

The Royal Medical Benevolent College Act, 1855.

County, and such Society held Meetings from Time to Time up to the Month of *July* One thousand eight hundred and eighteen, and granted Relief to certain duly qualified Objects of the Institution, but no Meeting has been held since the said Month of *July* One thousand eight hundred and eighteen, and no Claim has for many Years past been made upon the Funds of the said Society, and there are now no Contributors to or Members of the said Society, but the Residue of their Funds, amounting to the Sum of Five hundred and twelve Pounds, or thereabouts, is in the Hands or under the Control of Trustees, who are willing to pay over the same to the said College, if lawfully authorized so to do: And whereas an Association was formed in or about the Year One thousand eight hundred and twelve, under the Name of "*The Surrey Benevolent Medical Society*," for the Establishment of a Fund for the Benefit of indigent Members of the Society, their Widows and Orphans, and the Communication of Medical Facts, Cases, and Observations, and the Funds of the said Society now amount to the Sum of Five thousand five hundred Pounds or thereabouts, the annual Interest whereof amounts to Two hundred Pounds and upwards, but the Claims upon such Society do not exceed the Sum of Twenty-five Pounds *per Annum*, and the said Society, being desirous of furthering the Objects of their Institution, and providing for the better Education of a certain Number of Children of Medical Men entitled to the Benefit of the Society, are willing to subscribe the Sum of Two thousand five hundred Pounds to the College, for the Consideration herein-after mentioned: And whereas there are or may be other Societies formed for similar Purposes in various Parts of *England* and *Wales*, and the Objects of such Societies might be much assisted if they were empowered to contribute Funds to the said College, and to secure corresponding Advantages therefrom: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: And whereas Her Majesty has been graciously pleased to permit and command that the said College should bear the Style or Title of "*The Royal Medical Benevolent College*:" May it therefore please 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:

Incorporation of
College and
its Name.

I. *Nathaniel Clifton, Peter Hood, George Cornelius Jonson, George Pilcher, John Propert, Francis Sibson M.D., Edward Henry Sieveking M.D.,* Esquires, and all other Persons who, according to the Rules and Regulations for the Time being of the College, are or hereafter may be Life Governors or Governors of the said Association, heretofore called "*The Medical Benevolent College*," shall be and they are hereby declared to be One Body Politic and Corporate, for the
Purposes

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Purposes aforesaid, by the Name of “The *Royal Medical Benevolent College*,” and by that Name shall have perpetual Succession and a Common Seal, and may sue and be sued, plead and be impleaded, and may do all lawful Acts for the Promotion of the Objects of the said Association ; subject, nevertheless, to the Provisions of this Act, and to the Byelaws for the Time being of the said College.

II. The Purposes of the College are as follows :

Purposes of
the College.

First, to provide an Asylum for duly qualified Medical Men and their Widows in reduced Circumstances ;

Secondly, to provide a School for the Sons of duly qualified Medical Men ; and,

Thirdly, to provide Annuities, or occasional pecuniary Assistance, to duly qualified Medical Men in distressed Circumstances, or to their Families, when they can be granted without Detriment to the Asylum or School, which are to be ever regarded as the principal Objects of the College.

III. In construing this Act the Expression “the College” shall mean “The *Royal Medical Benevolent College*” incorporated by this Act.

“The Col-
lege.”

IV. The College shall, by its Corporate Name, for ever hereafter be able and capable in Law (by such Means as Charitable Institutions now are or may be enabled by Law) to possess, hold, and retain, for the Purposes of the College and of this Act, all such Moneys and other Personal Estate and Property, of what Nature or Value soever, as have been purchased, acquired, or accumulated, or shall at any Time or Times hereafter be purchased, acquired, or accumulated for the Purposes of the College, as have been given or bequeathed or shall hereafter be given or bequeathed to or for the Purposes of the College, as herein-before defined, or as may hereafter be given or bequeathed for any specific Purpose defined by the Donor thereof, and deemed by the Council of the College conducive to the Objects of the College.

College
enabled to
possess Pro-
perty and
receive
Bequests.

