, for the better  
 “ Accommodation of the settled Inmates or of a Nurse, absolutely  
 “ necessary, in which Case such Third Bed is to be allowed only  
 “ during the Continuance of such Necessity.

“ Sixth. Such Persons only are to be allowed in the Bed in each  
 “ Room as the Managers shall consider can be accommodated  
 “ with reference to Sex and other Matters, with Decency, Delicacy,  
 “ good Order, and Comfort.

“ Seventh. Every Child is to be removed from the Almshouses  
 “ at the Age of Fourteen Years, or sooner if a useful Employment  
 “ can

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“ can be procured for him or her ; but in case of Sickness the  
 “ Managers may allow a short Residence beyond that Age ; and  
 “ the Managers may allow an Orphan to remain until the Age of  
 “ Fifteen Years.

“ Eighth. Each Child leaving the Almshouses on account of  
 “ Age to receive, or have expended by the Managers, for his or  
 “ her Benefit, One Pound, or if an Orphan Two Pounds.

“ Ninth. Persons of different Families, living together in the  
 “ same Almshouse, shall join the yearly Sums payable to them  
 “ as herein-after mentioned, so as to form a common Fund for  
 “ their mutual Benefit and Support. But it must rest with the  
 “ Managers to make an Arrangement between the Parties that  
 “ each shall retain a separate Sum for his, her, or their Clothing.

“ Tenth. No Inmate shall get married without the Consent of  
 “ the Managers.

“ Eleventh. The Managers shall have Power, from Time to  
 “ Time, as Circumstances shall require or as they shall think fit, to  
 “ remove any Inmate or Inmates from one House or Apartment  
 “ to another, and in any way to vary the Distribution or Arrange-  
 “ ment of the Inmates, and the Mode of Occupation of the several  
 “ Houses and Apartments.

“ Twelfth. In case any Inmate shall by any Means become or  
 “ be by my Trustees considered to be able to support himself or  
 “ herself, or to be otherwise supported independently of the  
 “ Provision hereby made, such Inmate shall be forthwith removed  
 “ from the Almshouses, and the Allowance hereby provided for  
 “ him or her shall cease. But if by means of a Legacy or other  
 “ Provision an Inmate may be enabled to procure Food and  
 “ Clothing, but not Lodging, the local Managers may, if they  
 “ think fit, allow such Inmate to remain in the Almshouse free of  
 “ Rent, but without receiving any Allowance.

“ Thirteenth. No Lodger shall be admitted into any of the  
 “ Almshouses.

“ Fourteenth. No Inmate shall on any Occasion or at any Place  
 “ beg or solicit Alms.

“ Fifteenth. The Inmates shall at all Times keep themselves  
 “ decently clothed, and neat and clean in their Persons, and shall  
 “ at all Times keep their Houses and Rooms and the external  
 “ Courts and Offices clean and tidy ; all the Floors of each House  
 “ to be thoroughly scrubbed and cleaned at least once in every  
 “ Month ; and in order to give fresh Air to their Dwellings, all  
 “ the Windows of their Bed-rooms shall be kept wide open during  
 “ a considerable Part of every fair Day. Small Premiums may  
 “ be annually given by the Managers to such as have been most  
 “ neat, clean, and tidy. The Privies and Middens to be all  
 “ emptied and cleaned once in every Month, and the Contents,  
 “ if



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“ if possible, to be deposited in a proper Place, and to be from  
 “ Time to Time sold for the Benefit of the Inmates.

“ Sixteenth. Every Place in front and in rear of the Houses  
 “ must be clean swept, and the Walks rolled, and all put in neat  
 “ and good Order, every *Saturday* throughout the Year.

“ Seventeenth. In case any Inmate or Inmates, from Age,  
 “ Infirmity, or other sufficient Cause, should be unable to perform  
 “ any or Part of his, her, or their Duties in respect of keeping his,  
 “ her, or their Person or Persons, and the House in which he, she,  
 “ or they reside, clean and tidy, or of assisting in turn in keeping  
 “ the Outsides of the Houses and the Courtyards and Offices  
 “ clean and tidy, such Duties shall from Time to Time be per-  
 “ formed by the other Inmates as the Superintendent shall direct;  
 “ and such Assistance, if the Managers shall think fit, is to be  
 “ paid for out of the general Funds of the said Almshouses.

“ Eighteenth. No Dog shall be kept in or about any of the  
 “ Almshouses, without the Permission of the Managers. No Pig  
 “ shall be kept or allowed, except where there are Pigstyes  
 “ attached to the Almshouses, and then only in such Pigstyes.  
 “ No Pig, Horse, Cow, Ass, or Goat, or other such Animal, to  
 “ be lodged or even received into any of the Almshouses or Orna-  
 “ mental Grounds thereunto belonging, on any Account or Pretext  
 “ whatsoever. No Clothes shall be dried or exposed in front of  
 “ the Houses. No Poultry shall be allowed in front of the Houses,  
 “ and no Dungheap or Cesspool, or other Nuisance, shall be  
 “ kept near the Almshouses.

“ Nineteenth. The Inmates shall on no account use abusive  
 “ Language or Violence to each other, but shall endeavour to  
 “ live in Harmony and Peace with all their Neighbours. No  
 “ Religious Dispute of any Description will be tolerated by the  
 “ Managers, and any Persons exciting Altercation or Contention  
 “ of any Sort will be deemed unworthy of remaining in the  
 “ Almshouses.

“ Twentieth. No Person shall, without the express Permission  
 “ of the Managers, take down, break, or deface any of the Brick-  
 “ work or Tiling, or any other Thing belonging to the  
 “ Almshouses, under Pretence of altering or amending the same  
 “ or otherwise. And any Person doing so shall forfeit One Pound,  
 “ in addition to the Costs of restoring the Place to its former  
 “ Condition.

“ Twenty-first. Windows broken shall be repaired at the  
 “ Expense of the Inmates of the House to which they belong.

“ Twenty-second. In case any Damage should happen to any  
 “ of the said Almshouses through Default or Neglect of the  
 “ Inmates or any of them, all, or such of the Inmates as the  
 “ Managers shall direct, shall contribute not more than Ten

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“ Shillings for each Person, as the Trustees or Managers shall think fit, to be applied in or towards repairing such Damage.

“ Twenty-third. No School or Trade which might give Annoyance to the Neighbours shall be carried on, and no Sign or Show-board shall be placed on any Part of the Premises. But any of the Inmates may pick Oakum, or do any other Work which will not annoy the Neighbours or damage or dirty the Houses, so as to earn some Addition to their Clothes, Bed Furniture, and other little Comforts.

“ Twenty-fourth. The Almshouses shall at all reasonable Times be open to the Inspection of the Trustees, local Managers, and Superintendents, or any of them, or of any Stranger or Strangers in their or his Company, and using due Civility.

“ Twenty-fifth. Any Inmate neglecting or refusing to conform to the Rules for the Time being in force may be fined by the local Managers in any Sum not exceeding Two Shillings and Sixpence for each Offence. And any Inmate who shall incur more than Two Fines, or continue to neglect or refuse to conform to the Rules, or who shall commit any gross Offence, may be expelled by the local Managers.

“ Twenty-sixth. Any Inmate refusing to remove from any House or Apartment, on being required to do so by the Managers, shall cease to be entitled to any Allowance or Annuity, and shall from the Time of such Refusal pay Rent for such House or Apartment during his or her Stay there, at the Rate of Five Shillings *per* Week.

“ Twenty-seventh. The Allowances or Annuities to the respective Inmates to be paid at such Times, either half-yearly, quarterly, monthly, or weekly, as the Trustees or Trustee or the local Managers shall think fit, and to be apportionable in case of the Discontinuance thereof.

“ Twenty-eighth. The local Managers shall defray the Expenses of the Funeral of any Inmate who may die in the Almshouses, such Expenses not to exceed One Pound in each Case, and no Part thereof to be laid out in the Purchase of fermented or spirituous Liquors.

“ Twenty-ninth. The above Rules for Management, and any Rules to be hereafter established, may from Time to Time be varied, and new Rules may be established by my Trustees or Trustee; and a Copy of the Rules for the Time being in force, or such of them as my Trustees or Trustee shall think proper to be known by the Inmates or by their Neighbours, shall be framed and kept hung up in some convenient Place in each House.

