



ANNO DECIMO QUINTO & DECIMO SEXTO

VICTORIÆ REGINÆ.

Cap. 21.

An Act for appointing and incorporating Trustees for the Management of the Boys and Girls Hospitals of *Aberdeen* as One Institution, and for vesting the Estates and Revenues thereof in such Trustees, and for better managing such Estates and Revenues, and for other Purposes connected therewith. [30th *June* 1852.]

WHEREAS the Provost, Baillies, and Council of the Burgh of *Aberdeen*, by Minutes and Act of Council dated the Thirtieth Day of *May* One thousand seven hundred and thirty-nine, resolved to establish and erect an Infirmary and Workhouse in the Burgh of *Aberdeen*, and being resolved to invite all pious and charitably disposed Persons to contribute cheerfully towards that great and good Work, agreed that the Direction and Management should be vested in the several Contributors according to the Extent of their respective Contributions in manner therein written, and after narrating that there were Four considerable Societies in that Burgh who were established by Law, and on whom would depend the chief Support of the House, *viz.*, the Town Council, the Guild Court, the Church Session, and the Conyener

Minutes of Council, dated 30th May 1739.

[*Private.*]

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Court of the Trades, it was resolved and agreed, that each of those Societies should forthwith choose Four Directors, besides the Provost of *Aberdeen* for the Time, who should be by virtue of his Office a perpetual Director and Preses at all the Meetings, and in his Absence the eldest Baillie for the Time being, who was not only to have the First Vote as a Director, but also a decisive or casting Vote in case of Equality, and in respect the Physicians and Chirurgeons in that Place had generously offered to give their Advice, Attendance, and Medicine *gratis* for a certain Time, they were likewise to choose a Director out of their own Number, which Eighteen Directors so to be chosen in manner above set down were to collect and receive in the several Contributions towards the foresaid Work, and were to elect their Cashier and Clerk and other necessary Officers, and were to take upon them the Direction of the Architecture and building of the several Houses and Apartments, beginning first with the Workhouse, and they were to furnish and provide all proper and necessary Furniture and Utensils; item, when the Buildings were finished and provided as above, the foresaid Four Societies, *viz.*, the Town Council, the Guild Court, the Church Session, and the Convener Court, were to become bound to pay in yearly what they could afford for Sustentation of the House and Objects to be put therein, and according to the Extent of their several In-givings they were to have a Share in the Management and Direction, that was to say, for every Five Pounds Sterling to be yearly paid in by them they should have the Privilege of naming a Director, so that if each of those Societies paid in yearly Twenty Pounds Sterling they were to continue to choose the foresaid Number of Four Directors, and if any of them exceeded Twenty Pounds Sterling they were to have the Privilege of choosing a Director for each additional Five Pounds Sterling, but if they happened to pay in less yearly than Twenty Pounds Sterling, then their Number of Directors to be reduced in proportion; item, it was resolved and agreed on that every Society or Number of Persons, and every private Person, paying in yearly Five Pounds Sterling, should have the Privilege of naming a Director, so long as that Five Pounds Sterling was paid in yearly, and so on for every Five Pounds a Director; item, every private Man paying in the Sum of Twenty five Pounds Sterling of Capital Stock should be a Director during his own Lifetime, or he should have the Privilege of naming a Director during his own Lifetime; item, every Woman paying in Twenty-five Pounds Sterling of Capital Stock should have the Privilege of naming a Director during her own Life; item, every Person that gave in and mortified the Sum of One hundred Pounds Sterling of Capital Stock should have the Privilege of being a Director himself, or of naming One to act as a Director, not only during the Donor's Life but after his Death, and the

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the Director so to be named should have Power to name his Successor, who should in like Manner have the Privilege of naming his Successor, and so forth the Director for the Time should have Power to name his Successor for ever, in case the Mortifier should so destinate and appoint; item, every Society who should mortify the like Sum of One hundred Pounds Sterling, or pay in Five Pounds yearly, should have the Privilege of naming a perpetual Director in the successive Order above mentioned; item, every Two or more Persons who should jointly mortify One hundred Pounds Sterling should also have Power to name a Director, that was to say, during the Existence of those joint Donors or longest Liver of them they or he should have the Privilege of naming a Director, and thereafter the Director so to be named should have Power to name his Successor, who should in like Manner be capable to elect and nominate his Successor, and so on successively the Director for the Time should name his Successor for ever, and for every Hundred Pounds Sterling that should be mortified either by a single Person or Society, or Two or more Persons jointly, he or they were to have the Privilege of a Director or naming a Director successively and in the Manner immediately before recited, in case the Mortifier should so destinate and appoint; item, that the Provost of *Aberdeen*, or in his Absence the eldest Baillie for the Time being, should be a perpetual Director and Preses at all Meetings, and should not only vote first as One of the Directors, but in case of an Equality he was to have the Casting Vote as Preses; and the Council recommended to the several Societies to choose their Directors upon the Eighteenth Day of *June* next, and appointed the annual Elections to be upon the First *Monday* of *October* yearly; and the Council ordained that Act to be printed and published, and to be intimated to the several Societies above mentioned, that they might choose their respective Directors, and take the Management upon them without Loss of Time: And whereas after the Establishment of the said Infirmary and Workhouse, namely, in or about the Year One thousand seven hundred and forty-two, the Infirmary became a separate Establishment, and has since been governed by a different Set of Managers, and thereupon the Physicians and Chirurgeons of the said Burgh ceased to appoint a Director to take part in the Management of the said Workhouse: And whereas since the original Establishment of the said Workhouse the Town Council of *Aberdeen*, the Church Session of *Aberdeen*, and occasionally other public Bodies, and also various private Individuals, have contributed Sums of Money to the Support and Maintenance of the said Workhouse, and have nominated and appointed or been assumed and chosen as the Directors or Managers thereof: And whereas during the Period of Forty Years last past and upwards the sole and exclusive Object and Purpose of the said Workhouse or Institution has been the Maintenance and Education of poor Children
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of the Parish of *Saint Nicholas* or *Aberdeen*, and the said Institution is and has been generally known as "The Workhouse," or "Town's or Poor's Hospital of *Aberdeen*," or "Boys Hospital of *Aberdeen*," and that at the Date of the Deed of Settlement by *Alexander Rhind*, after mentioned, there was no other Place or Institution in *Aberdeen* answering to the Description of the Work or Poor House of *Aberdeen*, excepting the said Institution called the Boys Hospital of *Aberdeen*: And whereas the Real Property now belonging to and vested in the Directors and Managers of the said Hospital, or in Trustees nominated by and for them, or in the Successors in Office or Representatives of such Trustees, consists of the several Houses and Feu Duties particularly mentioned and comprised in the First Part of the First Schedule to this Act annexed, and of various Sums of Money, Securities, and other Moveable or Personal Property: And whereas there are certain Funds or Properties vested in or held by the Magistrates and Town Council of *Aberdeen*, or Office Bearers of the said Town Council, the whole or some Part of the Revenues of which are held in trust for or have been in use to be paid to the Directors or Managers of the said Workhouse, or Town's or Poor's Hospital, or Boys Hospital, and the said Funds or Properties so held in trust for the said Hospital are comprised and particularly mentioned and set forth in the Second Part of the said First Schedule to this Act annexed: And whereas in or about the Year One thousand eight hundred and twenty-nine, in addition to the said Institution called "The Boys Hospital," there was established by the Directors or Managers of the said Institution another Institution for the Maintenance and Education of poor Girls of the said Parish of *Saint Nicholas* or *Aberdeen*, the Directors or Managers thereof being the Directors or Managers of the said Boys Hospital or Work or Poor's House: And whereas the Directors and Managers of the said Girls Hospital are possessed of the several Sums of Money and Securities particularly mentioned and comprised in the Second Schedule to this Act annexed, and of other Moveable and Personal Property: And whereas *Alexander Rhind*, Merchant in *Aberdeen*, by his Disposition and Settlement dated the 27th Day of *December* 1816, and registered in the Sheriff Court Books of *Aberdeen* the 9th Day of *January* 1817, after stating that the deceased *Alexander Simpson* of *Collyhill*, by his Disposition of Date the 29th Day of *June* then last, and registered in the Sheriff Court Books of *Aberdeen* the 12th Day of *December* then current, gave, granted, assigned, and disposed to and in favour of him the said *Alexander Rhind*, and his Heirs and Assignees whomsoever, heritably and irredeemably, all and sundry Lands and Heritages, Debts, Heritable and Moveable, and whole Goods, Gear, Sums of Money and Effects, and in general his whole Means and Estate, Heritable and Moveable, of whatever Nature or Denomination, or wherever situated, then belonging to him,

