



CHAPTER xviii.

An Act to authorise and provide for the removal of the School for Orphans of Freemen of the City of London to a new site in the parish of Walton-on-the-Hill in the county of Surrey and the sale of the site and buildings at Brixton now occupied by the School and for other purposes. A.D. 1901.

[2nd July 1901.]

WHEREAS by an Act passed in the session of Parliament held in the thirteenth and fourteenth years of the reign of Her late Majesty Queen Victoria chapter 10 entitled "An Act for establishing a School for Orphans of Freemen of the City of London" (herein-after referred to as "the Act of 1850") after reciting (amongst other things) that the mayor aldermen and commons of the city of London in common council assembled (therein and in this Act called "the mayor aldermen and commons") were desirous of establishing a school for the maintenance and education of orphans of freemen of the city of London and of applying in or towards establishing and supporting such school certain moneys fines and fees therein specified it was provided that the mayor aldermen and commons should and they were thereby required to set apart and appropriate at Brixton in the county of Surrey as then existing now the county of London or find and provide at such other place as they should think fit a piece of ground being freehold of inheritance as and for the site of a schoolhouse and should cause a schoolhouse and such other buildings to be erected thereon as they should think proper and should from time to time repair and maintain the same or alter the same as they should think proper and that the mayor and commonalty and citizens of the city of London (in this Act called "the Corporation") should for ever thereafter maintain upon the said ground so to be set apart and appropriated or to be so found and provided

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A.D. 1901. and at the houses and buildings to be erected thereon a school for the maintenance and the religious and virtuous education of orphans of freemen of the city of London and the mayor aldermen and commons were empowered from time to time to make and establish revoke and alter such rules and regulations respecting the matters therein particularly mentioned and otherwise touching or concerning the business of the said school and the general government conduct and management thereof and in relation thereto as they should deem proper Provided that in such rules and regulations provision should be made that the authorised version of the Holy Bible should be used and taught in the said school and that morning and evening prayers should be read therein daily throughout the year and certain hereditaments and other lands tenements hereditaments moneys stocks funds and securities goods chattels and effects and property were vested in the Corporation for the purposes of the said Act the surplus of the purchase moneys arising from sales of such hereditaments together with any stocks or funds so vested to be laid out in or towards payment of the expenses of erecting and completing the schoolhouse and other buildings according to such plan as the mayor aldermen and commons should think proper and the residue only (if any) of such moneys to be laid out ~~under and with the like direction and approbation in the~~ purchase of other lands tenements and hereditaments (being freehold of inheritance) to be vested in the Corporation for the purposes of the Act And it was provided that the rents and profits of the hereditaments vested in the Corporation by virtue of the Act should be applied in paying the costs charges and expenses incurred in the management of the trust estate and property and the residue ~~and the interest and~~ produce from any money stocks funds and securities to which the Corporation ~~should~~ be entitled by virtue of the Act should from time to time be paid applied and disposed of in or towards the management and maintenance of the said school :

And whereas the mayor aldermen and commons have in pursuance of the provisions of the Act of 1850 set apart and appropriated ground at Brixton aforesaid and have erected houses and buildings thereon and since the erection of the same the Corporation have maintained and are now maintaining such houses and buildings as the school to be erected in conformity with the provisions of the said Act which school is now known by the name of the School for Orphans of Freemen of the City of London and is in this Act referred to as "the existing school" :

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And whereas the Corporation are desirous and it is expedient that they be empowered to remove and transfer the school from the said ground to a site in the parish of Walton-on-the-Hill in the county of Surrey belonging to the Corporation (hereinafter referred to as "the new site") and to buildings to be erected thereon which will be more appropriate and commodious than the existing school and that the Corporation be empowered to maintain and continue the said school on and at the new site and buildings and it is expedient that for those purposes such provision be made as in this Act contained : A.D. 1901.

And whereas it is expedient that the Corporation be empowered until the buildings on the new site are ready for occupation for the purposes of the school to continue and carry on the school upon and at a temporary site and buildings and that they be authorised to sell let demise or dispose of the site and buildings of and connected with the existing school :

And whereas certain footpaths now crossing the new site (and which are alleged to be but are not admitted by the Corporation to be public footpaths) would render it impossible that the school could be advantageously or properly carried on on the new site :

And whereas two new roads have been recently made (partly at the expense of the Corporation) and are now dedicated to the use of the public on two sides of the new site the other sides of which abut upon old public roads and the said new and existing roads render unnecessary the continuance of the footpaths over the new site and it is expedient that the said footpaths be stopped up and discontinued :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it 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. This Act may be cited as the *School for Orphans of Freemen of the City of London Act 1901.* Short title.

