



ANNO QUADRAGESIMO OCTAVO

# GEORGI II. REGIS.

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## Cap. 74.

An Act for enabling *John William Spicer* Esquire, to grant Building Leases of Lands, in the Parish of *Saint Mary, Newington Butts*, in the County of *Surrey*, for Terms of Years not exceeding Ninety-nine Years. [27th May 1808.]

WHEREAS *Richard Spicer*, late of *Topsham*, in the County of *Devon*, Esquire, deceased, being in his Life Time seized in his Demesne as of Fee of a certain Estate of Freehold and Inheritance situate in the Parish of *Saint Mary, Newington Butts*, in the County of *Surrey*, did by his last Will and Testament in Writing, bearing Date on or about the Third Day of *June*, in the Year of our Lord One thousand seven hundred and ninety-two, duly executed and attested, as by Law is required for devising Real Estates, give, devise and bequeath all his Lands, Tenements and Hereditaments whereof he was seized of any Estate of Freehold or Inheritance, situate in the Parish of *Saint Mary, Newington Butts*, in the County of *Surrey*; and in the Parish of *Topsham* aforesaid, and all other his Real Estate whatsoever and wheresoever, situate in the Kingdom of *Great Britain*, unto *Isaac Samuel Clamtree* of *Colchester*, in the County of *Essex*, Esquire, and Doctor *Thomas Nowell*, Principal of *Saint Mary Hall* in the University of *Oxford*, and their Heirs, to the Use of his Wife, *Frances Octavia Spicer*, now *Frances Octavia De la Motte*, and her Assigns for her natural Life, without Impeachment of or for any Manner of Waste,

Will of  
R. Spicer Esq.  
dated June 3,  
1792, recited.

[Loc. & Per.]

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Waste,

Waste, with Remainder to the Use of the said *Isaac Samuel Clamtree* and *Thomas Nowell*, and their Heirs, for the natural Life of the said *Frances Octavia Spicer*, upon the usual Trusts for preserving contingent Uses and Estates, with Remainder to the Use of his Nephew, *William Edward Spicer* (in the said Will called *Edward Spicer*), one of the Sons of his late Brother, *William Spicer* of *Wear*, in the said Parish of *Topsham*, Esquire, deceased, and his Assigns, for the Term of his natural Life, without Impeachment for Waste, with Remainder to the Use of the said *Isaac Samuel Clamtree* and *Thomas Nowell*, and their Heirs, for the natural Life of the said *William Edward Spicer*, upon the usual Trusts for preserving contingent Uses and Estates, with Remainder to the Use of the First, Second, Third, Fourth, and all and every other Son and Sons of the Body of the said *William Edward Spicer*, lawfully to be begotten successively, according to the Priority of their Births in Tail Male, with Remainder to the Use of his the Testator's Nephew, *John William Spicer*, in the said Will called *John Spicer*, another of the Sons of his late Brother, *William Spicer*, deceased, and his Assigns, for the Term of his natural Life, without Impeachment for Waste, with Remainder to the Use of the said *Isaac Samuel Clamtree* and *Thomas Nowell*, and their Heirs, during the natural Life of the Testator's said Nephew, *John William Spicer*, upon the usual Trusts for preserving the contingent Uses and Estates, with Remainder to the Use of the First, Second, Third, Fourth, and all and every other Son or Sons of the Body of the said *John William Spicer*, lawfully to be begotten successively, according to the Priority of their Births in Tail Male, with Remainder to the Use of his Nephew, *William Frederick Spicer*, in the said Will called *Frederick Spicer*, another of the Sons of his late Brother, *William Spicer*, deceased, and his Assigns, for the Term of his natural Life, without Impeachment for Waste, with Remainder to the Use of the said *Isaac Samuel Clamtree* and *Thomas Nowell*, and their Heirs, for the natural Life of the said *William Frederick Spicer*, upon the usual Trusts for preserving the contingent Uses and Estates, with Remainder to the Use of the First, Second, Third, Fourth, and all and every other Son and Sons of the Body of the said *William Frederick Spicer*, lawfully to be begotten successively, according to the Priority of their Births in Tail Male, with Remainder to the Use of his Nephew *William Henry Spicer*, in the said Will called *Henry Spicer*, another of the Sons of his late Brother, *William Spicer*, deceased, and his Assigns, for the Term of his natural Life, without Impeachment of or for any Manner of Waste, with Remainder to the Use of the said *Isaac Samuel Clamtree* and *Thomas Nowell*, and their Heirs, for the natural Life of the said *William Henry Spicer*, upon the usual Trusts for preserving the contingent Uses and Estates, with Remainder to the Use of the First, Second, Third, Fourth, and all and every other Son and Sons of the Body of the said *William Henry Spicer*, lawfully to be begotten successively, according to the Priority of their Births in Tail Male, with Remainder, or Reversion, to the Use of the Right Heirs of the said *William Henry Spicer* for ever: And whereas the said *Richard Spicer*, the Testator, departed this Life on or about the Fourteenth Day of *July* One thousand seven hundred and ninety-five, seized as aforesaid of the said Estate without having altered or revoked his said Will, leaving *William Francis Spicer*, of *Wear* in the Parish of *Topsham*, in the County of *Devon*, Esquire, his Nephew and Heir at Law, whereupon the said *Frances Octavia Spicer* became seized of the said Estate for her Life, under and according to the said Will: And whereas the said *Frances Octavia Spicer*, on or

