CHAPTER xxxvi.

An Act to provide for the establishment of an Infirmary in the Parish of Cathcart, to be called the Victoria Infirmary of Glasgow, and for the constitution and incorporation of Governors of that Institution, and the management of its affairs; to authorise the Trustees of the deceased Robert Couper of Millholm in that parish to transfer to the said Governors certain portions of his estate; and for other purposes. [28th June 1888.]

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WHEREAS Robert Couper of Millholm, in the parish of Cathcart in the county of Renfrew (hereinafter called "the Truster"), who died on the twelfth day of June one thousand eight hundred and eighty-three, by his trust disposition and settlement dated the first day of December one thousand eight hundred and eighty, and recorded in the books of council and session at Edinburgh on the twenty-first day of June one thousand eight hundred and eighty-three, directed his Trustees thereby appointed, of whom James Boyd, writer, Glasgow, and William Watson Steuart, merchant there, are the only continuing survivors (hereinafter called "the Trustees"), to dispose of and apply his whole means and estate, heritable and moveable, in the manner and for the purposes therein mentioned; and inter alia in the second place to set apart and invest the sum of thirty thousand pounds, and to pay to Mrs. Mary Crawford Smith or Couper, his wife, the free annual proceeds thereof so long as but no longer than she should remain his widow; and in the third place to set apart and invest the sum of two thousand pounds, and to pay the free annual proceeds thereof to his sister Agnes Couper during her life; and in the seventh place to invest the sum of two thousand pounds, and to apply the free annual proceeds thereof in perpetuity for behoof of such deserving poor in the villages of Old and New Cathcart as the Trustees or their successors in the management of the said fund should from time to time think proper, as also to invest a further sum of one thousand pounds, the free annual

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proceeds of which should be applied in perpetuity for behoof of such of the better class poor in the parish of Cathcart as the Trustees or their successors in the management of the said fund should from time to time think proper, the free annual revenue arising from which last-mentioned sums of two thousand pounds and one thousand pounds should be distributed by a committee to be selected from time to time as hereinafter mentioned; and in the eighth place he bequeathed a sum of six thousand five hundred pounds, and directed the Trustees to expend the same, in so far as necessary, in procuring a site in or near either of the villages of Old and New Cathcart for, and erecting thereon, a hall, with a room for a library, and a reading room, and a house for the hall keeper and librarian; and he also bequeathed a sum of five hundred pounds to defray the cost of furnishing the said hall, library and reading room, and of procuring a suitable supply of books; as also a sum of five hundred pounds, the annual interest of which should be expended in procuring a supply of newspapers and periodicals for the reading room, and in keeping up a supply of books in the library; as also a sum of two thousand pounds, the annual interest of which should be expended, so far as necessary, in the payment of a suitable hall keeper and librarian; declaring that any balance of capital or revenue on any one of these heads might be applied towards any deficiency on any of the other heads; and the Truster directed that the said hall, library and reading room should be managed by a committee, to be selected triennially from the parliamentary electors resident in the villages of Old and New Cathcart and immediate neighbourhood, at a meeting to be called for the purpose, declaring that the exact area of the electoral district should be fixed by the Trustees, who should prepare and determine a constitution for the regulation and management of the same; which several bequests and provisions in the third, seventh, and eighth places hereinbefore mentioned should be paid free of legacy, annuity, or other duty; and in the last place the Truster, on the recital that it was his wish to make provision for the erection of an infirmary or hospital in or near the city of Glasgow, in some suitable situation on the south side of the river Clyde, in or near Crosshill, and of a convalescent home in connection with and convenient to the said infirmary or hospital, did, by the said trust disposition and settlement, leave and bequeath for those purposes the whole residue of his estate, including the subjects and sums set apart as aforesaid for the life-rent behoof of his said wife and sister respectively, as and when their respective life interests therein should cease; declaring that the proportion of residue to be applied towards the erection and maintenance of the said convalescent home should not

exceed twenty thousand pounds, which sum should be set apart at, and should bear interest as from, the death of his said wife; and he directed that the erection of the said infirmary or hospital should be proceeded with, with all convenient speed, as soon after his death as the Trustees should find that the funds at their disposal were sufficient for the purpose, and he empowered the Trustees to accumulate the said residue until the accumulated funds should in their judgment be sufficient for the erection and furnishing of the said infirmary or hospital, and to prepare and determine a constitution for the regulation and management of the same; and he declared that until a Royal Charter or Act of Parliament for incorporating the said infirmary or hospital and convalescent home should have been obtained, for which the Trustees were authorised when they should see fit to apply, the property both heritable and moveable held or acquired for the purposes of the said bequest should be vested in the Trustees or their successors in office, or in the managers who, under the constitution to be determined by the Trustees, might be appointed from time to time to administer the bequest:

