



ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

Cap. 7.

An Act to explain and amend the Powers of the
Governors of the Hospital in *Edinburgh* founded
by *George Watson*, Merchant Burgess of *Edin-*
burgh. [17th June 1852.]

WHEREAS *George Watson*, Merchant Burgess of *Edinburgh*,
by his Trust Disposition and Deed of Settlement dated
the Ninth Day of *February*, and registered in the Books of
Council and Session at *Edinburgh* the Ninth Day of *April* One
thousand seven hundred and twenty-three, did nominate and ap-
point Mr. *Charles Binning*, Advocate, His then Majesty's Solicitor,
John Osburn, Merchant, and then late Bailie of *Edinburgh*, and
John Inglis senior, Writer to the Signet, during their Lifetime, and
failing any of them by Decease the Survivors or such of them as
should accept of the Trust thereby reposed in them, to be his
Trustees and Commissioners, for executing, managing, and disposing
of the Trust therein mentioned, and his Means and Estate, in manner
therein written, and for that effect he annalized, assigned, transferred,
and dispoed from him, his Heirs and Successors, to and in favour
of the said *Charles Binning*, *John Osburn*, and *John Inglis*, for
[*Private.*] *m m* themselves

Trust Dis-
position and
Deed of
Settlement
dated 9th
February,
and regis-
tered in the
Books of
Session, 9th
April, 1723.

Watson's Hospital (Edinburgh) Estate.

themselves and as his Trustees and Managers, to the Effect therein specified, and failing of any of them by Decease the Survivors and who should accept of his Trust Right, all and sundry Lands, Heritages, Tenements, Annual Rents, Life Rents, Houses, Biggings, Yards, and all other Heritable Rights and Subjects, with all Debts and Sums of Money, heritable or moveable, as likewise all Moveable Goods and Gear, of whatsoever Kind or Nature the same might be, including Heirship Moveables, and all Jewels, Silver and Gold, coined and uncoined, Sums of Money, Lying Money, and other Goods and Gear whatever, pertaining or that should happen to pertain and belong to him at the Time of his Decease, dispensing with the Generality thereof, and admitting the same to be as valid, effectual, and sufficient as if every Particular thereby expressed in general were at Length set down therein, together with all Bonds, heritable or moveable, Bills, Decrees, Tacks, Contracts, Back Bonds, Charters, Adjudications, Dispositions, Procuratories of Resignation, Precepts and Instruments of Sasine, Assignations, Translations, Accounts, and all other Rights, Titles, and Securities whatsoever, made and granted to him, his Authors or Cedents, or that might be conceived or interpreted in his Favour, and more particularly the several Heritable Subjects, Sums, and Funds therein described, and these for the Purposes and to the Uses therein mentioned; to wit, that the forenamed Persons might sell, roup, and dispose of the hails Houses, Tenements, and others, lying as said is, and intromit with, uplift, and receive the Price thereof, as also the yearly Annual Rents, Sums of Money, and other Goods and Gear thereby disposed, generally and particularly therein set down, and to apply the Price of the Houses and other Sums therein mentioned towards the Payment and Satisfaction of all his just and lawful Debts that should be due and resting by him at the Time of his Decease, and defraying the Charge and Expense of his Funeral, all in the first place, and in the second place towards the Payment of the respective Sums thereby appointed or that should be appointed to be paid by him to any Person or Persons, Companies, Societies, or Hospitals, according to the Order therein-after mentioned, and particularly the various Sums thereby appointed to be paid, and lastly, the said *George Watson* thereby burdened and affected his Means and Estate, after Payment and Application of the Donations and Sums therein set down, with the Sum of One hundred thousand Pounds *Scots*, and he mortified and destinated the same to be employed by his said Trustees out of the Subjects thereby disposed to them, and after Payment of the other Sums therein written, as a Fund whereby to raise a new Hospital for entertaining and educating of the Male Children and Grandchildren of decayed Merchants in *Edinburgh*, which Hospital was to be called in all succeeding Generations "*George Watson's Hospital*," with full Power to his said Trustees after his Decease, by the Advice and Consent of *Mr. William Mitchell*, *Mr. James Nisbet*, and *Mr. James Craig*,

Watson's Hospital (Edinburgh) Estate.

