



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. 23.

An Act to enable the Trustees of the Estate of *Henry Smith* Esquire, deceased, to apply certain Funds held upon Trust for the Relief of his poor Kindred in the Purchase of a Plot of Ground and Buildings called *Strong's Place* in the Parish of *Kensington* in the County of *Middlesex*.

[15th August 1853.]

WHEREAS by an Act of Parliament passed in the Twelfth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to enable the Trustees of the Estate of* 12 G. 3. c. 90.
Henry Smith Esquire, deceased, to apply certain Sums of Money to (Pr.)
the Relief of his poor Kindred, and to enable the said Trustees to grant Building Leases of an Estate in the Parishes of Kensington, Chelsea, and Saint Martin-in-the-Fields in the County of Middlesex, reciting that the said Henry Smith did, by his last Will and Testament in Writing duly executed, bearing Date the Twenty-fourth Day of April in the Third Year of the Reign of the late King Charles the First, give and bequeath in the Words following; viz., "Item, I give and bequeath for the Use of the poor Captives, being Slaves under the

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Turkish Pirates, the Sum of One thousand Pounds, which Sum of One thousand Pounds my Will and Meaning is shall be laid forth and bestowed in the Purchase of Lands of Inheritance to the Value of Threescore Pounds *per Annum* at the least, the Rent and Profits whereof shall be yearly paid and distributed unto such Person and Persons from Time to Time as shall be appointed and intrusted for the Collection of the Charity of well-disposed Persons, with the Intent that the same my Gift shall continue in perpetuity, and shall be paid and delivered at the Direction of my said Executors or their Heirs, or the Survivor of them, and of the Lord Mayor and Sheriffs of the City of *London* for the Time being, for and towards the Relief and Ransom of the said poor Captives: Item, I give and devise for the Relief and Use of the poorest of my Kindred, such as are not able to work for their Living, *viz.*, sick, aged, and impotent Persons, and such as cannot maintain their own Charge, the Sum of One thousand Pounds, which said One thousand Pounds my Will and Meaning is shall be laid forth and bestowed in the Purchase of Lands of Inheritance of the Value of Three score Pounds *per Annum* at the least, and the Rents and Profits thereof to be paid yearly unto them, and to be distributed amongst them by my said Executors and their Heirs, and by the said Lord Mayor of *London* and the Sheriffs for the Time being, as most need shall be, from Time to Time; and my Will and Meaning is, that in the bestowing and distributing of my Estate and Goods to the poor charitable Uses, which is according to my Intent and Desire, those of my Kindred which are poor, aged, impotent, or any other Way unable to help themselves should be chiefly preferred and respected;” and reciting that the Trustees of the Estates and Effects of the said *Henry Smith* were seised of an Estate situate in the Parishes of *Kensington, Chelsea,* and *Saint Martin-in-the-Fields* in the County of *Middlesex*, then let at the yearly Rent of One hundred and fifty-one Pounds, out of the Rents of which the Trustees for the Time being had for several Years applied the Sum of Three score Pounds annually, or so much thereof as was from Time to Time required towards the Relief and Ransom of poor Captives, being Slaves under the *Turkish* Pirates, according to the Directions in the Will of the said *Henry Smith*; but, the same having been more than equal to the Claims made, there had been considerable Savings thereout, which had been from Time to Time laid out in the Public Funds, and the growing Dividends thereof had also been from Time to Time laid out in the same; and reciting that no Application had been made to the said Trustees on behalf of any Captives since the Year One thousand seven hundred and twenty-three or thereabouts, and the Sum of Eight thousand and thirty Pounds Old *South Sea* Annuities had been some Time since transferred into the Names of Sir *Francis Vincent* Baronet, Sir *John Evelyn* Baronet, since deceased, and the Right Honourable *George Onslow* Esquire, and then stood in the Names of the said Sir *Francis Vincent* and *George Onslow,*