“ Thirtieth. Lastly, I request my Trustees or Trustee and the local Managers of the *Killough* Almshouses, in the Distribution of the various Inmates, and in the Application of the

“ said

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“ said Trust Funds for their Benefit, to be guided, so far as  
 “ varying Circumstances will permit, and as my Trustees or  
 “ Trustee, in their or his absolute Discretion, shall think expedient,  
 “ by the Rules or Principles which they may be able to gather  
 “ from the following Scheme or imaginary Statement of the Mode  
 “ of disposing of the various Inmates of the said Almshouses at  
 “ any given Time, and of the respective Payments to be made to  
 “ them or for their Benefit, in which Scheme it is my Desire  
 “ merely to illustrate the various Ways in which a House may be  
 “ occupied, and its Occupants provided for, under various Circum-  
 “ stances, and by no means to describe the actual Characters and  
 “ Conditions of all the respective Occupants of all the Almshouses  
 “ at any One Period of Time, and in which Scheme, by any Words  
 “ descriptive of Children, Sons, Daughters, Nephews, or Nieces  
 “ respectively, I mean to include also Grandchildren, Grandsons,  
 “ Grand-daughters, Grand-nephews, or Grand-nieces respectively.

“ The SCHEME above referred to.

## “ HOUSE No. 1.

“ In First Bedroom, a Man and his Wife.

“ In Second Bedroom, the Children of the above, not exceeding  
 “ Three, all of one Sex.

“ The Man and Wife to receive between them yearly Fifteen  
 “ Pounds, and the Survivor to receive Twelve Pounds yearly.  
 “ The Parents or Survivor to receive One Pound yearly, in  
 “ respect of each Child, until such Child is removed. After the  
 “ Death or Removal of the last or only Child, the surviving Parent,  
 “ if the Father, to receive Nine Pounds only, and if the Mother,  
 “ Eight Pounds only.

“ If both Parents die leaving a Child or Children without any  
 “ Person to take care of them, such Child or Children to be  
 “ treated as an Orphan or Orphans. (See House No. 10.)

“ Estimate for No. 1., (if Three Children) Eighteen Pounds.

## “ HOUSE No. 2.

“ In First Bedroom, a Man and his Wife, with no Child.

“ To receive between them Fifteen Pounds yearly, and when  
 “ one dies the Survivor to receive, if the Man, Nine Pounds yearly,  
 “ or if the Woman, Eight Pounds yearly.

“ In Second Bedroom, One Widow, with or without a Daughter,  
 “ or Two Daughters to sleep with her.

“ To receive Eight Pounds yearly, and also One Pound yearly  
 “ in respect of each Daughter, until removed.

“ Estimate for No. 2., Twenty-three Pounds, without Children.

## “ HOUSE No. 3.

“ In First Bedroom, a Widow with Children, One Girl, if  
 “ necessary, to sleep with the Mother.

“ To

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“ To receive Twelve Pounds yearly.

“ And also One Pound yearly in respect of each Child being  
“ an Inmate. After the Death or Removal of the last or only  
“ Child to receive Eight Pounds yearly.

“ In Second Bedroom, Children of the above, not exceeding  
“ Three, all of one Sex.

“ Estimate for No. 3. Fifteen Pounds.

“ HOUSE No. 4.

“ In First Bedroom, a Widower with Children. One Boy, if  
“ necessary, to sleep with the Father.

“ To receive Twelve Pounds yearly.

“ And also One Pound in respect of each Child being an  
“ Inmate.

“ After the Death or Removal of the last or only Child, to  
“ receive Nine Pounds yearly.

“ In the Second Bedroom, Children of the above, not exceeding  
“ Three, all of one Sex.

“ Estimate for No. 4., Fifteen Pounds.

“ HOUSE No. 5.

“ In First Bedroom, a Man, with or without One Son of his  
“ own or his Sister's to sleep with him.

“ In the Second Bedroom, a Sister of the above, a Widow with  
“ Two of her own or her Brother's Daughters.

“ The Brother and Sister to receive together Fifteen Pounds  
“ yearly, and the Survivor to receive, while any Child remains an  
“ Inmate, Twelve Pounds yearly.

“ And after the Death or Removal of the last or only Child, the  
“ Survivor, if the Man, to receive Nine Pounds yearly, and if the  
“ Woman Eight Pounds yearly.

“ The Brother and Sister, or the Survivor, also to receive One  
“ Pound yearly in respect of each Child being an Inmate.

“ Estimate for No. 5., Eighteen Pounds.

“ HOUSE No. 6.

“ In First Bedroom, Two Widows without a Child to receive  
“ together Fourteen Pounds yearly, and the Survivor to receive  
“ Eight Pounds yearly, unless another is put into the same Room,  
“ and then each is to receive Seven Pounds yearly.

“ In Second Bedroom, Two Spinsters to receive together  
“ Fourteen Pounds yearly, and the Survivor to receive Eight  
“ Pounds yearly while alone.

“ Estimate for No. 6., Twenty-eight Pounds.

“ House

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## “ HOUSE No. 7.

“ In First Bedroom, a Widower without a Child.

“ In Second Bedroom, a Widow, Sister of the above, without a  
“ Child, and another Widow without a Child.“ The Brother and Sister to receive together Fifteen Pounds  
“ yearly, and the Survivor to receive, if the Brother, Nine Pounds  
“ yearly, if the Sister, Eight Pounds yearly. The other Widow  
“ to receive Eight Pounds yearly.

“ Estimate for No. 7., Twenty-three Pounds.

## “ HOUSE No. 8.

“ In First Bedroom, a Bachelor, with or without a Nephew to  
“ sleep with him.“ In Second Bedroom the Sister of the above, a Spinster, with  
“ or without a Niece or Two Nieces.“ The Brother and Sister to receive together Fifteen Pounds  
“ yearly, and the Survivor to receive, if the Brother, Nine Pounds  
“ yearly, if the Sister, Eight Pounds yearly, and both, or the  
“ Survivor, to receive, in respect of each Child being an Inmate,  
“ One Pound yearly.

“ Estimate for No. 8., Eighteen Pounds.

## “ HOUSE No. 9.

“ In First Bedroom, a Bachelor, with or without a Nephew to  
“ sleep with him.“ In Second Bedroom, the Sister of the above without a Child,  
“ with or without another Spinster.“ The Brother and Sister to receive together Fifteen Pounds  
“ yearly, and the Survivor to receive, if the Brother, Nine Pounds  
“ yearly, and if the Sister, Eight Pounds yearly, and both, or the  
“ Survivor, to receive One Pound yearly in respect of the Child,  
“ while an Inmate. The other Spinster to receive Eight Pounds  
“ yearly.

“ Estimate for No. 9., Twenty-three Pounds, without a Child.

## “ HOUSE No. 10.

“ In First Bedroom, a stout and good-natured Widow, without a  
“ Child, to take care of Three orphan Children; One or Two  
“ Girls to sleep with her, if necessary.“ In Second Bedroom, One, Two, or Three orphan Children.  
“ The Widow to receive Nine Pounds yearly while there is a Child,  
“ or more if thought reasonable. And where there is no Child,  
“ Eight Pounds yearly.“ Four Pounds yearly to be allowed for the Expenses of each  
“ Child while an Inmate.

“ Estimate for No. 10., Twenty-one Pounds.

[Private.]

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## " HOUSE No. 11.

" In First Bedroom, Two Widows without a Child, to take care  
 " of the Occupant of the other Room; namely, a Man of any  
 " Age, imbecile, and unable to take care of himself, but harmless  
 " withal.

" The Widows to receive together Fourteen Pounds yearly,  
 " and also Three Pounds yearly for taking care of the Man. Nine  
 " Pounds yearly to be allowed for the Man's Expenses.

" Estimate for No. 11., Twenty-six Pounds.

## " HOUSE No. 12.

" In First Bedroom, Two Widows without a Child, to clean for  
 " and take care of the Occupant of the other Room; namely, a  
 " Widow or Spinster quite unable from Age or Infirmity to take  
 " care of herself.

" The Two able Widows to receive together Fourteen Pounds  
 " yearly, and Two Pounds for taking care of the other Inmate.

" Eight Pounds yearly to be allowed for the Expenses of the  
 " infirm Inmate.

" Estimate for No. 12., Twenty-four Pounds.

## " HOUSE No. 13.

" In First Bedroom, a Man and his Wife, without a Child, able  
 " to clean for and take care of the Occupant of the other Room;  
 " namely, a Widower unable from Age or Infirmity to take care  
 " of himself.

" The Husband and Wife to receive together Fifteen Pounds  
 " yearly, and the Survivor, if the Man, to receive Nine Pounds,  
 " and if the Woman, Eight Pounds yearly, and both, or the Sur-  
 " vivor, to receive for taking care of the other Inmate Three  
 " Pounds yearly, and Nine Pounds to be allowed yearly for the  
 " Expenses of such other Inmate.

" Estimate for No. 13., Twenty-seven Pounds.

## " HOUSE No. 14.

" In First Bedroom, a Man and his Wife, the latter to clean and  
 " wash for the Occupants of the other Room; namely, a Widower  
 " with One Son, the Father to do as much as he can for both, so  
 " as to relieve the Woman as much as possible.