Craig, Three of the Ministers of *Edinburgh*, and, failing of any of them by Decease, such of the Ministers of *Edinburgh* as his said Trustees should assume to themselves, to compose and adjust the Rules of the said Foundation as they should see Cause, but as near to the Rules of the Foundation and Management of *Heriot's Hospital* and the Merchant Maiden Hospital as the Nature of the Thing would allow of, but with such Corrections, Alterations, and Amendments as his said Trustees, with Consent foresaid, should think fit to add or alter; and he appointed all the Expense necessary to be disbursed in the Management of the said Fund to be taken out of the said Mortification, which Mortification, and the Donation of Twenty thousand Merks therein mentioned, he appointed and ordained to bear Annual Rent from and after the Expiry of Year and Day after his Decease: And whereas by Codicil dated the Fifteenth Day of *February* One thousand seven hundred and twenty-three, annexed to the foresaid Deed of Settlement, and registered therewith, the said *George Watson*, on the Recital of the Destination and Mortification of the said Sum for erecting the said Hospital, and of his having since granting of the said Disposition of new reviewed and reconsidered the Condition of his Estate, and of the same having seemed to admit of a farther Addition to the foresaid Capital Sum already destinated by him for the Use of the said new Hospital, did further destinate, mortify, and appoint the Sum of Forty-four thousand Pounds *Scots* to be farther added to the foresaid Sum of One hundred thousand Pounds *Scots*, making in all the Sum of One hundred and forty-four thousand Pounds *Scots* and in Sterling Money Twelve thousand Pounds, which he declared the Subjects disposed to his said Trustees to be burdened with, and he appointed and ordained the said *Charles Binning*, *John Osburn*, and *John Inglis* senior, the Trustees named in the said Disposition, to raise and apply the same out of his Means and Estate for the Use of the said new Hospital, in the Terms and in manner mentioned in the said Disposition, and he thereby desired his said Trustees after his Decease to execute the Trust thereby committed to them to the best of their Power for the Purposes therein set down, and he declared that if any of the Debts or Sums of Money assigned by him to his said Trustees should prove insufficient or not good in haill or in part, the foresaid Stock of One hundred and forty-four thousand Pounds should bear the Loss of any such bad Debts, and be diminished accordingly: And whereas the said *Charles Binning*, *John Osburn*, and *John Inglis*, as Trustees of the said *George Watson*, with the Advice and Consent of the said *William Mitchell*, *James Nisbet*, and *James Craig*, all then Ministers of the City of *Edinburgh*, did, in the Year One thousand seven hundred and twenty-four, by virtue of the Powers conferred on them by the foresaid Deed of Settlement, compose certain Rules and Statutes for the Government of the Hospital appointed to be founded by the said *George Watson*, and did, by

Codicil,
dated 15th
February
1723, and
registered
with Deed
of Settle-
ment.

Declaration
by Trustees,
dated 1st
May 1724.

Declaration

Watson's Hospital (Edinburgh) Estate.