Disposition
and Settlement,
dated
27th Dec.
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him, with the whole Vouchers, Instructions, and Conveyances of the said Debts, and the Writes and Evidents of his said Heritable Estates, and that he the said *Alexander Rhind*, being resolved to grant the Disposition underwritten, did thereby give, grant, assign, and dispose to and in favour of himself and *Helen Rhind*, Relict of the deceased *Andrew Simpson*, Merchant in *Aberdeen*, and to *John Davidson* of *Kebbaty*, Advocate in *Aberdeen*, and to the Acceptors and Survivors of them, and to such other Person or Persons as the Survivors or Survivor of them should name and appoint, or failing the whole by Decease without making such Nomination and Appointment, then to such Person or Persons as the Managers of the Work or Poor House of *Aberdeen* should name and appoint, pursuant to the Powers therein committed to them, as Trustees for the Uses, Ends, and Purposes therein-after mentioned, and under the Exceptions, Burdens, Provisions, and Declarations there engrossed, all and sundry the Lands and Heritages, Debts, Heritable and Moveable, Heirship Moveables, and whole Goods, Gear, Sums of Money, and Effects, and in general the whole Means and Estate, Heritable and Moveable, of whatever Nature and Denomination, or wherever situated, which belonged to the said deceased *Alexander Simpson*, and then to the said *Alexander Rhind*, in virtue of his Disposition aforesaid, with the whole Vouchers, Instructions, and Conveyances of the said Debts, and the Writes and Evidents of the said Heritable Estates; but excepting always therefrom the Lands and Estate of *Meikle Crichtie* in the Parish of *Old Deer*, *Barrack* in the Parish of *New Deer*, and *Collyhill* in the Parish of *Bourtie*, comprehending the particular Towns, Lands, Mills, and others mentioned in the Rights and Title Deeds of these several Estates, and also excepting the said deceased *Alexander Simpson's* Share, Interest, and Concern in the Business carried on under the Firm of *Crombie, Knowles, and Company*, and the whole Body Clothes, Wearing Apparel, Household Furniture, and printed Books, including Heirship Moveables, which belonged to the said deceased *Alexander Simpson*; and providing always and declaring, as it is thereby specially provided and declared, that the said Disposition was granted for the Uses, Ends, and Purposes, and with and under the Provisions, Declarations, and Reservations therein specified; viz., primo, that the said Trustees, and the Acceptors and Survivors of them, One or more, as aforesaid, should as soon as convenient convert the Estate and Effects, Real and Personal, therein disposed, into Money, and pay out thereof the whole Expense of completing Titles, either in his Person or in their own as his Assignees, to the whole Heritable and Moveable Estate of the said deceased *Alexander Simpson*; that they should also pay the said deceased *Alexander Simpson's* Funeral Expenses and just and lawful Debts, particularly the Debt and Annuity due and payable to the said *Helen Rhind*, his Mother, as