" The Man and Wife to receive together Fifteen Pounds yearly,  
 " and the Survivor to receive, if the Man, Nine Pounds yearly,  
 " and if the Woman, Eight Pounds yearly.

" The Woman to receive also for cleaning and washing for the  
 " others One Pound yearly.

" The Widower to receive Nine Pounds, and also One Pound  
 " yearly for his Child while an Inmate.

" Estimate for No. 14., Twenty-six Pounds.

" The

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“ The total estimated Expenditure for the Fourteen Almshouses, including the Superintendent's Salary of Thirty Pounds, will be, if all were full, according to my Scheme, about Three hundred and thirty-five Pounds, leaving a small Surplus applicable to the Purposes I have herein-before mentioned.

“ As the Houses will probably not be all occupied at the same Time, according to the above Scheme, the Surplus will often be greater.

“ The total estimated Expenditure for each Set of Ten Almshouses in other Parts of *Ireland*, in accordance as nearly as may be with the above Scheme, will be about Two hundred and thirty-eight Pounds yearly, including the Superintendent's Salary of Twenty Pounds, leaving about Twelve Pounds for Funeral Expenses and other Matters.

“ I have thus concluded my Testamentary Dispositions.”

And whereas the Testator, then of *Killiney* in the County of *Dublin*, by a Codicil to his Will, dated the Ninth Day of *December* One thousand eight hundred and fifty-eight, and duly executed and attested, after reciting that at the Date of his Will Doubts were entertained whether Railway and other Shares therein particularly referred to came within the Statutes relating to Mortmain; but it had since been held that such was not the Case, he therefore revoked the Bequest of his *English* Railway and Bank Stock and other Property of a like Nature, and the Proceeds thereof, which by his Will he had bequeathed to his Wife (since deceased), and he thereby bequeathed and devised the same to his Trustees and Executors of his Will and Codicil upon and for the same Trusts as were in the Will and Codicil declared of and concerning his general Personal Estate and Property, whereof he desired that the same should form a Part, and so be dealt with by his Executors and Trustees; and after revoking all Codicils heretofore made by him to his Will he proceeded as follows; (that is to say,)

Codicil,  
dated 9th  
Dec. 1858.

“ In the next place, I shall make the following Alterations in and Additions to my said Will. In Page Twenty-six of my Will I made Miscalculations in my imaginary ‘Scheme’ for stocking the Almshouses with Inmates. Should such Scheme be resorted to or in any way acted upon by my Executors and Trustees as a Guide, I desire the Houses No. 3. and 4. to be passed over, and the Calculations for the other Twelve Houses used, only omitting those mentioned.”

And after appointing his Niece *Elizabeth Borrodale* to be a Trustee and Executrix of his Will in the place of his Wife, and appointing *Henry Oulton* of *Liverpool* to be Trustee and Executor thereof, and directing that *Elizabeth Borrodale* and *Henry Oulton* should be such Trustees and Executors, in addition to *George McBride* and *Willoughby Chaplin Newton*, and revoking a pecuniary Bequest

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Bequest in his Will, and giving a Life Annuity instead thereof, and giving other Life Annuities, and directing that the same Annuities should be fully secured by setting apart out of his general Estate an ample Fund for the Payment thereof, to be laid out at Interest, as therein expressed, and directing that if the Fund so invested should produce an annual Income more than sufficient for the Payment of the Annuities existing, the surplus Income should be Part of his general Personal Estate, and be applied as directed by his Will and Codicil, and that on the Decease of each Annuitant a proportionate Part of the Sum so set apart should thenceforward form Part of his General Charitable Fund, and withdrawing the Recommendation in his Will in favour of employing *Robert Nelson* of *Killough* as Superintendent of the Almshouses to be built in that Town, and transferring such Recommendation to *Joseph Surch* of *Killough*, provided he should be approved of by the Testator's Trustees and Executors, with a Salary of Thirty Pounds a Year, to commence from the Date of the Testator's Decease, in order to secure the Benefit of his Services in making Preparation for building, also during the Time of building the Houses, and in making himself thoroughly acquainted with the Merits and Characters of those desirous of becoming the first Inmates of the Almshouses in *Killough*, the Codicil proceeded as follows ; (that is to say,)

“ I have every Reason to believe that my Executors and  
 “ Trustees will obtain a good Site through the Landlord (Lord  
 “ *Bangor*), or if not through him that they may through some  
 “ other Person be able to procure or purchase Land sufficient for  
 “ the Purpose intended, and when obtained my Desire is that the  
 “ Almshouses should be built thereon ; but I desire that the  
 “ Number of Houses shall not exceed Twelve, in place of Thirteen  
 “ or Fourteen, as mentioned in my said Will.

“ And whereas by my said Will I bequeathed the Sum of  
 “ Three hundred and fifty Pounds *per Annum* for the Support of  
 “ the *Killough* Almshouses ; now I do hereby, notwithstanding  
 “ the Reduction in the Number of said Almshouses made by this  
 “ Codicil, in all respects ratify and confirm the said Bequest, and  
 “ all other pecuniary Bequests made in my said Will in favour of  
 “ the said *Killough* Almshouses and the Inmates thereof, it being  
 “ my Intention that the reduced Number of Almshouses shall  
 “ derive the same Amount of pecuniary Benefit under my said  
 “ Will as the larger Number originally named would have done.  
 “ With respect to the Appointment of local Managers of the said  
 “ *Killough* Almshouses, I hereby confirm so much of my said  
 “ Will as declares that such local Managers shall from Time to  
 “ Time be appointed and removed, as therein mentioned, by my  
 “ said Trustees, (that is to say,) by the said *George McBride*  
 “ *Willoughby*, *Chaplin Newton*, *Elizabeth Borrodale*, and *Henry*  
 “ *Oulton*



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“ *Oulton*, or the Survivors or Survivor of them ; and I here wish  
 “ to repeat the Suggestion contained in my said Will, that in case  
 “ my Trustees or Trustee should not see good Reason for a  
 “ different Choice, then it is my anxious Desire that the Choice  
 “ should fall on the Protestant Curate or Incumbent of the Per-  
 “ petual Curacy of *Killough*, the nearest Presbyterian Minister,  
 “ the Roman Catholic Clergyman of the Parish of *Bright*, the  
 “ nearest Magistrate, not being a Clergyman, and the Vicar of  
 “ the Parish of *Rathmullen*. And I hereby declare, that after the  
 “ Decease of the Survivor of the said *George McBride, Willoughby*  
 “ *Chaplin Newton, Elizabeth Borrodale, and Henry Oulton*, or,  
 “ in the event of there being none of them capable of acting or  
 “ willing to act as such my Trustees, and in the event of no such  
 “ Appointment having been made, also when and so often as any  
 “ Vacancy in the said local Managers shall occur after the  
 “ Decease of the Survivor of the said Trustees, or after their  
 “ being or becoming incapable or unwilling to act as aforesaid,  
 “ then the Vicar of *Rathmullen*, the Perpetual Curate or Incum-  
 “ bent of *Killough*, the Minister of the nearest Presbyterian  
 “ Meeting House in connexion with the General Assembly of  
 “ the Presbyterian Church in *Ireland*, the Roman Catholic  
 “ Clergyman of the Parish of *Bright*, and the nearest resident  
 “ Magistrate, not being a Clergyman, all for the Time being,  
 “ shall form and constitute the local Managers of the said Alms-  
 “ houses, subject to the Regulations herein and in my said Will.  
 “ And it is my Will and Desire, that after the Death of the  
 “ Survivor of the said *George McBride, Willoughby Chaplin*  
 “ *Newton, Elizabeth Borrodale, and Henry Oulton*, or after they  
 “ shall all refuse to act or become incapable of acting as my  
 “ Trustees, and on the Occurrence of any Vacancy or Vacancies in  
 “ the Number of said local Managers, such Vacancy or Vacancies  
 “ shall be supplied by the said several Persons succeeding as  
 “ such local Managers in the Order of Precedence herein-after  
 “ mentioned ; (that is to say,)

“ Firstly, by the said Vicar of the Parish of *Rathmullen* for  
 “ the Time being :

“ Secondly, by the said Curate or Incumbent of *Killough* :

“ Thirdly, by the said Minister of the nearest Presbyterian  
 “ Meeting House in connexion with the General Assembly  
 “ of the Presbyterian Church in *Ireland* :

“ Fourthly, the Roman Catholic Clergyman of the Parish of  
 “ *Bright* :

“ Fifthly, by the nearest Magistrate, not being a Clergyman.

“ I will that the building of the said Almshouses shall not be  
 “ commenced for at least Six Months after my Decease, in  
 “ order that the previous Bequests in my said Will and the  
 [Private.]