Declaration annexed to the said Statutes, dated the First Day of *May* One thousand seven hundred and twenty-four, certify and declare that the Rules and Statutes thereto prefixed were the Rules and Statutes of the said *George Watson's Hospital*, compiled by the said Trustees, by and with Advice and Consent foresaid, in consequence of the Powers given to them by the said deceased *George Watson*; and because the said Trust and Powers were committed to the said Trustees or either of them that should survive and accept, and that the said Statutes were to be composed by them with the Advice and Consent of the Three Ministers above named, or in case of their Decease by such Three Ministers in *Edinburgh* as the said Trustees should nominate and appoint, and that after Trial and Experience there might be Ground for altering some of the Statutes therein set down, the said Trustees thereby reserved to themselves, and to any Two of them surviving, in case of the Decease of a Third, by the Advice and Consent foresaid, full Power and Liberty to alter such of the said Statutes as they, after farther Deliberation and Experience, should see Cause to alter, and, after the Decease of any Two of them, they declared that the said Power of altering and improving the said Statutes should remain with and devolve upon the Merchant Company of *Edinburgh*, providing that such Alteration should be concluded and agreed upon by Two Thirds of the Members present of the Merchant Company, warned by a Billet from the Officer in the usual Form to meet for that Effect in the Hall of the said Merchant Company, after the same had been under their Deliberation in Two several Sederunts, the One at the Distance of at least a Month after the other, and be approved of by the Lord Provost of *Edinburgh*, Dean of the Faculty of Advocates, and the Minister or Ministers of the Old Church of *Edinburgh* for the Time being, or the major Part of them, the said Alterations noways infringing upon the fundamental Articles of the said Hospital, namely, that the same should be for the Relief, Maintenance, and for Instruction in the Principles of our Holy Christian Religion, and Education in Letters, more especially in Writing, Arithmetic, and Book-keeping, of the Male Children and Grandchildren of decayed Merchants, Guild Brothers of *Edinburgh*, particularly those of the Merchant Company, or of the Ministers of the Old Church of *Edinburgh*; the said Children, whether chosen by the Governors or presented by other Patrons, being always Objects of Charity, and Children or Grandchildren of the said Merchants or Ministers, and that those of the Names of *Watson* and *Davidson*, who were Children of the said decayed Merchants or Ministers, should always be preferred to all others, and that the said Hospital should always be called by the Name of *George Watson's Hospital*, by himself alone, or in conjunction with others who should mortify to the said Hospital a Sum not below Fifty thousand Pounds *Scots*, and that the Right of the said Hospital,
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Watson's Hospital (Edinburgh) Estate.

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Stock, and Revenues thereof, should always be vested in and perpetually remain with the Company of Merchants of the City of *Edinburgh*, but that the Administration should always be in the Governors mentioned in the Second Chapter, and that no Part of the Stock or Profits thereof should be applied otherwise than for the Use and Benefit of the said Hospital, all which they declared to be fundamental, perpetual, and unalterable Rules of the said Hospital, and they consented that, *ad futuram rei memoriam*, the Statutes thereby set down, and then delivered to the Master, Assistants, and Treasurer of the Company of Merchants of the City of *Edinburgh*; to be by them delivered to the said Company at a General Meeting, with the said Declaration and Reservation, be recorded in the Burgh Court Books of *Edinburgh*, and in the Books of the said Merchant Company: And whereas by another Declaration, dated the Seventeenth Day of *March* One thousand seven hundred and forty, executed by the said *Charles Binning* and *John Osburn*, as the Two then surviving Trustees of the said deceased *George Watson*, they, on the Narrative that in virtue of the Power reserved to them by the Declaration herein-before recited they had (after the building of the House on *Heriot's Croft*) revised the Statutes before mentioned, and by the Advice and Consent of *James Nisbet* and *Patrick Cumming*, both Ministers of the Gospel in the Old Church of *Edinburgh*, and of *John Glen*, One of the Ministers of the Gospel in the said City, had altered the same in several Particulars, so as to make the said Mortification, as they conceived, more useful, did, by and with the foresaid Advice, certify and declare that the Statutes contained in the Twenty Chapters thereto prefixed were then the Rules and Statutes of the said *George Watson's Hospital*, reserving nevertheless Power, as provided for in the Declaration first herein-before recited, farther to alter and improve the same, the fundamental Articles of the said Hospital, as therein contained, being always preserved safe and entire: And whereas by a Third Declaration, dated the Sixteenth Day of *January* and the Seventh Day of *February* One thousand seven hundred and fifty-five, executed by the said *Charles Binning* and *John Osburn*, as the Two then surviving Trustees of the said deceased *George Watson*, with the Advice and Consent of the said *James Nisbet* and of *Patrick Cumming* and *John Glen*, then Ministers of the Gospel of the said City of *Edinburgh*, the said Parties, on the Narrative that on farther Trial and Experience they had seen Cause to revise and alter the Rules and Statutes before referred to in several Particulars, so as to make the Mortification of the said *George Watson*, as they conceived, more useful, and the Administration more easy, did certify and declare that the Statutes contained in the Eighteen Chapters, and in the Declaration thereto prefixed, were then the Rules and Statutes of the said *George Watson's Hospital*, reserving nevertheless Power, as provided in the said Declaration, further to alter

