CAP. XLIII.

An Act for confirming a Scheme of the Charity Commissioners for the Administration of Archbishop *Tenison*'s Charity in the Parish of *Saint Martin in the Fields* in the City of *Westminster*. [23d *July* 1860.]

Recital of Scheme in Schedule to this Act.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-nine, have reported that they have provisionally approved and certified a Scheme for the Reconstitution of Archbishop *Tenison*'s Charity, and such Scheme is set out in the Appendix to the said Report, and is also set out in the Schedule to this Act: And whereas it is expedient that the said Scheme should be confirmed:' 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:

Scheme confirmed.

I. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the Application and Management of the Charity called ARCHBISHOP TENISON'S SCHOOL and LIBRARY, in the Parish of Saint Martin in the Fields, in the County of Middlesex.

1. The Trustees of the Charity shall have Power to sell all or any of the Contents of the Library to the Governors of the British Museum, or to the Managers of any public Library or Institution, or to any other Purchasers, upon first submitting the Proposals for such Sale to the Board of Charity Commissioners for England and Wales, and obtaining their Approval thereof.

2. The net Produce of the Sale of the Library, and all other Principal Monies which shall accrue to the Charity, shall, until otherwise disposed of for the Purposes thereof, be invested in the Public Funds in the Name of "The Official Trustees of Charitable Funds," in trust for the Managing Trustees of the Charity, by whom the Dividends thereon shall be applied to the Purposes hereby directed; the Trustees, nevertheless, shall have Power to appropriate any Part of the Library which in their Judgment shall be applicable to the Purposes of the School hereby directed to be established, to the Uses of such School accordingly. The former Trusts of the Library shall cease when this Scheme shall come into operation.

3. All Stock to be purchased under the preceding Provision, and also the Sum of 1,000*l.* 3*l.* per Cent. Consolidated Annuities now belonging to the Charity, shall be specifically retained for the Purposes thereof, unless or until the same respectively shall, with the Approval of the said Board, be laid out on Real or other Securities, or in the Purchase of Real Estate, for the Benefit of the Charity, or otherwise disposed of for the Objects of this Scheme.

4. The Trustees shall apply the whole Income of the Charity to the Maintenance of a School, to be established and conducted according to the following Provisions, for the Benefit of the Sons of Inhabitants of the City of Westminster belonging to the Commercial and Middle and Lower Classes, to be enjoyed by them, upon Payment of such Capitation Fees, and under such Regulations as shall from Time to Time be required or established by the Trustees, with the Approbation of the said Board, but with the Preference herein-after reserved to the Sons of Inhabitants of the Parish of Saint Martin in the Fields.

5. The Trustees may remit any such Capitation Fees, either wholly or partially, to not more than Thirty Scholars at any One Time, as a Reward of their superior Merit, or in consideration of the comparative Poverty of their Parents or next Friends, or for other sufficient Cause.

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6. The School shall bear the title of Archbishop Tenison's School, and the Archbishop of Canterbury for the Time being shall be the Visitor thereof.

7. The Master of the School shall from Time to Time be appointed by the Trustees, after sufficient public Advertisements; and such Assistant or other Teachers as the Trustees shall be enabled by the Resources of the Charity, and shall find it expedient to employ for the Purposes thereof, shall from Time to Time be appointed by the Master, with their Approbation.

8. The Master shall be responsible to the Trustees for the whole Conduct of the School, and shall assign to any Assistant or other Teachers their respective Duties, but with the Approval of the Trustees in all Cases in which they shall think it expedient to exercise that Authority.

9. No Master shall acquire a Freehold Interest in his Office, but shall be removable after reasonable Notice by not less than Two Third Parts in Number of the Trustees, or by a Majority of their Number, but in the latter Case with the Approval of the said Board.

10. The Teaching in the School shall comprise as far as practicable, besides religious Instruction, the following Subjects: namely, Grammar and English Composition, Writing, History, Geography, the Latin and French Languages, Arithmetic, Algebra, Book-keeping, and such Principles of the mathematical, mechanical, and physical Sciences most applicable to the Industrial Arts, and generally such Subjects as the Trustees shall require or approve for affording to the Scholars a sound, religious, and useful Education.