And whereas by a codicil to the said trust disposition and settlement, dated the twenty-fourth day of March, one thousand eight hundred and eighty-two, and recorded along with that deed, the Truster directed the Trustees to allow his said wife to elect whether she would take the life-rent, so long as she remained his widow, of Sunnyside House and pertinents, or of Dalmore House and pertinents, both belonging to him, with the household furniture and other articles in the said houses respectively, in satisfaction of the life-rent conveyance contained in their marriage contract, and she elected the latter; and whereas by a decree arbitral pronounced upon the seventh day of May, one thousand eight hundred and eighty-four, by James Roberton, LL.D., professor of conveyancing in the university of Glasgow, under a reference to him by the Trustees and the said Mrs Mary Crawford Smith or Couper (then widow of the Truster, and hereinafter called "the widow"), which minute of reference and decree arbitral were recorded in the books of council and session on the fourteenth day of the last-mentioned month and year, she was found entitled to receive from the Trustees an allowance at the rate of two hundred pounds per annum for the preservation and upkeep of the said life-rented subjects:

And whereas the Trustees have set apart and invested the aforesaid sum of thirty thousand pounds for the use of the widow during her life and widowhood, and the aforesaid sum of two thousand pounds for the use of the said Agnes Couper during her life; and

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have likewise set apart and invested the aforesaid sums of two thousand pounds and one thousand pounds for behoof of the poor, in pursuance of the directions hereinbefore recited:

And whereas the Trustees have acquired, in the locality directed by the Truster, a site for, and have erected thereon a hall, with a room for a library and reading room, and a house for the hall keeper and librarian, and have furnished the hall, library, and reading room, and procured a suitable supply of books, which buildings and accommodation are known as "the Couper Institute," and have prepared and determined a constitution for the regulation and management thereof in pursuance of the directions hereinbefore recited, and have set apart and invested the remainder of the sums bequeathed by the Truster for those purposes and for the management and upkeep of the said institute:

And whereas, after fulfilling the aforesaid and other purposes of the said trust disposition and settlement and codicil, the funds now at the disposal of the trustees are insufficient to enable them to proceed with the erection of the infirmary or hospital and convalescent home contemplated by the Truster, or even to make any substantial contribution for these purposes:

And whereas on the twenty-seventh day of April, one thousand eight hundred and eighty-one, a public meeting was held in Glasgow, with a view to the establishment of an infirmary, on the southern side of that city (which infirmary is to be called the Victoria Infirmary of Glasgow,) being an infirmary of the nature and in the locality contemplated by the Truster as aforesaid; at which meeting an executive committee was appointed, with power to add to their number (which committee is hereinafter called "the executive committee"); and subscriptions to a considerable amount have been received and are in course of being received, and a site has been acquired and arrangements have been made for the erection thereon of an infirmary, and also for the erection of a convalescent home in connection therewith and conveniently situated with respect thereto, as soon as sufficient funds are available for that purpose; and it is expedient that provision should be made for the constitution and incorporation of Governors of the Victoria Infirmary, and for the management of its affairs:

And whereas it is expedient that the funds bequeathed by the Truster for the erection of an infirmary or hospital and convalescent home should, instead of being so applied by the trustees, be transferred by them to the said Governors (hereinafter called "the Governors"), at the time and in the manner hereinafter mentioned, to be applied (along with the subscriptions received and which may

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be hereafter received by the Executive Committee and the Governors) towards the purposes of the Victoria Infirmary; and it is also expedient to provide for the management and disposal of the estate of the Truster as respects the other purposes hereinbefore recited, and for the discharge of the Trustees:

But the aforesaid objects cannot be effected without the authority of Parliament:

May it therefore please Your Majesty, that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited for all purposes as the Victoria Infirmary of Glasgow Act, 1888.

Commencement of Act.

2. This Act shall commence and take effect on and from the first day of the month next following the passing of this Act.

Objects of institution.