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“ Bequests in this Codicil may be first all satisfied and provided  
 “ for. As Part of the Utensils to be paid for out of the One hun-  
 “ dred Pounds intended for Outfit, *et cetera*, of the First Inmates  
 “ of the *Killough* Almshouses, I desire that Two Shovels, Two  
 “ Spades, Two Wheelbarrows, Garden Rake, Scythe, Shears,  
 “ and Watering-pot may be provided for the Use of the Inmates  
 “ of the said Houses, in keeping the Ground of the said Houses,  
 “ both Front and Rear, neat, and in proper Order. And it should  
 “ be understood with each Applicant before Admission, that his  
 “ or her Person and Dwelling must be kept clean, neat, and tidy.  
 “ And here I would further remark, in my ‘imaginary Scheme’ for  
 “ stocking the Houses with Inmates, I may have put down too  
 “ many for some of the Houses, if not for all, particularly where  
 “ Children are mentioned. The close Attention of the Superinten-  
 “ dent should be directed to this in the working of the Houses, as  
 “ should they be crowded the Inconvenience arising from it would  
 “ probably lead to Discontent, which, if possible, should be avoided.  
 “ The Object in view is first to give comfortable Homes to some  
 “ of the most decent of the Poor, and the second, that through the  
 “ Example set by them to others, by keeping their Persons  
 “ and Houses tidy and clean, many not in the Almshouses may  
 “ follow so good an Example set to them. And my Desire is  
 “ that no Superintendent of any of the Almshouses mentioned in  
 “ my said Will shall receive Three Months Salary at the Time  
 “ of his Dismissal, where in any Case he is dismissed for Neglect of  
 “ Duty or improper Conduct. And whereas in the Execution of  
 “ the charitable Trusts of the Nature contained herein and in my  
 “ said Will in relation to the *Killough* and other Almshouses in-  
 “ cluded in my said Will, great Difficulty will often arise from the  
 “ Fact of too stringent Regulations being imposed upon Trustees  
 “ for the Execution and Management thereof, and I am desirous to  
 “ avoid any such troublesome Consequences; and I have every  
 “ Confidence in the said *George McBride, Willoughby Chaplin*  
 “ *Newton, Elizabeth Borrodale, and Henry Oulton*, jointly and  
 “ severally, and that they will, and the Survivors and Survivor of  
 “ them, in so far as lies within their Power, give Effect to my Wishes.  
 “ Now I desire lastly by this Codicil to declare, that, notwith-  
 “ standing the very stringent Directions and Particulars herein  
 “ and in my said Will for the Establishment and Management of  
 “ the said Almshouses, it shall be lawful for the said *George*  
 “ *McBride, Willoughby Chaplin Newton, Elizabeth Borrodale, and*  
 “ *Henry Oulton*, and the Survivor of them, at all Times, and  
 “ from Time to Time as they or he or she shall, in their, his,  
 “ or her absolute Discretion, think fit and necessary, to alter  
 “ or dispense with any of the said Directions as to the  
 “ Establishment and Management of said Almshouses and to  
 “ adopt

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“ adopt such other Courses in relation thereto as to them,  
“ him, or her shall seem prudent and desirable ; my sole and only  
“ Desire being by the Means of the said Almshouses to benefit the  
“ Class of the Community for whom the said Houses are to be pro-  
“ vided, and the Subject being one to which I have long given an  
“ anxious Attention, for which Reason I have drawn up the Rules  
“ for Management and the ‘ Scheme ’ contained in my said Will,  
“ which to me at least appear to be calculated to effect the Object  
“ which I have in view. And whereas in Page Fourteen of my  
“ said Will I have given Directions for the Building and Endow-  
“ ment of certain other Almshouses besides the *Killough* Alms-  
“ houses, now the Order and Priority of which I desire such  
“ additional Almshouses to be built and endowed are as follows ;  
“ (that is to say,) after the first Set of Twelve shall have been  
“ built and endowed at *Killough*, the second Set, to contain Ten  
“ Houses, should the Funds be sufficient for the same, shall be  
“ built and endowed in some convenient Part of the County of  
“ *Dublin*, and should there remain sufficient Funds for another  
“ Set, to consist of Ten Houses, the same shall be built and  
“ endowed in some convenient and suitable Part of either the  
“ Counties of *Down, Tyrone, Antrim, or Armagh*, in the Discretion  
“ of my said Trustees ; and in the event of the Funds enabling my  
“ said Trustees to erect and endow a third Set of Ten Almshouses,  
“ I leave my said Trustees to select and determine in which of  
“ the Counties of *Down, Tyrone, Antrim, or Armagh* the same  
“ last-mentioned Houses shall be erected and endowed : Provided  
“ always, that in respect of the Powers, Duties, and Mode of  
“ Appointment of the local Managers, and the Rules and Regula-  
“ tions, and every other Matter and Thing directed to be done  
“ and preferred in respect to the *Killough* Almshouses, herein-  
“ before directed and enjoined, the same and any Part thereof shall  
“ apply and be considered as imperatively necessary for the Regu-  
“ lation and Government of such other Set or Sets of Almshouses  
“ as under the Provisions herein-before and in my said Will con-  
“ tained my Trustees are directed and empowered to erect and  
“ endow, as if all contained herein and in my said Will in respect  
“ of the *Killough* Almshouses had been here repeated particularly  
“ in reference to the said additional Houses, including a Set of Six  
“ Houses in Page Sixteen. I confirm the Directions given in this  
“ respect in my said Will contained, and also in all respects not  
“ altered in this my Codicil ; and I direct that the Trusts and  
“ Directions contained in my said Will and in this my Codicil shall  
“ apply thereto as soon as each shall be built and occupied. And  
“ I further direct that the said Houses shall be placed under local  
“ Managers by my Trustees or Trustee, as described in my said  
“ Will in Page Eleven and following Pages, reserving for said  
“ Trustees

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“ Trustees or Trustee, as so described in my said Will, a similar  
 “ discretionary Power in the Choice of local Managers as therein  
 “ contained.”

And the Testator revoked some of the pecuniary Bequests contained in his Will, and gave divers pecuniary and specific Legacies, and desired that all the Bequests in his Will and Codicil should be paid free of Legacy Duty within Six Calendar Months after his Decease, and in all respects, save as added to, altered, and modified by the reciting Codicil, he confirmed his Will: And whereas the Testator departed this Life on or about the Twenty-first Day of *December* One thousand eight hundred and sixty-one, without having revoked or altered his recited Will, save by the recited Codicil, and without having revoked or altered the recited Codicil: And whereas on the Twenty-third Day of *January* One thousand eight hundred and sixty-two the recited Will, with the recited Codicil, was proved and registered in the Principal Registry, *Dublin*, of Her Majesty's Court of Probate, by *Willoughby Chaplin Newton* and *Henry Oulton*, the surviving Executors thereof (in this Act called Messieurs *Newton* and *Oulton*), *George McBride* and *Elizabeth Borrodale*, as well as the Testator's Wife, having respectively departed this Life in his Lifetime: And whereas on the Twenty-eighth Day of *May* One thousand eight hundred and sixty-three Messieurs *Newton* and *Oulton* presented their Petition to the Court of Chancery in *Ireland*, naming the Right Honourable Her Majesty's Attorney General for *Ireland* Respondent, for the Purpose of having the Testator's Estate administered under the Direction of the Court: And whereas on the Tenth Day of *November* One thousand eight hundred and sixty-three the Master to whom the Matter of the Petition was referred directed the Petitioners to file a Charge setting forth the Accounts of the Personalty of the Testator, and other Matters usual in like Cases, and whether, in the Opinion of Counsel, the Funds could be settled in Court without an Act of Parliament, or whether, in his Opinion, an Act would be necessary, and if not, whether, having regard to the large Property, it would save Expense and procure Safety to obtain an Act of Parliament, and setting forth a Scheme which the Parties proposed should be adopted by the Court, or be the Subject of an Act of Parliament: And whereas, in accordance with the recited Direction of the Master, the Petitioners, on the Twenty-seventh Day of *February* One thousand eight hundred and sixty-four, filed a Charge setting forth therein and in Schedules thereto Payment by the Chargeants of the Debts and Funeral and Testamentary Expenses of the Testator, and the Legacies bequeathed by him, and the Duty thereon, and showing that the Assets of the Testator available for the charitable Purposes, of his Will and Codicil amounted to One hundred and twenty-five thousand Pounds, or thereabouts, and stating that the Chargeants had been advised by Counsel, with reference to the charitable