Declaration,
dated 17th
March 1740.

Declaration,
dated 16th
January and
7th Febru-
ary 1755.

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Watson's Hospital (Edinburgh) Estate.

when serving without Salary, as provided in Chapter Fourth, should be perpetual Governors of the said Hospital, and the Master of the said Merchant Company for the Time should be the ordinary Preses, but none of the said Persons should enter upon the Administration or have any Voice or Interest in the Concerns of the said Hospital until he or they should make and subscribe the Declaration therein prescribed, that the Governors should have full Power to manage the Estate, Stock, and Revenue of the Hospital, and to grant Tacks and other Deeds necessary for that End, and to employ the Hospital's Money in purchasing Lands or other Real Subjects, or to lend out the same upon good Heritable or Personal Security, as they should see fit, or to invest the same in the Public Funds of *Great Britain*, Bank of *England* Stock, or Stock of any of the Chartered Banks of *Scotland*, and to uplift and re-employ the same as they should see Cause, and in respect that Losses sometimes occur in lending out Money it was appointed that no Money should be lent on Personal Security but by Warrant of Four Fifths of the Governors present at any Meeting to which the Governors should have been duly warned, and for which Two or more Persons reputed responsible should be conjunctly and severally bound, and providing that the Sum lent to any Two such Persons should not exceed Five hundred Pounds Sterling; providing also, that the Resolutions of the Governors to purchase Lands, or to alienate, sell, or feu out the same, which they had Power likewise to do, should be approved by a General Meeting of the Company of Merchants of *Edinburgh*, with Power also to the Governors to regulate the Diet of the Hospital, and to settle and direct the Government of the House and whole Affairs relating thereto, and to make Byelaws and Rules for the better Administration of the Hospital and Affairs thereof, the same being nowise derogatory to what is declared fundamental, nor to the Rules and Statutes then adjusted, excepting in so far as the same had been or might be thereafter altered in manner before mentioned and therein prescribed, or by special Act of Parliament; and by Chapter Fourteenth of the said Statutes it is, *inter alia*, enacted, that there should be chosen and admitted into the Hospital so many Boys as the stated and certain Revenue should be able to maintain, *deductis deducendis*, that they should be the Sons or Grandsons of such as are or were Merchants Burgesses and Guild Brothers of *Edinburgh*, or Ministers of the Old Church of *Edinburgh*, those of the Name of *Watson* being preferred in the first place, and those of the Name of *Davidson* in the second place, and in case there should happen to be a Competition betwixt the Children or Grandchildren of the said Merchants Burgesses and Guild Brethren of *Edinburgh* who are of the Company designed the Company of Merchants of the City of *Edinburgh* and those who are not of the said Company, the first, as well as the Children or Grandchildren of the Ministers of the Old Church of *Edinburgh*, should always be preferred to

Watson's Hospital (Edinburgh) Estate.

