



CHAPTER xiv.

An Act to change the name and extend the powers of the Deputies of the Resident Freeman and Freeman's Widows of the Borough of Leicester and to amend the Leicester Freeman's Acts 1845 and 1898. A.D. 1922.
[31st May 1922.]

WHEREAS by an Act passed in the year 1845 intituled "An Act to repeal so much of an Act for enclosing lands in the Parish of St. Mary in or near the Borough of Leicester as relates to the Regulation and Management of the Freeman's Allotments and to make other provisions in lieu thereof" (hereinafter in this Act referred to as "the Act of 1845") and by the Leicester Freeman's Act 1898 (hereinafter in this Act referred to as "the Act of 1898") provisions were made for the election of certain Deputies by the resident freemen and freemen's widows of the borough of Leicester and for the ordering and management of the lands vested in them :

And whereas the Deputies to be elected as aforesaid were by the Act of 1898 incorporated by the name of "The Deputies of the Resident Freeman and Freeman's Widows of the Borough of Leicester" and are hereinafter referred to as "the Deputies" :

And whereas from time to time parts of the lands described in the First Schedule to the Act of 1845 have been sold by the Deputies or their predecessors and other lands have been purchased by the Deputies or their predecessors to be held for the purposes for which the lands described in the said First Schedule were by the Act of

A.D. 1922. 1845 directed to be held and the lands now held by the
Deputies for those purposes are described in the First
Schedule to this Act :

And whereas the whole of the lands described in the
Second Schedule to the Act of 1845 have been sold the
same having been compulsorily acquired from the De-
puties and no lands are now held by the Deputies for
the purposes for which the lands described in the Second
Schedule to the Act of 1845 were by that Act directed to
be held :

And whereas the purchase moneys arising from the
aforesaid sales of lands (including the purchase money
referred to in section 9 of the Leicester Corporation Act
1919 the whole of which has been invested in the sum of
22,958*l.* 7*s.* 3*d.* five per cent. War Stock (1929-47) men-
tioned in the Second Schedule to this Act) have been
lodged in the High Court of Justice and so far as the
same have not been applied in the purchase by the De-
puties of other lands as aforesaid are now represented by
the investments set out in the said Second Schedule to
this Act but the Deputies have not sufficient powers for
the application or disposition of the said investments or
of the income arising therefrom :

And whereas it is expedient to alter and extend the
powers of the Deputies with respect to the application
and disposition of the said investments and the income
arising therefrom or from any other source :

And whereas it is expedient that the other powers
contained in this Act be conferred upon the Deputies
and that the corporate name of the Deputies be changed :

And whereas it is expedient that certain provisions
of the Act of 1845 and the Act of 1898 be amended or
repealed :

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 (that is to say) :—

1.—(1) This Act may be cited as the Leicester
Freemen's Act 1922.

Short and
collective
titles.

(2) The Act of 1845 may be cited as the Leicester A.D. 1922.
Freemen's Act 1845.

(3) The Act of 1845 the Act of 1898 and this Act
may together be cited as the Leicester Freeman's Acts
1845 to 1922.

2. The Act of 1845 the Act of 1898 and this Act Acts to be
shall be read and construed together as one Act and read
whenever in the Act of 1845 the purposes powers or pro- together.
visions of or the execution of that Act are referred to
the same shall be deemed to include the purposes powers
and provisions and execution of this Act.

3. In this Act—

Definitions.

“ The allotment lands ” means the lands described
in the First Schedule to this Act and any
other lands for the time being vested in the
Deputies for the purposes and subject to the
provisions of the Act of 1845 relating to the
lands described in the First Schedule to that
Act ;

“ The capital fund ” means the moneys now
represented by the investments set out in the
Second Schedule to this Act and any other
moneys from time to time vested in the
Official Trustees of Charitable Funds in trust
for the Deputy or the investments from
time to time representing the same.

4.—(1) As from the passing of this Act the corporate
name of the Deputy shall be “ the Leicester Freeman's
Deputy.”

Change
of name
and incor-
poration of
Part IV. of
Companies
Clauses Act

(2) Part IV. of the Companies Clauses Act 1863 is
incorporated with this Act and for the purpose of that
incorporation shall apply as though the Deputy were a
company incorporated for the purpose of carrying on
an undertaking.

5. The lands described in the First Schedule to this
Act shall continue vested in the Deputy for the purposes
and subject to the provisions of the Act of 1845 relating
to the lands described in the First Schedule to that Act
and that Act as amended by this Act shall be construed
as though any references to the lands described in the
First Schedule to that Act were references to the lands
described in the First Schedule to this Act.

As to First
Schedule
lands.

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Power to
provide
house for
overseer
&c.