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charitable Purposes of the Testator, that, having regard more especially to the Magnitude and Complication of the Scheme proposed by the Testator, and the Impossibility of procuring any Individuals to assume the Responsibility of Trusteeship and Management thereof, the same could not be advantageously settled by the Court without the Aid of an Act of Parliament, and that the obtaining of an Act would not only save Expense but would insure the precise Objects and Intentions of the Testator being carried into effect in a Manner which they could not be but for such Act, and that thereby a Body Corporate could be established of Persons in high Station who would duly and effectually superintend and regulate the Management of the Charity, and setting forth the general Outline of a Scheme for the Management of the Charity: And whereas on the Eighth Day of *March* One thousand eight hundred and sixty-four Her Majesty's Attorney General for *Ireland* filed a Discharge expressing the Dischargeant's Approval generally of the Scheme proposed in the Charge for the Application and Management of the charitable Bequests contained in the Will of the Testator, but suggesting divers Modifications thereof, and submitting to the Decision of the Master whether, considering the Magnitude of the Funds to be devoted to the charitable Purposes of the Trust, and the Difficulty of managing and applying the same, it was requisite and proper to apply for the Act of Parliament proposed in the Charge: And whereas the Case afterwards came on for Hearing before the Master on the Fifteenth and Nineteenth Days of *March* One thousand eight hundred and sixty-four, and on the said Nineteenth Day of *March* One thousand eight hundred and sixty-four the Master made his final Order in the Case, whereby, among other things, he ordered that the Draft of a Bill in Parliament for an Act for the Regulation of the Charity, in accordance with a Scheme approved by him, should be prepared, and submitted to him for his Approval: And whereas the Bill for this Act has been submitted to and approved by the Master: And whereas, having regard to the Magnitude and Complication of the charitable Scheme proposed by the Testator, and to the Expediency of the Charity being established on a permanent Basis, under the Regulation of Persons of high Standing and Character, and to the Desire expressed by the Testator in his Will that the Charity should be administered by a Corporate Body, and to the wide and absolute Discretion given by the Testator by his Codicil to his Trustees to alter or dispense with any of his Directions as to the Management and Establishment of the Charity, and to adopt such other Courses in relation thereto as to them should seem prudent and desirable, and for the Saving of Expense in the Management of the Charity, it is expedient that the Provisions by this Act made with respect to the Charity should be made: And whereas the Objects of this Act cannot be attained without the

[*Private.*]

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Authority

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Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects, *Willoughby Chaplin Newton* and *Henry Oulton*, do most humbly beseech Your Majesty that it may be enacted; and 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; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "*Charles Shiels' Almshouses Charity Act, 1864.*"

Name of Charity founded.

2. The Charity founded by the Testator *Charles Shiels*, as expressed in his Will and Codicil, and regulated by this Act, shall be called "*Charles Shiels' Almshouses Charity.*"

Lord Chancellor of Ireland to be Visitor of the Charity.

Provision when his Office is vacant.

3. The Right Honourable *Maziere Brady*, Lord High Chancellor of *Ireland*, and his Successor from Time to Time Lord High Chancellor of *Ireland*, shall be the Visitor of the Charity, provided that in the event of a Vacancy in the Office of Lord High Chancellor of *Ireland*, then during such Vacancy the senior Commissioner having the Custody of the Great Seal of *Ireland* shall be the Visitor of the Charity.

Governors of the Charity.

4. The following Persons; that is to say,

1. One Archbishop or Bishop of the *Irish* Branch of the United Church of *England* and *Ireland* from Time to Time nominated for the Purpose by the Visitor, and who, when so nominated, shall, if he shall so desire, hold the Office of Governor for Life, provided that he shall so long continue to be an Archbishop or Bishop of the *Irish* Branch of the said United Church of *England* and *Ireland*;
2. One Roman Catholic Archbishop or Bishop resident in *Ireland* from Time to Time nominated for the Purpose by the Visitor, and who, when so nominated, shall, if he shall so desire, hold the Office of Governor for Life, provided that he shall so long continue to be such Roman Catholic Archbishop or Bishop, and shall reside in *Ireland*;
3. The Moderator from Time to Time of the General Assembly of the Presbyterian Church in *Ireland*;
4. to 7. Messieurs *Newton* and *Oulton*, and Two other Persons to be appointed with them Trustees of the Testator's Will, under the Provisions of this Act, and other the Persons who from Time to Time are the Trustees of the Testator's Will;
8. to 16. Nine other Persons, from Time to Time elected in that Behalf as by this Act provided, and in this Act referred

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referred to as "the elected Governors," and of which Number Three shall be Members of the United Church of *England* and *Ireland*, Three of the Roman Catholic Church, and Three of the Presbyterian Church in connexion with the General Assembly of the Presbyterian Church in *Ireland*, and all resident there, shall be the Governors of the Charity, in accordance with this Act.

5. The several Persons who from Time to Time are, in accordance with the Provisions of this Act, the Governors of the Charity, shall be One Body Corporate by the Name of "The Governors of *Charles Sheils' Almshouses Charity*" (in this Act called the Governors), with perpetual Succession and a Common Seal, and with Power to take, hold, and dispose of Lands and other Real and Personal Property for the Purposes and subject to the Provisions of this Act, and to manage, regulate, and administer the Charity, and to carry this Act in all respects into execution.

Incorporation of "The Governors of *Charles Sheils' Almshouses Charity.*"

6. Any Person who at any Time after his becoming a Governor accepts or continues to hold any Office or Place of Profit under the Governors, or is concerned or participates in any Manner or in any Contracts, or in the Profit thereof, or of any Work to be done for the Charity, or becomes bankrupt or insolvent, or compounds with his Creditors, or becomes lunatic or *non compos mentis*, or ceases to hold the Legal or Ecclesiastical Office or the Trusteeship in respect of which he was qualified to be a Governor, or is removed by the Governors, as by this Act provided, shall thereupon cease to be a Governor, and his Office shall thereupon become vacant.

Grounds for ceasing to be a Governor.

7. Provided, That no Person, being a Shareholder or Member of any Joint Stock Company established by Royal Charter or by or under any Act of Parliament, shall cease to be a Governor by reason of any Contract entered into between the Company and the Governors; but no Governor, being a Shareholder or Member of the Company, shall vote on any Question in which the Company are interested.

Saving for Shareholders of Companies.

8. The Governors, other than the elected Governors, shall hold their First Meeting at some convenient Place in the City of *Dublin* on the Third *Wednesday* next after the passing of this Act, or so soon thereafter as conveniently may be, and shall proceed to the Consideration of this Act, with a view to putting the same into execution, and shall at such First Meeting appoint an adjourned Meeting, upon a Day not more distant than One Month from the Date of such First Meeting, at which adjourned Meeting they shall proceed to appoint the Persons who, in accordance with this Act, are to be the elected Governors of the Charity, and they shall also, at such adjourned Meeting,

First Meeting of Governors.

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Meeting, proceed to transact such other Matters as they shall deem expedient or necessary for putting this Act into execution.

Yearly Meetings of Governors.

9. The Governors shall hold a yearly Meeting on the Third Wednesday in the Month of July in every Year, or on such other Day in every Year as the Governors from Time to Time by any Byelaw appoint, and the First Yearly Meeting shall be held in the Year One thousand eight hundred and sixty-five.

Periodical Meetings of Governors.

10. The Governors shall hold monthly or other periodical Meetings, as they from Time to Time determine, for the Transaction of general Business, and the periodical Meetings shall be held at such Times as the Governors from Time to Time appoint, and when any such Appointment is made their Secretary shall give Notice in Writing thereof to every Governor; and the Governors shall afterwards, until the Times for holding the periodical Meetings are changed, and Notice in Writing of the Change is given by their Secretary to the Governors, attend the periodical Meetings without Notice.

Business to be transacted at the periodical Meetings of Governors.

11. At the periodical Meetings of Governors ordinary Business, including the giving of such Directions as from Time to Time are requisite for the Management and Regulation of the ordinary Affairs of the Charity, and such other Business as the Governors from Time to Time determine to be ordinary Business, and, with Notice, any extraordinary Business may be transacted.

Special Meetings of Governors.

12. The Governors from Time to Time may hold Special Meetings, and any Three or more Governors may require a Special Meeting to be held, but no Special Meeting shall be held unless Notice thereof be given to every Governor.

Adjournment of Meetings of Governors.

13. The Governors present at their First Meeting, or at any yearly or periodical or special or adjourned Meeting, may from Time to Time adjourn the Meeting to another Day; and if and whenever, at any Meeting of the Governors the Quorum are not present within One Half Hour after the Time appointed for the Meeting, the Governors present, or, if none, their Secretary, may adjourn the Meeting to another Day; provided that no One Adjournment shall be for more than One Month.

Place of Meetings.

14. All Meetings of the Governors shall be held at some convenient Place within the City of Dublin, unless the Visitor under his Hand shall authorize or direct that it shall be held elsewhere.

Expenses of Meetings of Governors.