11. The Master shall be in Holy Orders or a Member of the Church of England, and the religious Teaching of the Scholars shall be in accordance with the Doctrines and Discipline of the Church, except that no Boy shall receive Instruction compulsorily in the Catechism or any peculiar Doctrines of the Church, or shall be required to attend its Services, whose Parents or next Friends shall declare that they conscientiously object to such Teaching or Attendance, and shall undertake that he shall attend some other Place of Religious Worship on Sundays.

12. The Trustees shall appropriate and fit up the Buildings hitherto used for the Purposes of the former School and Library to and for the Purposes of the new School and of a Residence for the Master, as shall be found convenient; or, with the Approval of the said Board, they may sell, alienate, demise, or otherwise dispose of the Premises, or any Part thereof, for the Benefit of the Charity, and purchase, rent, construct, or acquire, and fit up other Buildings or Premises for the said Purposes, as shall be found most advantageous.

13. The Trustees may, with the Approval of the said Board, apply any Principal Funds belonging to the Charity, or to be raised upon the Security of the Property thereof, to the Alteration, Fitting-up, and Adaptation of the present Buildings of the Charity, or any other convenient Buildings and Premises, to the Purposes of the new School, or to the Purchase, Acquisition, or Construction of any new Buildings, or of Sites for the same, for the same Purposes, replacing such Funds wholly or partially, if and as may be required by the said Board, out of the Income of the Charity.

14. The Sons of all Inhabitants of the City of Westminster belonging to the Commercial and Middle and Lower Classes shall, to the Extent of the Accommodation afforded by the School, be admissible thereto by or according to the general Regulations of the Trustees; but among Applicants for Admission of equal Merits and Eligibility in other respects a Preference shall always be given to Sons of Inhabitants of the Parish of Saint Martin in the Fields. A List of all Applicants for Admission, with the Dates of their respective Applications, shall be kept by the Master, and shall be open to the Inspection of the Trustees collectively and separately; but no Boys shall be admitted before completing the Age of Eight Years, or shall remain in the School beyond the Age of Eighteen Years, unless in Cases in which this Regulation shall be dispensed with by the special Order of the Trustees, and for assigned Reasons, in favour of any particular Boys.

15. All Boys shall be removable from the School by the Trustees for Misconduct or sufficient Cause.

16. The Capitation Fees payable by the Scholars shall be collected under the Direction and for the Control of the Trustees, by whom the same shall be paid, as to One Moiety of their net Amount, to the Master, unless a different Proportion shall be due to him under any special Agreement between himself and the Trustees, made with the Consent of the said Board, which Agreement shall then be carried into effect; and as to the Residue thereof, shall be applicable in aid of the general Income of the Charity.

17. The Trustees shall provide out of the general Income of the Charity for the Repair, Maintenance, Insurance, Renewal, and Improvements, as Occasion shall be, of the School Buildings, with their Fittings and Furniture, which may include any Apparatus required for teaching in the School, and for the proper warming and lighting thereof, and for the Payment of the Rates, Taxes, and other Outgoings due in respect of the Premises; and also for the Payment of the Salaries of the Master and other Teachers, and the necessary Salaries and Wages of any Officers and Servants employed for the Purposes of the Charity, among which they may include the Salary of a Clerk, to be employed by them as they may find expedient, and of the other Expenses of executing the Trusts.

18. The Trustees shall also provide for the due Preservation and Care of the said Library until the same shall be sold under the preceding Power.

19. The School shall be open to Inspection by Her Majesty's Inspectors of Schools, and the Scholars shall be publicly examined once in every Year by Examiners to be appointed for this Purpose by the Trustees. The Trustees may pay out of the Income of the Charity any reasonable Fees to the Examiners conducting such Examination, and any Sum or Sums not exceeding the yearly Amount of Five Pounds, or such other Amount as shall be sanctioned by the said Board, in providing Prizes for the Scholars most distinguished by their Progress and Merit.

20. The Trustees shall apply the Surplus, if any, of such Income which shall remain after answering the several Purposes aforesaid, and after making also such a Reserve as they shall think necessary as a Building or Improvement Fund, or for the general Purposes of the Charity, to the Advancement of the Objects thereof, as they shall think most expedient.