6. For the purpose of providing a residence for the overseer appointed under section 28 of the Act of 1845 and other buildings required in the management of the allotment lands the Deputies may erect on that part of the allotment lands known as the Freeman's Common a dwelling-house (with necessary out offices) and sheds and other necessary buildings and may notwithstanding anything contained in the Act of 1845 appropriate and use exclusively for that purpose any allotment or allotments becoming vacant or otherwise coming into their possession and may also for that purpose purchase from an outgoing allottee or other person entitled thereto and may alter adapt or add to any building for the time being on such allotment or allotments Provided that the amount of any moneys to be expended for the purposes of this section shall be subject to the approval of the Charity Commissioners.

Application
of capital
fund.

7. The Deputies may apply the capital fund or such part thereof as they deem necessary towards—

- (1) The payment of the costs charges and expenses preliminary to and of and incidental to preparing obtaining and passing this Act :
- (2) The payment of the costs charges and expenses incurred by the Deputies in connexion with the preparation consideration and making of any scheme under the section of this Act of which the marginal note is " Application of income " :
- (3) The payment of any purchase moneys and expenses (other than expenses of maintenance) incurred by them with the approval of the Charity Commissioners in the exercise of the powers conferred by the immediately preceding section of this Act :
- (4) The payment of any expenses incurred by them in the building fitting up and endowment of cottages :
- (5) The payment of the purchase money for any lands purchased by them under the Act of 1845:

As to in-
vestments
of capital
fund.

8.—(1) Such of the investments set out in the Second Schedule to this Act as shall not have been applied towards the payments authorised by subsections (1) and (2) of the immediately preceding section of this Act shall

within six months from the passing of this Act be transferred from the High Court of Justice into the names of and shall vest in the Official Trustees of Charitable Funds in trust for the Deputies.

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(2) Any purchase money payable in respect of any lands sold by the Deputies under the Act of 1845 shall be paid to and thereupon shall vest in the said trustees in trust for the Deputies.

(3) Any moneys vested in the said trustees in trust for the Deputies may be invested by them in any securities in which trustees are for the time being by law authorised to invest.

(4) Any dividends or other income received by the said trustees from any investments or moneys vested in them under this section shall be paid to the Deputies.

9.—(1) Notwithstanding anything contained in the Act of 1845 or the Act of 1898 the Deputies shall apply all rents dividends interest or other income already or hereafter received by them (including any income arising from the capital fund) in accordance with a scheme to be made by the Charity Commissioners.

Application
of income.

(2) The scheme to be made by the Charity Commissioners as aforesaid shall provide—

- (a) For the upkeep and management of the allotment lands;
- (b) For the maintenance and endowment in accordance with the provisions of the Act of 1845 of any cottages vested in the Deputies at the passing of this Act and for securing the health and welfare of the occupants of those cottages;
- (c) For the payment of any sum or sums (not exceeding in the aggregate twenty pounds in any one year) by way of subscription or donation to any nursing association or society or any hospital or institution from which any benefit has been or may be derived by any resident freeman or freeman's widow;
- (d) For the payment of any expenses incurred or sustained by the Deputies in carrying out any other provisions of the Leicester Freeman's Acts 1845 to 1922;

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- (e) For the application of any part of the income to any other purposes which may be beneficial to resident freemen and freemen's widows; and
- (f) That the surplus (if any) of such income as aforesaid shall be applied in or towards the building and fitting up of further cottages (which shall be endowed and let or occupied in accordance with and subject to the provisions of sections 24 25 26 and 27 of the Act of 1845) and the securing of the health and welfare of the occupants of those cottages.

(3) Notwithstanding anything in this Act the Charity Commissioners may at any time and from time to time on the application of the Deputies amend or extend any scheme made under the foregoing provisions of this section or by any new scheme make such provisions as they think fit for the application of the income aforesaid for the benefit of the resident freemen and freemen's widows.

Amend-
ments and
repeal.

10.—(1) The provisions of the Act of 1845 and of the Act of 1898 mentioned in the first column of Part I. of the Third Schedule to this Act are hereby amended in the manner specified in the second column of Part I. of that schedule.

(2) The provisions of the Act of 1845 mentioned in Part II. of that schedule are hereby repealed.

Crown
rights.

11. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Definition
of city of
Leicester.

12. In this Act and in the Act of 1845 and the Act of 1898 as respectively amended by this Act the expression "the city of Leicester" means the city of Leicester for the time being and shall include the city of Leicester as extended by any Act of Parliament or Order having the force of an Act hereafter enacted or made.

The SCHEDULES referred to in the
foregoing Act.

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THE FIRST SCHEDULE.

LANDS HELD BY THE DEPUTIES AT THE PASSING OF THE
FOREGOING ACT.

1. Freehold lands known as "the Freeman's Common" situate between and bounded by Aylestone Road and Welford Road in the city of Leicester and containing 78 acres or thereabouts.

2. Freehold land known as "the Bull Piece" situate on the west side of Saffron Lane in the city of Leicester and containing 2 acres 1 rood and 24 perches or thereabouts.

3. Freehold lands known as "the Freeman's Thurmaston Road Estate" situate in the city of Leicester containing 7 acres 3 roods 9 perches or thereabouts and having frontages to Thurmaston Road and Checketts Road.

