

**CHAPTER lxiii.**

An Act to confirm a Scheme of the Charity Commissioners A.D. 1916.
for the application or management of the Charities called
or known as the Workhouse Charities in the County
Borough of Plymouth in the County of Devon.

[18th December 1916.]

WHEREAS the Charity Commissioners in their report to His Majesty of their proceedings during the year one thousand nine hundred and fourteen reported that they had approved and certified a scheme for the application or management of the charities called or known as the Workhouse Charities in the county borough of Plymouth in the county of Devon and the scheme is set out in an appendix to the said report:

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

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

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

2. This Act may be cited as the Plymouth Workhouse Charities Scheme Confirmation Act 1916.

A.D. 1916.

SCHEDULE.

Scheme for the application or management of the Charities called or known as the Workhouse Charities in the County Borough of Plymouth in the County of Devon.

1. *Administration.* — The above-mentioned charities herein-after called the charities and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the charities shall henceforth be administered and managed in conformity with the provisions of this scheme.

TRUSTEES.

2. *Trustees.*—The body of Trustees for the administration and management of the charities shall continue to be the corporate body constituted by an Act passed in the sixth year of the reign of Queen Anne by the name of—

The guardians of the poor of the town of Plymouth in the county of Devon,
herein-after called the Trustees.

AREA OF BENEFIT.

3. *Area of Benefit.*—The area of benefit under this scheme shall be the poor-law area of Plymouth for the time being.

MANAGEMENT OF REAL PROPERTY.

4. *Allotments Extension Act 1882.*—The Trustees may set apart and let in allotments in the manner prescribed by and subject to the provisions of the Allotments Extension Act 1882 any portion of the lands belonging to the charities other than buildings and the appurtenances of buildings.

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

6. *Leases.*—The Trustees shall provide that on the grant by them of any lease the lessee shall execute a counterpart thereof and every

lease shall contain covenants on the part of the lessee for the payment of rent and the proper cultivation of the land and all other usual and proper covenants applicable to the property comprised therein and a proviso for re-entry on non-payment of the rent or non-performance of the covenants.

A.D. 1916.

7. *Repair and Insurance.*—The Trustees shall keep in repair and insure against fire all the buildings of the charities not required to be kept in repair and insured by the lessees or tenants thereof.

APPLICATION OF INCOME.

8. *Expenses of Management.*—The Trustees shall first defray—

- (1) The costs of repairs and insurance and all other charges and outgoings payable in respect of the properties of the charities out of the income derived from those properties;
- (2) All the proper costs charges and expenses of and incidental to the general administration and management of the charities out of the income thereof.

9. *Application of Income.*—Subject to the payments aforesaid the yearly income of the charities shall be applied by the Trustees in the manner and to the objects herein-after prescribed.

10. *Benefit of Inmates of New Church Almshouses.*—The Trustees shall pay to the Trustees for the time being of the New Church Almshouses situate in Green Street Plymouth for the benefit of the inmates therein the clear yearly income derived from the rentcharge of 10*l.* issuing out of the property known as Broadley Farm and specified in the said schedule.

11. *Payment to Trustees of Charity of William Rowe.*—The Trustees shall pay to the Trustees for the time being of the charity of William Rowe at Plymouth the clear yearly income derived from the two annuities of 40*s.* each specified in the said schedule upon receiving an undertaking from the last-mentioned Trustees to apply the said income in the distribution of clothing amongst deserving and necessitous persons resident in the area of benefit.

12. *Benefit of Children.*—The Trustees shall apply the residue of the net yearly income of the charities under one or more of the following heads for the benefit in equal proportions so far as may be as between boys and girls of deserving and necessitous children who at the date of their first receiving benefit under this clause are under the age of sixteen years who at such date are being relieved or maintained by the Trustees and who either have been born in the area of benefit

A.D. 1916. or have been resident therein at any time or times with their parents or guardians for more than an aggregate of five years but continuously for at least the last three preceding years:—

I. Assistance of the beneficiaries in enabling them to learn the theory and practice of skilled trades industries or employments by means of apprenticeship or otherwise subject to the conditions—

(a) That the beneficiaries shall be selected for proficiency in learning good conduct diligence and aptitude from among candidates attending a place of instruction approved by the Board of Education regard being had to the recommendations of the head teachers of schools which have been attended and if thought fit by the Trustees to the results of examinations; and

(b) That the Trustees may with the approval of the Charity Commissioners delegate any of their powers under this head to such local association for such period and upon such conditions as the Trustees deem fit.

II. Assistance of the beneficiaries by the provision of outfits not exceeding in any one case 5*l.* in value upon the beneficiaries leaving school and being about to be apprenticed or otherwise trained for a trade industry or other employment of an industrious character subject to the condition that the beneficiaries shall in each case have produced to the Trustees satisfactory evidence in writing as to good conduct punctual and regular attendance at school and proficiency in learning.

III. Provision of maintenance allowances not exceeding in any one case 20*l.* a year or with the approval of the Charity Commissioners 40*l.* a year for the benefit of persons receiving benefit under head I. of this clause and so that—

(a) Benefit under this present head may be in addition or not to benefit under head II. of this clause; and

(b) A maintenance allowance shall be discontinued or suspended for serious misconduct on the part of the beneficiary and may be discontinued or suspended for idleness or failure to maintain a reasonable standard of proficiency and in this matter the decision of the Trustees shall be final.

IV. Payment of fees and provision of text books for the instruction of an apprentice or any beneficiary deriving benefit under any of the provisions of this clause with a view to his or her further advancement in the knowledge of the theory and practice of his or her trade profession or calling.

