CHAPTER ix.

An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charities in the county of London called or known as the Elizabeth Fry Refuge and the Refuge for the Destitute. A.D. 1925.

[27th March 1925.]

WHEREAS the Charity Commissioners in their report to His Majesty of their proceedings during the year nineteen hundred and twenty-three reported that they had approved and certified a scheme for the application or management of the charities called or known as the Elizabeth Fry Refuge founded by declaration of trust dated second August one thousand eight hundred and fifty-three and the Refuge for the Destitute comprised in an Act of Parliament passed in the first year of the reign of Queen Victoria intituled "An Act to incorporate "the subscribers to the institution called 'the Refuge "for the Destitute' and for the better enabling them to "carry on their charitable designs":

And whereas it is expedient that the said scheme as the same is fully set out and defined in the schedule to this Act should be confirmed:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present

A.D. 1925.

Parliament assembled and by the authority of the same as follows :—

Confirmation of scheme.

1. The said scheme is hereby confirmed Provided always that nothing in this Act or in the said scheme shall be held to interfere with the ordinary jurisdiction over endowed charities now exerciseable or hereafter to become exerciseable by the High Court of Justice and the Charity Commissioners.

Short title.

2. This Act may be cited as the Elizabeth Fry Refuge and Refuge for the Destitute Charities Scheme Confirmation Act 1925.

SCHEDULE.

Scheme for the Application or Management of the following Charities in the County of London :—

(1) *The Charity called or known as the Elizabeth Fry Refuge founded by Declaration of Trust dated 2nd August* 1853;

(2) *The Charity called the Refuge for the Destitute comprised in an Act of Parliament passed in the* 1st *year of the reign of Queen Victoria intituled "An Act to incorporate the Subscribers "to the Institution called 'the Refuge for the "Destitute' and for the better enabling them to "carry on their Charitable Designs."*

1. *Administration of Charities.*—The above-mentioned Charities and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the said Charities shall be consolidated and shall be administered and managed subject to and in conformity with the provisions of this scheme under the title of the Elizabeth Fry Home with which is incorporated the Refuge for the Destitute (hereinafter called "the Charity") by the general committee of management constituted as hereinafter provided who shall be the Trustees of the Charity.

2. *Dissolution of Corporation.*—The corporation called the president vice-presidents treasurer and governors of the Refuge for the Destitute constituted by the above-mentioned Act passed in the first year of the reign of Queen Victoria is hereby dissolved.

OBJECTS.

3. *Objects.*—The objects of the Charity shall be—

(1) To provide and maintain a home or asylum (hereinafter called "the home") for the temporary reception training in habits of moral discipline and instruction in the sound principles of the Christian Religion of destitute women and girls discharged from the metropolitan or other prisons;

(2) To receive in the home for the purposes aforesaid women and girls placed on probation by His Majesty's judges or stipendiary magistrates or justices of the peace and other women and girls considered suitable;

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(3) To make arrangements for the future destination and welfare of persons received in the home.

OFFICERS.

4. *President &c.*—There shall be a president and one or more vice-presidents of the Charity who shall hold office for life.

5. *First President &c.*—The following persons shall if living at the date of this scheme and willing to act be the first president and vice-presidents :—

President.

Colonel Lord WILLIAM CECIL C.V.O. of No. 6 Onslow Houses in the county of London.

Vice-Presidents.

The Right Reverend FRANK THEODORE LORD BISHOP OF WINCHESTER;

The Right Reverend HENRY LORD BISHOP OF STEPNEY;

The Right Honourable ALGERNON GEORGE BARON WENLOCK;

ALFRED FOWELL BUXTON of No. 50 Cornhill in the city of London banker;

ROBERT LEONARD CARTER of Gresham House Old Broad Street in the city of London stockbroker;

MARGARET HOARE O.B.E. of Morland Close Hampstead spinster; and

JOSIAH OAKE ADAMS of No. 117 Cazenove Road Stamford Hill esquire M.D.; both in the county of London;

KATHERINE MARY LOUISA DIXON of Market Hill Buntingford in the county of Hertford widow; and

ANN LOUISA MATILDA Lady BUXTON of No. 66 Eaton Place;

ARTHUR LISTER HARRISON of No. 2 Whitehill Court esquire J.P.;

ARTHUR GEORGE PHEAR of No. 47 Weymouth Street esquire C.B. M.D.; and

GRANVILLE EDWARD STEWART STREATFEILD of No. 24 Old Buildings Lincoln's Inn architect; all in the county of London.