4. Freehold lands known as "the Freeman's Loughborough Road Estate" situate in Loughborough Road in the city of Leicester and containing 10 acres 1 rood and 20 perches or thereabouts.

5. Freehold lands known as "the Freeman's Abbey Lane Estate" situate in the city of Leicester containing 3 acres 2 roods and 25 perches or thereabouts and situate between and bounded by Abbey Lane and the Great Central Railway.

6. Freehold lands known as "the Freeman's Victoria Road East Estate" situate at West Humberstone in the city of Leicester containing 12 acres 2 roods and $24\frac{1}{2}$ perches or thereabouts and having a frontage to Victoria Road East.

THE SECOND SCHEDULE.

INVESTMENTS REPRESENTING THE CAPITAL FUND AT THE
PASSING OF THE FOREGOING ACT.

LODGED IN THE HIGH COURT OF JUSTICE TO THE CREDIT OF THE
UNDERMENTIONED ACCOUNTS.

£	s.	d.	
915	6	8	$3\frac{1}{2}$ per cent. Metropolitan Consolidated Stock Ex parte the Midland Railway Company In the matter of an Act to consolidate the North Mid- land Midland Counties and Birmingham and

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£ s. d.

			Derby Junction Railways In respect of land claimed by the Deputies of the Resident Freeman and Freeman's Widows of the borough of Leicester without power of sale.
1,842	12	2	3½ per cent Metropolitan Consolidated Stock Ex parte the Midland Railway Company In the matter of the Midland Railway (Additional Powers) Act 1890 In respect of land claimed by the Deputies of the Resident Freeman and Freeman's Widows of the borough of Leicester without power of sale.
550	0	0	3½ per cent. Metropolitan Consolidated Stock Ex parte the mayor aldermen and burgesses of the borough of Leicester The account of the estates of the Resident Freeman and Freeman's Widows of the borough of Leicester.
9,297	16	5	2½ per cent. Metropolitan Consolidated Stock Ex parte the Manchester Sheffield and Lincolnshire Railway Company In the matter of the Manchester Sheffield and Lincolnshire Railway (Extension to London &c.) Act 1893 In respect of land belonging to Cornelius Smith and others as Deputies of the Resident Freeman and Freeman's Widows of the borough of Leicester in fee simple without power of sale.
449	4	7	2½ per cent. Consols Ex parte the Midland Railway Company The account of the Deputies of the Resident Freeman and Freeman's Widows of the borough of Leicester.
3,197	13	10	2½ per cent. Consols Ex parte the Deputies of the Resident Freeman and Freeman's Widows of the borough of Leicester.
2,335	7	7	5 per cent. War Stock (1929-47) Ex parte the Deputies of the Resident Freeman and Freeman's Widows of the borough of Leicester.
2,661	7	3	3½ per cent. Metropolitan Consolidated Stock Ex parte the mayor aldermen and burgesses of the borough of Leicester The account of the estates of the Resident Freeman and Freeman's Widows of the borough of Leicester.
22,958	7	3	5 per cent. War Stock (1929-47) Ex parte the mayor aldermen and burgesses of the borough of Leicester In the matter of the Leicester Corporation Act 1919 in respect of lands and hereditaments claimed by the Deputies of the Resident Freeman and Freeman's Widows of the city of Leicester without power of sale.

THE THIRD SCHEDULE.

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PART I.

AMENDMENTS OF ACTS.

Enactment amended.	Amendment.
Leicester Freeman's Act 1845 :	
Section 8 - -	The words " (not exercising common of pasture as hereinafter mentioned) " shall be repealed.
Section 22 - -	The words " or purchase " shall be inserted after the word " sale " wherever that word occurs in the section and the words " once in each of three successive weeks " shall be substituted for the words " for three successive weeks."
Section 28 - -	The words from " and also for " to " held or occupied " and the words from " and the said overseer " to the words " pasture as aforesaid " where they occur lastly in the section shall be repealed.
Section 28 - -	The word " Provided " shall be substituted for the words " Provided also."
Section 49 - -	The words from " (subject to " to " to this Act ") shall be repealed.
Leicester Freeman's Act 1898 :	
Section 17 - -	The words " (not less than four) " shall be repealed.
Section 33 - -	The words " or in the presence of two of the " Deputies and the clerk of the Deputies " if the Deputies at a meeting shall by " resolution have authorised the same " shall be inserted after the words " meeting of the Deputies."
The Leicester Freeman's Act 1845 and the Leicester Freeman's Act 1898.	The words " the city " shall be substituted for the words " the borough " wherever the same occur in those Acts and the context so admits.

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Leicester Freeman's [12 & 13 GEO. 5.]
Act, 1922.

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PART II.

REPEAL.

The Leicester Freeman's Act 1845 sections 9 10 18 19 20 23 29
and 50 and the Schedules (No. 1) and (No. 2).

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