ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. 8.

An Act for enabling the Governors of the Lands, Possessions, Revenues, and Goods of the Hospital of King *James*, founded in *Charterhouse* within the County of *Middlesex*, at the humble Petition and only Costs and Charges of *Thomas Sutton* Esquire, to sell the Site of the School of the said Hospital and other Lands; to acquire a new Site for the School, and to erect a new School thereon; and for other Purposes.

[20th *August* 1867.]

WHEREAS by a Charter of the 9th Year of the Reign of King *James* the First there was granted to *Thomas Sutton*, his Heirs, Executors, Administrators, and Assigns, full Power, Licence, and lawful Authority, at all Times thereafter, at his and their Will and Pleasure, to erect, found, and establish at or in a House called the late dissolved *Charterhouse* besides *Smithfield*, and other Premises, in the County of *Middlesex*, One Hospital House, or Place of biding, for the finding Sustentation and Relief of poor, aged, maimed, Charter, 9 Jas. 1.

maimed, needy, or impotent People, and also One Free School for the instructing, teaching, Maintenance, and Education of poor Children or Scholars: And whereas the Governors of the said Hospital and School were incorporated by the Name of "The Governors of the Lands, Possessions, Revenues, and Goods of the Hospital of King *James*, founded in *Charterhouse* within the County of *Middlesex*, at the humble Petition and only Costs and Charges of *Thomas Sutton* Esquire," with Power to them and their Successors for ever to purchase, take, hold, and enjoy Lands and Hereditaments of whatsoever Nature, and to use a Common Seal: And whereas by an Act of Parliament passed in the 3rd Year of the Reign of His Majesty King *Charles* I. the Foundation of the said Hospital was established and confirmed: And whereas another Act was passed in the 8th Year of the Reign of His Majesty King *George* I. for the Purpose of altering the Quorum to constitute a Meeting of the Governors: And whereas it is expedient that the said School should be removed to a more suitable Site, to be approved by the Court of Chancery or the Charity Commissioners for *England* and *Wales*, and the Governors have entered into an Agreement (conditional upon the requisite Sanction of Parliament to such Removal being obtained) for the Purchase of certain Lands for that Purpose: And whereas it is expedient that upon such Removal being effected the School of the Master and Wardens of the Merchant Taylors of the Fraternity of *Saint John Baptist* in the City of *London* should be removed to the *Charterhouse*, and that for that Purpose such Powers of Sale and Purchase should be given as hereinafter appearing: And whereas it is expedient that the Governors and the Master and Wardens be respectively empowered to sell or lease Portions of their existing Properties and of Property to be hereafter respectively acquired by them: And whereas the Objects aforesaid cannot be effected without the Aid and 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:

3 Chas. 1. c. 1. (*Priv.*)

8 G. 1. c. 29. (*Pub.*)

Short Title.

1. This Act may be cited for all Purposes as "The *Charterhouse* School Act, 1867."

Interpretation of Terms.

2. In this Act the Expression "the Governors" shall mean the Governors of the Lands, Possessions, Revenues, and Goods of the Hospital of King *James*, founded in *Charterhouse* within the County of *Middlesex*, at the humble Petition and only Costs and Charges of *Thomas Sutton*, Esquire; and the Expression "the Master and Wardens" shall mean the Master and Wardens of the Merchant Taylors of the Fraternity of *Saint John Baptist* in the City of *London*.

3. The

Powers to Governors of Charterhouse to sell.

3. The Governors may sell and convey to the Master and Wardens, or sell and convey or demise to any other Body or Persons, and the Master and Wardens or other Body or Persons may purchase or take, the whole or any Part of the present Schoolhouse of the *Charterhouse*, and the several Residences and Buildings connected therewith, in the Parish of *Charterhouse* in the County of *Middlesex*, and the Lands upon which the same are erected or which are used in connexion with the School; and the Receipts of the Governors, under their Common Seal, for the Purchase Money of the Property sold, shall effectually discharge the Purchaser therefrom, and from being concerned to see to the Application or being responsible for Loss or Misapplication thereof: Provided always, that the Governors shall not give up Possession of the Schoolhouse and Buildings now used for the Purposes of the said School until the new School which they are by this Act authorized to erect is completed and ready for Occupation.

Power of Purchase by Governors of Charterhouse.