15. At all Meetings of the Governors they shall defray their own Expenses, except Expenses incurred for the Hire, when requisite, of the



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the Room in which the Meeting is held, and for Books, Stationery, Fire, and Lights.

16. Notice of Meetings of the Governors, where Notice is requisite, shall be given by their Secretary, or by any other Officer appointed in that Behalf by the Governors, and shall be in Writing or in Print, or partly in Writing and partly in Print, and shall be delivered to or sent by the Post or otherwise to the usual Place of Abode or of Business, if any, of every Governor, Two clear Days at least before the Meeting; and every Notice shall specify the Time and Place of Meeting, and, except as regards ordinary Business to be transacted at a periodical Meeting, shall specify the Business to be transacted at the Meeting; and no Business requiring Notice thereof to be given shall be transacted at a Meeting except the Business specified in the Notice thereof.

Notices of Meetings of Governors.

17. No Resolution at any Meeting of the Governors shall be revoked or altered at any subsequent Meeting unless Notice of the Intention to propose the Revocation or Alteration be given by the Secretary to every Governor Seven clear Days at least before the Day of holding the Meeting.

Notice of proposed Revocation of Resolution of Governors.

18. The Period for any Notice for a Meeting shall be reckoned exclusive of the Day of giving the Notice and the Day of the Meeting.

Period for Notices.

19. All Powers vested in the Governors may be exercised by any Three or more of the Governors present at any Meeting held in pursuance of this Act, and no Business shall be transacted at any Meeting of the Governors unless the Quorum be present.

Quorum for Meeting of Governors.

20. At the First Meeting of the Governors they shall elect One of their Body to be their Chairman until their then next yearly Meeting, when, and at every subsequent yearly Meeting, the Governors shall elect a Chairman for the then next ensuing Year; and if and whenever the Chairman dies, resigns, ceases to be a Governor, or otherwise becomes disqualified to act as the Chairman, then the Governors at the Meeting next after Notice is given to them of the Vacancy shall choose some other of their Body to fill the Vacancy until the next yearly Meeting; and if and whenever at any Meeting of the Governors the Chairman is not present One of the Governors present, elected by the Governors present, shall preside as Chairman at that Meeting.

Yearly Election of Chairman of Meetings of Governors.

21. Provided, That whenever the Visitor of the Charity is present at any Meeting of the Governors, he shall, if willing, preside as Chairman at that Meeting.

Visitor when present to be Chairman of a Meeting of Governors.

[Private.]

3 q

22. At

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Votes at  
Meetings of  
Governors.

22. At every Meeting of the Governors every Governor present shall have One Vote on all Matters to be decided by the Meeting; but in case of an equal Division of Votes the Chairman thereat shall have a Second or Casting Vote.

Commit-  
tees of Go-  
vernors.

23. The Governors from Time to Time, at any Meeting, may appoint a Committee for any Purposes which in the Opinion of the Governors would be better regulated and managed by means of the Committee, and may fix the Quorum of the Committee, and may continue, alter, or discontinue the Committee.

Procedure  
of Commit-  
tees.

24. Every Committee so appointed may from Time to Time meet and adjourn from Place to Place as they think proper for carrying into effect the Purposes of their Appointment; and no Business shall be transacted at any Meeting of the Committee unless the Quorum (if any) fixed by the Governors, and if no Quorum be fixed Three Members of the Committee, be present; and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present, the Chairman, in case of an equal Division of Votes, having a Second or Casting Vote.

Acts of Com-  
mittees sub-  
ject to Ap-  
proval of  
Governors.

25. All the Acts and Proceedings of every Committee so appointed shall be subject to the Approval of the Governors, but no Resolution of the Governors shall invalidate any prior lawful Act or Proceeding of any Committee within the Scope of their Appointment.

Office for  
Governors.

26. The Governors from Time to Time may provide and maintain in the City of *Dublin* a fit and convenient Office, with all proper Fittings and Furniture, for holding the Meetings and transacting the Business of the Governors, and for the Use of their Officers, and in order thereto may, by Agreement, purchase or hire any Land or Building which the Governors think requisite, or may build on any Land so purchased.

Attendance  
at the Office.

27. The Governors shall require their Secretary, or some Person duly authorized by them in that Behalf, to attend at their Office daily (*Sunday, Christmas Day, Good Friday*, and any Day appointed for a General Fast or Thanksgiving only excepted), for the Purpose of receiving Notices and Letters, and transacting ordinary Business.

Accounts of  
Governors  
to be kept.

28. The Governors shall keep in proper Books provided by them for the Purpose true and regular Accounts of all their Receipts, Credits, Payments and Liabilities and of all their Property, and the  
Books

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Books shall at all reasonable Times be open to the Inspection and Transcription of any of the Governors.

**29.** The Accounts to be kept by the Governors shall show under distinct Heads their Receipts, Credits, Payments and Liabilities on account of every separate Fund to be appropriated as by this Act provided, as well as an Account of the General Charitable Fund. Accounts of separate Funds provided for by Act.

**30.** The Accounts of the Governors shall be made up and balanced half-yearly to the Thirtieth Day of *June* and the Thirty-first Day of *December* in every Year. Accounts of Governors to be balanced half-yearly.

**31.** The Governors shall every Year prepare a yearly Abstract of their Accounts, showing their total Receipts, Credits, Payments and Liabilities for the then last Year, ending with the half-yearly Day next before the Day for holding their yearly Meeting, with a Statement of the Balance of the Account; and the Abstract of Accounts shall be certified by Three or more of the Governors under their respective Hands, and shall be audited as provided by this Act, and when so audited and found or made correct shall be published by the Governors in the "*Dublin Gazette*," and the Governors shall print every such audited Abstract of Accounts, and keep printed Copies thereof at their Office, and shall deliver a printed Copy thereof to every Person personally applying for the same, on Payment of such a Sum not exceeding Threepence as the Governors appoint. Yearly Abstract of Accounts of Governors to be made, audited, and published.

**32.** The Governors and their Committees respectively shall make, in proper Books provided by the Governors for the Purpose, full and true Entries of all the Acts and Proceedings of the Governors and of the Committees respectively, with the Names of the Governors and Members of Committees respectively who attend every Meeting; and the Books shall be kept by the Secretary under the Superintendence of the Governors; and the Entry of the Acts and Proceedings of every Meeting shall be signed by the Chairman of the Meeting at which the same take place, or by the Chairman of the then next Meeting. Entry of Proceedings of Governors and Committees.

**33.** Every Entry so made and signed shall be received in all Courts, and before all Judges, Justices, and others, as Evidence, without Proof of the Meeting having been duly convened or held, or of the Persons attending the Meeting having been Governors or Members of a Committee, or of the Signature of the Chairman, or of the Fact of his having been Chairman, all of which Matters shall be presumed until the contrary is proved; and the Books shall, at all reasonable Times, be open to the Inspection and Transcription of any of the Governors. Entries to be Evidence.

**34.** Her

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**34.** Her Majesty's Attorney General for *Ireland* from Time to Time may appoint a competent and impartial Person to be Auditor of the Accounts of the Governors, and whenever there is a Vacancy in the Office of Auditor the Secretary shall give Notice thereof to the Attorney General, requesting him to appoint an Auditor to supply the Vacancy, and every Person so appointed shall be subject to the like Disqualification for continuing to be an Auditor as the Governors; and the Auditor shall be paid by the Governors a reasonable Remuneration for his Time and Trouble, not exceeding Two Pounds Two Shillings for every Day he is fully employed on the Audit, and all Expenses attending the Audit of the Accounts; and if and whenever any Difference arises as to the Amount of the Remuneration and Expenses to be paid to the Auditor it may be settled by the Attorney General.

Yearly  
Audit of  
Accounts of  
Governors.

**35.** The Auditor, from Time to Time, as soon as conveniently can be after the half-yearly Day next before the yearly Meeting of the Governors in every Year, shall attend at the Office of the Governors, and in the Presence of their Secretary proceed to audit the Accounts of the Governors for the then last Year, and the Governors, by their Secretary, shall produce to the Auditor their Accounts for the then last Year, and the yearly Abstract thereof, with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and the Accounts and yearly Abstract being found or made correct, the Auditor shall sign the same in token of his Allowance thereof.

Testator's  
General  
Charitable  
Fund vested  
in Gover-  
nors.