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Onslow, as Survivors, Seven thousand five hundred and thirty Pounds, Part whereof was the Produce of the Savings of the said Sixty Pounds a Year so given by the said *Henry Smith* for the Relief and Ransom of the Captives aforesaid and of the Interest and Dividends which had been from Time to Time received thereon, and the further Sum of One thousand six hundred and twenty-eight Pounds Fifteen Shillings and Fourpence Old *South Sea* Annuities had also been purchased with the Savings of the said Sixty Pounds a Year so given by the said *Henry Smith* for the Relief and Ransom of the Captives aforesaid, and with the Dividends of the said Sum of Seven thousand five hundred and thirty Pounds, and had been transferred to and was then standing in the Names of the said *Sir Francis Vincent* and *George Onslow*; and reciting that the Trustees for the Time being had annually paid to and divided amongst the poor Kindred of the said *Henry Smith* the Sum of Sixty Pounds out of the Rents and Profits of the said Estate at *Kensington, Chelsea, and Saint Martin-in-the-Fields* aforesaid, according to the Directions in his said Will, and did then annually divide the same amongst Fifteen Persons, so that the Share given to each was very small; and reciting that most of the said Fifteen Persons were very poor, aged, and infirm, and incapable of maintaining their own Charge, and it was apprehended that the said Testator's pious and charitable Intentions would be better answered if the said Trustees were empowered also to distribute annually amongst the Testator's said Kindred the Dividends of the said Two Sums of Seven thousand five hundred and thirty Pounds and One thousand six hundred and twenty-eight Pounds Fifteen Shillings and Fourpence, and also the said Sixty Pounds a Year out of the said Estate at *Kensington, Chelsea, and Saint Martin-in-the-Fields*, at all such Times as no proper Application should be made to the said Trustees on behalf of such Captives as are described in the Will of the said *Henry Smith*; and reciting that the said Estate at *Kensington, Chelsea, and Saint Martin-in-the-Fields* was capable of considerable Improvement if the same could be let on Building Leases, but the said Trustees having been in doubt whether they could give such Relief to the poor Kindred of the said *Henry Smith*, or let Leases for more than Twenty-one Years, without the Aid of an Act of Parliament, it was by the Act now in recital, among other things, enacted, that the yearly Interest and Proceeds of the said Two Sums of Seven thousand five hundred and thirty Pounds and One thousand six hundred and twenty-eight Pounds Fifteen Shillings and Fourpence, or so much thereof as should be required, should yearly and every Year be applied by the said Trustees for the Relief and Ransom of the poor Captives, being Slaves under *Turkish* Pirates, according to the Directions of the said Will, and that it should and might be lawful to and for the said Trustees and they were thereby authorized and empowered from Year to Year to pay and distribute all the Residue of