to the last-mentioned, except they be of the Name of *Watson* or *Davidson*, who should still be preferred in the Order above set down, they being always either Children or Grandchildren of Merchants Burgesses and Guild Brethren of *Edinburgh*, or of the Ministers of the said Old Church, and in case it should happen that there should not be Application made for as many Boys having any of the aforesaid Titles as would fill up the Vacancies at One Election, the Governors are allowed, on the next following Election, to fill up any Vacancies not formerly applied for with such as are the Sons or Grandsons of such as are or were Merchants Burgesses of *Edinburgh*, special Regard being had in all Cases to the Characters of the Fathers or Grandfathers, the Time and Part they have borne in the Offices and Taxes of the City, and Preference to be given accordingly, and it was thereby declared that by the Sons and Grandsons of the said Merchants and Ministers were to be understood their immediate Sons and Grandsons only, without extending their Title to any remoter Degree, and also in respect to the Designation of Merchant, a Burgess or Burgess and Guild Brother Ticket was not sufficient to entitle the Person named in such Ticket to the Character of Merchant, and his Descendants to the Benefits of the said Hospital, unless he had followed the Business of a Merchant, and been an actual Dealer in Merchandise, reserving always to Patrons of Patronages their Right and Privilege of presenting Boys in Terms of the next following Chapter; and it was expressly provided, that no Boys should be chosen who were under Seven Years or above Ten Years of Age, and that they should be sound and wholesome in their Minds and Bodies at their Entry to the Hospital; and seeing the Intention of the said Foundation was only to relieve the Poor, as was therein mentioned, none were to be chosen until there should be proper Certificates of their indigent Circumstances from the Minister and Kirk Session of the Bounds where they resided, or such other Evidence as might be considered satisfactory laid before the Governors with the Documents of their Age, and that the Governors should be fully satisfied that they were truly Objects of the said Charity, and the Consciences of the Governors were thereby strictly charged not to choose any Boys but such as were proper Objects of their Charity, and it was specially recommended to them not to receive into the Hospital a greater Number of Boys than, they could reasonably suppose the then stated and certain Revenue of the Hospital would easily maintain, with a Reserve of such a Part of the certain Revenue for defraying Accidents and paying Apprentice Fees and other Sums therein mentioned as they should judge proper; the ordinary Election should be twice in the Year, *videlicet*, on the Third or next lawful Day of *April* and *October* yearly, when it was to be considered and determined by the Governors what Vacancies there were, and how many the stated and certain Revenue of the Hospital, making a

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Reserve

Watson's Hospital (Edinburgh) Estate.

Reserve as above, would allow to be taken in, after which Determination had been made and entered in the Minutes they should immediately proceed to choose so many qualified as before expressed; that the said Boys should have Lodging, Bed, Diet, Medicines, Clothing, Washing, and common Fires allowed them, and besides their being educated and taught in manner therein mentioned, they should be decently apparelled in Clothes made after such Fashion as the Governors might think fit, and might continue in the Hospital till they should be Fifteen Years of Age complete, and no longer; but if it should happen that any of them was viciously inclined or turbulent and disobedient to the Masters, then it should be in the Power of the Governors to expel him forth of the Hospital, as they should see Cause; and as the Boys would differ in Growth, Strength, Genius, and Capacity, that they be not idle or unprofitably employed, it was ordered that a Review and Examination of them should be made yearly by the Minister or Ministers of the Old Church and Two or more of the Governors, to be nominated annually as a Committee for the said Purpose, assisted by the Professor of Humanity in the College of *Edinburgh*, and the Rector of the Grammar School, if upon Invitation they should please to take the Trouble, and such as were found to have an extraordinary Genius for Letters should have any Sum, not exceeding Thirty Pounds Sterling yearly, as the Governors might from Time to Time fix and determine, paid to them by half-yearly or quarterly Payments, for prosecuting their Studies at the College of *Edinburgh*, for the Space of Four Years after they should go out of the Hospital, and any Sum not exceeding Twenty-five Pounds yearly, as the Governors might fix on, for the Two succeeding Years, they always passing an Examination of the above Committee yearly of their Parts, Proficiency, and Behaviour; but the Consciences of the said Committee were most expressly charged not to enlist any of the Boys for Education at the College of *Edinburgh* except they should find them endued with a very bright and pregnant Genius for Letters, and the Time of sending them to the College was likewise to be determined by the said Committee; and such Boys as the Governors (consulting their Inclinations and Capacity) should find proper to be bred Merchants or Tradesmen should be early applied to such Parts of Education as might be proper to fit them for Business, and to prevent any Part of their Time being lost, and the sooner to enable them to earn their Bread, the Governors, as they should see Cause, might bind them Apprentices at any Time before they attained Fifteen Years of Age, and pay for each of them of Apprentice Fee a Sum not exceeding One hundred Pounds by yearly Instalments; and further, for an Encouragement to Virtue, and that the said charitable Foundation might be a real Advantage to the Place, and be applied for raising up useful Members of the Commonwealth who might no longer be a Charge on Society,