**36.** Subject to the Payment, Satisfaction, or Discharge by Messieurs *Newton* and *Oulton*, and other the Trustees from Time to Time of the Testator's Will and Codicil, of such, if any, of his Debts and Funeral and Testamentary Expenses, and the Legacies given by his Will and Codicil, as are not now paid, satisfied, or discharged, and such of the Life Annuities given by his Will and Codicil as are still subsisting, and to the Execution by them respectively of the Trusts, Powers, and Provisions of his Will and Codicil with respect to the Life Annuities from Time to Time subsisting, and subject also to such of the Orders and Directions already or hereafter made and given in the recited Proceedings in the Court of Chancery in *Ireland*, so far as the Purposes thereof are not provided for by this Act, all the Personal Estate of the Testator applicable for the Purposes of the Charity (in this Act called "the General Charitable Fund") is by this Act vested in the Governors, and shall accordingly be paid or transferred to the Governors, or as they from Time to Time direct, and the same shall be vested in and held, dealt with, and disposed of by them for the Purposes of the Charity as provided for by this Act.

**37.** The

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**37.** The Governors from Time to Time may examine, settle, and allow the Accounts of the Trustees of the Testator's Will and Codicil relating to the General Charitable Fund, and for the Purpose may avail themselves of the Services of the Auditor.

Governors may settle Accounts of Trustees of Testator's Will relating to the Fund.

**38.** Subject to the Provisions of this Act, the Governors may and shall from Time to Time carry into effect the Trusts, Powers, and Provisions of the Testator's Will and Codicil with respect to the Charity, and shall have and may exercise the Discretions in that Behalf created by the Testator's Will and Codicil, and from Time to Time, when and as they in their absolute Discretion shall think fit, may alter or dispense with any of the Directions in the Testator's Will and Codicil respectively contained as to the Establishment and Management of the Almshouses, and may adopt such other Courses in relation thereto as to them shall seem prudent and desirable, they nevertheless having regard to the Testator's Desire expressed in his Will with respect to the general Objects of the Charity for benefiting the Class of the Community for whom the Almshouses are to be provided.

Governors to carry into effect Trusts of Testator's Will and Codicil as to the Charity.

**39.** The Governors from Time to Time may make, alter, and repeal such Byelaws, Rules, and Regulations, for the following Purposes, as they think fit; (that is to say,)

Power for Governors to make Byelaws, &c.

- (A.) For the Administration of the Charity and the Funds thereof;
- (B.) For the Regulation of the Proceedings of the Governors;
- (C.) For the Control and Regulation of the local Boards from Time to Time appointed by the Governors, and the Procedure of the local Boards;
- (D.) For the Selection and Admission (but without regard to Religious Persuasions or Faith) into the Almshouses of Objects of the Charity;
- (E.) For the good Order and Conduct of the Inmates of the Almshouses;
- (F.) For regulating the Dismissal of Inmates of the Almshouses;
- (G.) For the Appointment, Regulation, Remuneration, and Dismissal of Officers and Servants of the Governors and of the local Boards respectively.

**40.** Provided, That no Byelaw of the Governors, and no Rule or Regulation of the Governors, of a permanent Character, and no Resolution of any Meeting of the Governors with respect to the Investment or Change of Investment of any Part of the General Charitable Fund, shall have Effect unless and until it is sanctioned by at least One of the Governors qualified by holding a legal Office.

Sanction for Byelaws, &c.

[Private.]

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Authentica-  
tion of Bye-  
laws, &c.

41. Every Byelaw, Rule, Regulation, Appointment, Notice, or other such Document requiring Authentication by the Governors shall be sufficiently authenticated, if it be signed by Two Governors, or be signed by One Governor and countersigned by the Secretary, and it need not be under the Common Seal of the Governors, and it may be in Writing or in Print, or partly in Writing and partly in Print.

Objects of  
the Charity

42. The Persons who from Time to Time shall be admitted into the Almshouses shall, without reference to Religious Persuasions or Faith, be Persons in reduced Circumstances and of good Character, and who have been either born or have for at least the then last Five Years resided in the respective County in which the Almshouses into which they seek to be admitted are situate.

Almshouses  
to be pro-  
vided.

43. So far as the Monies from Time to Time at the Disposal of the Governors for the Purpose will permit, the following Sets of Almshouses, with Superintendents Houses, shall be erected and maintained in the following Order; (that is to say,)

Firstly, a Set of Twenty Almshouses, with a Superintendent's House, at *Killough* in the County of *Down* :

Secondly, a Set of Twenty Almshouses, with a Superintendent's House, at *Dungannon* in the County of *Tyrone* :

Thirdly, a Set of Twenty Almshouses, with a Superintendent's House, at *Carrickfergus* in the County of *Antrim* :

Fourthly, a Set of Twenty Almshouses, with a Superintendent's House, at *Armagh* in the County of *Armagh* :

Fifthly, a Set of Twenty Almshouses, with a Superintendent's House, in the County of *Dublin*.

Local Boards  
for Manage-  
ment of  
Almshouses.

44. The Governors from Time to Time may appoint and continue or discontinue such local Boards for the Management of the Almshouses as the Governors think fit, and in making every such Appointment the Governors shall have regard to the Persons or Classes of Persons indicated by the Testator's Will as Persons to be appointed local Managers; and *Joseph Surch*, named in Testator's Will, shall, if he so desire, be the First Superintendent of the Almshouses at *Killough* in the County of *Down*.

Powers  
of local  
Boards.

45. Subject to the Byelaws, Rules, Regulations, and Orders from Time to Time made by the Governors, and to the Control of the Governors, every local Board shall have Power to elect and remove and to determine the Duties and Procedure of a Superintendent of the Set of Almshouses to be managed by the local Board, and also to decide between Candidates for Admission to the Almshouses, and to admit Inmates into the Almshouses, and, with in every Case the  
previous

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previous Sanction of the Governors, to dismiss Inmates from the Almshouses, and to remove from the Almshouses Children who are disqualified by Age from continuing therein; and every local Board shall have such other Powers as the Governors from Time to Time confer on them.

46. So soon as conveniently can be, the Governors shall appropriate Twenty-five thousand Pounds, Part of the General Charitable Fund, as "The Management Fund," and the Income arising therefrom shall, so far as is requisite, be applied in defraying the Salaries or Remuneration of the Auditor and of the Secretary and the other Officers and Servants of the Governors, and the legal and other Expenses of and incident to the Administration of the Charity, and the carrying into execution of this Act.

Management  
Fund.

47. If and whenever the Income arising from the Management Fund is insufficient for the Purposes thereof, the Governors may appropriate a further Part of the General Charitable Fund by way of Increase of the Management Fund; provided that the Sums from Time to Time appropriated as the Management Fund shall not exceed in the whole Thirty thousand Pounds.

Increase and  
Limit of  
Management  
Fund.

48. If and whenever the Surplus arising in any One Year ending with the Thirty-first Day of *December* from the Management Fund is more than sufficient for the Purposes thereof during that Year, the surplus Income for that Year shall be added to and form Part of the unappropriated Residue of the General Charitable Fund.

Surplus  
Income of  
Management  
Fund.

49. For the Erection of each Set of Almshouses, with the Superintendent's House, and the Purchase of Land for the same, and the Maintenance of the Almshouses and the Inmates thereof, the Governors shall appropriate such a Sum not exceeding Twenty thousand Pounds, Part of the General Charitable Fund, as they think fit, and every Sum so appropriated shall have its distinguishing Name, as for instance "The *Killough* Almshouses Fund."

Almshouses  
Fund for  
each Set of  
Almshouses.

50. Out of every Almshouses Fund so appropriated the Governors shall apply such a Sum, not exceeding Three thousand five hundred Pounds, as they think fit, in purchasing Three Acres of Land, or as nearly as conveniently may be to such Quantity, in the Discretion of the Governors, for and erecting thereon the respective Set of Almshouses, with the Superintendent's House, and in fitting up and furnishing the same, and in defraying the Expenses incident to the purchasing, building, fitting-up, and furnishing of the same.

Limit of  
Expenditure  
for building  
Almshouses.

51. In

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Purchase of  
Land for  
Almshouses.

**51.** In order to facilitate the Purchase of Lands for the Almshouses, "The Lands Clauses Consolidation Act, 1845," is incorporated with this Act, but the Purchases shall be made only by Agreement.

Income to be  
applied for  
Maintenance  
of Alms-  
houses and  
Inmates.

**52.** The Income from Time to Time arising from the Residue of the respective Almshouses Fund shall be applied by the Governors, or by the respective local Board, as the Governors from Time to Time think fit, so far as is requisite for the Maintenance, in accordance with this Act, of the respective Set of Almshouses and the Inmates thereof.

Application  
of Income  
for Salary of  
Superinten-  
dent, Re-  
pairs of  
Almshouses,  
&c.

**53.** Except so far as the Governors from Time to Time, by Order, resolved on at Two successive Meetings of the Governors, and sanctioned by the Visitor, from Time to Time otherwise determine, the Income to be so applied for the Maintenance of the respective Set of Almshouses and the Inmates thereof shall be applied as follows; (that is to say,)

Superintendent's Salary	-	-	£40
Depreciation and Repair Fund	-	-	50
Insurance and Petty Charges	-	-	10
Medical Fund	-	-	20
Burial Fund	-	-	10

£130

And the Residue of the Income shall be applied, so far as is requisite, for the Maintenance of the Inmates of the respective Set of Almshouses.