3. The Institution hereinbefore referred to as the Victoria Infirmary, and hereinafter designated as "the Institution," is intended to comprise, besides the erection of the infirmary itself, all or some of the following objects, viz.:—To provide in the said infirmary additional accommodation for the relief of the sick and injured poor in the city of Glasgow and surrounding districts, where they will receive the advantages of lodging, attendance, diet, medicine, and medical and surgical advice and assistance, and where likewise medical and surgical patients who may, from want of proper accommodation in their homes or otherwise, wish to reside in the infirmary, and to pay according to their means, may receive lodging, attendance, diet, medicine, advice, and assistance in consideration of such payment, (provided that at no time shall more than one-sixth part of the accommodation for the time being in the said infirmary be occupied by such last-mentioned patients); as also to provide in the said infirmary means of clinical instruction to medical and surgical practitioners and students, educated or in course of being educated at the University of Glasgow or other medical schools; and to afford facilities by the use of lecture rooms and other accommodation to teachers for instructing students in medicine, surgery, and the collateral sciences usually comprehended in a medical education; as also to provide district receiving houses and dispensaries on the southern side of Glasgow, where injured or sick persons may be temporarily attended to until their removal to the said infirmary; as also, as soon as sufficient funds are available for that purpose, to provide a convalescent home in connection with and conveniently situated with respect to the said infirmary.

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Executive committee to manage affairs of institution till first Thursday of December 1888.

4. Until the first Thursday of December, one thousand eight hundred and eighty-eight, the affairs of the Institution shall be managed by the executive committee, at present consisting of the persons hereinafter named, viz.:—The Honourable Sir James King, lord provost of the city of Glasgow; William Renny Watson, engineer, Glasgow; William Lorimer, locomotive engine builder, Glasgow; Alexander Crum of Thornliebank; William Stevenson of Househill, one of the magistrates of the city of Glasgow; John Paterson, builder, member of the town council of the city of Glasgow; Thomas Mason, railway contractor, collector of the Trades House of Glasgow; William Mitchell, provost of the royal burgh of Rutherglen; Andrew Ritchie, M.D., provost of the burgh of Pollokshaws; James Marshall, provost of the burgh of Pollokshields; William Hamilton, provost of the burgh of Pollokshields East; Thomas Robert James Logan, ironmaster, Glasgow; John Laing, property agent, Glasgow; James Brand, contractor, Glasgow; Stephen Alley, engineer, Glasgow; Alexander Sinclair, newspaper proprietor, Glasgow; William Maclay, corn merchant, Glasgow; Thomas Morrison, manufacturer, Glasgow, one of the magistrates of the burgh of Crosshill; Henry C. D. Rankin, cork merchant, Glasgow; Hugh Mayberry, property agent, Glasgow, one of the magistrates of the burgh of Crosshill; Thomas Jenkins, purveyor, Glasgow; James Waddel, bank agent, Glasgow; John Fleming, writer, Glasgow; D. M. Alexander, writer, Glasgow; Adam L. Kelly, M.D., Glasgow; William Scott, surgeon, Reuther House, Rutherglen; Ebenezer Duncan, M.D., C.M., Crosshill; Alexander Napier, M.D., Crosshill; Robert Pollok, M.B., C.M., Pollokshields; and William Barr Crawford, writer, Glasgow; with the addition of any other persons whom the persons above named may appoint to be members of the said committee under the powers conferred by the said public meeting, of which committee seven members shall be a quorum; and the said committee shall, until the said first Thursday of December next have all the powers hereinafter conferred on the Governors hereby incorporated, so far as applicable to the state of circumstances at the time.

Constitution and incorporation of Governors.

5. On and after the said first Thursday of December, one thousand eight hundred and eighty-eight, the executive committee shall cease to act, and the following persons shall be and are hereby incorporated, under the name and style of "The Governors of the Victoria Infirmary of Glasgow," and by that name shall be a body corporate, with perpetual succession and a common seal, that is to say:—

The members of Parliament for the time being for the several divisions of the city of Glasgow;

The member of Parliament for the time being for the Govan division of the county of Lanark;

The member of Parliament for the time being for the eastern division of the county of Renfrew;

The lord provost for the time being of the city of Glasgow;

Three persons (hereinafter called "Workmen's Governors") to be elected annually by those members of the court of contributors hereinafter constituted, who are the duly authorised representatives of the workmen of every shipyard, factory, or workshop, who have paid or shall pay in the aggregate towards the funds of the institution a donation of fifty pounds or upwards, or an annual subscription of five pounds or upwards; such election to take place in terms of such rules and regulations thereanent as may from time to time be framed and enacted by the executive committee, or (after that committee ceases to act as aforesaid) by the Governors;