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Watson's Hospital (Edinburgh) Estate.

but able to take Part of the public Burdens and Offices, it was ordered that if the Boys behaved themselves faithfully during the Years of their Apprenticeship, and till they arrived at the Age of Twenty-five Years complete, living unmarried, or being married with Consent of the Governors, and then free of Debt and every unworthy Engagement, they should each of them have the Sum of Fifty Pounds Sterling given to them to set up or begin trade with within the City of *Edinburgh* and Suburbs thereof, provided that the Governors should be satisfied with their Behaviour, Character, and Fitness for setting up as Masters, and these to be judged of and determined by the Governors, upon Application in behalf of the Claimant at the First Quarterly Meeting after the Expiry of the said Twenty-five Years complete; and providing likewise, that in case any Boy, before Payment of said Fifty Pounds, should by Legacy, Succession, or otherwise acquire Right to a Sum of Money, Estate, and Effects to the Value of One hundred Pounds Sterling at least, such Boy should have no Claim or Title to the above Fifty Pounds, nor should any Boy be entitled to receive the above-mentioned Sum of Fifty Pounds unless he should have complied with such Rules and Regulations in regard to the Payment of the Bounty as the Governors might from Time to Time fix and lay down; that the Governors, for the better Accommodation of such of the Boys as might fall sick, might allocate and set apart some Rooms in the House for an Infirmary, and might name and appoint a Physician and Surgeon for visiting and taking care of them, or they might, with the Consent and Approbation of the Surgeon, allow them temporary Board out of the House with their Relations or other Friends; and the Governors would reckon themselves in Conscience obliged to establish and steadily to maintain a regular good Discipline, so that the Boys might be restrained from all vicious and immoral Practices, hurtful to one another, or troublesome to the Neighbourhood, and kept in a due Application to the Exercises of Education prescribed them, and the constant Practice of the Orders and Instructions given to them, since in these Views the Founder and his Trustees had committed to them the Care of the said Hospital: And whereas, in furtherance of the said Bequests of the said *George Watson*, a certain Building or Hospital was in the course of the Period from One thousand seven hundred and twenty-four to One thousand seven hundred and forty-one founded and erected within the Town of *Edinburgh*, and certain Lands and other Heritages were from Time to Time purchased and acquired with the Funds of the said Hospital, and certain Boys, Sons and Grandsons of Merchants Burgesses and Guild Brethren of *Edinburgh*, and of Ministers of the Old Church of *Edinburgh*, have been from Time to Time, as the Income or Revenue of the said Hospital was found sufficient, elected or admitted, brought up and educated within the said Hospital, and afterwards placed out as Apprentices or sent to the College of *Edinburgh*

Erection of
Hospital,
and Admis-
sion of Boys.

Watson's Hospital (Edinburgh) Estate.

Increase of
Revenue of
Hospital.

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lars may be
admitted.