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therein mentioned; secondly, that they should make Payment of the various other Sums of Money therein mentioned to the several Individuals and public Institutions therein specified, and the whole Residue of the Estate, Corporal and Real, thereby disposed, after it is realized, to the Work or Poor's House of *Aberdeen*; tertio, that upon either the Nonacceptance or the Death of any One or more of the said Trustees before having fully executed the Trust thereby committed to them, it should be competent and lawful for the other Trustees or Trustee accepting and acting to nominate and appoint One or more Trustee or Trustees to act along with the surviving and acting Trustee or Trustees therein above named, so as always to keep up the Number of Three Trustees; and failing all of them by Death without making such Nomination and Appointment, it should be competent and lawful to the Managers of the said Work or Poor's House of *Aberdeen* to nominate and appoint a Trustee or Trustees for the Purposes of said Trust; which Trustees so to be named should be as fully invested in the Right of the whole Lands and others thereby disposed, and in all the Powers thereby committed to the Trustees therein-before named, as if they had been expressly named and appointed by the said Disposition: And whereas the said *Alexander Rhind* the Settlor, and One of the Trustees named in the said Disposition and Settlement, died on the Nineteenth Day of *August* One thousand eight hundred and nineteen, and thereupon, and from Time to Time thereafter upon the Death of other Trustees of the said Disposition and Settlement, new Trustees were named and appointed by the surviving Trustees or Trustee for the Time being, with the same Rights, Powers, and Privileges in every respect as if they had been named and appointed in the said Disposition and Settlement: And whereas *Patrick Davidson* and *Francis James Cochran*, both Advocates in *Aberdeen*, are the present Trustees of the said Disposition and Settlement, and in whom the Estates and Lands at present subject to the Trusts of the said Disposition and Settlement are now vested: And whereas the Estates and Lands of *Annochie* and *Elrick*, and the other Lands comprised in the Third Schedule to this Act annexed, are Part of the Estates and Lands comprised in the said Disposition and Settlement of the Twenty-seventh Day of *December* One thousand eight hundred and sixteen, and are the Estates and Lands the Proceeds of Sale of which, if the same were now sold in the Manner directed by the said Disposition and Settlement, would constitute Part of the residuary Estate by the said Disposition and Settlement directed to be paid to the said Boys Hospital or Work or Poor's House of *Aberdeen*: And whereas the Rents of the said Estates, or the greater Part thereof, have since the Year One thousand eight hundred and twenty-eight been paid to the Directors or Managers of the said Boys Hospital, but no Sale hath been made or attempted of any of the said Estates
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and Lands comprised in the said Third Schedule to this Act annexed: And whereas the said Estates and Lands are situate within a convenient Distance from the City of *Aberdeen*, and constitute at present as good an Investment as could be desired for the Fund which they would realize if sold, as directed by the said Disposition and Settlement: And whereas the Directors and Managers of the said Boys Hospital are desirous that the said Estates and Lands should not be sold by the Trustees of the said Disposition and Settlement, but that the said Estates and Lands themselves should be disposed and conveyed by the said Trustees to the said Directors and Managers, for the Use and Benefit of the said Institution: And whereas it is expedient that the Regulations made by the said recited Minutes and Act of Council of the said Provost, Baillies, and Council should be altered, and that further Provision should be made for keeping up a Body of Trustees for the Management of the said Boys and Girls Hospitals, and it would be advantageous to the Persons for whose Benefit the said Hospitals were established if the same were united into One Institution, and it would prove a great Convenience in making up the Titles of the Trustees of the said Institution, and in enabling them to pursue and defend Actions, if they were incorporated, and were empowered to purchase and hold and sell and lease Lands and other Heritages, and also Personal Estate of every Description, for the Purposes of the said Institution, and if further and other Powers were conferred upon them for the Management of the said Institution, and of the Property, Funds, and Revenue thereof: And whereas it is expedient that Provision should be made for vesting the Residue of the Estate which under the said recited Disposition and Settlement is now held in trust for the said Boys Hospital in the Trustees of the said Institution incorporated by this Act: And whereas the Town Council of *Aberdeen* have lately been in use to nominate Four Directors and Managers of the said Institution, besides the Provost of the said City, who has heretofore been a perpetual Director and Preses of the said Institution, and the Persons presently nominated by the said Town Council as such Directors and Managers are *George Henry*, Merchant, present Provost of the City of *Aberdeen*, *Alexander Henderson*, Advocate in *Aberdeen*, and *William Ross*, Advocate in *Aberdeen*, both Baillies and Magistrates of the said City, *George Inglis*, Dean of Guild of the said City, and *George Elmsly*, Treasurer of the said City: And whereas the Church Session of *Aberdeen* has lately been in use to nominate Four Directors and Managers of the said Institution, and the Persons presently nominated by the said Church Session as such Directors and Managers are *James Ferguson*, Advocate in *Aberdeen*, *Charles Runcy* of *Millbank*, *William Reid*, and *William Walker*, all Merchants in *Aberdeen*: And whereas the Parochial Board of the Parish of *Saint Nicholas* or *Aberdeen* have lately been in use to
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nominate Four Directors and Managers of the said Institution, and the Persons presently nominated by the said Parochial Board as such Directors and Managers are *John Urquhart*, Druggist in *Aberdeen*, *Alexander Torrie*, Advocate there, *James M'Laren*, late Collector of Excise there, and *John Christie*, Doctor of Medicine there: And whereas the following Persons have acted and are at present acting as Directors or Managers of the said Institution, namely, the Right Reverend *William Skinner*, D.D., Bishop of *Aberdeen*, and Primus of the *Scottish Episcopal Church*, *William Henderson*, Doctor of Medicine in *Aberdeen*, *James Edmond*, *Robert Ledingham*, *Charles Winchester*, *Alexander Webster*, *Alexander Davidson*, *Robert Smith*, *Thomas Sangster*, *Alexander Chivas*, *Anthony Adrian Blaikie*, *James Brebner*, *William Gray*, *Robert Shand*, and *Robert Dyce*, all Advocates in *Aberdeen*, and *Henry Campbell Oswald*, Stockbroker there, and the said *Patrick Davidson* and *Francis James Cochran*, the Trustees acting under the said Deed of Disposition and Settlement of the said *Alexander Rhind*: And whereas there are no other Persons or Bodies than those mentioned who at present contribute to the Maintenance and Support of the said Institution, or act as Managers thereof: And whereas the Incorporation of the Trustees of the said Institution and the other beneficial Objects aforesaid cannot be regularly effected without the Authority of Parliament: 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,

Trustees incorporated.

I. That from and after the passing of this Act *George Henry* Esq., Merchant in *Aberdeen*, Provost of the City of *Aberdeen*, and the Provost for the Time being of the said City *ex officio*, the said *Alexander Henderson*, *William Ross*, *George Inglis*, and *George Elmsly*, and their Successors, Trustees for the Time being appointed by and on behalf of the Town Council of the City of *Aberdeen*, and the said *James Ferguson*, *Charles Runcy*, *William Reid*, and *William Walker*, and their Successors, Trustees for the Time being appointed by and on behalf of the Church Session of *Aberdeen*, and the said *John Urquhart*, *Alexander Torrie*, *James M'Laren*, and *John Christie*, and their Successors, Trustees for the Time being appointed by and on behalf of the Parochial Board of *Aberdeen*, and the said *William Skinner*, *William Henderson*, *James Edmond*, *Robert Ledingham*, *Charles Winchester*, *Alexander Webster*, *Alexander Davidson*, *Robert Smith*, *Thomas Sangster*, *Alexander Chivas*, *Anthony Adrian Blaikie*, *James Brebner*, *William Gray*, *Robert Shand*, *Robert Dyce*, *Henry Campbell Oswald*, *Patrick Davidson*, and *Francis James Cochran*, and all and every other the Persons and Person who shall or may at any Time and from Time to Time hereafter,

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hereafter, under or by virtue of the said recited Minutes and Act of Council, and the Provisions of this Act, be appointed Trustees of the said Institution, and the Persons who shall under the Powers of this Act be appointed Trustees by the Trustees for the Time being, for the Purpose of making and keeping up the Number of Trustees, as herein-after provided, shall and they are hereby declared to be one Body Politic and Corporate by the Name and Style of "The Trustees of the Boys and Girls Hospitals of *Aberdeen*," and by that Name shall have perpetual Succession, and shall have a Common Seal, with Power to change, alter, break, and make new the same, when and as often as they shall judge the same to be expedient, and by the same Name shall and may sue and be sued, implead and be impleaded, pursue and defend, in all and any Actions, Suits, Arbitrations, or other Proceedings at Law or in Equity, and in all and in any Courts, whether of Record or not of Record, and whether civil or criminal, legal, ecclesiastical, or maritime. Their Style.

II. That the Trustees shall and may, by and in their Corporate Name, acquire, purchase, and take and hold, possess and retain, for the Ends, Uses, and Purposes and for the Benefit of the said Institution, Lands and Heritages, of any Nature or Tenure, including Heritable Bonds, Monies heritably secured, and Leasehold Rights, and also acquire, accept, and retain for the Purposes and for the Benefit of the said Institution, Monies, public and private Stocks, *British* and Foreign Funds, Debentures, Bonds, Inland and Foreign Bills and Notes, Bank Notes, Shares in public Companies, and all Moveable Estate and Property whatever. Power to acquire and hold Property.

III. That it shall be lawful for the said Trustees, for the Purposes and for the Benefit of the said Institution, to grant, sell, alien, excamb, exchange, convey, let, feu, assign, and otherwise dispose of all or any Lands and Heritages, Heritable Bonds, Monies heritably secured, and Leasehold Rights, and to sell, alien, assign, transfer, make over, and otherwise dispose of all or any Monies, Stocks, Funds, Debentures, Bonds, Bills, Notes, Shares, and other Property, as well Real as Personal, for the Time being belonging to the said Institution, or any Part or Portions thereof respectively, and to reinvest and apply the Monies arising by or from any such Sale or other Disposition of all or any of the said Property, Real or Personal, in the Purchase of other Lands or Heritages, or other Real or Personal Securities, and also to receive or pay any Sum of Money for Equality of Exchange, and generally to do, execute, and perform all and every such Acts, Deeds, Matters, and Things as shall or may be necessary for effecting and completing any and every such Sale, Alienation, Conveyance, Assignment, Exchange, or Disposition generally of all or any Part of the Lands or Heritages, or Property or Effects, Real or Personal, for the Time being belonging to the said Institution. Powers to manage Estates.