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of the said yearly Interest and Produce of the said Two Sums of Seven thousand five hundred and thirty Pounds and One thousand six hundred and twenty-eight Pounds Fifteen Shillings and Fourpence, and also of the said yearly Sum of Sixty Pounds annually arising out of the said Estate at *Kensington, Chelsea, and Saint Martin-in-the-Fields*, which not having been required for the Purpose aforesaid should, at the End of every Year (ending on the Fifth Day of *April*) respectively remain unapplied to the Uses above mentioned, to and among the poor Kindred of the said Testator *Henry Smith*, and if no Part of the yearly Interest and Produce of the said Two Sums of Seven thousand five hundred and thirty Pounds and One thousand six hundred and twenty-eight Pounds Fifteen Shillings and Fourpence, or of the said Sixty Pounds a Year, should in any One Year be required for the Use of such Captives as aforesaid, then it should and might be lawful for the said Trustees for the Time being, and they were thereby authorized and empowered, to pay the whole Interest and Produce of such Two Sums of Seven thousand five hundred and thirty Pounds and One thousand six hundred and twenty-eight Pounds Fifteen Shillings and Fourpence, and of such Sixty Pounds a Year, to and among the poor Kindred of the said Testator, anything in the said Will of the said *Henry Smith*, or in any other Instrument, Deed, or Writing by him executed, to the contrary notwithstanding; and reciting that the said Trust Estate lay convenient to be improved by Buildings, and that it would increase the Value of the said Estate if Power were given to the said Trustees for the Time being to grant a Lease or Leases of the said Ground or any Part thereof for a Term of Years sufficient to encourage Persons to build upon and improve the same, it was by the Act now in recital further enacted, that from and after the passing of that Act it should and might be lawful for the said Trustees or any Seven or more of them, and they were thereby empowered and authorized, by Indenture or Indentures duly executed under their Hands and Seals, to demise and grant all or any Part of the said Estate, with such Outhouse or Outhouses, or other Edifice or Building as was or were erected and standing or being thereupon, and also with such Way or Ways, Rights, Liberties, Profits, Privileges, and Advantages as to the said Estate did belong, or which might be useful for the making any Way or Ways thereto, and which might belong to the said Estate, to any Person or Persons who should be willing to take, build upon, and improve the same for any Term or Number of Years not exceeding Ninety-nine Years, to commence and take effect in possession and not in reversion, with liberty to lay out the said Ground or such Part thereof as should be found convenient as and for a Street or Streets, Way or Ways, Passage or Passages, for the Use and Convenience of such Lessee or Lessees, and the Tenants and Occupiers of the said Premises, so as in the said Lease or Leases there were reserved the best and most improved

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improved yearly Ground Rent or Ground Rents that could reasonably be had or obtained for the Benefit of the said Charity, to be paid quarterly, clear of all Deductions, without taking any Sum of Money or other Thing by way of Fine, Premium, or Foregift, and so as the Lessee or Lessees should execute a Counterpart or Counterparts of such Lease or Leases, and enter into a Covenant or Covenants to build and keep in repair the Messuage and Buildings intended and agreed to be built by such Lease or Leases, and so as in such Lease or Leases there should be contained a Power of Re-entry for Nonpayment of the Ground Rent or Ground Rents thereby to be reserved; and it was by the Act now in recital further enacted, that all and every Lease or Leases to be made of the said Ground and Premises, or any Part or Parts thereof, and the Covenants therein contained in pursuance of that Act, should bind the said Trustees and their Successors, and be good and effectual in Law to all Intents and Purposes: And whereas new Trustees of the said Will have from Time to Time been appointed, and by an Order of the Lord High Chancellor of *Great Britain*, in a Cause between *Henry Smith* Plaintiff, and the Right Honourable *Robert* Earl of *Essex* and others, Defendants, made on the Fifteenth Day of *June* One thousand eight hundred and twenty-five, on the Petition of the Right Honourable *George* Viscount *Middleton*, *Thomas* Earl of *Chichester*, *Thomas* Earl of *Onslow*, *Henry* *Dormer* *Vincent*, *Peter* Lord *King*, *John* *Thomas* Viscount *Sydney*, *Henry* *Boulton*, *Thomas* *Budgen*, *William* *Currie*, *George* *Walton* *Onslow*, and *Thomas* *Page*, on behalf of themselves and others, surviving Trustees of the Estate of *Henry Smith* deceased, setting forth that the Petitioners, together with the Honourable and Right Reverend *George* Lord Bishop of *Lincoln*, and *Arthur* *George* *Onslow* commonly called Viscount *Cranley*, were the surviving Trustees of the Estate of the said *Henry Smith* deceased; that by a Decree made in the said Cause on the Second Day of *June* in the Second Year of the Reign of His Majesty King *Charles* the First, it was ordered and decreed (amongst other things) that the Real and Personal Estate of the said *Henry Smith* should be settled and vested in certain Trustees in the Decree named, upon trust that they or Seven of them at the least, and their Heirs and Assigns, should bestow and dispose of the Rents and Profits of the said Estate to and for the charitable Uses in the said Decree mentioned, and that whensoever so many of the Trustees should die as that the Survivors should not exceed Six, that then such Survivors should settle the said Estate among themselves, and so many more to be nominated by the Lord Archbishop of *Canterbury* and the Lord Chancellor or the Lord Keeper of the Great Seal of *England* for the Time, as should make up the Number Thirteen at the least; that new Trustees had from Time to Time been nominated, and the Trust Estates had been vested in them accordingly; that some of the then Trustees declined to act in the said