Payments  
to be made  
to Inmates.

**54.** Except so far as the Governors from Time to Time, by Order, resolved on at Two successive Meetings of the Governors, and sanctioned by the Visitor from Time to Time, otherwise determine, the Income to be so applied for the Maintenance of the Inmates of the respective Set of Almshouses shall be so applied by making to or for them respectively Payments or Allowances not exceeding the following; (that is to say,)

(A.) For One Child under the Age of Ten Years, Two Pounds a Year;

(B.) For One Child between the Ages of Ten and Fifteen Years, Four Pounds a Year;

(C.) For One Adult, Eight Pounds a Year;

(D.) And so in proportion for less than a Year:

But if and whenever the Governors think fit to vary or increase the Rates of those Payments or Allowances, they, by any Order so resolved on and sanctioned, may do so.

Surplus In-  
come of

**55.** If and whenever the Income arising from the Residue of the respective Almshouses Fund for any Year ending with the Thirty-first



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first Day of *December* is more than sufficient for the Maintenance, in accordance with this Act, of the respective Set of Almshouses and the Inmates thereof for that Year, the surplus Income for that Year shall be added to and form Part of the unappropriated Residue of the General Charitable Fund; but, if and when the Governors think fit, a Sum not exceeding any such Surplus of any preceding Year may be applied, in any succeeding Year, for the Maintenance, in accordance with this Act, of the respective Set of Almshouses and the Inmates thereof.

Almshouses Funds.

56. If and whenever the Income of the Governors from the unappropriated Residue of the General Charitable Fund, for any Year ending with the Thirty-first Day of *December*, is more than sufficient for defraying the general Expenditure and Liabilities of the Governors for that Year, the surplus Income for that Year shall be appropriated for forming an accumulating Fund, and shall be invested by the Governors in accordance with the Testator's Will, and the same and the Income from the same, and from the Accumulations thereof, shall be in like Manner invested so as to be increased as by Compound Interest.

Accumulating Fund.

57. If and whenever the accumulating Fund amounts to the Sum of Twenty thousand Pounds, or such less Sum as the Governors think sufficient, it shall be applied in providing and maintaining, in such One of the Five Counties in which Sets of Almshouses are to be provided as the Visitor approves, a new Set of Twenty Almshouses, with a Superintendent's House, and in purchasing Three Acres of Land, or as nearly as conveniently may be to such Quantity, in the Discretion of the Governors, for the same, and in fitting up and furnishing the same, and in providing for the Maintenance of the Set of Almshouses, and the Inmates thereof, in like Manner as by this Act is directed with respect to the each of the Five Sets of Almshouses, with a Superintendent's House, to be in the first instance provided, and the Inmates thereof, and so from Time to Time; or if the Governors shall, in their Discretion, see fit so to do, such accumulated Funds, or so much thereof as they shall deem sufficient, may be applied towards the Alteration, Addition to, or Improvement of any of the then existing Almshouses, or in providing increased Comforts for the Occupants thereof or of any of them.

Application of accumulating Fund.

58. Provided, That in order to meet Contingencies the Governors from Time to Time may keep as the unappropriated Residue of the General Charitable Fund, after making the Appropriations by this Act required for the Management Fund and the several Almshouses Funds respectively, such a Sum as they think fit; but, except with the Sanction of the Visitor, the Amount of that unappropriated Residue

Provision as to unappropriated Residue of General Charitable Fund.

[Private.]

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Residue shall not, while the Management Fund is less than Thirty thousand Pounds, be more than Ten thousand Pounds, and shall not, when the Management Fund is Thirty thousand Pounds, be more than Five thousand Pounds, and the Surplus from Time to Time of that unappropriated Residue shall be added to and form Part of the accumulating Fund.

As to maintenance of Number of Trustees of the Will.

**59.** In order to the keeping up from Time to Time of the Number of the Governors, the continuing Governors shall, when and so often as from any Cause whatsoever any Vacancy shall occur in the Number of Trustees of the Will and Codicil of the Testator, forthwith take Proceedings in the Court of Chancery in *Ireland*, under the "Trustee Acts, 1850 and 1852," for filling up such Vacancy, so that, as far as conveniently may be, there shall always be Four Trustees of his Will and Codicil; and the Costs and Expenses of all such Proceedings shall be defrayed out of the Funds of the Charity.

Removal of elected Governors.

**60.** By the Resolution of Two successive Meetings of the Governors, sanctioned by the Visitor, any elected Governor may, for any Cause deemed by the Governors and the Visitor respectively sufficient, be removed from the Office of Governor, and his Office shall thereupon become vacant.

Appointment of Governors to supply Vacancies in Office of elected Governors.

**61.** If and whenever there is a Vacancy in the Office of an elected Governor, the Secretary shall forthwith give Notice thereof to every Governor, and the Vacancy shall be supplied at the then next Meeting of the Governors, or so soon thereafter as conveniently may be.

Acts of Governors not invalidated by Vacancies.

**62.** No Act or Proceeding of the Governors or of any Committee shall be illegal or invalidated by reason only of there being any Vacancy in the Number of Governors at the Time of the Act or Proceeding.

Informal Appointment of Governors not to invalidate Proceedings.

**63.** All Acts and Proceedings of the Governors, or of a Committee or of a local Board, or of any Person acting as a Governor or as a Member of a Committee or of a local Board, notwithstanding it be afterwards discovered that there was some Defect in the Appointment of any of the Governors or Persons so acting, or of the Committee or of the local Board, or that the Persons so acting, or any of them, were disqualified, shall be as valid as if there was no such Defect, and every such Person had been duly appointed and was qualified to be a Governor or a Member of the Committee or of the local Board.

**64.** No

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**64.** No Governor or Member of a Committee or of a local Board, by being, in his Capacity of Governor or Member of the Committee or of the local Board, Party to any Contract or other Instrument on behalf of the Governors or of the Committee or of the local Board, or otherwise lawfully executing any of the Powers of the Governors or of the Committee or of the local Board, shall be liable to be sued or prosecuted, either individually or collectively, by any Person whomsoever; and the Bodies or Goods or Lands of the Governors and Members of the Committees and local Boards respectively shall not be liable to Execution of any legal Process by reason of any lawful Act done by them respectively in the Execution of any of their Powers as Governors or Members of the Committees or of the local Boards.

Indemnity of  
Governors  
and Mem-  
bers of  
Committees  
and Local  
Boards.

**65.** The Governors and Members of the Committees and local Boards respectively, their Heirs, Executors, and Administrators, shall be indemnified out of the Monies of the Governors under this Act for all Payments made or Liabilities incurred in respect of any Acts done by the Governors and the Committees and local Boards, and the Members thereof respectively, and for all Losses, Damages, Costs, and Expenses which they respectively incur in the Execution of their Powers as Governors and Members of the Committees and local Boards respectively.

Expenses of  
Governors  
and Mem-  
bers of  
Committees  
and Local  
Boards.

**66.** All the Costs, Charges, and Expenses of and incident to the executorial and other Management of the Estate of Testator, or connected with the recited Will and Codicil, and of and incident to the recited Proceedings in the Court of Chancery in *Ireland*, and the preparing and applying for, obtaining, and passing of this Act, and all future and other Costs and Charges to be incurred in the carrying out of this Act, or incidental thereto, shall be paid by the Governors out of the General Charitable Fund; and it shall be in their absolute Discretion to settle, pay, and adjust all such Costs, Charges, and Expenses without any Reference for a Taxation thereof.

Expenses  
of admi-  
nistering  
Estate, of  
Chancery  
Proceedings,  
and of the  
Act.

**67.** Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to every other Person and Body Politic and Corporate, and their respective Heirs, Successors, Executors, and Administrators, (other than and except the several Persons who are by this Act expressly excepted from this General Saving,) all the Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of the Estates and Effects of the Testator *Charles Sheils* to which this Act relates, or any Part thereof, as they or any of them had before the passing of this Act, or could or might have or enjoy if this Act were not passed.

General  
Saving.

**68.** Pro-

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Persons  
bound by  
this Act.

**68.** Provided That the following Persons are expressly excepted out of the General Saving in this Act contained, and they accordingly are the only Persons bound by this Act; (that is to say,)

1. Messieurs *Newton* and *Oulton*, as the Executors and Trustees of the Testator's Will and Codicil, and every other Person who from Time to Time hereafter is an Executor or Trustee thereof:
2. All other Persons who are intended to be bound by this Act.

Act as  
printed by  
Queen's  
Printers to  
be Evidence.

**69.** This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1864.