2. In this Act—

The expression "the old premises" means the ground appropriated by the mayor aldermen and commons for the school under the provisions of the Act of 1850 and the houses and buildings erected thereon ;

Interpretation.

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The expression "the new premises" means the new site and the schoolhouse dwellings buildings offices playgrounds yards and conveniences to be erected constructed provided and fitted up thereon and in connexion therewith;

The expression "the temporary premises" means any lands or buildings temporarily used for the purposes of the school under the provisions of this Act.

Corporation to execute Act by common council.

3. This Act shall be carried into execution by the Corporation acting by the mayor aldermen and commons.

Powers to appropriate land at Walton-on-the-Hill to build thereon and prepare the same for the school.

4. The mayor aldermen and commons may at any time after the passing of this Act appropriate to the purposes of the school the new site consisting of certain lands now belonging to the Corporation containing fourteen and a half acres or thereabouts situate in the parish of Walton-on-the-Hill in the county of Surrey abutting towards the north-east on a public road recently made and leading from Walton Street to Epsom Lane and abutting towards the east partly on the same public road and partly on the property numbered 124 on the Ordnance map (Second Edition 1896) of the said parish of Walton-on-the-Hill and abutting towards the north on another public road also recently made and leading from the public road firstly above-mentioned into Epsom Lane and abutting towards the south partly on Walton Street and partly on lands and houses now or lately in the respective occupations of John Dudley William Sibley James Edward Skelton Henry Levington Esther Uphold Annie Clarke Jane Annie Thomas John King John Pomfret and Sons William Barton Ernest David Lanaway and George Skilton and they may on such lands or on any part or parts thereof erect construct provide and fit up a schoolhouse with all necessary and convenient dwellings buildings and offices playgrounds yards approaches conveniences and appurtenances and upon completion thereof may remove and transfer the school to the new site and they may from time to time repair enlarge rebuild or alter the schoolhouse and any such dwellings buildings offices playgrounds yards approaches conveniences and appurtenances as aforesaid in such manner as to them shall seem fit.

Power to stop up footpaths.

5. The Corporation at any time after the passing of this Act may stop up and discontinue all or any public or other footpaths now crossing or being upon the new site and all rights of way and other rights over the new site are by this Act extinguished.

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6. The Corporation may at any time after the passing of this Act temporarily remove and transfer the school from the old premises to and temporarily maintain conduct and carry on the school upon any other premises until the new premises are ready for occupation for the purposes of the school and may appropriate any lands or buildings now belonging to them or purchase by agreement take on lease acquire or occupy any lands or buildings which they may consider necessary or convenient for the temporary accommodation and carrying on of the school.

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Temporary transfer of school to other premises.

7. From and after the removal and transfer of the school from the old premises the provisions of the Act of 1850 (other than section 2 of that Act) shall be read and construed as though the temporary premises or the new premises as the case may be were in the said Act specifically mentioned instead of the site for the schoolhouse in the said Act referred to and shall so far as applicable apply to the school on the temporary premises or the new premises as the case may be and to the mayor aldermen and commons and the Corporation as the case may be in respect thereof.

Applying Act of 1850 to new premises &c.

8. All moneys rents endowments and other property at the date of the passing of this Act applicable towards the establishment maintenance and repair of the school shall be applicable towards the expenses of or connected with the removal and transfer of the school to the temporary premises or the new premises or from the temporary premises to the new premises as the case may be and after any such removal and transfer to the establishment maintenance and repair of the temporary premises (if any) and the new premises and the carrying on conduct and management or other purposes of the school thereon in like manner in every respect as the same but for such removal and transfer would have been applicable towards the establishment maintenance and repair of the school on the existing site and its conduct and management.

Moneys endowments &c. to continue applicable to maintenance of school.

9. All scholarships exhibitions and prize funds and all rights powers and privileges belonging or attached to the school immediately before its removal and transfer under the provisions of this Act shall belong and attach to the school when so removed and transferred.