V. It shall be lawful for the Trustees for the Time being of the *Medical Benevolent Society* for the Town and County of *Leicester* to transfer and pay over the Funds of the said Society in their Hands or under their Control to the College.

Power for
the Leicester
Society to
subscribe.

VI. It shall be lawful for the *Surrey Benevolent Medical Society* to subscribe the Sum of Two thousand Pounds to the Endowment Fund of the College, and Five hundred Pounds to the Building Fund thereof ; and in consideration of such Subscriptions the College shall place at the Disposal of the said Society for ever Four Presentations

Power for
the Surrey
Benevolent
Society to
subscribe.

for

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for Exhibitioners, at an annual Payment not exceeding Fifteen Pounds for each Exhibitioner.

Power for
other Socie-
ties to
subscribe.

VII. It shall be lawful for any Association or Society formed exclusively or partly for the Purpose of affording Aid to Medical Men or their Families, by any or either of the Ways and Means aforesaid, and either generally or within certain defined local Limits, to transfer their Funds or to subscribe Money from their Funds to the said College, either gratuitously for the Furtherance of the general Objects of the College or any One or more of them, or upon and subject to such Terms and Conditions for securing special Advantages to the Objects (being Medical Men or their Families) of their own immediate Foundation; and it shall be lawful for the College by their Council, but subject to the Byelaws and Rules of the College for the Time being in force, to enter into such Agreements with any such Association or Society as aforesaid, with respect to any such special Advantages as aforesaid, as they may think proper; and such Agreements, if confirmed by Three Fifths at least of the Members of the Association or Society, Party thereto, present at a Meeting of such Association or Society specially convened for the Purpose, and also if confirmed by Three Fifths at least of the Governors of the College present at any Extraordinary General Meeting of the said Governors, and by the Visitor of the College, shall be binding upon the Association or Society, Party thereto, and the College.

Trustees of
Stock and
other Per-
sonal Pro-
perty to
transfer
the same to
the College.

VIII. It shall be lawful for all Persons in whose Names any Stock in the Public Funds is standing, or in whom or whose Names any other Personal Property is vested or standing, in trust for the Purposes of the College, and they are hereby required, to transfer, assign, and make over the same unto the College, and the same Stock or other Personal Property respectively shall be so transferred, assigned, and made over as soon as may be after the passing of this Act, and when so transferred, assigned, and made over shall, together with the Dividends and annual Produce thereof, be held and possessed by the College for the Purposes thereof, and the Persons so transferring, assigning, or making over the same respectively shall not be bound to see, and are hereby discharged from seeing to the Application thereof or of any Part thereof, and shall not be answerable or accountable for the Loss, Misapplication, or Nonapplication thereof or of any Part thereof.

Estates and
Property
held in trust
for the Col-
lege to be
conveyed to
them.

IX. All Persons who at the Time of the passing of this Act were seised or possessed of any Lands, Tenements, or Hereditaments in the Parish of *Epsom* in the County of *Surrey*, in trust for the College, shall as soon as may be after the passing of this Act convey and assign the same to the College.

X. It

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X. It shall be lawful for the College, from Time to Time, and subject to such Stipulations and Conditions as to the Contracting Parties may seem fit, to purchase and acquire, or to accept by way of Gift, the absolute Property, or any Term or Terms of Years or other Estate or Interest of, in, or out of any Lands, Houses, Real Estate, or Interest which may appear to the Council of the College to be desirable for the Purposes of the College, or which may be given to the College for any specific Objects connected with the said Purposes, and to hold, use, and enjoy such Premises, Lands, Houses, Real Estate, or Interest accordingly: Provided always, that the Lands to be acquired and held by the College shall not together exceed One hundred Acres at any One Time.

Power for
College to
purchase and
hold Lands.

XI. It shall be lawful for the College to sell, grant, demise, surrender, exchange, mortgage, charge, assign, and dispose of any Lands and Property, as well Real as Personal, whereof or wherein the College shall have any Estate or Interest, and to do and execute all such Acts, Deeds, and Assurances as shall be necessary for the effecting and completing of any such Grant, Surrender, Demise, Exchange, Assignment, Mortgage, Charge, or Disposition.