6. *Other Presidents &c.*—Every other president and vice-president of the Charity shall be elected at an annual general meeting of the Charity.

7. *Treasurer and Secretary.*—There shall be a treasurer and also a secretary of the Charity who shall hold office during the

pleasure of the general committee The same person may if the general committee think fit be appointed to be both secretary and treasurer.

8. *First Treasurer and Secretary.*—The following persons shall if living at the date of this scheme and willing to act be the first treasurer and secretary :—

Treasurer.

The Honourable GILBERT JOHNSTONE of No. 43 Wilton Crescent in the county of London.

Secretary.

ALICE SHEPHARD of No. 53 Sotheby Road in the county of London.

9. *Other Treasurers and Secretaries.*—Every other treasurer and secretary of the Charity shall be appointed by the general committee.

10. *Patron &c.*—The general committee may appoint a patron and such other honorary officers of the Charity as they think fit to hold office during such period as the general committee may determine.

MEMBERS.

11. *Members.*—Each subscriber for the current year of 1*l.* 1*s.* and upwards to the funds of the Charity shall be a member of the Charity and each donor of 10*l.* 10*s.* and upwards in one sum to the funds of the Charity or to the funds of the Charity called or known as the Elizabeth Fry Refuge or the Charity called the Refuge for the Destitute shall be a life member of the Charity each member and life member shall be entitled to be present and vote at any general meeting of the Charity. A legacy of 52*l.* 10*s.* and upwards to the Charity shall entitle the person or one of the persons appointed to pay the same to be an honorary life member of the Charity An honorary life member shall be entitled to be present but shall not be entitled to vote at any general meeting of the Charity.

GENERAL COMMITTEE.

12. *General Committee.*—The general committee of management of the Charity in this scheme called the general committee shall when complete consist of—

Ex-officio members ; and

Ordinary members.

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13. *Ex-officio Members.*—The ex-officio members shall be the following officers for the time being of the Charity namely:—

The President;
The Vice-Presidents;
The Treasurer; and
The Secretary.

14. *Ordinary Members.*—The ordinary members shall be not less than six and not more than fifteen in number and shall be members of the Charity and shall (subject as hereinafter provided with respect to the first ordinary members) be appointed at an annual general meeting of the Charity by a majority of the members of the Charity present.

15. *First Ordinary Members.*—The following persons shall if living at the date of this scheme and willing to act be the first ordinary members:—

THEODORA ALDWINCKLE of No. 54 Highbury Park spinster; and

MARY KATE DAVIS of No. 32 Pembury Road Clapton spinster; both in the county of London;

ANNIE ISABEL FRY of Albion Hill Loughton in the county of Essex spinster;

HERBERT GRAY GIBBS of No. 19 Surrey Street Strand in the county of London solicitor;

ISABELLA SUSANNA LISTER of No. 871 High Road Leytonstone in the county of Essex spinster;

MILDRED ALICE MORGAN the wife of the Reverend Alfred Thomas Morgan of Christ Church Vicarage Highbury clerk in Holy Orders;

LUCY O'RORKE of No. 7 St. Mark's Square spinster;

ALICE PATERSON of No. 15 Brunswick Gardens widow;

ELLEN FRANCES PHEAR the wife of the said Arthur George Phear;

WILLIAM RICHARD POWER of No. 157 Stamford Hill esquire;

CORINA FRANCES POWER the wife of the said William Richard Power; and

THOMAS HENRY RUSSELL of No. 179 Evering Road Clapton esquire; all in the county of London;

WILLIAM HENRY SHEPHARD of No. 3 Crown Court Old Broad Street in the city of London consulting engineer;

EMILY DIANA CECILIA TURNER the wife of Cecil Turner of No. 49 Cleveland Square in the county of London solicitor; and

EVELYN MARY ALICE WOODS of The Court Buntingford in the county of Hertford spinster.

16. *Retirement of Ordinary Members.*—(1) At the annual general meeting of the Charity in the year 1925 and at every succeeding annual general meeting one-third of the ordinary members for the time being or if their number is not a multiple of three the number nearest to one-third shall retire from office.