Scholarships exhibitions &c. to continue.

10. All or any rules and regulations made and established by the mayor aldermen and commons under section 3 of the Act of 1850 and in force at the passing of this Act shall continue in force and apply to and in the case of the school after its

Rules and regulations under section 3 of Act of 1850 continued.

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Power to
sell lease and
dispose of
old premises.

11. The Corporation may sell lease or otherwise dispose of or may take down all or any part of the existing schoolhouse buildings or offices and may remove sell and dispose of the materials thereof and may sell lease or otherwise dispose of the lands upon which such schoolhouse buildings or offices is or are situate or any lands used in connexion therewith or any part or parts thereof respectively upon such terms and subject to such conditions as they may think fit Provided always that the Corporation shall not in the exercise of any of the powers by this section conferred upon them give up possession of or interfere with the old premises until the school shall have been removed and transferred to the temporary premises or the new premises as the case may be.

Power to
Corporation
to borrow.

12. For any of the purposes of this Act the Corporation may from time to time borrow at interest on the credit of their estates and revenues any moneys which they think necessary not exceeding the sum of fifty thousand pounds subject nevertheless to all prior charges thereon whether under Act of Parliament or otherwise.

Power to
reborrow.

13. Whenever and as often as it may be considered expedient or become necessary to call in or pay off any portion of the moneys raised by the Corporation under the authority of this Act the Corporation may from time to time in manner aforesaid borrow other moneys required for the purpose of paying off the moneys which it may have become expedient or necessary to call in or pay off Provided that the total amount borrowed under the authority of this Act and remaining unpaid shall not at any one and the same time exceed in the whole the amount by this Act authorised to be borrowed.

Form of
bond.

14. All moneys borrowed under the authority of this Act may be secured by bonds under the common seal of the Corporation in such form as the Corporation may from time to time deem expedient and shall be assignable by indorsement.

Lenders not
liable for
misappli-
cation.

15. Any person paying to the Corporation or to any person appointed by them to receive the same any sum of money by virtue of this Act shall not be answerable or accountable for the non-application or misapplication thereof.

16. The Corporation if they think fit in lieu of borrowing on the security of bonds as hereinbefore authorised may borrow the moneys which they are by this Act authorised to borrow or any part thereof under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another and the Corporation shall for the purposes of the said Act and the exercise of the powers of borrowing money by this Act conferred be deemed to be a local authority within the meaning of the same term as defined by the Local Loans Act 1875.

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Power to borrow under Local Loans Act 1875.

Any moneys borrowed in manner by this section authorised for any of the purposes of this Act shall be a charge upon and shall be paid out of the estates and revenues on the credit of which the Corporation are authorised by this Act to raise moneys and such estates and revenues shall be the local rate within the meaning and for the purposes of the Local Loans Act 1875.

Every such loan shall be discharged within the period of sixty years after the raising of the same and such discharge or any part thereof shall be effected by means of a sinking fund if the Corporation shall so think fit And if the Corporation at any time think fit to form any such sinking fund all sums paid into the same shall as soon as may be be invested by the Corporation in any manner in which trustees are by law for the time being authorised to invest trust moneys.

17. The Corporation may at any time and from time to time purchase any bond debenture debenture stock annuity certificate or other security granted or issued by the Corporation under the authority of this Act and for the time being in force from the holder thereof and may cancel the same when so purchased and as from the date of such cancellation such bond debenture debenture stock annuity certificate or other security shall become and be void and of no effect.

Power to Corporation to purchase and cancel securities under this Act.

18. The chamberlain of the city of London shall at all times provide and keep one or more book or books in which all moneys received by virtue of this Act shall from time to time as the same are paid be entered and set down in a separate account and wherein all moneys paid and disbursed out of the moneys so received shall from time to time be entered and set down and such entry shall express the time when the occasion for which and the names of the persons to whom the same shall be paid:

Chamberlain to keep accounts of receipts and disbursements.

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Expenses of
carrying Act
into exe-
cution.

19. All the costs charges and expenses of erecting constructing providing and fitting up the temporary premises and the new premises and of transferring the school thereto and otherwise of carrying this Act into execution and of applying for obtaining and passing this Act and connected therewith or preliminary or incidental thereto shall be paid by the Corporation out of their corporate funds or out of any moneys to be borrowed by them under the powers of this Act.

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