



CHAPTER clxxviii.

An Act to authorize the acquisition of the Lawn and Carroun House Lambeth and its utilization for public purposes.

A.D. 1888.

[7th August 1888.]

WHEREAS there are certain lands commonly known as the Lawn and Carroun House situate in the parish of Lambeth in the county of Surrey now available and in course of being dealt with for building purposes and it would be to the public advantage that provision should be made as in this Act contained for the acquisition of the said lands with a view to their being preserved and utilized for public purposes as authorized by this Act :

And whereas on the eighteenth day of November one thousand eight hundred and eighty-seven the Metropolitan Board of Works (in this Act called "the Metropolitan Board") resolved that subject to the authority of Parliament being obtained they would make a contribution at the rate of one thousand five hundred pounds an acre towards the cost of acquiring the said lands for the purpose of a public pleasure ground :

And whereas on the twenty-second day of December one thousand eight hundred and eighty-seven the Vestry of the said parish at a meeting at which more than an absolute majority of the whole number of the members of the Vestry were present resolved that the Vestry do accept the resolution of the Metropolitan Board of Works to give one thousand five hundred pounds per acre and that the Vestry would contribute a similar sum and no more :

And whereas the purposes of this Act 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 as the Vauxhall Park Act 1888.

Short title.

[Price 6d.]

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A.D. 1888.

Interpreta-
tion.

2. In and for the purposes of this Act the expression "the said lands" means the lands in the parish of Lambeth in the county of Surrey commonly known as "The Lawn and Carroun House" comprising together about eight and one-half acres which are included in an area bounded on the north by the site of Lawn Lane extending from the South Lambeth Road eastward to a point on the western boundary of the premises known as the Crown Works in the occupation of Messrs. Higgs Hill and Higgs one hundred and ninety-four yards or thereabouts eastward of the centre of South Lambeth Road on the east by the wall enclosing the Crown Works and the Home for the Little Sisters of the Poor extending southward from the said last-mentioned point to the north-eastern corner of the almshouses (Whicher's Charity) on the south in part by Fentiman Road and in part by the said almshouses and on the west by South Lambeth Road (which said lands are defined on a plan signed by Leonard Henry Courtney the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred in its passage through that House).

"The Metropolitan Board" means the Metropolitan Board of Works.

"The Vestry of Lambeth" means the Vestry of the parish of Lambeth in the county of Surrey.

Power to
Vestry of
Lambeth to
purchase
Vauxhall
Park.

3. It shall be lawful for the Vestry of Lambeth by agreement with the owner or owners of the said lands to purchase the same or any part or parts thereof:

Provided always that within three months from the date of any such purchase the purchaser shall produce to the Commissioners of Inland Revenue a deed of conveyance duly stamped and in default of such production the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum from the date of purchase shall be recoverable from the purchaser with full costs of suit and all costs and charges attending the same.

Reservation
of site for
public build-
ings.

4. If the Vestry of Lambeth purchase or agree to purchase the said lands or any part thereof which shall include the houses and buildings thereon they may by resolution prior to the completion of the purchase determine to reserve such houses and buildings and lands surrounding the same not exceeding one acre (hereinafter called "the reserved site") as a site for a vestry hall public museum free library baths washhouses or any of those purposes or any other like purposes for the use of the inhabitants of the parish of Lambeth and the following provisions shall apply thereto:

- (1.) Any buildings on the reserved site may be used altered or adapted for the purposes aforesaid or any of them or may be removed and others substituted for the said purposes:

(2.) The reserved site shall after such purchase or conveyance be vested in the Vestry of Lambeth and under the exclusive control and management of the said Vestry except so far as it may be transferred by them to any other body or persons for any of the purposes for which it may be used: A.D. 1888.

(3.) If commissioners for public libraries and museums for the parish of Lambeth be appointed a public library and museum or a site for the same may be provided on the reserved site and any buildings now existing thereon may be utilized or altered and adapted for that purpose and for providing schools for science and art or any purposes of the Public Libraries Act 1855:

(4.) If commissioners for public baths and washhouses for the parish of Lambeth shall be appointed a site for public baths and washhouses may be provided for such commissioners upon the reserved site.

