

tioner, pensioner, or other, shall be entitled at the date of such order.

‘Provided also, that if the provisional order shall contain any alterations or modifications as aforesaid, the Secretary of State shall, before signing the order, cause a copy of it to be sent to the governing body, who may, if they think fit, state in writing to the Secretary of State any objections or suggestions respecting such order within one month after the copy thereof was sent to the governing body; and the Secretary of State shall, if he think fit, remit to the Commissioners to report on such objections and suggestions, and shall consider the same, together with the report of the Commissioners.’

That it is by the Eighth Section enacted, that ‘The provisional order aforesaid shall not have any effect or operation unless and until the same has been laid before both Houses of Parliament; and it shall be lawful for the Secretary of State, and he is hereby required, as soon as conveniently may be, to cause such provisional order to be laid before both Houses of Parliament; and after such provisional order has lain forty days before Parliament, then, unless within such forty days a resolution has been adopted by one or other of the said Houses disapproving of the said order, such provisional order shall come into operation.’

That it is by the Tenth Section enacted, that ‘It shall be lawful for the governing body of an endowed Institution to apply for a provisional order, and such order may provide for the transference of the Institution, and the endowments of such Institution, or part thereof, to the governing body of one or more other endowed Institutions, or to one or more School Boards, subject to the provisions contained in such order.’

That it is by the Fourteenth Section enacted, that ‘Nothing herein contained shall be held to limit any of the powers presently enjoyed by any governing body under any Act of Parliament, or provisional order, or charter, or by the foundation grant of the endowed Institution under their government.’

The Petitioners are of opinion that the interests of ‘James Schaw’s Hospital’ would be greatly promoted by their availing themselves of the provisions of the Endowed Institutions (Scotland) Act, 1878, and that the efficiency of the Hospital would not only be increased, but its usefulness very considerably extended, by their taking advantage of the said Act.

With the view of ascertaining the opinions of the Trustees as to whether any action should be taken by Schaw’s Hospital in regard to said Act, a Committee, consisting of the Rev. Dr. Struthers, the Rev. Dr. Cæsar, Mr. David Dickson, Mr. John Scott Moncrieff, and Mr. John Maclaren, was appointed at the Quarterly General Meeting of Trustees on 18th October 1878, to consider the matter and to report.

The Committee presented their report to the Quarterly General Meeting of Trustees on 31st January 1879, when the following Resolution was unanimously agreed to, viz.:—‘The Meeting approved of the Committee’s Report, and recommended the whole matter to the same Committee, with the addition of Mr. Harrison, Treasurer of the City, in order that a Scheme might be prepared embodying the changes in the Institution suggested in the Report, with the view of being submitted to a Special Meeting of the Trustees in terms of the Endowed Institutions (Scotland) Act, 1878, for their approval.’

The following explanations relative to the Foundation, Management, and Benefits of the Hospital are humbly submitted:—

The late Dr. James Schaw of Preston, in the county of East Lothian (the founder of the Hospital), died on 3d November 1784, leaving a Trust-Disposition and Settlement dated 4th December 1781, and recorded in the Books of Council and Session 20th December 1784.

By that settlement Dr. Schaw assigned, conveyed, and disposed ‘to and in favour of Alexander Alison, Esq., Deputy-Cashier of Excise, James Balmain, Esq., Solicitor of Excise, George Fairholme of Greenhill, Alexander Thomson, Accountant in Excise, and Robert Boswell, Writer to the Signet, and to such of them as shall accept hereof, and to the survivors and last survivor of those accepting, as trustees or trustee, and to their assignees, declaring any three of said trustees to be a quorum, so long as three or more shall remain in life, in trust, always to the ends, uses, and purposes after mentioned, and with and under the burdens, provisions, and reservations after specified, All and whatsoever lands, tenements, heritages, debts, and sums of money, heritable and moveable, household furniture, bed and table linen, silver plate, lying money, bank-notes, horses, carriages, cattle and stocking of every kind, goods, gear, and other heritable and moveable means and effects, of whatever nature, denomination, or designation the same be, resting and pertaining, or that shall be resting and pertaining to me, at the time of my death; together with all and sundry charters, dispositions, procuratories, and instruments of resignation, precepts and instruments of sasine, adjudications, heritable and moveable bonds, backbonds, reversions, tacks, contracts, assignations, bills, decreets, promissory-notes, accompts, and other writs, rights, evidents, and securities whatsoever, heritable and moveable, made, granted, and conceived, or which may be anywise interpreted in my favour, with all claims of every kind which I have or may have against any person or persons, and all action, diligence, and execution competent, or that may be competent upon the premises, and all that has followed or may follow thereupon: And particularly, I do hereby convey and dispoise to and in favour of my said trustees, and the survivor of them, and to their assignees, as said is, the subjects heritable and moveable after specified, viz., All and Whole my lands and barony of Preston and Prestonpans, with the free burgh of barony of Preston, and free sea-port and harbour for ships of the same, with the whole privileges, liberties, casualties, and commodities whatever, pertaining and belonging to the said free burgh of barony, and free port and harbour aforesaid, with the manor-place of Preston, houses, biggings, yards, orchards, mills, maultures, kains, customs, casualties and duties, salt pans, coals, coal-heughs, tenants, tenandries, and services of free tenants, and all privileges, liberties, parts, pendicles, and pertinents of the same whatsoever; as also, all and sundry the teind-sheaves of the said lands and barony of Preston and Prestonpans, with tofts, crofts, outsets, parts, pendicles, and whole pertinents thereof: with the privilege and liberty of a market weekly upon Thursday, and of a free fair yearly, beginning on the first day of October, and continuing for the first, second, and third days of that month, being the fair commonly called St. Jerome’s Fair, with the whole tolls and customs of the said weekly market and yearly free fair, all united, erected, annexed, and incorporated