



CHAPTER xxvii.

An Act to enable certain fundamental Rules of the Institution called "The Warehousemen and Clerks' Schools for orphan and necessitous Children" to be repealed altered or amended at a special Court of the Institution and for other purposes.

A.D. 1886.

[25th September 1886.]

WHEREAS in the year 1853 the institution called "The Warehousemen and Clerks' Schools for orphan and necessitous Children" (herein-after in this Act called "the institution") was formed for the purpose of clothing maintaining and educating orphan and necessitous children of warehousemen and clerks (including the agents of manufacturers) who had been engaged in manufactories or wholesale warehouses within the United Kingdom in any wholesale trade:

And whereas the institution has since its formation clothed maintained and educated a large number of orphan and necessitous children of warehousemen or clerks and is possessed of schools at Russell Hill Caterham Junction near Croydon in the county of Surrey:

And whereas the institution is governed by certain rules or laws which except as herein-after mentioned may be abrogated suspended corrected or amended at general or special courts or meetings of the members of the institution:

And whereas by Rule 5 it is provided that certain of the rules be fundamental laws beyond the control of any future general or other meeting or of any Act of Incorporation or other power and amongst such fundamental laws are the following:—

I.—TITLE.

1. That the name of this institution be "The Warehousemen and Clerks'-Schools for orphan and necessitous Children":

[Local.-27.]

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II.—DESIGN.

2. That the design of this institution be to clothe maintain and educate orphan and necessitous children of warehousemen and clerks :
3. That none but the necessitous orphans and children of warehousemen and clerks who have been subscribers to the institution and who are in other respects qualified be eligible to be elected into these schools. That all children admitted into these schools shall attend the public worship of the Church of England but while the children shall be daily and carefully instructed from the Holy Scriptures no sectarian or denominational catechism whatever shall be introduced :

And whereas Thomas Wallis of Holborn Circus in the City of London and certain other persons connected with the business of drapers (herein-after in this Act called "the Drapers' Committee") have collected a sum of twenty thousand pounds or thereabouts with the view of establishing an institution for the clothing maintenance and education of necessitous orphan children of drapers (in which term are included all persons who have been engaged in business as drapers within the United Kingdom or who have been shopmen or clerks to such drapers) :

And whereas the schools of the institution are capable of accommodating a much larger number of children than are now being maintained and educated therein and it would be for the benefit of the institution and increase its usefulness and would also enable the objects of the Drapers' Committee to be more speedily and effectually carried out if instead of a separate institution being founded by the Drapers' Committee the said sum of twenty thousand pounds were added to the funds of the institution and the design thereof were enlarged so as to admit the necessitous orphan children of drapers to the benefits thereof :

And whereas for the purpose of carrying out the objects aforesaid an agreement has been entered into between the board of management of the institution and the Drapers' Committee for the payment by the Drapers' Committee to the trustees of the institution of the said sum of twenty thousand pounds to be applied as part of the funds of the institution in case the rules of the institution shall be altered in the manner in the said agreement specified so as to admit the necessitous orphan children of drapers to the benefit of the institution :

And whereas for the purpose of carrying out the said agreement it is necessary to alter the fundamental rules of the institution and

it is expedient that a special court of the institution should be empowered to alter the same in the manner in this Act provided : A.D. 1886.

And whereas the objects aforesaid cannot be effected without the authority 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) :—

1. This Act may be cited for all purposes as the Warehousemen's and Clerks' Schools Act 1886. Short title.

2. On payment of the sum of twenty thousand pounds by the Drapers' Committee to the trustees of the institution at any time within three months from the passing of this Act or within such extended time as shall be agreed on between the Drapers' Committee and the board of management of the institution it shall be lawful at a special court of the institution to be convened for that purpose wholly to repeal the fundamental rules or laws of the institution so far as herein-before recited and to adopt instead thereof the rules in the Schedule to this Act annexed but not any part or parts thereof only and such last-mentioned rules shall thereupon become fundamental rules or laws of the institution. Power to repeal recited fundamental rules and to adopt instead rules in schedule.

3. Nothing in this Act contained shall take away lessen or interfere with the powers now possessed by general and special courts of the institution to make and confirm new rules or laws and to abrogate suspend correct or amend existing rules or laws of the institution or any other rights powers or privileges of the institution or of any general or special court thereof. Saving existing rights.

