



## CHAP. xv.

An Act to amend the Acts relating to the Asylum for Female Orphans. A.D. 1870.  
[12th May 1870.]

**W**HEREAS by an Act passed in the Session of Parliament held in the thirty-ninth and fortieth years of the reign of King George the Third (herein-after referred to as "the Act of 1800," intituled "An Act for establishing and well governing the charitable institution commonly called the Asylum or House of Refuge for the reception of orphan girls, the settlements of whose parents cannot be found, and for incorporating the subscribers thereto, and for the better empowering and enabling them to carry on their charitable and useful designs," it was (section one) enacted, that from and after the passing of the said Act there should be a corporation to continue for ever for the well governing an asylum or house for the reception, maintenance, education, and employment of friendless and deserted orphan girls, the settlements of whose parents could not be found; and that several persons therein named, together with any person who had paid or should pay the sum of thirty-one pounds ten shillings at one time, and also every person who had paid or should pay the yearly sum of three guineas or more for the use of the said asylum, and also every person who should be appointed by any general court of the guardians of the said asylum, should be respectively guardians of the said asylum; and the president, vice-presidents, treasurer, and guardians were incorporated by the name of "The president, vice-presidents, treasurer, and guardians of the asylum for the reception of orphan girls, the settlements of whose parents cannot be found," and they and their successors, by the name aforesaid, were enabled at any time thereafter, without license in mortmain, to purchase, take, or receive, hold, and enjoy any lands, tenements, or hereditaments, or any estate or interest arising or derived out of any lands, tenements, or hereditaments, for the purposes of the said charity; and they were also thereby empowered to bind or place out as

39 & 40 G. 3.  
c. 60.

Lands.

Apprentice-  
ship.



[Ch. xv.] *The Female Orphan Asylum Amendment* [33 Vict.]  
*Act, 1870.*

A.D. 1870.

apprentice or servant to any person whom the committee of the corporation should think fit, any of the orphan girls already admitted or thereafter to be admitted into the said asylum, for such term and time, and upon such conditions respectively, as the said committee should think proper, but not for a longer term than seven years; and after appointing the president, vice-president, and treasurer of the corporation, and also a committee for transacting and managing the affairs thereof, and after declaring what persons should compose a general court, provision was made (section three) for the holding of general courts of the members of the corporation four times at the least in every year on certain days therein mentioned, and for the holding of special general courts; and also for vesting in the guardians of the corporation assembled at any such general court as aforesaid the management of the asylum, and the application and disposal of the funds of the corporation; and the sixth section of the said Act provided for the investment of the said funds by the treasurer with the consent and approbation of the committee:

Investment  
of funds.

5 G. 4. c. 5.  
(Act of  
1824.)

Leasehold  
premises at  
Lambeth.

And whereas by an Act passed in the fifth year of the reign of King George the Fourth (herein-after referred to as "the Act of 1824"), intituled "An Act to amend and render more effectual an Act of His late Majesty relative to the asylum for female orphans," after reciting that the president, vice-presidents, treasurer, and guardians of the said asylum had erected or provided for the purposes of the said charity a messuage and building commonly called "the Asylum," with a chapel thereto adjoining, upon leasehold ground situate in the parish of Saint Mary Lambeth in the county of Surrey, and holden by them, with other hereditaments, under a lease granted by the mayor and commonalty and citizens of the city of London, for a term of years which would shortly expire, and empowering all corporations and persons to sell and convey to the said president, vice-presidents, treasurer, and guardians the freehold fee simple and inheritance, or any term of years of and in, as well the said premises then held by them upon lease as aforesaid, as also any other premises adjoining thereto and convenient to be held therewith, which the said president, vice-presidents, treasurer, and guardians should think proper to be purchased for the purposes of the said charity, not exceeding in the whole three acres, it was enacted (section 9), that in case any of the leasehold lands and tenements then held by the said president, vice-presidents, treasurer, and guardians of the said asylum, or any person or persons in trust for them, or any lands or hereditaments to be purchased by virtue of that Act, should at any time be deemed not necessary or not

Authorises  
sale of land



useful or proper to be retained for the purposes of the said charity, then and in every such case it should be lawful for the president, vice-presidents, treasurer, and guardians for the time being of the said asylum to sell and dispose of the same lands or hereditaments, or any part thereof, in such manner and for such price or prices as they should think proper: A.D. 1870.  
by corpora-  
tion.