Power to
College to
alien Lands
and other
Property.

XII. Nothing in this Act contained shall make valid any Grant, Purchase, Devise, or Bequest which would be void under the Enactments contained in an Act passed in the Ninth Year of the Reign of His Majesty King George the Second, intituled *An Act to restrain the Disposition of Lands whereby the same shall become unalienable*.

Nothing to
make valid
Grants, &c.
which would
be void under
9 & 10 G. 2.
c. 36.

XIII. In all Cases wherein it may be requisite for any Person or Party to serve upon the College any Notice, or any Writ, Summons, or other Proceeding at Law or in Equity, the giving the same personally to the Secretary for the Time being of the College, or to any other Officer thereof for the Time being performing the Duties of the Secretary, or the leaving the same at the Rooms or Office of the Secretary, or, in case there shall be no such Secretary or other Officer, the giving the same personally to the Treasurer of the College, (or the leaving the same at the Office of the College,) shall be deemed good and sufficient Service of the same respectively upon the College.

Service of
Notice upon
the College.

XIV. A General Meeting of the Governors of the College shall be held annually on the Second *Tuesday* in *May*, or on such other Day and at such Time and Place as the Council shall from Time to Time appoint.

Annual
General
Meeting.

XV. At such Meeting, or at some Adjournment thereof, Pensioners and Foundation Scholars shall be elected, and such other Business transacted as shall by this Act, or may, from Time to Time, by the

Business to
be transacted
at Meeting.

[*Local.*]

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Byelaws

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Byelaws for the Time being in force of the College, be directed to be transacted thereat.

Extraordi-
nary General
Meetings.

XVI. The Council shall summon an Extraordinary General Meeting of the Governors whenever thereunto required by Requisition from Twenty Governors, and may summon such Meeting without a Requisition, whenever they shall think proper.

Chairman.

XVII. At every Meeting of the Governors the President of the College if present, or in his Absence a Governor chosen by the Meeting, shall act as Chairman.

Quorum, and
Right of
voting.

XVIII. At every Meeting of the Governors Thirty shall constitute a Quorum, and (except for the Purpose of electing Pensioners and Foundation Scholars) every Governor present (including the Chairman of the Meeting) shall have One Vote, and the voting shall be by Show of Hands, or, if demanded, by Ballot, and every Question shall be decided by a Majority of Votes, and in case of an Equality the Chairman of the Meeting shall have a Casting Vote.

Election of
Pensioners
and Founda-
tion Scholars.

XIX. Every Governor, whether present at the Meeting or not, shall be entitled to vote in the Election of Pensioners and Foundation Scholars, in such Manner, and according to such Scale or Number of Votes, as shall from Time to Time be prescribed by the Byelaws of the College.

Notices for
convening
Meeting.

XX. The Notices for convening a General Meeting of the Governors shall be such as shall from Time to Time be prescribed by the Byelaws of the College.

Council.

XXI. The Council shall consist of the President and the Treasurer for the Time being, who shall be *ex-officio* Members, and of Thirty other Governors, Ten of whom (being those who have been longest in Office) shall go out of Office at the Annual General Meeting in every Year, and at the same Meeting Ten Governors shall be elected to supply the Places of those who shall then go out of Office by Rotation; but every Governor going out of Office shall be eligible for Re-election if he shall have attended at least Three Meetings during the Year then immediately preceding; and every Governor who shall be re-elected shall, with reference to the going out by Rotation, be considered as a new Member of the Council.

Existing
Council to
continue.

XXII. The several Persons who were Members of the Council at the Time of the passing of this Act shall, with the *ex-officio* Members, continue to form the Council after the passing of this Act; and such
Persons

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Persons shall go out of Office in manner following; (that is to say,) at the Annual General Meeting in One thousand eight hundred and fifty-six, Ten of such Persons, to be determined by Ballot amongst themselves, shall go out of Office; and at the Annual General Meeting in One thousand eight hundred and fifty-seven, Ten more of such Persons, to be determined in like Manner, shall go out of Office; and at the Annual General Meeting in One thousand eight hundred and fifty-eight the Remainder of such Persons shall go out of Office.