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Trust, and others were by Ill-health and the Distance of their Places of Abode rendered unable to attend the Meetings of the Trustees, so that the Number necessary to transact the Business of the Trust seldom met together; that the Petitioners had presented a Memorial to his Grace *Charles* Lord Archbishop of *Canterbury* and his Lordship, thereby praying his Grace and his Lordship to nominate such Persons as they should think fit, to be added as Trustees to act in the ordering and Management of the said Trust Estate, and also submitting to his Grace and their Lordships Consideration as such new Trustees the Right Honourable *Henry Thomas Pelham*, commonly called Lord *Pelham*, the Honourable *John Robert Townshend*, the Honourable *George Alan Brodrick*, the Honourable *William King*, the Honourable *Thomas Cranley Onslow*, the Honourable and Reverend *John Evelyn Boscawen*, Sir *Richard Frederick* Baronet, Sir *Charles Merrik Burrell* Baronet, *John Robert Bugden* Esquire, *Walter Burrell* Esquire, *Harvey Combe* Esquire, *Henry Currie* Esquire, *William Joseph Denison* Esquire, *Robert Hudson* Esquire, the Reverend *Arthur Onslow*, the Reverend *Arthur Cyril Onslow*, *Henry Peters* Esquire, *George Holme Sumner* Esquire, *William Holme Sumner* Esquire, *Inigo Thomas* Esquire, *Henry William Vincent* Esquire, the Reverend *Frederick Vincent*, and the Reverend *Charles Fullarton Weston*; the said List having been approved, it was ordered that the said *Henry Thomas* Lord *Pelham*, *John Robert Townshend*, *George Alan Brodrick*, *William King*, *Thomas Cranley Onslow*, *John Evelyn Boscawen*, Sir *Richard Frederick*, Sir *Charles Merrik Burrell*, *John Robert Bugden*, *Walter Burrell*, *Harvey Combe*, *Henry Currie*, *William Joseph Denison*, *Robert Hudson*, *Arthur Onslow*, *Arthur Cyril Onslow*, *Henry Peters*, *George Holme Sumner*, *William Holme Sumner*, *Inigo Thomas*, *Henry William Vincent*, *Frederick Vincent*, and *Charles Fullarton Weston*, should be added as Trustees to act with the Petitioners and the other surviving Trustees in the Ordering and Management of the said Estate and Trust, and it was ordered that a Conveyance of the said Trust Estate should be executed accordingly: And whereas all the said Trustees so appointed by the said Order have departed this Life, except the Right Honourable *Arthur George* Earl of *Onslow*, in the said Order described as *Arthur George Onslow*, commonly called Viscount *Cranley*, the Right Honourable *Henry Thomas* Earl of *Chichester*, in the said Order described as *Henry Thomas Pelham*, commonly called Lord *Pelham*, the Right Honourable *John Robert* Viscount *Sydney*, in the said Order described as *John Robert Townshend*, the said *Thomas Cranley Onslow*, the Right Honourable *William* Earl of *Lovelace*, in the said Order described as the Honourable *William King*, Sir *Richard Frederick*, Sir *Charles Merrik Burrell*, *John Robert Bugden*, *Harvey Combe*, *Henry Currie*, *Arthur Cyril Onslow*, *William Holme Sumner*, *Henry William Vincent*, and *Frederick Vincent*,