And whereas shortly after the passing of the said secondly hereinbefore recited Act the corporation purchased the freehold and inheritance of the said premises at Lambeth theretofore held by them upon lease, and the same premises (the particulars whereof are set forth in the schedule marked A. hereto annexed) are now vested in the corporation: Purchase of  
freehold.

And whereas in the year 1864 the corporation purchased certain freehold hereditaments situate in the parish of Beddington in the county of Surrey, and the same hereditaments (the particulars of which are set forth in the schedule marked B. hereto annexed) were thereupon conveyed to and are now vested in the corporation, and in the year 1866 the said asylum was removed from Lambeth to the said premises at Beddington, which are now the site of the said asylum: Purchase of  
lands at Bed-  
dington.

And whereas, under a power contained in the eleventh section of "the Act of 1824," the several rates of contribution or subscription necessary for constituting guardians of the said asylum were reduced as to life subscriptions to the sum of ten pounds ten shillings, and as to annual subscriptions to the yearly sum of one pound one shilling: Qualification  
of guardians.

And whereas the said corporation have extended the scope of the charity so as to embrace as its objects not only orphan girls the settlements of whose parents cannot be found, but all fatherless girls who are fit objects for such charitable aid, whether their mothers are or are not living, and whether the settlements of their parents or either of them can or cannot be found, and it is expedient that the scope of the charity should be and continue so extended, and that the names of the corporation and of the said asylum should be altered accordingly:

And whereas it would be beneficial to the said charity,—

That further powers should be given in respect of the leasing and disposing of the estates and property of the corporation:

And as to the investment of the funds of the corporation:

That the corporation should have powers further to reduce the qualification of guardians:

[Ch. xv.] *The Female Orphan Asylum Amendment Act, 1870.* [33 VICT.]

A.D. 1870.

And to reduce also the number of general courts required to be holden in each year, and that further provision should be made for the calling of special general courts :

And that further powers should be given in respect of the binding of apprentices :

And that in other respects the recited Acts should be amended :

And whereas the objects aforesaid cannot be accomplished without the aid of Parliament :

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen'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 :—

Names of Acts.

1. The herein-before recited Acts and this Act may for all purposes be respectively cited as “The Female Orphan Asylum Act, 1800,” “The Female Orphan Asylum Amendment Act, 1824,” and “The Female Orphan Asylum Amendment Act, 1870.”

Objects of charity.

2. The charity subsisting under the said recited Acts and this Act shall not be confined to orphan girls the settlement of whose parents cannot be found, but shall embrace all fatherless girls generally, whether their mothers are or are not living, and whether the settlements of their parents or either of them can or cannot be found.

Change of name.

3. The corporation now subsisting under the name of “The president, vice-presidents, treasurer, and guardians of the asylum for the reception of orphan girls the settlements of whose parents cannot be found,” shall henceforth be and continue a body corporate and politic in deed and in law by the name of “The president, vice-presidents, treasurer, and guardians of the Female Orphan Asylum,” and the said charity shall be called the Female Orphan Asylum ; and the provisions contained in “The Companies Clauses Act, 1863,” part IV., relating to the change of name of any company, shall be and are hereby incorporated in this Act ; the words “company” and “undertaking” in such provisions being read in this Act as if the same words were “corporation” and “charity” respectively.

Power to lease.

4. It shall be lawful for the corporation and their successors from time to time, at their discretion, to demise and lease any part of the estates and property for the time being belonging to the corporation, for any term not exceeding twenty-one years, to take



effect in possession or within six calendar months next after the making of such leases, so that in every such lease there be reserved and made payable, half-yearly or oftener, the best yearly rent or rents that can be reasonably obtained for the same, without taking any fine, premium, or foregift, and so that in every such lease there be contained such covenants, and also such proviso or condition of re-entry as are herein-after specified, and so that the lessee therein named do execute a counterpart of such lease, and be not by any clause or words therein contained authorized to commit waste or exempted from punishment for committing waste; provided that no surrender of a prior existing lease shall be deemed or taken to be of the nature of a fine, premium, or foregift.

A.D. 1870.