(2) The ordinary members to retire in every year shall be those who have been longest in office since their last appointment but as between persons who became ordinary members on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.

(3) A retiring ordinary member shall be eligible for re-appointment.

17. *Casual Vacancies.*—Any casual vacancy occurring among the ordinary members may be filled by the general committee but any person so chosen shall retain his office so long only as the vacating ordinary member would have retained the same if no vacancy had occurred.

18. *Declaration by Members.*—No person shall be entitled to act as a member of the general committee whether on a first or on any subsequent entry into office until after signing in the minute book of the general committee a declaration of acceptance and of willingness to act in the trusts of this scheme.

19. *Determination of Membership.*—Any ordinary member of the general committee who ceases to be a member of the Charity or who is absent from all meetings of the general committee during a period of one year and any member of the general committee who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the general committee a wish to resign shall thereupon cease to be a member of the general committee.

20. *Vacancies.*—Upon the occurrence of a vacancy the general committee shall at their next meeting cause a note thereof to be entered in their minute book.

EXECUTIVE COMMITTEE.

21. *Executive Committee.*—The general committee shall in each year at their first ordinary meeting held after the annual general meeting of the Charity appoint five or more members of their body to be a committee in this scheme called the executive committee The general committee may delegate to the executive committee any of their powers and the executive committee shall in the exercise of any powers so delegated conform to any regulations that may be imposed or them by the general committee In particular and without prejudice to the

A.D. 1925. generality of the foregoing the domestic arrangements of the home shall be under the management of the executive committee.

MEETINGS.

General Meetings.

22. *Annual General Meeting.*—The annual general meeting of the Charity shall be held on the second Wednesday in March in each year or on such other date as shall be fixed by the general committee A report of the proceedings of the year and an abstract of the accounts duly audited shall be submitted to each annual general meeting.

23. *Special General Meetings.*—A special general meeting of the Charity may be summoned at any time by the general committee and shall be summoned whenever a requisition requiring a meeting to be summoned shall be received signed by ten members of the Charity A special general meeting shall be held at such time and place as the general committee may direct.

24. *Quorum.*—There shall be a quorum when eight members of the Charity are present at any general meeting of the Charity.

25. *Chairman.*—The president or in his absence one of the vice-presidents of the Charity shall take the chair at every general meeting In the absence of the president and all the vice-presidents the members of the general committee present shall choose one of their number to be chairman.

26. *Votes.*—Each member of the Charity other than an honorary life member shall have one vote and no more provided that in case of equality of votes the chairman of the meeting may give a second or casting vote.

Meetings of the General Committee.

27. *Ordinary Meetings.*—The general committee shall hold ordinary meetings at least once in each quarter Unless otherwise determined by the general committee an ordinary meeting shall be held on the first Wednesday in January April July and October respectively in each year.

28. *Chairman.*—The president or in his absence one of the vice-presidents shall be chairman of the meetings of the general committee The general committee shall at their ordinary meeting in April in each year elect one of their number to be chairman of their meetings in the absence of the president and all the vice-presidents and he shall hold office until the commencement of the corresponding meeting in the following year The chairman shall always be eligible for re-election If at any meeting no person entitled to take the chair is present

within ten minutes after the time appointed for holding the same the members present shall choose one of their number to be chairman of the meeting. A.D. 1925.

29. *Special Meetings.*—A special meeting may at any time be summoned by the chairman or any two members of the general committee upon four days' notice being given to all the other members of the matters to be discussed.

30. *Quorum.*—There shall be a quorum when four members of the general committee are present at a meeting.

31. *Voting.*—Every matter shall be determined by the majority of votes of the members of the general committee present and voting on the question In case of equality of votes the chairman of the meeting shall have a casting vote whether he has or has not previously voted on the same question but no member shall in any other circumstances give more than one vote.

Meetings of the Executive Committee.

32. *Meetings of Executive Committee.*—The executive committee shall hold ordinary meetings at least once in each month A special meeting may at any time be summoned by any two members of the executive committee upon four days' notice being given to all the other members of the matters to be discussed.

33. *Quorum.*—There shall be a quorum when two members of the executive committee are present at any meeting.