4. The Governors may at any Time or Times after the passing of this Act purchase by Agreement any Lands, Buildings, or Hereditaments which they may deem suitable and proper as a Site for a School, with a Playground and all requisite Buildings and Conveniences, not exceeding in the whole One hundred Acres, and thenceforth may hold the same exclusively for the Purposes of the Hospital, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and for the Purpose of enabling the Governors to effect any such Purchase all the Clauses and Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating or not making a Title, and also with respect to Conveyances of Lands, shall, so far as the same Clauses and Provisions respectively are applicable to the Purpose of this Act, but with the Exception of so much thereof as would if not so excepted compel the Sale or occasion the Forfeiture of Lands not required for the Purposes of the said Hospital, be incorporated with this Act; and for all the Purposes of this present Provision the Expression "the Special Act" used in the said Clauses and Provisions of "The Lands Clauses Consolidation Act, 1845," shall be construed to mean this Act, and the Expression "the Promoters of the Undertaking," used in the same Clauses and Provisions, shall be construed to mean the Governors.

Restriction as to Extent of Land to be acquired, &c.

5. Nothing in this Act shall empower the Governors to acquire and hold any further Land than they now possess, excepting such Land as under the Powers of this Act they buy as a Site for a School, with a Chapel, Dwellings, Offices, Playground, Yards, Gardens, Approaches, Conveniences, and Appurtenances connected therewith,

therewith, and used for the immediate Purposes thereof; and if at any Time it appears to the Governors that the Lands so bought by them are more than sufficient for those Purposes, they may at any Time and from Time to Time sell and dispose of so much thereof as appears to them not required for those Purposes, or any Part or Parts thereof, together or in Parcels, by Public Auction or by Private Contract, with Power on any such Sale to make any Stipulations as to Title or Evidence, or Commencement of Title or otherwise, as they think proper, and with Power to buy in or rescind any Contract for Sale, and to resell, and for the Purposes aforesaid, or any of them, to execute and do all such Assurances and Things as they think fit, and on any such Sale the Receipt of the Governors, under their Common Seal, for the Purchase Money of the Property sold shall effectually discharge the Purchaser therefrom, and from being concerned to see to the Application or being responsible for Loss or Misapplication thereof, and from being concerned to inquire into the Propriety or Regularity of the Sale.

Power to erect School on new Site.

6. The Governors may at any Time or Times after the passing of this Act, with the Approval of the Court of Chancery or the Charity Commissioners for *England* and *Wales* testified in Writing, erect or construct and fit up and provide on any Lands acquired by them under the Powers of this Act a Building or Buildings for the Purposes of a School, with a Chapel, Dwellings, and suitable Offices, Playground, Yards, Gardens, Approaches, Conveniences, and Appurtenances, and apply for those Purposes any of the Money or Stocks or Funds of the Governors, with Power to take down or adapt any existing Building or Buildings on the Lands so acquired, and to remove the said School to the Building or Buildings so erected, constructed, or adapted, and there conduct and carry on the same in the same Manner as is now authorized in the present Buildings in *Charterhouse*.

Investments.

7. Any of the Monies for the Time being belonging to the Governors may be from Time to Time invested on Mortgage of any Messuages, Lands, or Tenements in *England* or *Wales*, being Freehold or Copyhold of Inheritance, or in the Purchase of Stock in the Public Funds of *Great Britain*, or in Exchequer Bills or Bank Stock, and such Stocks, Funds, Monies, or Securities may be from Time to Time sold, called in, and converted into Money, and Reinvestments made, when and as it may by the Governors be deemed expedient.

Sales, &c. by Governors to be subject to Approval of the

8. No Sale, Purchase, Lease, Mortgage, or other Dealing of or with Land, whether already the Property of the Governors or to be by them hereafter acquired (except any Lease thereof not being a Lease in Reversion, or for any Term of Life, or in consideration wholly

wholly or in part of any Fine, or for any Term of Years exceeding Twenty-one Years), shall be effected, except with the previous Sanction of the Court of Chancery to be obtained in a summary Way, or of the Charity Commissioners testified in Writing by their Secretary. Court of Chancery or the Charity Commissioners.

9. Any Lands and Buildings purchased by the Governors under this Act shall be liable to such and the same Trusts, Powers, and Restrictions as now affect their present School, and the Lands and Buildings used in connexion therewith, in *Charterhouse* in the County of *Middlesex*, and to no other Trusts, Powers, or Restrictions of any kind whatsoever. Lands acquired by the Governors to be subject to same Trusts, &c. as their present Property.