5. It shall be lawful for the corporation and their successors, with the sanction of the High Court of Chancery, from time to time, to demise and lease any part of the estates and property for the time being belonging to the corporation, either with or without any buildings erected and standing thereon, for any term of years not exceeding ninety-nine years, to take effect in possession or within six calendar months next after the making of such lease, to any person or persons who shall be willing to erect and build, or to finish, improve, repair, or rebuild, any house or other building on the land so demised, or any part thereof, or to annex the said land or any part thereof for gardens, yards, or other conveniences to buildings erected or to be erected on the said estates or any part thereof, with or without liberty for the lessees to take down buildings, and to convert, apply, or dispose of the materials thereof, and with or without liberty for the lessees to set out and allot any part of the demised land as and for the sites of streets, roads, lanes, courts, ways, drains, sewers, gardens, pleasure grounds, shrubberies, or otherwise, for the use and convenience of the respective lessees, tenants, or occupiers of the premises, or for the general improvement of the said estates, and with or without any other liberties, powers, and privileges, including, if thought fit, among the powers so granted, power for the lessees, within a period to be named in the lease, to purchase the freehold and reversion of the demised premises, or of any prescribed part thereof, upon conditions to be prescribed in the lease; and that it shall also be lawful for the corporation and their successors, with such sanction as aforesaid, to enter into preliminary contracts to grant any such leases as last aforesaid, but nevertheless to vary in the leases so granted the terms of such preliminary contracts, so that in every lease granted under this present power there be reserved and made payable,

Power to  
grant build-  
ing leases.

[Ch. xv.] *The Female Orphan Asylum Amendment Act, 1870.* [33 VICT.]

A.D. 1870.            half-yearly or oftener, the best yearly rent or rents that can be reasonably obtained for the same, without taking any fine, premium, or foregift, and so that in every such lease there be contained such covenants, and also such proviso or condition of re-entry, as are herein-after specified, and so that the lessee therein named do execute a counterpart of such lease; provided that during a time not exceeding the first three years of such leases respectively the said rents may, if the corporation or their successors think proper, be of trifling or mere nominal amount, and that no surrender of a prior existing lease shall be deemed or taken to be of the nature of a fine, premium, or foregift.

As to covenants in and surrenders of leases.

6. Every lease made under any of the powers of this Act shall contain

A covenant for the due payment of the rent thereby reserved, and of all taxes, rates, assessments, charges, and impositions affecting the premises therein comprised, except the income or property tax;

A covenant for substantially and properly executing the building or other works, if any, agreed on in such lease, and to keep in good repair and condition during the term thereby granted the premises therein comprised, and all buildings for the time being on the same premises;

And a covenant for keeping the said buildings and premises insured from loss or damage by fire to the amount of at least two thirds of the value thereof in one of the public offices for insurance against fire, and to lay out the money to be received upon insurance, and all such further sums of money as shall be necessary, in rebuilding, repairing, or reinstating the buildings and premises which shall be destroyed or damaged by fire;

And also a proviso or condition of re-entry for nonpayment of the rent thereby reserved for any time therein specified;

And all such other covenants, provisos, conditions, agreements, and restrictions, if any, as from the nature of the case may appear reasonable or proper;

And it shall be lawful for the corporation and their successors from time to time, at their discretion, to accept a surrender of any such lease as aforesaid, or of any other lease then subsisting of any part of the said estates.

Power to sell and exchange.

7. It shall be lawful for the corporation and their successors, from time to time, with such sanction as aforesaid, to sell and convey or to exchange or otherwise dispose of and also to contract



for the sale and conveyance or exchange or other disposition of all or any part of the charity estates and property, freed and discharged from all charitable and other trusts affecting the same, at such price or prices, for such considerations, upon such terms and conditions, in such manner, and with and subject to such powers and provisions as the said court shall approve.

A.D. 1870.

8. Provided that nothing contained in this Act shall enable the corporation to grant a lease of or to sell, convey, exchange, or otherwise dispose of so much of the property at Beddington, described in the schedule B. to this Act, as is coloured pink on a plan signed by the Right Honourable Lord Redesdale, Chairman of Committees in the House of Lords, and deposited with the clerk of the peace for the county of Surrey, and the provisions of the Act, 1 Victoria, chapter 83, "to compel clerks of the peace for counties" and other persons to take the custody of such documents as shall be directed to be deposited with them under the standing orders of either House of Parliament," shall apply to such plan, and to the custody and to the inspection thereof, in the same manner as though the said plan were one of the documents mentioned in the said Act.

Certain portion of the Beddington property to be retained.

9. The power of investment contained in the sixth section of the said "Act of 1800" shall be extended so as to include all moneys for the time being belonging to the corporation, and so also as to include, as modes of investment thereby authorised, mortgages of real estate in England or Wales being freehold or copyhold of inheritance, and also all the stocks, funds, and securities (besides the public funds) in or upon which by any general order or orders made under the authority of the Act passed in the twenty-fourth year of the reign of Her present Majesty, intituled "An Act to further amend the law of property," or of any other Act or Acts already passed or hereafter to be passed, cash under the control of the Court of Chancery may from time to time be invested; and any stocks, funds, mortgages, and other securities in or upon which any such moneys as aforesaid shall for the time being be invested may from time to time, with such consent and approbation as is mentioned in the said sixth section of the said "Act of 1800," be sold, called in, and converted into money, and, with the like consent and approbation, be re-invested.

