



## CHAPTER lvii.

An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charities known as Tancred's Charities. A.D. 1923.  
—  
[18th July 1923.]

**W**HEREAS the Charity Commissioners in their report to His Majesty of their proceedings during the year nineteen hundred and twenty-two reported that they had approved and certified a scheme for the application or management of the charities known as Tancred's Charities regulated by the Act of Parliament 2 Geo. III. c. 15 (Private) by a scheme of the Charity Commissioners of the 24th May 1870 by the Act of Parliament 34 & 35 Vict. c. 117 by a scheme of the Charity Commissioners made in pursuance of the last-mentioned Act on the twenty-first August eighteen hundred and seventy-two and by the Tancred Charities Scheme Confirmation Act 1899 (62 & 63 Vict. c. cclxxvii.):

And whereas it is expedient that the said 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 King'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:—

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 exerciseable or hereafter to become exerciseable by the High Court of Justice and the Charity Commissioners. Confirmation of scheme.

2. This Act may be cited as the Tancred's Charities Scheme Confirmation Act 1923. Short title.

A D. 1923.

S C H E D U L E.

*Scheme for the application or management of Tancred's Charities regulated by the Act of Parliament 2 Geo. III. c. 15 (Private) by a Scheme of the Charity Commissioners of the 24th May 1870 by the Act of Parliament 34 & 35 Vict. c. 117 by a Scheme of the Charity Commissioners made in pursuance of the last-mentioned Act on the twenty-first August eighteen hundred and seventy-two and by the Tancred Charities Scheme Confirmation Act 1899 (62 & 63 Vict. c. cclxxvii.).*

1. *Administration of Charities.*—The above-mentioned charities and the endowments thereof shall be administered and managed by the body corporate called the Governors and Trustees of Tancred's Charities (hereinafter referred to as "the Governors") subject to and in conformity with the provisions of this scheme.

2. *Endowments.*—The endowments of the charities consist of—

(1) The Devised Estate being the property representing the estates devised by the will of Christopher Tancred dated 20th May 1746 and the accumulations of income thereof which property is specified in the first part of the schedule hereto;

(2) The Settled Estate being the property representing the estates settled by the said Christopher Tancred by deed dated 2nd June 1721 (except Whixley Manor House) which property is specified in the second part of the schedule hereto;

(3) The Students' Funds being the property representing accumulations of income of the Divinity Students' Fund the Physic Students' Fund and the Law Students' Fund which property is specified in the third part of the schedule hereto;

(4) The Pensioners' Fund being the property representing accumulations of income of the pensioners' branch of the Charities which property is specified in the fourth part of the schedule hereto;

(5) The Whixley Manor Fund being the property representing the proceeds of sale of the Whixley Manor House which property is specified in the fifth part of the schedule hereto.

3. *Expenses of Management.*—All the proper costs charges and expenses of and incidental to the administration and management of the Charities shall be first defrayed by the Governors out of the income of the devised estate and the settled estate and as between the devised estate and the settled estate so far as may be rateably.

4. *Devised Estate.*—The clear yearly income of the devised estate shall be applied by the Governors in accordance with the existing trusts affecting the same.

5. *Settled Estate.*—The Governors shall out of the clear yearly income of the settled estate set aside three yearly sums of 600*l.* 75*l.* and 240*l.* respectively and shall divide the balance of the said income into two equal parts.

6. *Students.*—The Governors shall apply the said yearly sum of 600*l.* the income of the Students' Funds and one equal part of the balance of the clear yearly income of the settled estate in accordance with the existing trusts affecting the same for the benefit of Tancred's students.

7. *Master and Fellows of Christ's College.*—The Governors shall apply the said yearly sum of 75*l.* in accordance with the existing trusts affecting the same for the benefit of the Master and Fellows of Christ's College Cambridge.

8. *Scholarships &c.*—The Governors shall apply the said yearly sum of 240*l.* the income of the Whixley Manor Fund and the other equal part of the balance of the clear yearly income of the settled estate as follows They shall in the first place set aside thereout a yearly sum of 1,200*l.* and shall apply the balance in the provision of scholarships to be called Tancred scholarships and to be awarded under rules to be made by the Governors from time to time to the children of necessitous gentlemen clergymen or commissioned officers in the Army or Navy who are natives of Great Britain and of the religion of the Church of England The scholarships shall be tenable at any secondary school approved by the Governors for that purpose.

9. *Pension Branch.*—The said yearly sum of 1,200*l.* so to be set aside as aforesaid and the Pensioners' Fund shall be administered and managed as a separate branch of the Charities to be called the pension branch The endowments of the pension branch shall consist of the said yearly sum of 1,200*l.* the Pensioners' Fund and the right to have the proper costs charges and expenses of and incidental to the administration and management of the pension branch paid out of the income of the devised estate and the settled estate The yearly income of the pension branch shall be applied by the Governors in payment of annuities to out pensioners The number of out pensioners shall be twelve but may be increased by the appointment of additional out pensioners as hereinafter provided.



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*Scheme Confirmation Act, 1923.*

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10. *Determination of Educational Endowment.*—(1) In variation of an order made by the Charity Commissioners on the 22nd November 1907 under the Board of Education Act 1899 s. 2 (2) it is hereby determined that the whole of the endowments of the Charities with the exception of the endowments of the pension branch are held for or ought to be applied to educational purposes.

(2) Such endowments except as aforesaid may be called Tancred's Educational Foundation.