10. All Scholarships, Exhibitions, and Endowments, and all other Rights, Powers, and Privileges, belonging or attaching to the existing School of the *Charterhouse*, shall belong and attach to the new School to be provided under this Act. Present Scholarships, &c. to attach to School when removed.

11. All the Powers and Provisions given by or contained in the recited Charter and Acts of Parliament, except so far as the same are inconsistent with this Act, shall be and continue in full Force and Effect. Saving Charter and recited Acts relating to Charterhouse.

12. The Master and Wardens may at any Time or Times after the passing of this Act sell, either by Public Auction or by Private Contract, or partly in one and partly in the other of those Modes, or grant a Lease or Leases of the Lands, Schoolhouse, Buildings, and Hereditaments belonging to them in the Parishes of *All Hallows the Less* and *St. Lawrence Pountney*, or any Part or Parts thereof, and also any Part or Parts of the Lands, Buildings, and Hereditaments which they may acquire under this Act, and which in the Opinion of the Master and Wardens may not be required for the Purposes of their School, upon such Terms as they shall think fit, and the Receipts of the Master and Wardens, under their Common Seal, shall effectually discharge the Purchaser or Lessee therefrom, and from being concerned to see to the Application or being responsible for Loss or Misapplication thereof, and from being concerned to inquire into the Propriety or Regularity of any such Sale or Lease: Provided that the Master and Wardens shall not give up Possession of the Land, Buildings, and Premises now used for the Purposes of their said School until other and sufficient Accommodation be provided for carrying on the said School. Power of Sale and Lease.

13. The Master and Wardens may at any Time or Times after such Purchase remove their said School to the Buildings and Premises which they are by this Act authorized to purchase, or to any Part Power to erect School on new Site.

Part or Parts thereof respectively, and there conduct and carry on the said School in the same Manner as they may now conduct and carry on the same in their present Buildings.

Investments by Master and Wardens.

14. Any of the Monies for the Time being belonging to the Master and Wardens may be from Time to Time invested on Mortgage of any Messuages, Lands, or Tenements in *England* or *Wales*, being Freehold or Copyhold of Inheritance, or in the Purchase of Stock in the Public Funds of *Great Britain*, or in Exchequer Bills or Bank Stock, and such Stocks, Funds, Monies, or Securities may be from Time to Time sold, called in, and converted into Money, and Reinvestments made, when and as it may by the Master and Wardens be deemed expedient.

Lands acquired by Master and Wardens subject to same Trusts, &c. as their present Property.

15. Any Lands and Buildings so purchased by the said Master and Wardens shall, but without Prejudice to the Powers with reference thereto given by this Act, be liable to such and the same Trusts, Powers, and Restrictions as now affect their School and Buildings in *Suffolk Lane* in the City of *London*, and to no other Trusts, Powers, or Restrictions of any kind whatsoever.

Exhibitions, &c. attached to existing School of Master and Wardens to be attached to School when transferred.

16. All Scholarships, Exhibitions, and Endowments, and all other Rights, Powers, and Privileges, belonging or attaching to the existing School of the Master and Wardens, shall continue to belong and attach to the said School when the same shall have been transferred under the Authority of this Act.

Saving Rights of Master and Wardens.

17. Except as is in this Act expressly provided, nothing therein contained shall be deemed to prejudice or affect the several Rights, Powers, Privileges, and Advantages of the Master and Wardens.

General Saving.

18. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to every Person, Body Politic and Corporate, and their respective Heirs, Successors, Executors, and Administrators, all such Estate, Right, Title, Interest, Claim, and Demand whatsoever of, in, to, or out of the several Lands, Monies, and Premises to which the Provisions of this Act are intended to apply, or any of them, or any Part thereof respectively, as they or any of them had before the passing of this Act, or would, could, or might have or enjoy if this Act were not passed.

Persons bound by this Act.

19. Provided, That the following Bodies and Persons are expressly excepted out of the General Saving in this Act contained, and they accordingly are the only Persons bound by this Act; that is to say,

The Governors, and the Master and Wardens, and all Persons entitled to the Benefits of either of the said Schools.

20. This

Act as printed by Queen's Printers to be Evidence.

20. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

Expenses of Act.

21. The Costs, Charges, and Expenses of the Governors relative to the Removal of the School, as well those incurred before the passing of this Act as those of obtaining and passing the same, and of carrying the same into effect, shall be paid by the Receiver of the Governors for the Time being out of any Funds belonging to them in his Hands, or, at the Option of the Governors, out of any Funds which may be received or acquired by virtue of this Act.

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