As to investment of moneys.

10. It shall be lawful for the guardians assembled at a special general court convened with express notice of the matter, or the major part of them so assembled, but not fewer than seven such

Power to alter qualifications of guardians.

[Ch. xv.] *The Female Orphan Asylum Amendment* [33 VICT.]  
*Act, 1870.*

A.D. 1870.

guardians, from time to time to alter the several rates of contribution or subscription necessary for constituting guardians of the said asylum, and to prescribe such conditions as to voting, and otherwise with respect to such altered contributions or subscriptions, as to the guardians shall seem fit; and every person who shall thereafter contribute or subscribe according to such altered rates shall thenceforth become and be to all intents and purposes a guardian of the said asylum, but subject to the conditions so prescribed as aforesaid.

As to general courts.

**11.** Notwithstanding anything in the said "Act of 1800" contained, the guardians, at any general court convened with express notice of the matter, or the major part of them so assembled, but not fewer than seven such guardians, may from time to time reduce the number of the general courts to be holden in each year, and may appoint the days on which the same general courts shall be holden, but so nevertheless that there shall always be two such general courts at the least holden in every year.

As to special general courts.

**12.** Notwithstanding any such thing as aforesaid, the treasurer or the secretary of the corporation shall, upon the requisition in writing of not less than seven of the guardians, call a special general court of the guardians for any purpose or purposes mentioned in such requisition, and the same notice shall be given with respect to every such court as is directed by the third section of the said "Act of 1800" with respect to the holding of the special general courts therein referred to.

As to apprentices, &c.

**13.** The second section of "the Act of 1800" is hereby repealed, and instead thereof be it enacted as follows:—

(1.) The committee may bind as an apprentice to any tradesman or shopkeeper, for a term not exceeding seven years, any girl now in or hereafter to be admitted to the asylum, and may pay such apprentice fee as they think fit:

(2.) They may place out any such girl as a domestic servant, either by way of apprenticeship for a term not exceeding seven years, or not by way of apprenticeship, and may give to any girl so placed such reasonable rewards from time to time as the committee may think likely to encourage her in good conduct.

Saving rights in Acts of 1800 and 1824.

**14.** All the powers and provisions given by or contained in the said recited Acts, except so far as the same are inconsistent with this Act, shall be and continue in full force and effect; and the provisions as to receipts contained in the ninth section of the Act



of 1824 shall extend to all money payable to or on account of the corporation under any of the powers or provisions of the said recited Acts or of this Act. A.D. 1870.

**15.** The costs, charges, and expenses attending or incident to the obtaining and passing of this Act shall be paid by the corporation. Expenses of Act.

[Ch. xv.] *The Female Orphan Asylum Amendment Act, 1870.*

A.D. 1870.

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SCHEDULE A.

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PROPERTY AT LAMBETH.

All that piece or parcel of ground, with the messuage or tenement, chapel, and other erections and buildings thereon erected and built, situate in the parish of Saint Mary Lambeth in the county of Surrey, and for many years past used for the purposes of the said charity, abutting on the north-east side and north corner thereof on the road leading from Westminster Bridge to the Obelisk at the Circus, on the west side thereof on the road leading from Westminster Bridge to Kennington and Vauxhall, and on the south-east side thereof on Mead's Row, which said premises were formerly parcel of the Bridge House estates.

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SCHEDULE B.

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PROPERTY AT BEDDINGTON.

All that mansion house, stables, barn, yard, and pleasure grounds, pieces or parcels of land adjoining, and behind the said mansion house, situate at Beddington in the county of Surrey, and known as Beddington mansion and grounds, together with the soil or bed of the stream shown in the plan drawn in the margin of the deed of conveyance from the trustees of the Carew Act, 1857, to the above-named corporation, dated the 5th November 1864, from the point marked D on the said plan, and therein extending as far as the stream flows through the said grounds and pieces or parcels of land; and also all that piece or parcel of land in the front of the said mansion house, including one equal half part of the soil or bed of the stream on the northern side thereof between the points marked B and C on the said plan; all which said lands and hereditaments contain in the whole, by estimation, including the boundary walls and fences, twenty-one acres two roods and twenty-two perches.

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