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Vincent, who are now the surviving Trustees of the said Will of the said *Henry Smith*: And whereas the said *Henry Currie* and *Harvey Combe* did, on or about the Fifth Day of *April* One thousand eight hundred and fifty-three, prefer their Petition to the Right Honourable the Lord High Chancellor of *Great Britain*, in the Matter of the Charity Estates of the said *Henry Smith* deceased, and in the Matter of the Act of Parliament passed in the Fifty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act to provide a summary Remedy in Cases of Abuses of Trusts created for charitable Purposes*; and thereby, after setting out to the Effect recited in the said recited Act of the Twelfth Year of the Reign of King *George* the Third, and setting out the last-mentioned Act, and after showing that no Part of the yearly Interest and Produce of the Old *South Sea* Annuities, or of the said Sixty Pounds a Year, had at any Time since the passing of the same Act been required for the Use of such Captives as aforesaid; and that the Trustees for the Time being of the said Will of the said *Henry Smith* had, therefore, since the passing of the same Act, paid the whole Interest and Produce of such *South Sea* Annuities, and of such Sixty Pounds a Year, and also the Sixty Pounds a Year originally given to them by the said Will of the said Testator, to and amongst the poor Kindred of the said Testator, and which poor Kindred were then Four hundred in Number, or thereabouts, and that such Payment had been made to and amongst them, pursuant to a Scheme which was settled by *William Brougham* Esquire, One of the Masters of the said Court of Chancery, under an Order for that Purpose, dated the Eighteenth Day of *April* One thousand eight hundred and forty-six, and which Scheme was confirmed by the said Court by an Order dated the Seventeenth Day of *February* One thousand eight hundred and forty-nine; and that new Trustees of the said Will had from Time to Time been appointed, and that they the said Petitioners, together with the said other Trustees named in this Act, had been duly appointed and were then the Trustees of the said Will; and that the said Estates in the said Parishes of *Kensington*, *Chelsea*, and *St. Martin-in-the-Fields* as aforesaid, had been conveyed to and were then vested in the said Petitioners and the said other Persons as Trustees of the said Will; and that Building Leases of the greater Part of the said Estates in the Parishes of *Kensington* and *Chelsea* had been granted pursuant to the said Act of Parliament, and a large Portion of the said Estate had been built upon, and by such Leases and Buildings the Value of the said Estate had been greatly increased, and the annual Income thereof then amounted to the Sum of Five thousand Pounds or thereabouts; and that a Portion of the said Estate in the Parish of *Kensington*, lying between the *Old Brompton* Road, and the *Fulham* Road, had been leased to *Charles James Freake*, and that upon such last-mentioned Portion a Square of very valuable Houses, called *Onslow Square*, had been formed

Petition of
5th April
1853, to the
Lord High
Chancellor.