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IV. That

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Property in
First Part of
First and in
Second
Schedules
vested in
Trustees
hereby in-
corporated.

IV. That from and after the passing of this Act (whatever may be the Terms in which the Rights and Titles of the same or any Part thereof may have been taken or acquired, and without any new Conveyance or Investment thereof,) all the Houses, Lands, Feu Duties, and Heritages comprised and described in the First Part of the First Schedule to this Act annexed, and all the Sums of Money and Securities comprised and described in the Second Schedule to this Act annexed, and all other the Sums of Money, Securities, and other Moveable or Personal Property now belonging to or held in trust for or for the Behoof of "The Boys Hospital of *Aberdeen*," formerly called "The Work or Poor's House," or "Town's or Poor's Hospital" of *Aberdeen*, or in trust for or for the Behoof of "The Girls Hospital of *Aberdeen*," or in trust for or for the Benefit of both the said Hospitals, by any Bodies, or Persons or Person, or by the Representatives or Successor in Office of any Person, who is or was a Trustee for the said Hospitals or either of them, (excepting always the Capital or Stock of the Properties or Funds mentioned in the Second Part of the said First Schedule to this Act annexed, and which are herein-after specially provided for,) shall be and the same are hereby absolutely vested in "The Trustees of the Boys and Girls Hospitals of *Aberdeen*," hereby incorporated, upon trust for the said Institution, and for the Ends, Uses, and Purposes specified in or authorized by this Act; and after the passing of this Act the several Bodies, or Persons or Person, or the Representatives or Successor in Office of any Person, who is or was a Trustee for the said Hospitals or either of them at the Time of the passing of this Act, shall not, in respect of the Monies, Securities, or Property so vested in the Trustees hereby incorporated, be bound to see 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.

Trustees of
Property in
Second Part
of First Sche-
dule to pay
the same to
the Trustees.

V. That after the passing of this Act the free Incomes and Revenues mentioned in the Second Part of the First Schedule to this Act, and now held by the Magistrates and Town Council of *Aberdeen*, or Office Bearers of the said Town Council, in trust for or which they have been in use to pay to the Workhouse or Poor's Hospital or Boys Hospital of *Aberdeen*, shall, subject to and under Deduction of the Charges for Management, as the said Charges shall be from Time to Time fixed by the said Magistrates and Town Council, be paid by the said Magistrates and Town Council or Office Bearers aforesaid, at the usual Times of paying the same, unto "The Trustees of the Boys and Girls Hospitals of *Aberdeen*," and such Incomes and Revenues, when so paid over, shall be held by the said Trustees for the Purposes of the said Institution, and the Magistrates and Town Council, and their Office Bearers, so paying over the same to the said Trustees shall not be bound to see and are hereby released

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released from seeing to the Application thereof or of any Part thereof, and shall not be answerable for the Loss, Misapplication, or Non-application thereof or of any Part thereof, it being hereby specially enacted and declared, that the said Trustees constituted by this Act shall not have Right to any of the Properties or to the Capital or Stock of the Mortifications or Funds specified in the said Second Part of the First Schedule to this Act annexed, but only to the free Incomes or Revenues arising from them in manner above mentioned.

VI. That it shall be lawful for the Trustees or Trustee for the Time being of the said recited Disposition and Settlement, and they are hereby bound and obliged, when required by the Trustees of the said Boys and Girls Hospitals of *Aberdeen* so to do, immediately to convey and dispoise and assign and pay over all the Estates and Lands comprised in the Third Schedule to this Act annexed, and all other the Lands and all Sums of Money and other Property now constituting the Residue of the Estate and Effects of the said *Alexander Simpson*, which, or the Proceeds of Sale of which, are by the said recited Disposition and Settlement directed to be held in trust for or paid to the said Boys Hospital or Work or Poor's House of *Aberdeen*, unto the Trustees of the Boys and Girls Hospitals of *Aberdeen*, for the Benefit of the said Institution, and for the Ends, Intents, and Purposes specified in or authorized by this Act, notwithstanding any Direction contained in the said Disposition and Settlement directing the Trustees thereof to sell the said Estates and Lands or any Part thereof, before paying the same to the said Hospital; and upon the Execution of such Conveyance, and upon Payment to the Trustees of the said Institution by the Trustees of the said recited Disposition or Settlement of all Sums of Money held by the said last-mentioned Trustees in trust for the said Boys Hospital, and upon the Settlement of all Accounts between the said Trustees and the Trustees of the said Institution, the said last-mentioned Trustees shall execute to the Trustees of the said Disposition and Settlement a full and sufficient Release and Discharge to them and their Predecessors in Office from all Claims and Demands in respect of the residuary Estate so directed to be paid to the said Boys Hospital or Poor's House of *Aberdeen*, and from any Claim or Demand by reason of the said Estates and Lands comprised in the Third Schedule to this Act not having been sold in the Manner directed by the said Disposition and Settlement.

Trustees of Disposition and Settlement may convey Lands in Third Schedule to the Trustees of the Institution.

VII. That all Bonds, Covenants, or other Obligations heretofore entered into whereby any Person is bound or liable to the Treasurer or to any other Person, as Trustee or otherwise, for or on behalf of the said Boys and Girls Hospitals or either of them, or whereby any Person is bound to do or perform any Duty, Act, Matter, or Thing concerning

Right of suing on Bonds, &c. transferred to the Trustees.

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concerning the said Hospitals or either of them, or the Business thereof, or whereby any Person is, as Surety or otherwise, responsible for any other Person doing or performing any Duty, Act, Matter, or Thing concerning the said Hospitals or either of them, or the Business thereof, are hereby transferred to and vested in the Trustees of the said Institution hereby incorporated; and on Breach of the Condition of any such Bond, or Nonobservance of any such Covenant or Obligation, the Trustees may sue and take such Proceedings thereon, at Law or in Equity, or otherwise, as if they were now and had originally been the Obligees, Covenantees, or Recipients of such Bond, Covenant, or Obligation: Provided nevertheless, that the Persons appearing on the Face of such Bond or Obligation as the Obligees thereof may, if expedient, and if authorized by the said Trustees appointed by this Act, sue and take any Proceedings therein, at Law or in Equity, or otherwise, as if this Act had not been passed.

Trustees to direct the Application of the Funds.

VIII. That it shall be lawful for the Trustees at any Quarterly Meeting to set apart any of the Funds of the Institution for the Purpose of repairing, maintaining, and enlarging, or rebuilding the Hospitals or Buildings, School-rooms, Workshops, and other Erections for the Time being belonging to the Institution, and of providing Industrial Schools and Workshops in the City of *Aberdeen*, and to apply and dispose of all Funds now belonging to and of all Sums of Money which shall or may hereafter be subscribed or contributed to the said Institution, and of all other Monies and Funds whatever belonging to the said Trustees, for behoof of or in trust for the said Institution, to and for all and any of the Ends, Uses, and Purposes thereof, and for any Purpose and in any way relating to the said Institution, in the Administration of the Affairs of the same expressly authorized by this Act, and to make and enter into all necessary Contracts and Agreements for such Purposes or any of them, or for any other Purpose or Design, for the better effecting and carrying out the Objects of the said Charity and of the Trust hereby declared, and in general to manage, transact, and determine all such Matters and Things as shall to them appear to be necessary, convenient, or proper for carrying the Objects and Purposes of the said Institution into full and complete Effect.