21. There shall be Twelve Trustees of the Charity, of whom the Vicar and Churchwardens of the Parish of Saint Martin in the Fields for the Time being shall be Three, and the other now surviving Trustees of the existing Charity, and who shall be willing to act under the new Scheme, shall be others of such Trustees. The new Trustees whose Appointment shall be first required for making up the Number of Twelve Trustees, or for afterwards supplying any Vacancies in the Trust which may be occasioned by the Death, Resignation in Writing, Bankruptcy, Insolvency, or Incapacity of any Trustees, or by their omitting for a Period of Two consecutive Years to attend any Meeting of the Trustees, any of which Circumstances shall create such Vacancies, shall be constituted by the Nomination of the ex officio and other Trustees for the Time being, to be forthwith certified by them to the Vestry of the Parish of Saint Martin in the Fields, and also to the said Board, but no such Nomination shall take effect unless and until the same shall have been approved by the said Board, under their official Seal, after the Lapse of One Calendar Month from their Receipt of the Certificate to them of such Nomination; or such Trustees may be appointed, if and as Occasion shall be, according to the Provisions of "The Charitable Trusts Act, 1853," by a Judge of the Court of Chancery sitting at Chambers, upon the Application of any Persons authorized to make such Application by the Certificate of the said Board.

22. Meetings of the Trustees for the Purposes of the Trusts shall be held quarterly or oftener, as shall be fixed from Time to Time by their Resolutions, and such Meetings, unless and until the same shall have been fixed for any different Periods, shall be held on the Wednesday next preceding each of the usual Quarterly Days in every Year, and a First Meeting shall also be held on the Third Wednesday next after this Scheme shall be established. Special Meetings may also be convened from Time to Time, as may be expedient, by any Two Trustees, by Notices under their Hands delivered or sent by the Post Seven Days previously to every other Trustee at or to his most usual Place of Abode. The Vicar of the Parish of St. Martin in the Fields shall be the Chairman of every Meeting, if present,

or

or otherwise such Trustee as shall be chosen by the Trustees present. Five Trustees present at any Meeting shall be a Quorum competent to act, and a Majority of the Trustees present at any Meeting shall bind by their Votes the Minority and all absent Trustees. The Chairman of every Meeting, in case of Equality of Votes, shall have a Second or Casting Vote.

23. The legal Interest in any Real Estate of the Charity may be vested by the Order of the Board, to be made upon the Application of the acting Trustees or a Majority of them, in "The Official Trustee of Charity Lands," in Trusts for the said Charity.

24. The Official Trustees of Charitable Funds may be empowered by the said Board to call for a Transfer of and to transfer into their Name, in trust for the Acting Trustees, any Stock in the Public Funds belonging to or held in trust for the Charity.

25. If any Question shall arise respecting the Construction of this Scheme, the Matter of such Question may be submitted by all or any of the Trustees to the said Board, whose Opinion thereon, expressed under their official Seal, shall be conclusive on all the Trustees; and any Provision which shall be found inconvenient may be modified by Order of the Court of Chancery, or any of the Judges thereof, under its ordinary Jurisdiction over Charities, in any Manner not inconsistent with the general Purposes of this Scheme.

CAP. XLIV.

An Act to confirm certain Provisional Orders under the Local Government Act (1858) relating to the Districts of *Southampton*, *Leicester*, *Epsom*, *Coventry*, *Ipswich*, *Fareham*, *Wells*, *Tormoham*, *Scarborough*, *Ludlow*, *Banbury*, *Boston*, *Penrith*, *Barnsley*, and *Shipley*; and for other Purposes in relation thereto. [23d *July* 1860.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of "The Local Government Act, 1858," duly made certain Provisional Orders in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore 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, That from and after the passing of this Act,

Provisional Orders in Schedule confirmed.

I. The Provisional Orders contained in the Schedule hereunto annexed shall be absolute, and be as binding, and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act.

Byelaws as to Regulation of Hackney Carriages, Horses, Boats, &c. (Scarborough).

II. The Local Board for the District of *Scarborough* may exercise the same Powers as are given to them by "The Local Government Act, 1858," for licensing and making Byelaws for the Regulation of Hackney Carriages, in and for the licensing and making Byelaws for the Regulation of Horses, Mules, and Asses standing for Hire in the Borough of *Scarborough*, and of the Persons driving or attending upon the same, and also in and for the licensing and making Byelaws for the Regulation of Pleasure Boats plying for Hire within the District of the said Local Board, and the Persons navigating or in attendance upon the same.

Regulations as to Fish Trade (Scarborough).

III. For the better Accommodation of Dealers and other Persons employed in the Fish Trade at *Scarborough*, and for the Prevention of Nuisances arising from the carrying on of such Trade, the said Local Board shall have Power to purchase or take upon Lease, sell or exchange,