



CHAPTER cxiii.

An Act to enable a certain Fundamental Rule of the Institution called "The Warehousemen Clerks and Drapers' Schools" to be repealed altered or amended at a Special Court of the Institution and for other purposes.

A.D. 1895.

[6th July 1895.]

WHEREAS in the year one thousand eight hundred and fifty-three the Institution called "The Warehousemen and Clerks' Schools for Orphan and Necessitous Children" 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 said Institution was prior to the year one thousand eight hundred and eighty-six governed by rules or laws of which the following (amongst others) were declared to be fundamental laws beyond the control of any future general or other meeting of the said Institution or of any act of incorporation or other power to abrogate suspend correct or amend (that is to say) :—

I. TITLE.

1. That the name of this Institution be "The Warehousemen and Clerks' Schools for Orphan and Necessitous Children" :

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

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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 by the Warehousemen and Clerks' Schools Act 1886 (herein-after called "the Act of 1886") after reciting that certain persons connected with the business of drapers (in the said Act called "the Drapers' Committee") had 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 were included all persons who had been engaged in business as drapers within the United Kingdom or who had been shopmen or clerks to such drapers) and that the schools of the said Institution were capable of accommodating a much larger number of children than were then being maintained and educated therein and that 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 that for the purpose of carrying out the objects aforesaid an agreement had been entered into between the board of management of the said Institution and the Drapers' Committee for the payment by the Drapers' Committee to the trustees of the said Institution of the said sum of twenty thousand pounds to be applied as part of the funds of the Institution It was enacted that on payment of the said sum of twenty thousand pounds by the Drapers' Committee to the said trustees it should be lawful at a special court of the said Institution convened for the purpose to repeal the herein-before recited fundamental rules and to adopt instead thereof the rules set out in the schedule to the said Act and that such rules should thereupon become fundamental rules or laws of the said Institution :

And whereas the rules set out in the schedule to the Act of 1886 included the following rules (amongst others) (that is to say) :—

" I. TITLE.

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

“ II. DESIGN.

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- “ 2. That the design of the Institution be to clothe maintain and educate orphan and necessitous children of warehousemen 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 thirtieth day of June one thousand eight hundred and ninety-one 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” :

And whereas the said sum of twenty thousand pounds was duly paid as aforesaid and the fundamental rules recited in the Act of 1886 were repealed and the rules set out in the schedule thereto were adopted and are now fundamental rules or laws of the Warehousemen Clerks and Drapers' Schools (herein-after called “ the Institution ”) :

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And whereas the further sum of twenty thousand pounds has been subscribed as prescribed by Rule 3 set out in the schedule to the Act of 1886:

And whereas that part of the said Rule 3 which confines the benefits of the Institution to the necessitous children of subscribers has been found to work considerable injustice and to prevent the orphan and necessitous children of many deserving warehousemen and clerks and drapers from participating in the benefits of the Institution and the Institution from exercising to their full extent its powers of relieving the necessitous orphans of persons engaged in the trades which it is designed to benefit:

And whereas there are upwards of fifty vacancies in the schools of the Institution which owing to the operation of the said portion of the said Rule 3 cannot be filled up:

And whereas it is expedient that a special court of the Institution should be empowered to alter the said Rule 3 in manner by this Act provided:

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):—

Short title.

1. This Act may be cited for all purposes as the Warehousemen Clerks and Drapers' Schools Act 1895.

Power to repeal fundamental rule and to adopt new rule.

2. It shall be lawful at a special court of the Institution to be convened for that purpose wholly to repeal the third fundamental rule or law of the Institution set out in the schedule to the Act of 1886 and to adopt instead thereof the rule in the schedule to this Act annexed but not any part or parts thereof only and such last-mentioned rule shall thereupon become a fundamental rule or law of the Institution.

Saving existing rights.

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.

Costs of Act.

4. 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.

SCHEDULE referred to in the foregoing Act.

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NEW FUNDAMENTAL RULE.

3. That none but the orphan and necessitous children of warehousemen and clerks and drapers shall be eligible to be elected into the schools of the Institution That all children admitted into such 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 at each election one-half of the total number of children elected shall be children of warehousemen and clerks and the remaining one-half shall be the children of drapers.

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