# CHAPTER xxxv

An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called Archdeacon Johnson's Almshouse Charity, in the Parishes of Oakham and Uppingham, in the County of Rutland. [28th March 1956.]

WHEREAS the Charity Commissioners in their Report to Her Majesty of their proceedings during the year one thousand nine hundred and fifty-four reported that they had approved and certified a Scheme for the application or management of the Charity called Archdeacon Johnson's Almshouse Charity, in the Parishes of Oakham and Uppingham, in the County of Rutland:

And whereas it is expedient that the Scheme as the same is fully set out and defined in the Schedule to this Act should be confirmed:

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

Confirmation of Scheme.

**1.** The said Scheme is hereby confirmed:

Provided always that nothing in this Act or in the said Scheme shall be held to interfere with the ordinary jurisdiction over endowed charities now exercisable by the High Court of Justice and the Charity Commissioners.

Short title.

**2.** This Act may be cited as Archdeacon Johnson's Almshouse Charity (Oakham and Uppingham) Scheme Confirmation Act 1956.

# SCHEDULE

## SCHEME FOR THE APPLICATION OR MANAGEMENT OF THE FOLLOWING CHARITY IN THE COUNTY OF RUTLAND

The Charity called ARCHDEACON JOHNSON'S ALMSHOUSE CHARITY, IN THE PARISHES OF OAKHAM AND UPPINGHAM IN THE COUNTY OF RUTLAND.

1. *Administration of Charity.*—The above-mentioned Charity and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the Charity shall be administered and managed subject to and in conformity with the provisions of this Scheme by the body of Governors hereinafter constituted.

### DISSOLUTION OF CORPORATION

2. *Dissolution of corporation.*—The body corporate known as The Governors of the Goods, Possessions, and Revenues of the Free Grammar Schools of Robert Johnson, Clerk, and of the two Hospitals of Christ, in Oakham and Uppingham, in the County of Rutland, constituted by virtue of letters patent dated the 24th October 29 Elizabeth I is hereby dissolved.

### GOVERNORS

3. *Governors.*—Except at first as hereinafter provided the body of Governors shall consist when complete of fifteen competent persons being—

One Hereditary Governor;

Four Ex-officio Governors;

Four Representative Governors; and

Six Co-optative Governors.

4. *Hereditary Governor.*—The hereditary Governor shall be—

THE RIGHT HEIR MALE OF ROBERT JOHNSON THE FOUNDER of the Charity, if of full age.

5. *Ex-officio Governors.*—The Ex-officio Governors shall be—

The LORD BISHOP of Peterborough;

The RECTOR of North Luffenham;

The RECTOR of Uppingham; and

The VICAR of Oakham;

all for the time being and by virtue of their respective offices.

6. *Representative Governors.*—The Representative Governors shall be appointed as follows:—

One by the Urban District Council of Oakham;

One by the Rural District Council of Oakham;

One by the Rural District Council of Uppingham; and

One by the Rural District Council of Ketton.

SCH. —*cont.*

Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the appointing body. The chairman of the meeting shall cause the name of each person appointed to be notified forthwith to the Governors or their clerk. The person appointed may be, but need not be, a member of the appointing body.

7. *First Representative Governors.*—The first Representative Governors shall be appointed as soon as possible after the date hereof and their names shall be notified to Commander Geoffrey Richard Terence Cooper, R.N. (Retired) of the Bursar's Office, Oakham School, on behalf of the Governors.

8. *Co-optative Governors.*—Except at first as hereinafter provided the Co-optative Governors shall be persons residing or carrying on business in or near the County of Rutland.

9. *First Co-optative Governors.*—The following persons shall be the first Co-optative Governors and subject to the provisions hereinafter contained for determination of Governorship shall be entitled to hold office for life:—

The Most Honourable WILLIAM, MARQUESS OF EXETER, K.G., C.M.G., T.D.,

VERE CHAPLIN, of Clipsham House, Esquire,

ROBERT EVELYN MANNERS HEATHCOTE, D.S.O., of Manton Hall, a Lieutenant-Colonel in Her Majesty's Army (Retired List),

The Reverend Canon WILLIAM ALFRED MANDALL, of The Vicarage, Whissendine, Clerk in Holy Orders,

CHARLES NOEL NEWTON, M.C., of Orchard Close, a Captain in Her Majesty's Army (Retired List).

DAVID JOHN DAVENPORT HANDLEY, J.P., of Clipsham Hall, Esquire,

Sir HENRY TATE, of Preston Lodge, Withcote, Baronet, and

HERBERT EGERTON WHALEY, D.L., J.P., of Ashwell Lodge, a Major in Her Majesty's Army (Retired List), all in or near Oakham,

Rear Admiral (L) STUART LATHAM BATESON, C.B., C.B.E., A.M.I.E.E., of Ridlington,

Sir ERIC GORE BROWNE, D.S.O., O.B.E., T.D., of Glaston House, Glaston, and

WILLIAM MELVILLE CODRINGTON, C.M.G., M.C., of Preston Hall, Esquire, and

Air Marshal Sir JOHN EUSTACE ARTHUR BALDWIN, K.B.E., C.B., D.S.O., D.L., J.P., of Ketton Hall, Ketton, all in or near Uppingham.

10. *Future Co-optative Governors.*—Every future Co-optative Governor shall be appointed for a term of five years by a resolution of the Governors to be passed at a special meeting.