11. *Existing Pensioners.*—The existing out pensioners of the Charities shall be out pensioners of the pension branch and shall be deemed to have been elected on the date of this scheme.

12. *Qualification and Election of Out Pensioners.*—The persons hereafter to be elected as out pensioners shall have the same qualifications as are required by the said deed dated 2nd June 1721 for the pensioners contemplated by that deed That is to say they shall be decayed and necessitated gentlemen clergymen commissioned land or sea officers of 50 years of age or more natives of Great Britain and of the religion of the Church of England The ordinary election for the purpose of filling up vacancies amongst the out pensioners shall be made from time to time at the meeting of the Governors to be held annually at Whitsuntide unless some other day shall be fixed by the Governors for holding the meeting for the purpose.

13. *Notice of Election of Out Pensioners.*—The Governors shall from time to time cause sufficient publicity to be given by advertisement in one or more of the principal London newspapers and in such other manner as they shall consider expedient of the existence of the pension branch and the qualifications required from applicants and the nature and advantages of the appointments thereunder.

14. *Annuities to Out Pensioners.*—Every out pensioner shall be entitled to receive an annuity of 100*l.* and every such annuity shall be paid in advance by equal quarterly instalments on the 1st June 1st September 1st December and 1st March in each year The payment of the first quarterly instalment to each pensioner shall commence and be made on such of the said quarterly days which shall be nearest the day of his election in advance for the succeeding quarter.

15. *Governors may make Regulations.*—The Governors may prescribe such reasonable regulations as they shall from time to time think fit relative to the payment of the annuities and the production of evidence of the continued existence and good conduct and the amount of the property of the several out pensioners and of their continuing to be possessed of the qualification required for their election.

16. *Forfeiture of Annuity by Out Pensioners.*—The annuity payable to each out pensioner shall cease on his death or upon his being adjudged by the Governors to have become disqualified upon any of the following grounds viz. By having gone to reside out of the United Kingdom without the consent of the Governors by having become possessed of or entitled to an annual income of 100*l.* or to property producing a gross yearly income of that amount (unless the Governors shall think in any case that under the special circumstances the acquisition or possession of such income or property ought not to disqualify the pensioner) by having alienated charged or incumbered his annuity or by having become bankrupt or by having done or suffered any act whereby he shall be deprived of the actual enjoyment of the same or by being guilty of habitual drunkenness immorality or other misconduct The judgment of the Governors upon the sufficiency of the grounds of disqualification shall be conclusive in every case.

17. *Additional Out Pensioners.*—The Governors may from time to time if and whenever the surplus income of the pension branch remaining after payment of an annuity of 100*l.* to each of the twelve out pensioners suffices for that purpose elect one or more additional out pensioners The provisions hereinbefore contained with regard to the out pensioners shall so far as practicable apply to any additional out pensioner so elected except that the annuity payable to any such additional out pensioner shall be such yearly sum not exceeding 100*l.* as the Governors may from time to time fix.

18. *Power to vary Scheme.*—The Board of Charity Commissioners as regards the pension branch and the Board of Education as regards Tancred's Educational Foundation may from time to time in the exercise of their respective ordinary jurisdictions establish schemes 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.

19. *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 conclusively by the Board of Charity Commissioners so far as regards the pension branch and by the Board of Education so far as regards Tancred's Educational Foundation upon such application made to the respective boards for the purpose as they think sufficient.

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



[Ch. lvii.] *Tancred's Charities* [13 & 14 GEO. 5.]  
*Scheme Confirmation Act, 1923.*

A.D. 1923.

SCHEDULE.

PART I.

*The Devised Estate.*

95*l.* 16*s.* 9*d.* Great Indian Peninsular Railway Company  
" B " Annuity.  
10,394*l.* 0*s.* 3*d.* Local Loans 3 per cent. Stock.  
93*l.* 8*s.* 2*d.* Consols.

PART II.

*The Settled Estate.*

2*l.* 3*s.* 3*d.* Great Indian Peninsular Railway Company  
" B " Annuity.  
117,277*l.* 14*s.* 1*d.* Local Loans 3 per cent. Stock.

PART III.

*Divinity Students' Fund.*

619*l.* 8*s.* 6*d.* Canada 3½ per cent. 1930-50 Stock.  
1,494*l.* 5*s.* 2*d.* Local Loans 3 per cent. Stock.  
200*l.* 11*s.* 0*d.* cash.

*Physic Students' Fund.*

559*l.* 0*s.* 1*d.* Canada 3½ per cent. 1930-50 Stock.  
1,421*l.* 9*s.* 11*d.* Local Loans 3 per cent. Stock.  
149*l.* 4*s.* 7*d.* cash.

*Law Students' Fund.*

645*l.* 8*s.* 6*d.* Canada 3½ per cent. 1930-50 Stock.  
1,890*l.* 10*s.* 1*d.* Local Loans 3 per cent. Stock.  
180*l.* 15*s.* 1*d.* cash.

PART IV.

*The Pensioners' Fund.*

1,461*l.* 8*s.* 6*d.* Canada 3½ per cent. 1930-50 Stock.  
2,246*l.* 10*s.* 6*d.* Local Loans 3 per cent. Stock.  
800*l.* 16*s.* 8*d.* cash.

PART V.

*The Whixley Manor Fund.*

9,589*l.* 5*s.* 7*d.* Local Loans 3 per cent. Stock.

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