13. *Conditions of Apprenticing.*—Upon the apprenticing of any child— A.D. 1916.

(1) An indenture of apprenticeship shall be executed containing provisions for carrying into effect the following stipulations:—

(a) The apprenticeship premium shall be not less than 10*l.* and not more than 25*l.* and shall be payable in not less than two portions and the second portion and any subsequent portions shall be payable after the lapse of at least six months from the commencement of the term of apprenticeship or from the payment of the preceding portion:

(b) The second or any subsequent portion of the premium shall not be payable unless or until the Trustees have satisfied themselves by personal inquiry that the apprentice is being properly taught:

(c) Substantial wages increasing yearly shall be paid to the apprentice on a scale to be specified in the indenture.

(2) The Trustees may also agree for the repayment to them of the whole or any part of the apprenticeship premium out of any wages of the apprentice or otherwise and may properly refuse to accept any master or mistress except upon the following conditions:—

(a) The permission of a probationary period not exceeding three months and either with or without wages during which the apprentice concerned shall be at liberty to recede from his or her engagement:

(b) The permission of access at all reasonable times to the place of employment of the apprentice concerned by any person authorised by the Trustees to inspect and report upon the condition conduct and diligence of the apprentice:

(c) Such other conditions or stipulations as to evening instruction or other matters as in the judgment of the Trustees may be beneficial to the apprentice concerned or otherwise advantageous to the charities.

(3) Any or all of the arrangements for the apprenticeship and visiting of and consequent reports upon the apprentice may be delegated to the National Institution of Apprenticeship No. 4 York Place Baker Street London W. or to the Apprenticeship and Skilled Employment Association No. 36 Denison House Vauxhall Bridge Road London

A.D. 1916.
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S.W. or to any similar institution which may be nominated by the Trustees and approved by the Charity Commissioners and in that case the moneys applicable to the apprenticeship shall be paid to the institution at the time of the signing of the apprenticeship indenture.

GENERAL PROVISIONS.

14. *Trustees not to be personally interested.*—No member of the body of the Trustees shall take or hold any interest in property belonging to the Charities otherwise than as a Trustee for the purposes thereof and no Trustee shall receive any remuneration or be interested in the supply of work or goods at the cost of the charities.

15. *As to Stock and Cash.*—The sums of stock comprised in this scheme and not already held by "The Official Trustees of Charitable Funds" shall be transferred under the authority of a further order of the Charity Commissioners into the name of the said official Trustees and all sums of cash now or at any time belonging to the charities and not needed for immediate working purposes shall (unless otherwise ordered) as soon as possible be invested under the like authority in the said name.

16. *Minutes and Accounts.*—A minute book and books of account shall be provided and kept by the Trustees. All proper accounts in relation to the charities shall in each year be made out and certified in such manner as the Charity Commissioners require and copies thereof shall be transmitted to the said Commissioners and published in conformity with the provisions of the Charitable Trusts Acts.

17. *General Power to make Regulations.*—Within the limits prescribed by this scheme the Trustees shall have full power from time to time to make regulations for the management of the charities and for the conduct of their business including the summoning of meetings the deposit of money at a proper bank the custody of documents and the appointment as clerk or secretary during their pleasure of one of themselves (without salary) or of some other fit person.

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

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

Charities Scheme Confirmation Act, 1916.

SCHEDULE OF PROPERTY.

A.D. 1916.

Description.	Extent or Amount.			Tenant Person liable or Persons in whose Name invested.	Gross Yearly Income.		
	A.	R.	P.		£	s.	d.
Land known as Specott's Field or Moor Plot with the buildings of the Plymouth Workhouse thereon.	4	0	0	In hand.	—		
Broadley Farm in the parish of Tamerton Folliott Devon subject to a rentcharge of 10 <i>l.</i> in favour of the New Church Almshouses situate in Green Street Plymouth.	25	1	10	G. W. Marshall -	48	0	0 (Subject to deduction of said rentcharge of 10 <i>l.</i>)
Bridgemoor Farm Millbrook near Devonport.	9	1	21	J. Stacey (yearly) -	22	0	0
Property in the borough of Plymouth let in each case on yearly tenancy except No. 36 Looe Street :—							
No. 13 North Street -		—		The Guardians of the Poor of Plymouth.	30	0	0
No. 36 Looe Street -		—		Weekly - - -	50	0	0 (about).
Nos. 30 and 31 Treville Street.		—		W. Harvey - - -	20	0	0
New Street Stores -		—		Various - - -	20	0	0 (about).
Annuity of 40 <i>s.</i> received as to one moiety in respect of property at Sutton Wharf and as to the other moiety in respect of property in Vauxhall Street Plymouth (Francis's Gift).		—		E. Parsons Sir J. A. Bellamy.	2	0	0
Annuity of 40 <i>s.</i> (Palmer's Gift) received out of the dividends on 2,750 <i>l.</i> 14 <i>s.</i> 3 <i>d.</i> Consols in Court to the account of "Brown v. Whalley" and "Whalley v. Cowne."		—		The Paymaster-General.	2	0	0
Annuity issuing out of Fairpath Field Plymouth (Radon's Gift).		—		B. Sparrow's Trustees	0	10	0
Consols - - - -	4,878	13	5	"The Official Trustees of Charitable Funds."	121	19	4
Do. - - - -	3,534	10	3	The Incorporation of Guardians of the Poor of the Town of Plymouth.	88	7	3
Do. - - - -	304	8	10	Do. do. -	7	12	2

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