XXIII. If any Member of the Council, not being an *ex-officio* Member, shall become an *ex-officio* Member, or shall die or resign, or become disqualified or incompetent to act, or cease to be a Member by any other Cause than that of going out of Office by Rotation as aforesaid, the other Members of the Council shall elect in his Place some other Governor of the College, and the Governor elected to fill up any such Vacancy shall continue in Office by virtue of such Election so long only as the Person in whose Place he shall have been elected would have been entitled to continue if he had remained in Office, or had not become an *ex-officio* Member of the Council.

Vacancies
by Death or
Resignation,
how to be
filled up.

XXIV. The Council shall hold Meetings at such Times as they shall appoint for the Purpose, and may meet and adjourn as they think proper from Time to Time and from Place to Place; and at any Time any Two Members of the Council may require the Secretary to call a Meeting of the Council.

Meetings of
Council.

XXV. Seven Members shall constitute a Quorum of a Meeting of the Council; and no Act or Proceeding of the Council shall be considered as invalid by reason of any Vacancy in the Number of the Council, whether such Vacancy shall be in the *ex-officio* Members or the other Members thereof; provided that no Act or Proceeding of the Council shall be valid unless there be present at the Meeting at which such Act or Proceeding was authorized or directed the Quorum of Seven Members.

Quorum of
Meeting of
Council.

Acts not to
be invali-
dated from
Vacancies.

XXVI. The Council shall direct the Application of the Funds of the College, and conduct the general Business of the College, and shall annually prepare a Report upon the general Affairs and State of the College, noticing particularly therein such Matters as may from Time to Time be required by any Byelaw of the College to be so particularly noticed, and shall submit such Report to the Annual General Meeting of the College, and shall perform all other Duties imposed upon them by the Byelaws of the College; and shall appoint, remove, and have the sole Control over all Officers, Agents, and Servants of the College, except such Honorary Officers as are by this Act directed to be appointed at General Meetings; and shall have

Duties and
Powers of
the Council.

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have the Custody of the Common Seal, with Power to direct the same to be affixed to Documents for and on behalf of the College; and shall have and exercise all the Powers and Authorities of the College, except such as may be required by this Act, or by any Byelaws of the College for the Time being, to be exercised by or at a General Meeting of the Governors, or by some of the Officers of the College; and the Council may make, alter, and repeal such Rules and Regulations for their own Guidance as they may from Time to Time think necessary.

Power to
Council to
make Bye-
laws.

XXVII. The Council may also draw up Byelaws for the Regulation of the College, and such Byelaws may be in addition to or may repeal or alter existing Byelaws: Provided always, that all such Byelaws shall be submitted to the next Annual Meeting, or to an Extraordinary General Meeting of the Governors specially convened to enter into the same, for Confirmation or Rejection, and no such Byelaw shall be enforced until it has been confirmed by the Visitor of the College.

Committees
may be ap-
pointed.

XXVIII. The Council may from Time to Time appoint such Committees from their own Body as they may think necessary, and shall fix the Quorum for each such Committee, and may require such Committees respectively to make such Inquiries as they shall direct, and to report thereon.

Meetings, &c.
of Commit-
tees.

XXIX. The Committees may meet from Time to Time, and may adjourn from Place to Place, as they think proper, for carrying into effect the Purposes of their Appointment; and no such Committee shall exercise the Powers intrusted to them, except at a Meeting at which the Quorum, as fixed by the Council, shall be present.

Questions to
be decided
by Majority,
and Chair-
man to have
a Casting
Vote at all
Meetings.

XXX. All Questions at any Meeting, whether of the Council or of any Committee appointed by the Council, shall be determined by a Majority of Votes of the Members present, and in case of an equal Division of Votes the Chairman of the Meeting shall have a Casting Vote, in addition to his own Vote as a Member of the Council or as a Member of the Committee, as the Case may be.