Two persons to be elected annually by each of the following bodies, viz.:—

The Lord Provost, Magistrates and Council of the city of Glasgow,

The University Court of the University of Glasgow, and

The Faculty of Physicians and Surgeons of Glasgow;

One person to be elected annually by each of the following bodies, viz.:—

The Merchants House of Glasgow,

The Trades House of Glasgow,

The Faculty of Procurators in Glasgow,

The Glasgow Southern Medical Society,

The Provost, Magistrates, and Council of the royal burgh of Rutherglen,

The Magistrates and Council of the burgh of Pollokshaws,

The Commissioners of Police of the burgh of Kinning Park,

The Commissioners of Police of the burgh of Pollokshields,

The Commissioners of Police of the burgh of Pollokshields East,

The Commissioners of Police of the burgh of Crosshill, and

The Commissioners of Police of the burgh of Govanhill:

Provided that if any one or more of the five last-named burghs should hereafter be annexed to and become part of the city of Glasgow, the first three, or any lesser number as the case may be, of the persons hereinbefore appointed to be elected by the Commissioners of Police of such burgh or burghs shall thereafter be elected by the court of contributors

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hereinafter constituted, from its members, in addition to the nine persons hereinafter appointed to be elected by that court; and the remaining person or persons (exceeding the said first three), hereinbefore appointed to be elected by the said Commissioners of Police, shall thereafter be elected by those members of the said court of contributors who are hereinbefore appointed to elect the Workmen's Governors, in addition to the three persons hereinbefore appointed to be elected by them: Provided also that if any one or more of the said five burghs should hereafter be amalgamated with any other or others of such burghs, the persons hereinbefore appointed to be elected by the Commissioners of Police of the respective burghs so amalgamated shall thereafter be annually elected by the Commissioners of Police of such amalgamated burgh; and

Nine persons to be elected in manner hereinafter provided by the said court of contributors.

Powers of Governors.

6. The Governors shall have power in their corporate name to purchase, hold, and sell lands and other heritages, to receive and discharge donations, subscriptions, and legacies, and to borrow money for the purposes of the Institution, to invest the funds of the Institution upon heritable security, or in any other manner in which Trustees may, by the Trusts (Scotland) Acts, 1861 to 1884, or any Act amending those Acts, invest trust funds, to sue and be sued, and to exercise all the powers usually possessed by the managers of similar institutions; and all deeds and instruments granted by the Governors shall be valid and effectual if sealed with their common seal and signed by any two of their number and their Secretary; but no Governor shall be responsible personally for any deed lawfully granted or act lawfully done by him on behalf of the Governors.

Constitution of court of contributors.

7. The court of contributors shall consist of all persons (including private companies) who have each paid, or who shall each pay, towards the funds of the Institution a donation of ten pounds or upwards, or an annual subscription of one pound or upwards; of the chairman, preses, or other head or duly authorised respresentative of every corporation, church congregation, society, association, public company, or other body, which has paid or shall pay towards the said funds a donation of fifty pounds or upwards, or an annual subscription of five pounds or upwards; and of one duly authorised representative of the workmen in every shipyard, factory, or workshop who have païd or shall pay in the aggregate towards the said funds a donation of fifty pounds or upwards, or an annual subscription of five pounds or upwards: Provided that such annual subscription

shall only entitle the person or the representative of the body or of the workmen subscribing to be a member of the said court for the financial year (ending on the thirty-first day of October) or years in which it is paid.

First and subsequent ordinary meetings of court of contributors.

8. The first meeting of the court of contributors shall be held in the Merchants' Hall at Glasgow, on the first Thursday of December one thousand eight hundred and eighty-eight, and an ordinary meeting of the said court shall be held on the first Thursday of December in each subsequent year, at such place as shall from time to time be appointed by the Governors. All meetings of the said court shall be called by advertisement in any two or more newspapers published in Glasgow, the first insertion of such advertisement appearing at least eight days before the day of meeting.

Extraordinary meetings of court of contributors.

9. Extraordinary meetings of the court of contributors may be called by the Governors, when they deem it expedient, by advertisement inserted as hereinbefore provided, stating the nature of the business to be brought before the meeting.

Chairman of meetings of court of contributors.