Funds to be applied exclusively in pursuance of the Trust.

IX. That it shall not be lawful for the Trustees to apply any Part of the said Trust Funds under their Charge to any other Purposes whatever than the Purposes of this Act, nor shall it be lawful for any of the Trustees to hold any Office or Employment under the said Trust, nor shall it be lawful for any of them, or for any Officer employed under them, to be Contractor for or Seller of any Articles required for the said Institution, or Contractor for any Buildings, Repairs,

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Repairs, or Improvements connected with any Property belonging to the Trust; and any Contract, Agreement, or Transaction between the Corporation and any of the Trustees for any such Purpose is hereby declared to be *ab initio* null and void.

X. Provided always, That no Person, being a Shareholder or Member of any Joint Stock Company, shall be prevented from acting as a Trustee, or as an Officer of the said Trustees, by reason of any Contract entered into between such Company and the Trustees, but no such Trustee, being a Member of such Company, shall vote on any Question relating to the said Institution in which such Company is interested.

Shareholders
in Companies
not disquali-
fied by
reason of
Contracts.

XI. That the Four Persons by this Act appointed Trustees of the said Institution on behalf of the Town Council of *Aberdeen* shall continue in Office until the Month of *November* in the Year One thousand eight hundred and fifty-three, and until other Trustees shall be elected and admitted Trustees in their Stead; and the Trustees to be elected in the Month of *November* One thousand eight hundred and fifty-three, and in the Month of *November* in every subsequent Year, shall continue in Office until the Month of *November* in the Year following their Election, and until other Trustees shall in like Manner be elected and admitted Trustees in their Stead; and in the Month of *November* in the Year One thousand eight hundred and fifty-three, and in the Month of *November* in every subsequent Year, it shall be lawful for the Town Council of *Aberdeen* (without making any further Contribution to the Funds of the said Institution), at any Meeting of the Council to be held or made special for the Purpose, to elect Four Persons, being Members of the Council, in addition to the Provost for the Time being of *Aberdeen*, herein-before appointed a perpetual Trustee of the said Institution, to be Trustees of the said Institution for the then ensuing Year, and until other Trustees shall in like Manner be elected and admitted Trustees to represent the Town Council in the Management of the said Institution, in the Place of the Trustees previously elected by the Council; and if any of the Trustees so appointed on behalf of or elected by the Council shall die or shall resign the Office of Trustee before the Period by this Act appointed for the Election of another Trustee in his Place, it shall be lawful for the Council in every such Case, at a Meeting of the Council to be held or made special for the Purpose, to elect some other Person to be a Trustee in the Place of the Trustee who shall so die or resign; and every Trustee who shall be so elected to fill an occasional Vacancy shall continue in Office for the same Period as the Person in whose Place he shall have been elected would have been entitled to continue in Office if such Death or Resignation had not taken place.

Town Coun-
cil to elect
Four Trus-
tees in the
Month of
November in
every Year.

[*Private.*]

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XII. That

The Aberdeen Boys and Girls Hospitals Act, 1852.

Church
Session of
Aberdeen to
elect Four
Trustees in
the Month of
November in
every Year.

XII. That the Persons by this Act appointed Trustees of the said Institution on behalf of the Church Session of *Aberdeen* shall continue in Office until the Month of *November* in the Year One thousand eight hundred and fifty-three, and until other Trustees shall be elected and admitted Trustees in their Stead; and the Trustees to be elected in the Month of *November* One thousand eight hundred and fifty-three, and in the Month of *November* in every subsequent Year, shall continue in Office until the Month of *November* in the Year following their Election, and until other Trustees shall in like Manner be elected and admitted Trustees in their Stead; and in the Month of *November* in the Year One thousand eight hundred and fifty-three, and in the Month of *November* in every subsequent Year, it shall be lawful for the Church Session of *Aberdeen* (without making any further Contribution to the Funds of the said Institution), at a Meeting of the Session to be held or made special for the Purpose, to elect Four Persons, being Members of the Church Session, to be Trustees of the said Institution for the then ensuing Year, and until other Trustees shall in like Manner be elected and admitted Trustees to represent the Church Session in the Management of the said Institution, in the Place of the Trustees previously elected by the said Church Session; and if any of the Trustees so appointed on behalf of or elected by the Church Session shall die or shall resign the Office of Trustee before the Period by this Act appointed for the Election of another Trustee in his Place, it shall be lawful for the Church Session in every such Case, at a Meeting of the Church Session to be held or made special for the Purpose, to elect some other Person to be a Trustee in the Place of the Trustee who shall so die or resign; and every Trustee who shall be so elected to fill an occasional Vacancy shall continue in Office for the same Period as the Person in whose Place he shall have been elected would have been entitled to continue in Office if such Death or Resignation had not taken place.

Parochial
Board of
Aberdeen to
elect Four
Trustees in
the Month of
November in
every Year.

XIII. That the Persons by this Act appointed Trustees of the said Institution on behalf of the Parochial Board of *Aberdeen* shall continue in Office until the Month of *November* in the Year One thousand eight hundred and fifty-three, and until other Trustees shall be elected and admitted Trustees in their Stead; and the Trustees to be elected in the Month of *November* One thousand eight hundred and fifty-three, and in the Month of *November* in every subsequent Year, shall continue in Office until the Month of *November* in the Year following their Election, and until other Trustees shall in like Manner be elected and admitted Trustees in their Stead; and in the Month of *November* in the Year One thousand eight hundred and fifty-three, and in the Month of *November* in every subsequent Year, it shall be lawful for the Parochial Board of the Parish of *St. Nicholas* or *Aberdeen* (without making any further Contribution to the Funds
of

The Aberdeen Boys and Girls Hospitals Act, 1852.

of the said Institution), at a Meeting of the said Board to be held or made special for the Purpose, to elect Four Persons, being Members of the said Board, to be Trustees of the said Institution for the then ensuing Year, and until other Trustees shall in like Manner be elected and admitted Trustees to represent the said Board in the Management of the said Institution, in the Place of the Trustees previously elected by the said Board; and if any of the Trustees so appointed on behalf of or elected by the Parochial Board shall die or shall resign the Office of Trustee before the Period by this Act appointed for the Election of another Trustee in his Place, it shall be lawful for the said Board in every such Case, at a Meeting of the Board to be held or made special for the Purpose, to elect some other Person to be a Trustee in the Place of the Trustee who shall so die or resign; and every Trustee who shall be so elected to fill an occasional Vacancy shall continue in Office for the same Period as the Person in whose Place he shall have been elected would have been entitled to continue in Office if such Death or Resignation had not taken place.