burgh, to complete their Education, and the Number of Boys brought up and educated in the Hospital has for several Years past averaged Eighty-six, which Number embraces as many as, with a due Regard to their Comfort and Health, the present Hospital Building can accommodate: And whereas the Revenue of the said Hospital has considerably exceeded what could have been in the Contemplation of the pious Founder of the said Hospital, or of his Trustees before named, and exceeds the present Expenditure of the said Hospital, and has on an Average of the last Six Years, and for several Years preceding, exceeded the Expenditure of the said Hospital, and is likely to continue to do so, and the Building or Hospital so founded and erected as aforesaid will be inadequate for the Admission of such a Number of Boys as the said Revenue is and may be adequate for bringing up and educating: And whereas, from the peculiar Structure of the said Building, the same could not be enlarged for the Reception of an increased Number of Inmates without the Expenditure of so much of the accumulated surplus Revenue of the said Hospital as would leave a Sum that would suffice for the Maintenance and Education of only a very few additional Inmates, while the Benefits of Education, which formed One of the main Objects which the said *George Watson* had in view, could be immediately extended to a considerable Number of the Class of Boys whom he had selected for his Bounty if the said Governors were enabled to admit Day Scholars on the Establishment of the Hospital, and to exercise the other Powers in regard thereto hereinafter conferred, and to apply a Portion of the Revenue of the said Hospital for these Purposes: But as the said Objects cannot be accomplished without the Authority of Parliament, may it therefore please Your Majesty, upon the humble Petition of Your Majesty's dutiful and loyal Subjects the Governors of the said Hospital, and the said Company of Merchants of the City of *Edinburgh*, 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, That from and after the passing of this Act it shall be lawful to the Governors of the Hospital founded within the City of *Edinburgh* by the said *George Watson*, and they are hereby authorized and empowered, at the first or any of the future Meetings of the said Governors appointed by the Statutes of the said Hospital to be held on the Third Days of *April* and *October* annually, or first lawful Day thereafter, or at any other Meetings that may hereafter be appointed for such Purpose by Statutes to be hereafter framed, under such Rules and Regulations as are or may be set forth in the said present or such future Statutes, to elect, admit, and receive into the said Hospital as Day Scholars, there to be educated either along with the other Boys on the Foundation of the said Hospital who are maintained, brought up, and educated therein, or to be educated in
separate

Watson's Hospital (Edinburgh) Estate.

separate Classes, as may be found on Experience to be most expedient, such Number of Boys as the Income or Revenue of the said Hospital shall from Time to Time prove sufficient for, and for that Purpose to enlarge the present School-rooms in the said Hospital, or to erect additional School-rooms adjacent or near thereto, and within the Grounds of the said Hospital, and suitably to furnish such enlarged or additional School-rooms: Provided always, that the Election or Admission of such Day Scholars shall in no ways interfere with or diminish the Efficiency of the present Establishment for the Benefit of Indoor Pupils, the Number of whom shall be strictly maintained and kept up at Eighty-six at the least; and if at any Time the Income or Revenue of the said Hospital shall not be sufficient to support the full Number of Eighty-six Scholars, or only to support that Number in the Hospital, all the Powers granted by this Act for the Admission of Day Scholars, or making Allowances to Day Scholars, as herein-after provided, shall have no Force or Operation so long as the Income and Revenue shall remain in that Condition.

II. The Boys to be elected and admitted as Day Scholars shall not be under Seven nor above Twelve Years of Age, and shall be of the same Classes and of the same Descriptions in all other respects with the Boys at present entitled to be elected, maintained, and educated within the said Hospital, and may, in the Option of the said Governors, be kept at School till they attain the Age of Fifteen Years: Provided always, that the Admission of any Boy as a Day Scholar on the Establishment of the said Hospital shall not prevent or disqualify such Boy from being afterwards elected and admitted as an Inmate of the same, to be thereafter maintained and educated therein, in case he, or his Parents, Guardians, or other Friends, may apply for his being so elected, and that he shall possess the necessary Qualifications and Description of Boys admissible as Inmates of the said Hospital; and provided also, that the Governors shall have the same Power of Dismissal or Expulsion in regard to Boys admitted as Day Scholars which they have by the present Statutes over the Boys admitted into the Hospital to be educated and maintained therein, or as they may have by any future Statutes, Rules, or Regulations to be made by virtue of the Powers herein conferred:

Boys to be elected.

