

[1 & 2 GEO. 6.] *Middlesex Hospital*
Act, 1938.

[Ch. xii.]



CHAPTER xii.

An Act to confer powers on the president vice A.D. 1938.
presidents treasurers and governors of the
Middlesex Hospital and for other purposes.

[13th April 1938.]

WHEREAS in or about the year 1747 an institution was formed for the "relief of sick and lame persons and lying-in married women" the benefits of which were afterwards extended to persons afflicted with cancer and for the purposes of the said institution a hospital called "the Middlesex Hospital" and situate in the parish of St. Marylebone in the county of Middlesex was erected completed and established :

And whereas the president vice presidents treasurers and governors of the Middlesex Hospital (in this Act referred to as "the Corporation") are a corporate body incorporated by an Act passed in the year one thousand eight hundred and thirty-six (6 Gulielmi IV cap. vii) entitled "An Act to incorporate the subscribers to the "Middlesex Hospital and for better enabling them to "carry on their charitable designs" (in this Act referred to as "the Act of 1836") :

And whereas by the Act of 1836 it was (inter alia) enacted that the Corporation should be able and capable without incurring the penalties or forfeitures of the statutes of mortmain to hold and retain for the purposes of the said institution the said hospital and other the

A.D. 1938.

— leasehold premises therein referred to and by will gift purchase or otherwise to obtain acquire hold and retain for the purposes of the said institution as well the inheritance in fee simple of the said hospital and premises as also any other manors messuages lands tenements and hereditaments either in fee or for terms for life or years or otherwise so as such manors messuages lands tenements and hereditaments (exclusive of the said hospital and also exclusive of any hereditaments which might at any time or times after the passing of the Act of 1836 be vested in them or in any trustee or trustees for them by way of mortgage or upon which any sum or sums of money belonging to the said institution might be charged) did not in the whole exceed the clear yearly value of ten thousand pounds over and above all charges and reprises computing the same at the rack rent which might have been obtained from the same respectively at the time of the obtaining or acquisition thereof :

And whereas the Corporation for the purposes of the said institution have from time to time in pursuance of the powers conferred on them by the Act of 1836 acquired additional land :

And whereas the clear yearly value of the said additional land so acquired by the Corporation (exclusive of the said hospital and of hereditaments vested in the Corporation or in trustees for them by way of mortgage or upon which sums of money belonging to the said institution are charged) exceeds the limitation of ten thousand pounds a year placed as aforesaid by the Act of 1836 upon the value of such additional land :

And whereas it is expedient that the acquisition by the Corporation of such additional land as aforesaid should be confirmed and ratified and that the said limitation should be removed :

And whereas it is expedient that the other provisions contained in this Act be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent

of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

A.D. 1938.

1.—(1) This Act may be cited as the Middlesex Hospital Act 1938.

Short and
collective
titles.

(2) The Act passed in the year one thousand eight hundred and thirty-six (6 Gulielmi IV cap. vii) recited in the preamble to this Act may be cited as the Middlesex Hospital Act 1836.

(3) The Middlesex Hospital Act 1836 and this Act may be cited together as the Middlesex Hospital Acts 1836 and 1938.

2. In this Act unless there be something in the subject or context repugnant to such construction—

Interpreta-
tion.

“ The Corporation ” means the president vice presidents treasurers and governors of the Middlesex Hospital ;

“ The Act of 1836 ” means the Middlesex Hospital Act 1836 ; and

“ Land ” has the same meaning as in the Law of Property Act 1925.

15 & 16
Geo. 5. c. 20.

3.—(1) Notwithstanding anything in section I (The president &c. of Middlesex Hospital incorporated) of the Act of 1836 the Corporation may hold without licence in mortmain all land which has been acquired by them whether by will gift purchase or otherwise and has not been disposed of by them and such acquisition is hereby confirmed and ratified and the Corporation may by agreement or by any other means purchase or acquire or take on lease or may accept a gift of and may hold without licence in mortmain any land which in their opinion it is desirable that they should acquire or hold (including land subject to a chief rent whether already existing or created on such purchase acquisition or gift) and may borrow money for the purchase of land or for the payment of any capital sum payable for a lease thereof Provided that the Corporation shall not purchase or borrow money for the purchase of land unless the land is required for actual occupation immediate or future for the purposes of the hospital and not as an investment.

Power for
Corpora-
tion to
hold and to
acquire
lands.

A.D. 1938.

(2) So much of section I (The president &c. of Middlesex Hospital incorporated) of the Act of 1836 as relates to the purchase and acquisition of land is hereby repealed.

Repeal of
section IV
of Act of
1836.

4. Section IV (Estates mortgaged to the hospital where the mortgagers shall have released or be foreclosed may be retained in certain cases) of the Act of 1836 is hereby repealed.

Costs of
Act.

5. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Corporation out of their general funds.

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