XIV. That if the Town Council of *Aberdeen*, the Church Session of *Aberdeen*, the Parochial Board of *Aberdeen*, or any other public Body or Society, or any Person or Persons, shall at any Time hereafter contribute to the Funds of the said Institution any Sum of Money yearly, or pay in or mortify any Sum of Money or Capital Stock which, in the Terms of the said recited Minutes and Act of Council of the 30th Day of *May* 1739, would entitle such Person to be or to nominate One or more Directors or Managers of the Workhouse thereby established, it shall be lawful for such Person in like Manner and for the same Period to become, or, as the Case may be, to nominate One or more Person or Persons to be, a Trustee or Trustees, for the same Period, of the Institution of the Boys and Girls Hospitals of *Aberdeen* hereby incorporated; and every Person so assumed or appointed to be a Trustee shall, upon his Nomination being signified to the Trustees in the Manner for the Time being required by the Rules and Regulations of the said Institution to be made under the Powers of this Act, be entitled to be admitted One of the said Trustees of the said Institution, and a Member of the Body Corporate thereof, for the Period for which he shall have been so appointed a Trustee.

Trustees may be appointed in Terms of Act of Council of 1739.

XV. That upon the Election of any Persons or Person by or on behalf of the Town Council of *Aberdeen*, the Church Session of *Aberdeen*, the Parochial Board of *Aberdeen*, or any other public Body or Society in the City of *Aberdeen*, to be Trustees or a Trustee of the said Institution, the Body or Society by whom such Trustees or Trustee shall have been so elected shall cause a Copy or Extract from their Minutes, setting forth the Names and Designations

Evidence of Election of Trustees by public Bodies

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nations of the Persons or Person so elected, and certified by the Secretary or Clerk of such Body or Society, to be sent by such Secretary or Clerk to the Office of the said Trustees within Ten Days after every such Election; and such Certificate shall be sufficient Evidence of the due Election of the Persons or Person named therein as Trustees or a Trustee of the said Institution, and shall entitle them or him to be admitted as such Trustees or Trustee and as Members or a Member of the Body Corporate thereof.

When Trustees reduced to Five, exclusive of official Trustees, the remaining Trustees to fill up Vacancies.

XVI. That if the Number of the Trustees, exclusive of the Provost of *Aberdeen* and of the Trustees appointed or elected by the Town Council, the Church Session, and the Parochial Board, shall at any Time be reduced below Five, the remaining Trustees for the Time being of the said Institution shall, at the next Annual Meeting of the Trustees which shall be held after the happening of the Vacancy which shall have reduced the Number of Trustees, exclusive as aforesaid, below Five, elect some other fit and proper Person or Persons to be a Trustee or Trustees of the said Institution, without Contribution to the Funds thereof, so that the Number of the said Trustees, exclusive as aforesaid, may at all Times be maintained at not less than Five; and every Trustee who shall be so elected without Contribution as aforesaid for the Purpose of making the Number of Trustees, exclusive as aforesaid, Five, shall continue in Office only until the next Annual Meeting, at which Meeting his Office shall be considered as vacant, but every such Trustee shall be eligible for Re-election to the Office of Trustee for the Purpose of filling up any Vacancy or otherwise; and in case it shall happen that there shall not be any Trustees of the said Institution by reason of Contributions, in Terms of the said recited Minutes of Council of the Thirtieth Day of *May* One thousand seven hundred and thirty-nine, then and in that Case it shall be lawful for the Town Council of *Aberdeen*, the Church Session of *Aberdeen*, and the Parochial Board of the Parish of *Saint Nicholas* or *Aberdeen* respectively to elect Six Persons instead of Four Persons to be Trustees of the said Institution, in manner above provided.

Acts of Trustees not to be invalidated by reason of Vacancies.

XVII. That no Proceedings of the Trustees or of any Committee shall be invalidated or be illegal in consequence only of there being any Vacancy or Vacancies in the Number of Trustees at the Time of such Proceeding.

Annual and Quarterly Meetings of the Trustees to be held.

XVIII. That a Meeting of the Trustees shall be held within One Month after the passing of this Act, and an Annual Meeting shall be held on the last *Wednesday* in the Month of *January* in every Year, and Four Quarterly Meetings in every Year; and the Days, Times, and Places of holding the Quarterly Meetings in the First Year shall be

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be fixed at the said First Meeting of the said Trustees, and the Days and Times and Places of holding the Quarterly Meetings in every subsequent Year shall be fixed at the preceding Annual Meeting, the Trustees for the Time being having Power at any Time to alter the Days of the Quarterly Meetings as to them shall seem expedient; which Annual or Quarterly Meetings shall be held at such Place or Places, and at such Times, and on such Premonition thereto, as the Trustees for the Time being shall direct and appoint; and the Trustees assembled at any Meeting shall have Power to adjourn from Time to Time and from Place to Place as to such Meeting shall seem proper or necessary.

XIX. That at all Meetings of the Trustees Five of the Trustees shall be a Quorum; and the Provost of *Aberdeen*, if he shall be present, shall be Preses, and if he be not present, then the Trustees present shall elect One of their Number to be Preses; and the Preses of every Meeting of the Trustees shall sign the Minutes thereof, and shall have a deliberative Vote, and also a Casting Vote in all Cases of Equality of Votes; and all the Powers of this Act may be exercised at any Meeting of the Trustees at which Five Trustees shall be present.

Quorum and Preses of Meetings.

XX. That it shall be lawful for the Secretary and he is hereby required, upon the Request in Writing of the Provost of *Aberdeen* or of any Three of the Trustees, to call a Special Meeting of the Trustees for the Purposes mentioned in such Requisition, of which Meeting Two Days Notice shall be given by the Secretary; and every such Special Meeting shall have the same Powers and Authorities in all respects as any Quarterly Meeting of the said Trustees.

Special Meetings may be held.

XXI. That the Trustees shall cause Minutes of all Resolutions, Determinations, Acts, and Proceedings at each of their Annual, Quarterly, and Special Meetings, and the Names of all Trustees present at every such Meeting, to be entered in a Book to be provided for that Purpose, and shall also cause proper Books to be provided and kept, and true and regular Entries to be made therein of all and every Sum and Sums of Money received and paid for and on account of the said Institution.

Minutes of Proceedings to be entered, and Books of Account to be kept.

XXII. That the Trustees may at any Meeting from Time to Time appoint Committees for any Purposes which, in the Opinion of the Trustees, would be better regulated and managed by means of such Committees, and they may fix the Quorum of any such Committee, and may continue, alter, or discontinue such Committee; and every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying

Power to appoint Committees.

[Private.]

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into

The Aberdeen Boys and Girls Hospitals Act, 1852.

Quorum of
Committee.

into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless the Quorum of Members, if any, fixed by the Trustees, and if no Quorum be fixed, Three Members be present; and at all Meetings of the Committee One of the Members present shall be appointed Preses, and all Questions shall be determined by a Majority of the Votes of the Members present, and in case of an equal Division of Votes the Preses shall have a Casting Vote, in addition to his Vote as a Member of the Committee.

Appoint-
ment of
Officers for
transacting
the Busi-
ness of the
Charity.