10. The lord provost of the city of Glasgow for the time being, if present, shall preside at all meetings of the court of contributors, and in his absence a chairman shall be elected by the meeting. All questions at any meeting of the said court shall be determined by a majority of the votes of the members present and voting, including the chairman, and in case of an equal division of votes the chairman shall have a casting vote.

Election of Governors by court of contributors.

11. The court of contributors shall at their first meeting elect nine members of that court to be Governors, of whom three shall retire at each of the three next following ordinary meetings of the said court, the order in which they shall so retire being fixed at the said first meeting; and at each of the said three next following ordinary meetings the said court shall elect three members of the Court to be Governors in place of those retiring as aforesaid. At each ordinary meeting of the court of contributors thereafter, the three Governors elected by that court who have been longest in office shall retire, and the said court shall elect three members of the court to be Governors in their place: Provided always, that in the event of the number of Governors to be elected by the court of contributors being increased in terms of the proviso to section five of this Act, the number of Governors so elected who retire annually shall from time to time be fixed by the Governors, so that the number nearest to one-third of the total number of Governors to be elected for the time being by the

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said court shall be the number who shall so retire, and so that the term of office of each Governor so elected shall be three years.

Election of Governors by other bodies.

12. The corporations and bodies (other than the court of contributors), and the representatives of workmen who are hereinbefore authorised to elect Governors, shall make such respective elections, and intimate the same to the executive committee or to the Governors, as the case may be, previously to the days hereinbefore appointed for the first and subsequent ordinary meetings of the said court.

Governors may be re-elected.

13. All Governors, whether elected by the court of contributors or by any other corporation or body, or representatives of workmen, who shall retire from office under the provisions hereinbefore contained, may, if such court, corporation, body, or representatives think fit, be re-elected.

Failure to elect any casual vacancies.

14. In the event of any vacancy in the number of Governors occurring at any time, by reason of the court of contributors or any of the other bodies or corporations or representatives of workmen hereinbefore authorised to elect Governors failing to make any such election, or by reason of death, resignation, or any cause other than the expiration of the term of office, the remaining Governors may elect a member of the court of contributors to fill up each such vacancy; but any Governor so elected shall remain in office so long only as the person who should have been elected, or in whose place he is elected, would have remained in office; and the Governors in office at the time shall have all the powers competent to the whole body notwithstanding any such vacancy.

Meetings and quorum of Governors.

15. The Governors shall hold four stated meetings in each year, namely on the second Thursday of March, June, September and December, and such other meetings as they may from time to time think fit, all at such place as they shall from time to time appoint. All such meetings shall be called by circulars, delivered at or posted to the address of each Governor at least two days before the day of meeting. Seven Governors present at any meeting shall form a quorum.

Chairman of Governors.

16. At their stated meeting in December in each year the Governors shall elect one of their number to be their chairman for the then ensuing year. In the event of a vacancy in the office of chairman occurring during any year, the Governors shall, at their first meeting thereafter, fill up such vacancy. The chairman of the Governors, when present, shall preside at all their meetings, and if he be absent at any meeting, a chairman shall be elected by the

meeting. All questions at any meeting of the Governors shall be determined by a majority of the votes of the Governors present and voting, including the chairman, and in case of an equal division of votes the chairman shall have a casting vote.

Committees.

17. The Governors may, if they think fit, from time to time appoint one or more committees of their number, for the more effective charge and management of such of the affairs of the Institution as they may deem it expedient to remit to such committee or committees, and may regulate the constitution and procedure of such committees; but, except in so far as specially otherwise provided in such remit, all the proceedings of such committees shall be reported to and be subject to the approval of the Governors.

Appointment of medical officers, office bearers and servants.

18. The Governors may from time to time appoint such medical officers as they may think requisite for the efficient treatment of the patients in the Institution, as also a secretary, a treasurer, a chaplain, a superintendent, a matron, and such other office bearers and servants as they may consider necessary, and may define and prescribe their respective duties and fix their remuneration, and may also from time to time suspend or discharge any such officers, office bearers, and servants at their discretion, and appoint others in their stead. They shall take such security as they may deem sufficient for the intromissions of any treasurer or other office bearer having the custody or control of any part of the funds of the Institution.

Rules and regulations.

19. The Governors shall have full power to make and enforce such rules and regulations as may seem to them expedient and proper for the conduct of the medical officers, office bearers, and servants; for the admission of patients, and the internal government of the Institution; and for the general management of its affairs; and they may from time to time in their discretion alter or cancel any of such rules and regulations, and make and enforce new rules and regulations for the aforesaid purposes: Provided always that no such rules and regulations shall be inconsistent with the fundamental principles of the Institution as expressed in this Act.

