



Facsimile of the indenture which sets out the initial funding and management arrangements for running of The Hospital of Holy Cross. This is located on one of the walls of the Octopus centre.

Key points

This indenture was made on 27th July 1882 and deals with a gift of £10,000 from Richard Henry Wood to the Trustees which were to be appointed to run the Hospital.

It refers back to earlier indentures made on

- 6th April 1882 which transfers 3 parcels of land totalling 10 acres and 3 perches (4.05 hectares or 40,544 square metres) to the Trustees
- 28th May 1868 granting Richard Henry Wood the right to build a hospital on the grounds that then presumably belonged to John Shaw and were sold to Wood in between times?

The first condition of the gift is that “the lands shall for ever be used for the purposes of the Hospital only”.

Stamp duty of £25. 10s was paid on 29th July 1882.

This agreement enabled work to commence on building the Hospital and the foundation stone was laid on 9th December 1882 and the Hospital was opened on 17th July 1884.

Transcript ¹

This indenture made the twenty seventh day of July *am* One thousand eight hundred and eighty two between Richard Henry Wood of Penrhos House Rugby in the County of Warwick Esquire of the one part and the Right Honourable Rudolph William Basil Fielding Earl of Denbigh of Newham Padox in the said County of Warwick Edward Allesley Boughton Ward Boughton Leigh of Brownsover Hall in the said County of Warwick Esquire The Reverend John Murray Rector of Rugby aforesaid The Reverend Thomas William Jex Blake Doctor of Divinity and Headmaster of Rugby School Rugby aforesaid The Reverend Robert Dixon Doctor of Divinity Honorary Canon of Worcester Cathedral and Vicar of Saint Matthews Church Rugby aforesaid The Reverend William Heygate Benn Rector of Churchover in the said County of Warwick Theodore Max Wratishaw of Rugby aforesaid Solicitor and Charles Thomas Caldecott of Holbrook Grange in the said County of Warwick hereinafter called the Trustees of the other part Whereas by an indenture dated the sixth day of April One thousand eight hundred and eighty two and made between the same parties and in the same order as in these Presents the said Richard Henry Wood conveyed to the said Trustees three *several closes* of land situated in the Parish of Rugby aforesaid on the East side of the road leading from Rugby to Barby called or known by the several names and containing the several quantities following that was to *buy* "The new close" containing four acres and two roods or thereabouts "The meadow" containing two acres and three perches or thereabouts and "The fox close" containing three acres and two roods or thereabouts and then in the occupation of Thomas Beasley To hold to and to the use of the said Trustees in fee simple subject ... to "the new close" and "the fox close" to certain rights of *road* and other rights granted thereover and thereunder and to certain covenants and agreements contained in an indenture dated the twenty eighth day of May One thousand eight hundred and sixty eight and made John Shaw ???? of the one part and John Bromwich of the other part Upon trust to permit the said Richard Henry Wood his executors & administrators and his and their Servants Workmen Agents Architect and Surveyors to enter into and upon the said hereditaments² therein before expressed to be thereby conveyed and to build and erect a Hospital thereon without any control or interference whatsoever on the part of the said Trustees their heirs or assigns and subject thereto upon trust to stand seized of the said hereditaments and the hospital when so erected and built as aforesaid upon such charitable trusts for the use and occupation of the same as a Hospital as the said Richard Henry Wood should by any Deed or Deeds thereafter declared of and concerning the same ???? Whereas the said Richard Henry Wood intends to endow by gift during his lifetime the said Hospital with the sum of Ten thousand pounds the income thereof to be applied in manner hereinafter mentioned and he is also desirous that the said charitable trusts respecting the Hospital in the herein before recited indenture referred to shall be ????? by these Presents Now it is hereby agreed and declared that the Trustees shall stand seized of the said lands and the Hospital when so erected thereon and shall also stand possessed of the said sum of Ten thousand pounds when so received by them as aforesaid upon the trusts and for the intents and purposes following

1. The above lands shall for ever hereinafter be appropriated and used for the purposes of the Hospital only and the said Hospital and buildings connected therewith and belonging thereto

¹ Where the text is unclear suggestions are made in italics or marked by ? marks – there is no punctuation in the original and many words appear to start with capitals but are not necessarily the start of new sentences!

² Any kind of property that can be inherited

may from time to time be added to or enlarged as the Trustees and Subscribers shall in General Meeting think fit and desirable

2. The name of the institution shall be entitled "The Hospital of Holy Cross" and its object shall be the relief of such poor persons suffering from accident and all diseases not infectious or contagious who reside within the Parish of Rugby and the surrounding neighbourhood
3. The Trustees shall at any time not later than two months after the opening of the Hospital summon a General Meeting of the Subscribers and Trustees of whom eight shall constitute a quorum At such meeting the Chair shall be taken by such person as the Meeting shall call to the Chair and the following business shall be transacted The making and approval of such Rules Regulations and Byelaws respecting the management and control over the Hospital and the trust property belonging to or which may hereafter belong to the Hospital and respecting the purposes not being inconsistent with the general object before mentioned for which the manner in which the persons by whom the terms and conditions on which and the times when the Hospital shall be used as may be deemed expedient by the Trustees and Subscribers
4. Votes shall be given by those present by show of hands unless a ballot be demanded and in the case of equality the Chairman shall have a casting vote
5. Any such Rules Regulations and Byelaws so made and approved as aforesaid may from time to time be altered or added to by the Trustees and Subscribers in General Meeting
6. The said sum of Ten thousand pounds shall be invested on such security and in such manner as shall be approved by the Trustees for the time being in their absolute discretion The income arising from such investment or investments for the time being shall from time to time as it accrues due be applied to or for any of the following purposes (1) To indemnify the Trustees for the time being in whom the Hospital premises are vested against any costs or expenses incurred by them through or by reason of the non-observance or non-performance of the covenants and arrangements contained in the said indenture of the twenty eighth day of May One thousand eight hundred and sixty eight (2) To insure and keep insured against loss or damage by fire the Hospital premises and Furniture and effects therein (3) To well and sufficiently repair maintain and keep the Hospital premises in good and substantial and decorative repair and condition (4) To keep and preserve in a proper style and order the lands gardens roads and walks fences and walls belonging to and surrounding the Hospital (5) To keep the Hospital premises supplied with such furniture and articles of general use as are suitable and requisite for a Hospital
7. Any surplus income in the current year after providing for such payments as aforesaid and any income in the current year not required for such last mentioned purposes shall be applied for any uses whatever for the benefit of and towards the current expenses of the Hospital
8. The power of appointing new Trustees shall be exercised by the Trustees and Subscribers at any General Meeting and the Rector of the Parish Church of Rugby and the Headmaster of Rugby School and the Vicar of St Matthews Church Rugby for the time being shall by virtue of their offices respectively be Trustees of the Hospital
9. And lastly it is the wish of the said Richard Henry Wood but not so as to impose any trust upon the Trustees that a Religious service should be performed once daily in the Hospital

The witness whereof the said parties to these presents have hereunder set their hands and seals the day and year first above written