XXIII. That the Trustees shall from Time to Time, when and as often as need shall be or require, appoint such Treasurer, Secretary, Clerks, Factors, Managers, Matrons, Schoolmasters, Teachers, Officers, and Servants as shall be necessary, or as they shall think proper or advisable, for the due Management and Administration of the Affairs of the said Institution, and the Industrial Schools to be established thereby, and for effecting the several Ends, Uses, and Purposes thereof, and generally for carrying this Act into execution, and they shall assign to the several Persons employed by them respectively the Performance of such Duties, and allow and pay such Salaries and Compensation, as they shall think expedient; and the said Trustees shall, if and when they shall think proper, annul and vacate any such Appointments as aforesaid, and, if necessary, shall appoint other Persons in the several Places of the Persons whose Appointments shall have been so vacated, or restore such Persons to such Employments, as they may deem most advisable for the Interests of the said Institution.

Qualification
of Children
to be ad-
mitted to
School.

XXIV. That after the passing of this Act the Class of Children to be admitted to the Benefit of the said Institution shall be poor Children of the Parish of *Saint Nicholas* or *Aberdeen*, the Test of their belonging to the said Parish being the same as is required to establish a Settlement under the Acts relating to the Settlement of the Poor in *Scotland*.

Power to
Trustees to
make Rules
and Regula-
tions for the
Government
of the Insti-
tution, &c.

XXV. That it shall be lawful for the Trustees from Time to Time, at any Annual or Quarterly General Meeting, to make all such Bye-laws, Rules, Orders, and Regulations as they shall think fit, for the Management and Government of the said Institution, and for the due, proper, and effectual Administration of the Affairs and Property thereof; and for the Election and Assumption of new Trustees, and for the Appointment, Election, Removal, Suspension, and Retirement of Trustees of the said Institution; the Mode and Time or Times of Election and Admission of Children to the said Institution, and the Period during which the Children shall or may enjoy the Maintenance and Training provided by the Institution; for providing
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at once for the Expulsion or Removal of any Children who shall, from whatever Cause, misconduct themselves therein, so that the evil Example thereby afforded may be prevented from contaminating the other Children in the Institution; for regulating the Mode of Appointment, Duties, and Remuneration of the Secretaries, Clerks, Factors, Surgeons, or Physicians, Auditors, or other Officials necessary to the proper Control, Conduct, and Direction of the Institution; and in general for duly, fitly, properly, and adequately carrying out and fulfilling the Ends, Uses, and Purposes of the said Institution; the said Trustees having also full Power and Authority to alter, amend, or annul the said Byelaws, Rules, Orders, or Regulations, or all or either, as they shall from Time to Time deem expedient: Provided always, that each and all of such Byelaws, Rules, Orders, and Regulations as the said Trustees shall from Time to Time make, enact, or ordain as aforesaid shall not in any Case be repugnant to the Laws of that Part of the United Kingdom called *Scotland*, or inconsistent with this Act; and that all such Byelaws, Rules, Orders, and Regulations, and any Alteration, Amendment, or Repeal of the same or any Part thereof, shall be ratified and confirmed by the Annual General Meeting of the said Trustees that shall be held next after the same are respectively made and enacted, or altered, amended, or repealed.

XXVI. That in case of there not being Room within the Buildings of the Institution for the Accommodation therein, by Night as well as by Day, of all the Boys and Girls whom the Trustees may be desirous to admit to the Benefit of the Charity, or in case of the Trustees at any Time being of opinion that the Objects of the Charity could be beneficially carried into effect by the Education, Maintenance, and industrial Training of any such Children apart from the said Institution, it shall be lawful for the Trustees to make Provision out of the Funds of the Institution for the Education and industrial Training of such Children in One or more Day Schools to be established under the Charge and Management of the Trustees in any Part or Parts of the City of *Aberdeen* where such Schools can be most conveniently set up, and to provide Land and Workshops or other Premises in any convenient and suitable Situation, so that the said Children may be instructed in industrial Occupations, and to board, lodge, and feed such Children, under such Rules and Regulations as the Trustees may appoint; provided that Two Thirds of the whole Number of the Trustees for the Time being residing within Five Miles of the City of *Aberdeen* shall, at a Meeting to be called for the Purpose, think it advisable and proper so to educate the Children in such Day Schools, and shall so resolve.

Power to
Trustees to
establish
Day Schools.

XXVII. That

The Aberdeen Boys and Girls Hospitals Act, 1852.

All Deeds to be sealed and signed by Three Trustees and the Treasurer.

XXVII. That all Deeds and Writings to be made by the Trustees relating to or affecting the Property, Real or Personal, of the said Institution, shall be signed by the Treasurer for the Time being and Three of the Trustees who shall be selected and appointed as a Committee for that Purpose at any of the Annual or Quarterly Meetings of the Trustees, and the Seal of "The Trustees of the Boys and Girls Hospital of *Aberdeen*" shall be affixed to all such Deeds and Writings; and all such Deeds and Writings, being so signed and sealed, and otherwise tested, according to Law and Practice of *Scotland* where such Solemnities are required, shall be deemed and held to be the Deeds and Writings of the Trustees by this Act incorporated.

Treasurer's Receipts to be good Discharges.

XXVIII. That the Treasurer for the Time being of the said Institution shall be the proper Person to receive all Monies payable to the said Institution or to the Trustees, under the Authority of this Act, or otherwise howsoever; and the Receipt of such Treasurer shall at all Times be a sufficient Discharge for the Monies therein expressed to be received, and shall wholly exonerate the Person paying the same from seeing to the Application thereof.

As to Service of Notices, &c. upon the Trustees.

XXIX. That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served on the Trustees, may be served by the same being personally given to the Secretary for the Time being of the Trustees, or being left at the Office of such Secretary, or being delivered to some Inmate at the Place of Abode of such Secretary, or in case there shall be no Secretary, or the Place of Abode of such Secretary shall not be found, then being personally given to any Two of the Trustees or to the Treasurer for the Time being of the said Institution.

How Notices of Meetings of Trustees are to be given.

XXX. That all Notices of any Meeting of the Trustees shall be in Writing or in Print, or partly in Writing and partly in Print, and shall be by the Secretary delivered or sent by the Post or otherwise to the usual Place of Abode or to the usual Place of Business, if any, within the City of *Aberdeen*, of each of the Trustees, Two clear Days at least previous to such Meeting; and every such Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Interpretation of Terms.

XXXI. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there

The Aberdeen Boys and Girls Hospitals Act, 1852.

there shall be something in the Subject or Context repugnant to such Construction :

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender shall include Females :

The Expression "the Trustees" shall mean "the Trustees of the Boys and Girls Hospitals of *Aberdeen*," united and incorporated by this Act, and acting for the Time being in execution thereof :

The Word "Institution" shall mean "The Boys and Girls Hospitals of *Aberdeen*," united and incorporated by this Act :

The Words "Lands" or "Heritages" shall extend to and include Lands, Teinds, Feu Duties and Feudal Services, Mills, Multure, Fishings, Servitude, Superiorities, Casualties of Superiority, Patronages, redeemable Rights, Leasehold Rights, Ground Rents or Ground Annuals, and other Heritages, of whatever Nature or Tenure :

The Word "Officer" shall mean and include every Person employed by the Trustees in the Administration and Management of the Institution, such as Treasurer, Clerk, Secretary, Physician, Surgeon, Chaplain, Matron, Schoolmaster, Schoolmistress, Teacher, Porter, and generally every Servant of the Trustees.