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formed and built, and several Streets leading to the said Square and opening into the *Old Brompton* and *Fulham* Roads had been also formed and built; and that another Portion of the said Estate which was not as yet built upon was situate to the Westward of *Onslow Square* aforesaid; and that there was a small Plot of Freehold Ground situate between *Onslow Square* aforesaid and the *Fulham* Road, on which there were then standing a Public House and several small Shops; and that the Value of the said Portion of the said Charity Estate on which there were as yet no Buildings, as well as the Value of the Houses in *Onslow Square* aforesaid and the said Streets leading thereto, would be greatly increased if the said Piece of Ground were purchased and added to the said Charity Estate, and Buildings of a superior Class were erected in the Place of said Public House and Shops, and if such Buildings were set back further from the *Fulham* Road, so as to widen and improve the Foot Pavement and the Approach to a considerable Portion of the said Estate; and that the said *Charles James Freake* some Time since purchased the said Plot of Ground subject to the Leases or Tenancies under which the said Public House and Shops were held, and that he had proposed to buy up such Leases or Tenancies so as to acquire the actual Possession of the said Plot of Ground, and to sell the same Plot of Ground to the said Petitioners and the other Trustees of the said Charity Estates, subject to a Lease thereof to himself for a Term of Years co-extensive with the unexpired Term for which the adjoining Part of the said Charity Estate was already let to him, which Term would expire on the Twenty-fifth Day of *March* One thousand nine hundred and thirty; and that the said Petitioners and the other Trustees of the said Charity Estates had referred the aforesaid Proposal of the said *Charles James Freake* to Mr. *James White Higgins* an eminent Surveyor, who was some Time Official Referee under the Metropolis Building Act, and to Mr. *Henry Clutton*, the Surveyor of the Trustees of the said Charity Estates, and they were of opinion that it would be greatly for the Benefit of the said Charity if the said Plot of Ground were purchased by the said Petitioners and the said other Trustees of the said Charity Estates for the Sum of Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities, subject to a Lease thereof to the said *Charles James Freake* for such Term as aforesaid at the yearly Rent of One hundred and seventy Pounds, he the said *Charles James Freake* covenanting in such Lease to pull down the said Public House and Shops now standing thereon, and to erect in their Place superior Buildings, to the Approbation of the Surveyor for the Time being of the said Petitioners and the other Trustees of the said Charity Estates; and that a conditional Agreement, subject to the Approbation of the said Court of Chancery, had been entered into between the said Petitioners and the said other Trustees of the said Charity Estates,
and

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and the said *Charles James Freake*, for the Purchase by the said Petitioners and the said other Trustees of the said Plot of Ground, upon the Terms so as aforesaid approved of by the said *James White Higgins* and *Henry Clutton*; and that the said Petitioners and the said other Trustees of the said Charity Estates were desirous that such conditional Agreement should be confirmed by the said Court; and that to enable them to purchase the said Plot of Ground upon the Terms aforesaid the said Sum of Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities should be applied in making and completing such Purchase, the said Petitioners did, by that their Petition humbly pray that the conditional Agreement so as aforesaid entered into between the said Petitioners and the said other Trustees of the said Charity Estates and the said *Charles James Freake* might be confirmed, and that the said Petitioners and the said other Trustees might complete the Purchase of the Plot of Ground so as aforesaid agreed to be sold to them by the said *Charles James Freake* upon the Terms approved of by the said *James White Higgins* and *Henry Clutton* as therein-before mentioned, and that the said Petitioners and the said other Trustees might transfer or sell Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities (Part of the Fund in those Annuities in the therein-before Act mentioned), in order to purchase the said Plot of Ground, and that they might apply the said Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities in completing such Purchase accordingly; and that upon Payment of the said Purchase Money the said *Charles James Freake* and all other proper Persons might convey the said last-mentioned Plot of Ground to the said Petitioners and the other Trustees of the said Charity Estates as such Trustees as aforesaid, subject to a Lease thereof to the said *Charles James Freake* for a Term of Years ending on the Twenty-fifth Day of *March* One thousand nine hundred and thirty, at the yearly Rent of One hundred and seventy Pounds, such last-mentioned Plot of Ground to be held by the said Petitioners and the said other Trustees, upon trust to apply the annual Rents and Profits thereof in the Manner in which the Income of the said Old *South Sea* Annuities was then or for the Time being might be applicable, and that if in the Judgment of the said Court the aforesaid Contract or Agreement could not be confirmed or carried into effect without the Authority of an Act of Parliament for that Purpose, then that the said Petitioners and the other Trustees of the said Charity Estates might take all proper Proceedings under the Direction of the said Court for obtaining an Act of Parliament for the Purposes aforesaid, and that his Lordship would be pleased to make such further or other Order as the Nature of the Case might require: And whereas by an Order of the said Court of Chancery dated the Twenty-second Day of *April* One thousand eight hundred and