34. *Chairman and Voting.*—At every meeting the members of the executive committee present shall appoint a chairman Every matter shall be determined by the majority of votes of the members present and voting on the question In case of equality of votes the chairman shall have a casting vote whether he has or has not previously voted on the same question but no member shall in any other circumstances give more than one vote.

Application of Income.

35. *Expenses of Management.*—The cost of repairs and insurance and all other charges and outgoings payable in respect of the property of the Charity and all the proper costs charges and expenses of and incidental to the administration and management of the Charity shall be first defrayed by the general committee out of the income thereof.

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36. *Furtherance of Objects.*—Subject to the payments aforesaid the yearly income of the Charity shall be applied by the general committee in such manner as they think best in furtherance of the objects of the Charity.

GENERAL PROVISIONS.

37. *Minutes and Accounts.*—A minute book and books of account shall be provided and kept by the general committee All proper accounts in relation to the Charity shall in each year be made out and certified in such manner as the Charity Commissioners require and copies thereof shall be transmitted to the said Commissioners and published in conformity with the provisions of the Charitable Trusts Acts.

38. *General Power to make Regulations.*—Within the limits prescribed by this scheme the general committee shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including (but without prejudice to the generality of the foregoing) the following matters :—

(1) The appointment remuneration and duties of a superintendent and a proper staff;

(2) The reception and treatment of persons in the home their conduct while inmates thereof and their discharge therefrom;

(3) The summoning of meetings of the Charity the general committee and the executive committee;

(4) The deposit of money at a proper bank;

(5) The custody of documents.

39. *Donations &c.*—The general committee may receive any additional donations endowments or subscriptions for the general purposes of the Charity They may also receive donations endowments or subscriptions for any special purposes connected with the Charity not inconsistent with or calculated to impede the due working of the provisions of this scheme.

40. *Investment of Cash.*—All sums of cash at any time belonging to the Charity and not needed for immediate working purposes shall (unless otherwise ordered) as soon as possible be invested under the authority of a further Order of the Charity Commissioners in the name of "The Official Trustees of Charitable Funds."

41. *Members not to be personally interested.*—No member of the general committee shall take or hold any interest in property belonging to the Charity otherwise than as a Trustee for the

purposes thereof and no member of the general committee shall receive any remuneration or be interested in the supply of work or goods at the cost of the Charity.

42. *Alteration of Scheme.*—The Charity Commissioners may from time to time in the exercise of their ordinary jurisdiction establish schemes for the alteration of any of the provisions of this scheme as if those provisions had been made by the founder in the case of a Charity having a founder.

43. *Questions under Scheme.*—Any question as to the construction of this scheme or as to the regularity or the validity of any acts done or about to be done under this scheme shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

44. *Date of Scheme.*—The date of this scheme shall be the date of the Act of Parliament confirming the same.

SCHEDULE OF PROPERTY.

The Elizabeth Fry Refuge.

Land in the parish of Islington in the county of London together with the buildings thereon known as No. 18 Highbury Terrace which premises are registered under the Land Transfer Acts 1875 and 1897 under the title No. 167546 Parish Islington District London.

202*l.* 11*s.* 4*d.* Scinde Punjaub and Delhi Railway Annuity Class B.

503*l.* 14*s.* 5*d.* Plymouth Corporation 3 per cent. Stock.

The Refuge for the Destitute.

1,000*l.* Consols.

2,500*l.* West Ham Corporation $3\frac{1}{4}$ per cent. Redeemable stock.

2,157*l.* 0*s.* 10*d.* Wolverhampton Corporation $3\frac{1}{2}$ per cent. Stock.

1,500*l.* City and County of Norwich $3\frac{1}{4}$ per cent. District Rates Mortgage 1932.

1,000*l.* Bradford Corporation 3 per cent. Debenture Stock 1954.

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600*l.* 19*s.* 1*d.* Sheffield Corporation 3½ per cent. Consolidated Stock.

280*l.* 17*s.* 1*d.* Dominion of Canada 3½ per cent. Registered Stock 1930–50.

1,082*l.* 9*s.* 6*d.* New South Wales 4 per cent. Stock 1942–62.

A sum of 5,252*l.* cash.

Note.—The above-mentioned hereditaments were vested in "The Official Trustee of Charity Lands" by an Order of the Charity Commissioners of the 5th August 1913 The above-mentioned investments are held by or in course of transfer to "The Official Trustees of Charitable Funds."

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