III. The Governors of the said Hospital shall have full Power and Authority, if they shall deem it expedient, on an Application in Writing addressed to them from the Parents, Guardians, or other Friends of any of the Boys at present maintained and educated, or to be hereafter admitted, maintained, and educated within the said Hospital, and who may have attained the Age of Thirteen Years complete, to permit such Boy to be removed from the Hospital, after the First Annual Examination of the Schools subsequent to such Boy

Boys at present in the Hospital may become Day Scholars.

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Watson's Hospital (Edinburgh) Estate.

having attained the said Age of Thirteen Years, and to allow him to attend till he is Fifteen Years of Age as a Day Scholar in the Hospital, and to make an Allowance to the Parents, Guardians, or other Friends of such Boy from the Funds of the Hospital at a Rate not exceeding Fifteen Pounds a Year during that Period, to provide him with Clothing and other Necessaries, such Boys being subject always to the Rules, Regulations, and Byelaws which may be framed in reference to Boys so situated.

Additional Teachers, Servants, and Officers may be appointed.

IV. It shall be lawful for the Governors of the said Hospital to elect additional Teachers, Servants, or other Officers necessary or requisite for carrying into effect the Introduction of Day Scholars on the Establishment of the said Hospital in manner herein-before provided for, and to fix and determine from Time to Time the Number, Kinds, and Qualifications of the said Teachers, Servants, or others, and the Amounts and Rates of their Salaries and Remunerations, anything in the present Statutes, Rules, and Regulations of the said Hospital to the contrary notwithstanding.

Statutes and Rules and Regulations to be amended.

V. It shall be lawful for the Governors of the said Hospital, with Consent of the said Company of Merchants of the said City, from Time to Time, as heretofore, to alter and amend the Rules and Statutes of the said Hospital, so as to adapt the same to the Provisions of this Act, such Alterations and Amendments being, as provided in the Declaration of the Trustees of the said *George Watson*, before recited, concluded and agreed upon by Two Thirds of the Members present of the said Company, warned by a Billet from the Officer in the usual Form to meet for that Effect in the Hall of the said Merchant Company, after the same have been under their Deliberation in Two several Sederunts, the One at the Distance of at least a Month after the other, and be approved of by the Lord Provost of *Edinburgh*, Dean of the Faculty of Advocates, and the Minister or Ministers of the Old Church of *Edinburgh* for the Time being, or the major Part of them, the said Amendments and Alterations noways infringing upon the fundamental Articles of the said Hospital as explained, extended, and amended by this Act; and the said Governors of the said Hospital may also exercise the Powers that may be conferred on them under the said Statutes and Rules to frame and establish such Regulations and Byelaws as to them shall seem necessary and expedient for carrying out the Provisions of this Act, and from Time to Time to alter and amend the same: Provided always, that such Regulations and Byelaws shall in Time to come be approved of by Two Meetings of the said Governors specially called for the Purpose of considering the same before being acted on, and shall not in any way be inconsistent with the Rules and Statutes of the said Hospital

Watson's Hospital (Edinburgh) Estate.

Hospital for the Time, as the same shall be amended and adjusted to the Provisions of this Act.

VI. Saving and reserving to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every Person or Persons, Bodies Politic and Corporate, all such Right, Title, Interest, Claim, and Demand of, in, and to or out of all or any Part of the Funds or Estate of the said *George Watson*, or in connexion with his said Hospital, as they or any of them have or might claim, challenge, and demand in case this Act had never been made, and specially declaring that nothing herein contained shall be held to alter or infringe the present Statutes of the said Hospital, or the Right and Powers of the said Governors, or of the said Company of Merchants, and of the Right Honourable the Lord Provost of *Edinburgh*, the Dean of the Faculty of Advocates, and the Minister or Ministers of the Old Church of *Edinburgh*, excepting only in so far as the Powers conferred by the said Statutes are altered and extended by this Act in manner herein-before provided for.

General
Saving of
Rights.

VII. The Costs and Charges connected with the Application for and carrying through of this Act of Parliament shall be chargeable upon and paid out of the Funds and Revenues of the said Hospital.

Expenses of
Act.

VIII. 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.

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

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1852.