SCH. —*cont.*

11. *Declaration by Governors.*—No person shall be entitled to act as a Governor whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

12. *Determination of Governorship.*—Any Co-optative Governor who ceases to be qualified as aforesaid any Representative or Co-optative Governor who is absent from all meetings of the Governors during a period of one year and any Governor who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the Governors a wish to resign shall cease thereupon to be a Governor.

13. *Vacancies.*—Upon the occurrence of a vacancy the Governors shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Representative Governor shall cause notice thereof to be given as soon as possible to the proper appointing body. Any competent Governor may be reappointed. No vacancy in the office of Co-optative Governor shall be filled until after the lapse of one calendar month from its occurrence and there shall be no such vacancy until the number of Co-optative Governors is reduced below six.

## MEETINGS AND PROCEEDINGS OF GOVERNORS

14. *Ordinary meetings.*—The Governors shall hold at least two ordinary meetings in each year.

15. *First meeting.*—The first meeting of the Governors shall be summoned by the said Commander Geoffrey Richard Terence Cooper or if he fails for two calendar months after the date of this Scheme to summon a meeting by any two of the Governors.

16. *Chairman.*—The Governors at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The chairman shall always be eligible for re-election. If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman the Governors present shall choose one of their number to be chairman of the meeting.

17. *Special meetings.*—A special meeting may be summoned at any time by the chairman or any two Governors upon seven days' notice being given in writing to all the other Governors of the matters to be discussed.

18. *Quorum.*—There shall be a quorum when five Governors are present at a meeting.

19. *Voting.*—Every matter shall be determined by the majority of votes of the Governors present and voting on the question. In case of equality of votes the chairman of the meeting shall have a casting vote whether he has or has not voted previously on the same question but no Governor in any other circumstances shall give more than one vote.

SCH. —*cont.*

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

21. *General power to make regulations.*—Within the limits prescribed by this Scheme the Governors shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings, the deposit of money at a proper bank and the custody of documents.

22. *Clerk.*—The Governors may appoint some fit person to be their clerk and to hold office during their pleasure and may pay to him (not being a Governor) such reasonable salary as they think fit.

### GENERAL PROVISIONS

23. *Appropriation of benefits.*—The appropriation of the benefits of the Charity shall be made by the Governors from time to time at meetings of their body and not separately by any individual Governor or Governors: Provided that the Governors from time to time may appoint two or more members of their body to be a committee for dealing with any cases of emergency but all acts and proceedings of committees shall be reported in due course to the Governors.

24. *Governors not to be personally interested.*—No Governor shall take or hold any interest in property belonging to the Charity otherwise than as a Governor for the purposes thereof and no Governor shall receive any remuneration, or be interested in the supply of work or goods, at the cost of the Charity.

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

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

27. *Date of Scheme.*—The date of this Scheme shall be the date of the Act of Parliament confirming the same.

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### SCHEDULE

Land containing 2·014 acres or thereabouts situate in Uppingham in the County of Rutland being the property comprised in a conveyance made the 31st July 1952 between The Official Trustee of Charity Lands of the one part Sir Harold Gibson Howitt and twenty-one others of the second part and Commander Francis Nelson Blois Johnson and three others of the third part.

SCH. —*cont.*

The following investments standing in the name of The Official Trustees of Charitable Funds:—

£10,320 6*s*. 10*d*. 4 per cent. Consolidated Stock, 1957 or after.

£12,036 13*s*. 3*d*. 3½ per cent. Conversion Stock, 1961 or after.

£13,822 5*s*. 8*d*. 3 per cent. Redemption Stock, 1986-96.

£12,156 11*s*. 1*d*. 2½ per cent. Treasury Stock, 1975 or after.

£204 19*s*. 0*d*. 2½ per cent. Consolidated Stock.

£659 18*s*. 6*d*. 3½ per cent. Conversion Stock, 1961 or after, representing the investment of unexpended income at compound interest pursuant to an Order of the Charity Commissioners of the 7th February 1950 (Building Fund).

£1,056 0*s*. 8*d*. 2½ per cent. Consolidated Stock representing the half-yearly payments of £5 14*s*. 4*d*. to the said Official Trustees and the investment thereof at compound interest pursuant to an Order of the Charity Commissioners of the 2nd May 1922.

£1,067 7*s*. 7*d*. 3½ per cent. Conversion Stock, 1961 or after standing in the name of The Oakham and Uppingham Hospitals of the Foundation of Archdeacon Johnson.

£300 3½ per cent. Conversion Stock, 1961 or after standing in the name of the Governors for the time being of the Hospitals of Christ in Oakham and Uppingham.

An annuity of £83 17*s*. 2*d*. payable half-yearly for a period of 50 years from the 25th March 1922 paid in consideration of the redemption of certain tithe rent charges under the authority of an Order made by the Minister of Agriculture and Fisheries on the 7th February 1922.

*Note*.—Part of the said annuity (which was fixed in the said Order of the 7th February 1922 at the sum of £87 12*s*. 10*d*.) namely a sum of £3 15*s*. 8*d*. was redeemed under the authority of an Order of the Charity Commissioners of the 9th May 1924.

£1,049 16*s*. 8*d*. cash on special investment account with the Leicester Trustee Savings Bank on the 13th December 1954.

£1,466 13*s*. 11*d*. cash on ordinary account with the Leicester Trustee Savings Bank on the said date.

£140 6*s*. 4*d*. cash on current account at Oakham branch of Barclays Bank Ltd. on the said date.

Sealed by Order of the Board this 22nd day of December 1954.

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