5. In the event of any purchase of the said lands or any part thereof under the powers of this Act the same shall except the reserved site or such part or parts thereof as may be used for any of the purposes aforesaid become and be open to public use as from the date of any such purchase for the purposes of exercise and recreation and it shall thereafter be the duty of the Vestry of Lambeth to keep the said lands (except as aforesaid) for the purposes of a public park garden recreation ground or open space free from any inclosure or building except such as they may think necessary for preserving the said lands or any part thereof for those purposes and to prevent resist and abate by all lawful means any encroachments or attempted encroachments on such lands and to preserve them for the purposes of this Act and to resist all proceedings tending to the inclosure or appropriation for any purpose of any part thereof. Purposes for which land may be used.

6. As from the date when the said lands or any part thereof are laid out as a public park garden recreation ground or open space under the authority of this Act all the provisions of the Metropolitan Board of Works Act 1877 with respect to the making contents confirmation approval allowance publication and evidence of bye-laws and to securing the observance of the same and the penalties and proceedings before the justices and the recovery and application of penalties and generally with respect to the parks and heaths or commons shall extend and apply thereto (except any site reserved for the purposes aforesaid) as if they had been included among the parks heaths and commons in respect of which bye-laws are by the Metropolitan Board of Works Act 1877 authorised to be Bye-laws &c.

A.D. 1888. made by the Metropolitan Board but such provisions shall for the purposes of this Act be read and have effect as if the Vestry of Lambeth were named therein instead of the Metropolitan Board.

As to laying out lands.

7. Subject to the provisions of this Act the Vestry of Lambeth after purchasing the said lands shall lay out preserve maintain and manage the same as a park garden recreation ground or open space and they may from time to time plant and otherwise improve the same as they may think fit.

Power to Vestry of Lambeth to contribute.

8. In the event of or with a view to any agreement being entered into by the Vestry of Lambeth for the purchase of the said lands or any part thereof under the authority of this Act it shall be lawful for the Vestry of Lambeth to expend or make a contribution towards the purchase-money of such an amount as they may think fit and to enter into and carry into effect any agreement or agreements with respect to such expenditure or contribution :

No expenditure or contribution towards the purchase-money of the said lands under this Act shall be made except in pursuance of a resolution passed by an absolute majority of the whole number of the members of the Vestry at a meeting held after not less than fourteen days' notice shall have been given to each member of the Vestry which notice shall state the intention to propose such resolution at such meeting and the amount of the proposed contribution and the manner in which it is intended to raise the same and whether the proposed contribution is to be charged upon the whole or any and what part or parts of the said parish and in what proportions Provided also that a public notice to the like effect shall be given previously to such meeting which notice shall be published as an advertisement once in each of two successive weeks in one or more London daily newspapers and shall be affixed to the principal doors of every church or chapel in the said parish to which notices are usually affixed.

Contribution by Metropolitan Board of Works towards the purchase-money.

9. If and when the purchase of the whole of the said lands shall be carried into effect by the Vestry of Lambeth and the Vestry shall have determined by resolution how much of the said lands (if any) shall form the reserved site under the provisions of this Act the Metropolitan Board may and shall contribute in aid of the purchase-money for the said lands a sum of money calculated at the rate of one thousand five hundred pounds per acre of so much of the said lands as shall be devoted to public use for the purposes of exercise and recreation and such sum shall be paid by the Metropolitan Board to the said Vestry at the time of the completion of the purchase.

10. For the purpose of making any expenditure or contribution under this Act the Vestry of Lambeth may borrow of the Metropolitan Board and the Metropolitan Board may (subject to the provisions of any Act of Parliament for the time being in force relating to loans by that Board to a vestry) lend to such Vestry the requisite moneys and for the purpose of securing the repayment with interest of any moneys to be borrowed as aforesaid the said Vestry may mortgage and assign over to the Board all the moneys or rates authorised to be raised by the said Vestry under the Metropolis Management Act 1855 and any special rate levied for the purposes of this Act and all the provisions of sections 183 to 191 inclusive of the last-mentioned Act shall apply to any borrowing by the said Vestry under this section of this Act.