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Order of the
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dated 22d
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fifty-three, it was on the said Petition ordered, that the Trustees of the Charity Estate of *Henry Smith* the Testator, in the Petition mentioned, be at liberty to apply to Parliament for an Act to enable them to purchase the Plot of Ground and Buildings in the Petition mentioned to have been agreed to be sold to them by *Charles James Freake* upon the Terms in the Petition mentioned, the Draft of the Bill for such Act to be first approved of by the Judge to whose Court the Matter was attached: And whereas his Honour Vice Chancellor *Sir William Page Wood*, the Judge to whose Court the said Matter was attached, has approved of the Bill for the said Act: And whereas it appears by the conditional Agreement referred to in the said Petition that the said Lease to the said *Charles James Freake* is to be granted previously to the Conveyance of the said Plot of Ground to the said Trustees: And whereas the Arrangement aforesaid will be highly beneficial to the said Charity, but the same cannot be carried into effect without the Aid and Authority of Parliament: Therefore Your Majesty's most dutiful and loyal Subjects, the said *Arthur George Earl of Onslow*, *Henry Thomas Earl of Chichester*, *John Robert Viscount Sydney*, *Thomas Cranley Onslow*, *William Earl of Lovelace*, *Sir Richard Frederick*, *Sir Charles Merrik Burrell*, *John Robert Budgen*, *Harvey Combe*, *Henry Currie*, *Arthur Cyril Onslow*, *William Holme Sumner*, *Henry William Vincent*, and *Frederick Vincent* most humbly beseech Your Majesty that it may be enacted and declared; and be it enacted and declared 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,

Trustees of the Charity empowered to complete the Purchase of a Plot of Ground in the Parish of Kensington, and for that Purpose to sell the Sum of 5,666*l.* 13*s.* 4*d.* Old South Sea Annuities.

I. That it shall be lawful for the said Trustees or the Trustees for the Time being of the said Charity, under the Direction of the High Court of Chancery, to complete the Purchase of the said Plot of Ground in the said Petition of the said *Harvey Combe* and *Henry Currie* mentioned, upon the Terms in the same Petition mentioned, and to transfer or sell the Sum of Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities (Part of the Fund in those Annuities in the same Petition and in this Act mentioned), in order to purchase the said Plot of Ground, and to apply the said Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities, or the Produce thereof, in completing such Purchase accordingly.

Trustees to have the like Power to grant Building Leases of the purchased Plot of Ground as

II. That from and after the passing of this Act and the Completion of the said Purchase (but without Prejudice to the Lease to be granted to the said *Charles James Freake* as aforesaid), the Trustees for the Time being of the said Charity, or any Seven or more of them, shall have the like Power and Authority to grant Building or Improving Leases

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Leases of the Plot of Ground to be purchased as aforesaid, or any Part thereof, as the said Trustees for the Time being, or any Seven or more of them, have under or by virtue of the said recited Act of the Twelfth Year of the Reign of King *George* the Third, with respect to the said Trust Estate at *Kensington, Chelsea, and St. Martin-in-the-Fields.*

they have under 12 G. 3. c. 90. with respect to the Charity Estate in other Parishes.

III. That from and after the passing of this Act and the Completion of the said Purchase the said Ground Rent of One hundred and seventy Pounds *per Annum*, and other the Rents and Profits of the Plot of Ground aforesaid, shall be payable and applicable for the Purposes and in manner for and in which the Dividends and annual Produce of the aforesaid Sum of Five thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence Old *South Sea* Annuities would have been payable or applicable if no Change of Investment had been made.

Application of the Rents and Profits of the purchased Plot of Ground.

IV. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, or their Heirs, Successors, Executors, and Administrators (other than and except the Trustees for the Time being of the Will of the said *Henry Smith*, and the Objects of the charitable Trusts thereby created as aforesaid,) all such Estate, Right, Title, Interest, Claim, and Demand as they or any of them had before the passing of this Act, or could or might have had, held, or enjoyed in case this Act had not been passed.

General Saving.

V. That 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.

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

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.