Annual reports.

20. The executive committee shall submit to the court of contributors at their ordinary meeting in December next, and the Governors shall submit to the court of contributors at their ordinary meeting in each subsequent year, a report of their proceedings during the year ending on the thirty-first day of October immediately preceding, together with a statement of the financial affairs of the Institution as at the last-mentioned date, duly audited by a member of the Society of Chartered Accountants in Glasgow,

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and, when the infirmary, or any district receiving houses and dispensaries or the convalescent home connected therewith, have been opened, a statement of the patients treated therein during such year, and such other information as may seem to the executive committee or Governors desirable.

Certain subjects and sums to be conveyed by Robert Couper's trustees to the Governors on their incorporation.

21. Upon the incorporation of the Governors, the Trustees shall convey and transfer to the Governors the plot of ground near the villages of Old and New Cathcart, containing three roods and twenty-nine poles, and having a frontage of two hundred and eighty-one feet to the highway leading from Glasgow to Kilmarnock, as described and under the burdens mentioned in the title deeds thereof, together with the hall, library, and reading room, and the house of the hall keeper and librarian and other buildings thereon, and the library of books and fittings and furnishings within the said buildings, as also the whole remainder of the capital of the funds destined by the Truster for the purposes specified as aforesaid in the eighth place in his said trust disposition and settlement, with any additions which may be made thereto, in trust for the purposes so specified; and shall likewise transfer to the Governors the said sums of two thousand pounds and one thousand pounds respectively, directed as aforesaid to be held by the Trustees for behoof of the deserving poor in the villages of Old and New Cathcart, and for the better class poor in the parish of Cathcart respectively, or the subjects, stocks and securities in or upon which the said several sums hereinbefore mentioned, or any part thereof, may be invested; and the said property, subjects, stocks and securities, shall be dealt with and managed by the Governors in accordance with the constitution and rules and regulations prepared and determined by the Trustees, in terms of the powers in that behalf conferred upon them for the regulation and management of the said bequests, dated the twelfth, and recorded in the books of council and session on the fifteenth, both days of October, one thousand eight hundred and eighty-seven, subject to any alterations thereon, or additions thereto, which may be made in pursuance of the said constitution; and upon the conveyance and transference to the Governors of the properties, sums, securities, and others set forth in this section, the Governors shall have power to discharge the Trustees of their whole actings, management, and intromissions in connection with the bequests under the seventh and eighth purposes of the said trust disposition and settlement.

A certain sum to be paid by those Trustees to

22. Upon the death of the said Agnes Couper, the Trustees shall pay or convey and transfer to the Governors the aforesaid sum of

two thousand pounds now subject to her life interest, or the subjects stocks or securities in or upon which the same may be invested, to be applied by them to the purposes of the Institution.

the Governors on the death of Miss Agnes Couper.

23. Upon the death of the widow, or upon her marriage if she marry again, the Trustees shall convey and transfer to the Governors the whole residue of the estate of the Truster, including the sums now subject to her life interest, and such capital sum as the Trustees may have found it necessary to set apart to provide for the aforesaid annual payment to her of two hundred pounds under the decree arbitral hereinbefore mentioned, or the subjects, stocks or securities of which the said residue may consist, or in or upon which the same may be invested, to be held and applied by the Governors for the purposes of the Institution: Provided that they shall apply, towards the erection and maintenance of the said convalescent home, such portion not exceeding twenty thousand pounds of the said residue as they shall think fit: Provided also that the Governors may, if they think fit, arrange with the widow for an earlier payment or transference to the Governors of any part of the said residue, for such onerous considerations and upon such conditions as may be agreed on between those parties; and the Trustees shall pay or transfer the same accordingly. The conveyance and transference of the whole of the said residue by the Trustees to the Governors, in terms of this section, shall be deemed full and complete implement by the Trustees of the directions to them comprehended within the last purpose of the said trust disposition and settlement; and thereupon the Governors shall have power to discharge the Trustees of their whole actings in, management of, and intromissions with the said trust estate so far as not previously discharged as aforesaid.

Residue of Robert Couper's estate to be conveyed by his Trustees to the Governors on death or marriage of his widow.

24. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Trustees.

Costs of Act.

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