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XXXII. That all the Costs, Charges, and Expenses of and incidental to applying for, obtaining, and passing this Act shall be paid out of the Funds belonging to the said Hospitals or Institution. Expenses of Act.

XXXIII. Saving and reserving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person, Body Politic or Corporate, his and their Heirs and Successors, Executors, Administrators, and Assigns, (other than and except the Directors or Managers and Trustees, as well *ex officio* as nominated and assumed, of the said Hospitals, or either of them, the Town Council of the City of *Aberdeen*, the Church Session of *Aberdeen*, the Parochial Board of *Aberdeen*, and all other Persons and Corporations claiming or entitled under or by virtue of the said recited Minutes and Act of Council of the 30th Day of *May* 1739, or under the Trust in the said recited Disposition and Settlement contained for the Benefit of the said Work or Poor's House of *Aberdeen*, and also the Trustees or Trustee, whether *ex officio* or assumed or appointed, or claiming as the Successors in Office or Representatives of any deceased Trustee of any Lands or other Property comprised in the First and Second Schedules to this Act, and also the said *Patrick Davidson* and *Francis*

[*Private.*]

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James

The Aberdeen Boys and Girls Hospitals Act, 1852.

James Cochran, and their respective Heirs and Assigns, and all and every the Persons now or hereafter to be entitled to the Benefits of the said Charities of the Boys and Girls Hospitals of *Aberdeen*,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, in, by, or out of the Estates, Property, and Effects hereby vested and authorized to be vested in "The Trustees of the Boys and Girls Hospitals of *Aberdeen*," as they or any of them had before the passing of this Act, or could or might have had or claimed or enjoyed in case this Act had not been passed, anything herein contained to the contrary thereof in anywise notwithstanding.

Short Title. XXXIV. That this Act may be cited for all Purposes as "The *Aberdeen Boys and Girls Hospitals Act, 1852.*"

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

The Aberdeen Boys and Girls Hospitals Act, 1852.

SCHEDULES to which the foregoing Act refers.

FIRST SCHEDULE.

FIRST PART.

Containing Lands, Houses, and other Property now belonging to the Boys Hospital or Work or Poor's House of Aberdeen, and now vested in the Directors and Managers thereof, or in Trustees, or the Successors in Office or Representatives of Trustees nominated by them.

Street or Place.	Description of Premises.	Name of Tenant.	Rent.
Gallowgate, Aberdeen -	House occupied by the Girls Hospital.	The Trustees of the Girls Hospital -	£ s. 32 0
Ditto - -	Office - -	Parochial Board -	7 0
Ditto - -	House - -	Alexander Walker -	55 0
Paul Street, Aberdeen -	House - -	Alexander Top and others - -	30 0
Ditto - -	Shop - -	W. Meffen - -	10 0
Upper Kirkgate, Aberdeen.	Buildings and Premises constituting the Boys Hospital.	The Trustees of the Boys Hospital.	—
—	—	Feuars or Proprietors paying Ground Annuals	3 0
North Street, Aberdeen -	Feu Duty on House -	A. Petrie.	—
Innes Street - -	Feu Duty on Houses -	Mrs. Eliz. Innes -	91 0

SECOND

The Aberdeen Boys and Girls Hospitals Act, 1852.

SECOND PART.

Containing Property held by the Magistrates and Town Council of Aberdeen either in trust for or the Revenue or Part of the Revenue of which has been in use to be paid to the Workhouse or Poor's Hospital or Boys Hospital of Aberdeen.

- 1.—Proportion of the yearly Feu Duties issuing out of the Lands of Elsieck in the Parish of Fetteresso and County of Kincardine, and partly dependent on the Fiar Prices of Grain, viz. Two Sixth Parts or Shares of these Feu Duties.
- 2.—Free yearly Income derived from, first, the Mortification by Dr. Duncan Liddell, dated 9th December 1613, of Eight Merks Scots, or Nine Shillings Sterling, yearly, and from, second, the said Dr. Duncan Liddell's Mortification, dated 25th August 1641, of 500 Merks, or £27 15s. 6d., as the said Mortifications are now consolidated and accumulated.
- 3.—Free yearly Income derived from, first, the Mortification by Robert Johnston, dated 29th January 1640, of £600 Sterling, and from, second, the Mortification by the Reverend William Lorimer, dated 4th January 1722, of £20, as the said Mortifications are now consolidated and accumulated.
- 4.—Free yearly Income derived from the Mortification of John Kemp, dated 14th March 1737, of £1,077 3s., as now accumulated.

The Payments from the several before-mentioned Funds to be made subject to and under Deduction of the Charges for Management, as the same may from Time to Time be fixed by the Magistrates and Town Council.

SECOND SCHEDULE.

Containing Property now belonging to the Girls Hospital of Aberdeen, and now vested in the Directors and Managers thereof, or in Trustees nominated by them.

MONEY.	Annual Income.
	£ s. d.
Sum of £800 lent to the City Treasurer of Aberdeen, at £3 10s. per Cent. per Annum Interest	28 0 0
Sum of £4,880 lent to the Shore Master of Aberdeen, at £3 10s. per Cent. per Annum Interest	170 16 0
Sum of £500 lent to the Parochial Board of the City Parish of Aberdeen, at £3 10s. per Cent. per Annum Interest	17 10 0

THIRD

The Aberdeen Boys and Girls Hospitals Act, 1852.

THIRD SCHEDULE.

Containing the Estates, Lands, and Property now vested in the Trustees of the Disposition and Settlement of the 27th December 1816, and constituting the residuary Estate thereby directed to be converted into Money, and paid to the Boys Hospital or Work or Poor's House of Aberdeen.

Parish and County.	Name of Lands.	Names of Tenants.	Rent in Money.	Rent in Oatmeal.
Parish of Old Deer, County of Aberdeen.	Annochy	John Robertson -	£ 87 0 0	Seven.
		Alex. Wilson -	60 0 0	
		John M'Arthur -	53 5 0	
		Alex. Kennedy -	38 18 9	
		John Moir -	7 0 0	
		James Wallace, jun. -	6 0 0	
		John Milne Quarry -	6 0 0	
		Alex. Connon -	6 0 0	
		James Simpson -	3 10 0	
		William Tawse -	3 0 0	
		Arthur Forbes -	3 10 0	
		Widow Alex. Finlay -	4 0 0	
		James Finlay -	3 0 0	
		James Russell, Esq. of Aden -	- - -	Fourteen.
Parish of Old Deer, and County of Aberdeen.	Elrick -	John Mackie -	241 0 0	
		Andrew Connon -	115 0 0	
		Absalom Poulter -	20 0 0	
		William Davidson -	28 0 0	Nine.
		John Cassie -	50 10 0	
		William Mitchell -	31 0 0	
		James Johnston -	10 4 6	
		James Johnston -	8 0 0	Sixteen.
		Thomas Walker -	42 11 0	
Widow Peter Leslie -	4 10 0			

[Private.]

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Parish and County.	Name of Lands.	Names of Tenants.	Rent in Money.	Rent in Oatmeal.
			£ s. d.	<i>Bolls.</i>
		George Simpson -	2 0 0	
		William Cruikshank -	8 0 0	
		William Anderson -	0 15 0	
		John Finlay - -	0 15 0	

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