A.D. 1888.

Power to
Vestry to
borrow from
the Metro-
politan
Board.

11. Whereas under the City of London Parochial Charities Act 1883 the Charity Commissioners for England and Wales (therein and hereinafter called "the Commissioners") are to inquire into the nature and value of the property and endowments of the parochial charities therein mentioned and to classify the same into two schedules one of "Ecclesiastical Charity Property" and the other of "General Charity Property" and by the said Act the Commissioners are also empowered to prepare schemes for the future application and management of the charity property and endowments so classified by them :

Contribution
out of City
Parochial
Charities
Funds.

And whereas it is enacted by section 14 of the said Act that in every scheme relating to the property or endowments belonging to or applicable in the parishes enumerated in the second schedule to that Act the Commissioners shall (subject to carrying over a sum of money for the expenses of the Commissioners and to making provision for saving or making compensation contained in the said Act) provide for the application of the said General Charity Property to such of the objects or purposes to or for which the same are now applied as the Commissioners may think proper and legal and substantially beneficial to the inhabitants of the parish in which the same is now applicable or otherwise as therein stated and subject thereto shall provide for the application of such property (inter alia) to the preserving providing and maintaining of open spaces and recreation grounds within the Metropolis :

And whereas it is expedient that in the event of the said lands being acquired for the purposes of this Act a contribution should be made out of the said General Charity Property in aid of such purchase :

Be it enacted that in the event of any agreement being made for the purchase of the said lands under this Act (and subject to provision being made for giving compensation as required by the

A.D. 1888. said Act and for the application of the General Charity Property under section 14 of the said Act to such of the objects or purposes to or for which the same are now applied as the Commissioners may think proper and legal and substantially beneficial to the inhabitants of the parish in which the same is now applicable or to any class thereof or in such manner as to secure to the inhabitants of the said parishes and to persons employed though not resident therein the benefit of any one or more of the applications in the said section 14 mentioned) the Commissioners may if they so think fit (by a preliminary scheme to be framed by them as soon as conveniently may be after the publication of the statement or statements referred to in section 8 of the said Act) provide for the payment of a sum of money calculated at the rate of one thousand five hundred pounds per acre towards the acquisition of the said lands for the purposes of this Act :

Such scheme may provide for the payment of such sum by the governing body to be appointed under section 48 of the said Act or otherwise as the said Commissioners may see fit and shall be valid and have effect accordingly :

Such scheme shall be subject to the provisions as to schemes contained in the said City of London Parochial Charities Act 1883 so far as such provisions are applicable.

Incorporating Lands
Clauses Act.

12. If any estate or interest in the said lands or any part thereof belong to any persons who would not be empowered to sell and convey the same otherwise than under section 7 of the Lands Clauses Consolidation Act 1845 any such persons shall be and are hereby authorized and empowered to sell and convey their respective estates and interests in the said lands accordingly :

The Lands Clauses Consolidation Act 1845 as amended by any subsequent Act (except the provisions of the Lands Clauses Consolidation Act 1845 which relate to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) shall be incorporated with and form part of this Act And for the purposes of this Act the expression "the Promoters of the undertaking" in the said Act shall mean the Vestry of Lambeth acquiring the said lands under the authority of this Act.

Restriction
on taking
houses of
labouring
class.

13. The Vestry of Lambeth shall not under the powers of this Act purchase or acquire twenty or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers For the purposes of this section the expression "labouring class" includes mechanics

artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them. A.D. 1888.

14. In the event of any agreement being entered into for the purchase of the said lands by the said Vestry for the purposes of this Act the costs of and incidental to the preparing applying for and passing of this Act and of the negotiations relative thereto shall after taxation by the taxing officer of the House of Lords or the House of Commons be paid by the said Vestry. Costs of Act.

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