President
and Trea-
surer to be
appointed by
Governors;

XXXI. The Governors shall, at the Annual General Meeting, or at some Extraordinary General Meeting, as the Case may require, appoint Members of their Body to fill the Offices of President and Treasurer, and the Persons appointed to either of such Offices may be removed therefrom at any Extraordinary General Meeting.

XXXII. The

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XXXII. The President and Treasurer shall respectively hold their Offices until they shall resign the same, die, or be removed therefrom under the Provisions of this Act.

and to continue in Office till they resign, &c.

XXXIII. The Governors shall at the Annual General Meeting appoint Three Auditors, not being Members of their Body, who shall hold Office for One Year, and be eligible for Re-election.

Appointment of Auditors.

XXXIV. The several Persons who at the Time of the passing of this Act held the Offices of President, Treasurer, Auditors, or any other Office, shall continue to hold the same as if they had been appointed under the Provisions of this Act.

President and Officers to continue.

XXXV. The Treasurer shall annually, under the Direction of the Council, draw up a Statement of the Accounts of the College up to the Thirty-first Day of *December* then last, or to such other Day as may for the Time being be prescribed by a Byelaw of the College; and such Statement, with the Vouchers, shall be submitted to the Auditors, and when duly examined and attested by them, shall be presented with the Report of the Council to the Annual General Meeting or some Adjournment thereof.

Audit of Accounts.

XXXVI. It shall be lawful for the College, from Time to Time, on any Land which may be vested in or acquired by them under the Powers of this Act, to erect such Buildings for Asylums or Schools, or for Chapels and Offices in connection therewith, as they may think proper, for the Benefit of Medical Men duly qualified according to the Provisions of this Act, and of Widows and Children of such Medical Men, and to prescribe such Rules and Regulations for the good Government and general Regulation of such Asylums and Schools and the Inmates thereof, and with respect to the Benefits to be conferred therein, or otherwise, by means of the Funds of the College, and with respect to the Qualifications and Conduct of the Persons entitled to receive or actually receiving such Benefits, as they may think proper; and all such Rules and Regulations shall be considered as Byelaws for the Regulation of the College within the Meaning of this Act, and may from Time to Time be repealed, altered, or varied by the Council as other Byelaws may be repealed, altered, or varied by them.

Power to erect Asylums, Schools, &c., and to make Rules and Regulations in respect thereof.

XXXVII. All Persons who now do or shall hereafter hold a Medical Degree, Licence, or Diploma of any University, College, or Hall in the United Kingdom, or who are or shall be lawfully entitled to practise as Physicians, Surgeons, or Apothecaries in *England* or *Wales*, shall be deemed to be duly qualified Medical Men within the Meaning of this Act.

Defining Medical Men.

[*Local.*]

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XXXVIII. It

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Boys not on
the Founda-
tion may be
educated at
the Schools.

XXXVIII. It shall be lawful for the College to educate at their Schools with the Foundation Scholars to be elected by the Governors other Children, either as Boarders or Day Scholars, and either as Exhibitioners or otherwise, and such Children shall be received on such Terms of Payment and other Terms and Conditions as shall be fixed by the Council, so, nevertheless, that the Funds of the College applicable to the Charitable Objects of the Foundation shall not be diminished by the Admission to the Schools of such other Children.

Existing
Byelaws to
remain in
force till
altered.

XXXIX. All Byelaws of the College in force at the Time of the passing of this Act shall, notwithstanding the passing thereof, continue in force until they shall be repealed or altered under the Provisions thereof.

Byelaws not
to be repug-
nant to Laws.

XL. Provided always, That no Byelaw of the College for the Time being shall be repugnant to this Act, or to the Laws and Statutes of that Part of the United Kingdom called *England*.

Visitor.

XLI. The Lord Bishop of *Winchester* for the Time being shall be the Visitor of the College.

Expenses of
Act.

XLII. The Costs, Charges, and Expenses attending or incident to the obtaining and passing of this Act shall be paid by the College.

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