4. Nothing in this Act contained shall alter or affect the trusts of any prize or exhibition funds attached at the date of the passing of this Act to the institution and such prize or exhibition funds shall be held solely for the benefit of children of warehousemen and clerks as defined in the schedule to this Act. Saving prize and exhibition funds.

5. The costs charges and expenses of and incidental to the applying for obtaining and passing of this Act shall be paid by the treasurer for the time being of the institution out of the moneys already received or to be received by such treasurer. Costs of Act.

A.D. 1886. The SCHEDULE OF RULES herein-before referred to.

I.—TITLE.

1. That the name of the institution be "The Warehousemen Clerks and Drapers' Schools."

II.—DESIGN.

2. That the design of the institution be to clothe maintain and educate orphan and necessitous children of warehousemen and clerks and drapers.

3. That none but the orphan and necessitous children of warehousemen and clerks and drapers who have been subscribers to the institution and who are in other respects qualified be eligible to be elected into the schools Provided that the orphan and necessitous children of drapers shall be eligible to be elected into the schools at any time before the 30th day of June 1891 notwithstanding that their father shall not have been a subscriber. That all children admitted into the schools shall attend the public worship of the Church of England but while the children shall be daily and carefully instructed from the Holy Scriptures no sectarian or denominational catechism whatever shall be introduced. That one-third of the total number (or if such total is not divisible by three the number nearest to one-third) of children elected at every election after the adoption of these rules shall be children of drapers and that in addition there shall be a special election of twenty children of drapers as soon as may be after the adoption of these rules. That in case within five years from the adoption of these rules sums amounting in the aggregate to a further sum of twenty thousand pounds shall be subscribed to the funds of the institution by or on behalf of drapers as herein-after defined then at every election after the date on which such aggregate subscription shall have been completed one half of the total number of children elected (or such less number in case the whole number to be elected be an odd number as shall be nearest one-half) shall be children of drapers. That at each such election (except the said special election) the remaining two-thirds or one-half (as the case may be) of the total number of children to be elected shall be children of warehousemen and clerks.

4. That the institution shall be carried on by means of donations and subscriptions given for that purpose which shall be wholly applied in promoting the design of the institution in such a manner as is permitted by law with respect to moneys given for the benefit of charitable uses and not otherwise but this provision shall not limit the power of any person or persons whomsoever who may be disposed so to do to convey or settle any land or buildings in trust for the benefit of the institution and in case any such conveyance or settlement shall be lawfully made the institution may thereafter be carried on in or upon any land or buildings which shall have been so conveyed or settled.

5. That the words "warehousemen and clerks" and "drapers" wherever they occur in the rules of this institution shall be respectively understood and taken to include all persons who have been or are engaged as warehousemen or clerks (including the agents of manufacturers) in manufactories or wholesale warehouses within the United Kingdom in any wholesale trade or who have been or are engaged in business as drapers within the United Kingdom or who have been or are shopmen or clerks to such drapers.

6. That the foregoing be fundamental laws beyond the control of any future general or other meeting or of any Act of Incorporation or other power.

III.—VOTES AS TO ELECTION OF CANDIDATES.

7. That all votes for the election of candidates shall be considered "wholesale" votes to which any persons are entitled at the date of the adoption of these rules or to which any person shall after that date be entitled who is a warehouseman or clerk as before defined or which the person paying the money in respect of which he is entitled to such votes shall desire to be considered "wholesale" votes. That all votes for the election of candidates to which any person who is a draper as before defined shall after that date become entitled as well as all such votes which the person paying the money in respect of which he is entitled to such votes shall desire to be considered "drapers'" votes shall be considered as "drapers'" votes. Wholesale votes and drapers' votes shall be kept distinct from each other and shall be available only for the election of children of warehousemen and clerks and of drapers respectively.

8. The above Rule 7 shall for a period of ten years from the date of the adoption of these rules be a fundamental law beyond the control of any general or other meeting or of any Act of Incorporation or other power but may after the expiration of that period be at any time repealed or amended by resolution of a special court passed by a majority of three-fourths of the votes of the warehousemen and clerks as above defined (being members of the institution) voting at such court and of three-fourths of the votes of the drapers as above defined (being members of the institution) voting at such court the votes of such warehousemen and clerks and of such drapers being recorded separately.