

Endowed Institutions Act, 1878, and of date 13th May 1881.

Preamble.

1. Transference of Property and Administration to New Governing Body.—From and after the date of this Scheme the said Endowments shall be amalgamated, and the whole rights, funds, and estates, heritable and moveable, belonging thereto or vested in the present governing bodies thereof, except in the case of the Williamson Bequest and the Mather bursaries, shall be transferred to, and vested in, the School Board of the parish of Fyvie, without the necessity of any new conveyance or instrument. The minister and elders of the Free Church in the Parish of Fyvie shall pay annually, by two equal instalments, to the said School Board the sum of £8; and the whole of said funds, monies, and estates, including therein the sum received by the said School Board from the Town Council of Aberdeen under the said Provisional Order, shall be held and administered by the said School Board under the conditions and provisions of this Scheme, and the said School Board shall be the governing body of the Endowment. If it shall happen that the Kirk-Session of Fyvie discontinue the school known as St. Katharine's School, and presently maintained by them as a school, they shall in that event sell the said school and shall pay over to the School Board the sum of £250 or such smaller sum as they may have received as the price of the said school; or if they shall resolve, as they are hereby empowered to do, to retain the said school after it has ceased to be used as a school they shall pay over to the said School Board the sum of £250; and the said sum of £250, or such smaller sum as may in either of these events be paid over to the School Board, shall be held and administered by them under the conditions and provisions of this Scheme, in the same way as the other funds and estates hereby transferred to them. But nothing herein contained shall be held to prejudice or affect in any way any claim of property that the Earl of Aberdeen, his heirs or assignees, may make to any part of the said St. Katharine's School.

2-8. Discharge of Present Governing Body; Conduct of Business; Powers of Sale and Investment; Casual Profits; Accounts; Audit; and Vested Interests.

9. Application of Income.—The governing body, after paying the necessary expenses of management and the burdens and taxes affecting the Endowment, shall apply the free annual income in the manner hereinafter provided.

10. Free Scholarships.—The governors may apply a sum not exceeding £12 yearly in paying, in whole or in part as they may think fit, the fees of scholars, with books and stationery, at public or State-aided schools in the parish of Fyvie, for elementary education as defined in the Educational Endowments (Scotland) Act, 1882. These scholarships shall be known as the Drummond Scholarships. The free scholars shall be children whose parents or guardians, not being in receipt of parochial relief, are in such circumstances as to require aid for providing elementary education, and are persons who, in the opinion of the governors, ought not to be required to apply to the Parochial Board for such aid. In the case of children under ten years of age, the selection of free scholars shall be made, except as hereinafter provided, with due regard to merit, as ascertained

by such examination, suited to the age of the candidates, as the governors may from time to time prescribe; or in the case of children for whom such examination is unsuitable, by evidence that the children possess such qualifications as to justify their selection; and in the case of children who have been in attendance at school during one or more school years, the governors shall, in making their selection, give special weight to good conduct, attendance, and progress at school during the previous year. The fees in respect of children under ten years of age shall not be paid for more than one school year without re-appointment, and the amount to be expended in paying fees for such children shall not exceed one-third of the amount to be applied under this section. In the case of children of ten years of age and upwards, the free scholars shall be selected, except as hereinafter provided, by competitive examination, which shall be open to all of the same age who are eligible in terms hereof, whether they have or have not previously been beneficiaries; and for such children the school fees may continue to be paid for such period, not exceeding three years, as the governors may determine. If any scholar gain a school bursary his school fees shall no longer be paid under this section. The governors in making their selection of children both below and above ten years of age shall give a preference to the relations or kindred of the said James Drummond resident in the parish of Fyvie, whose parents or guardians, not being in receipt of parochial relief, are in such circumstances as to require aid for providing elementary education. The governors, at the end of every school year, shall obtain from the teacher or teachers a special report as to the conduct, regularity of attendance, and progress of all scholars whose school fees are paid in whole or in part under this section, and the fees of no scholar shall continue to be paid in regard to whom such report is not satisfactory.

11. School Bursaries.—The governors shall apply the remainder of their annual income in establishing school bursaries to be called one half the Mather, the other half the Williamson School Bursaries, each of the yearly value of a uniform value of not less than £3 nor more than £10, as the governors may from time to time fix. These bursaries shall be awarded by competitive examination among pupils attending public or State-aided schools in the parishes of Fyvie and Millbren, who have passed the fifth standard of the present Scotch Code, or such standard as may from time to time be fixed by the Scotch Education Department, pursuant to the Education (Scotland) Acts, as that entitling children to total exemption from the obligation to attend school, and whose parents or guardians are in such circumstances as to require aid for giving them higher education; these bursaries shall be tenable for two years at public or State-aided schools in which efficient instruction is given in the higher branches. But, so long as the Rev. Alexander Bremner continues to hold office as teacher of Fyvie Public School, the Mather bursaries shall be tenable at that school only, and shall be awarded only to children who can attend that school.

12. Forfeiture of Bursaries.—If, in the judgment of the governing body, the holder of any bursary shall be guilty of serious misconduct, or fail to make reasonable progress, they may withdraw such bursary, and their determination in such case shall be final.