about the First Day of *June* One thousand seven hundred and ninety-seven, intermarried with *Philip De la Motte*, Esq. who, on or about the Eleventh Day of *March* One thousand eight hundred and five, departed this Life; leaving the said *Frances Octavia De la Motte* him surviving: And whereas the said *William Edward Spicer*, the Nephew, departed this Life on or about the Sixteenth Day of *February* One thousand seven hundred and ninety-nine, a Bachelor, and the said *John William Spicer* and *William Henry Spicer* are Bachelors, and the said *William Frederick Spicer* has no Issue Male: And whereas by Indenture of Lease bearing Date the Twenty-fifth Day of *March*, One thousand eight hundred and seven, and made between the said *Frances Octavia De la Motte* of the One Part, and the said *John William Spicer* of the other Part, the said *Frances Octavia De la Motte* did grant and demise, lease, set, and to farm let, unto the said *John William Spicer*, his Executors, Administrators, and Assigns, several Messuages or Tenements and Hereditaments in the said Indenture described, being the Messuages, Tenements and Hereditaments described in the Schedule to this Act, to hold the same Messuages, Tenements, Ground, and Premises, unto the said *John William Spicer*, his Heirs and Assigns, for and during the Residue of the natural Life of the said *Frances Octavia De la Motte*, at the yearly Rent or Sum of Four Hundred and Fifty Pounds, payable Half-yearly, as therein mentioned; and the said *John William Spicer* is seized thereof accordingly; And whereas the said Messuages, Tenements, Grounds, and Hereditaments comprised in the Schedule to this Act, being Parcel of the said Estate so demised by the said Will, are, from their advantageous Situation, capable of great Improvement, and such Improvement would be encouraged and likely to take place if the same Messuages, Tenements, Ground, and Hereditaments, could be granted for long Terms of Years on building, repairing, and improving Leases, and the said *John William Spicer*, *William Frederick Spicer*, *William Henry Spicer*, the Nephews, Tenants for Life under the said Will, and *William Francis Spicer*, the Heir at Law of the said *Richard Spicer* the Testator, are willing and desirous that such Leases shall be granted; but inasmuch as by reason of the Limitations in strict Settlement contained in the Will of the said *Richard Spicer* the Testator, no absolute and permanent Leases can be made without the Aid and Authority of Parliament: May it please Your Majesty, on the humble Petition of the said *John William Spicer*, *William Frederick Spicer*, and *William Henry Spicer*, That it may be enacted; and be it 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 Parliament assembled, and by the Authority of the same, That it shall be lawful for the said *John William Spicer*, during his Life, and after his Death, and during the Life of the said *Frances Octavia de la Motte*, to and for the Executors, Administrators, and Assigns, of the said *John William Spicer*, and after the Death of the Survivor of the said *Frances Octavia De la Motte*, and *John William Spicer*, to and for the Person or Persons who for the Time being and from Time to Time, shall be in the actual Possession, or in the Receipt of the Rents and Profits of the said Messuages, Tenements, Ground, and Hereditaments, comprised in the Schedule to this Act, by Virtue of the Limitations contained in the Will of the said *Richard Spicer* the Testator, in case such Person or Persons shall be of the Age of Twenty-one Years, and to and for the Guardian or Guardians for the Time being of such

Settlement of  
Premises spe-  
cified in Sched-  
ule.

such Person or Persons respectively while a Minor or Minors, by Indenture sealed and delivered by him or them respectively in the Presence of and attested by Two or more credible Witnesses, to demise or lease all or any Part or Parts of the Messuages, Tenements, Ground and Hereditaments, devised by the Will of the said *Richard Spicer* the Testator, and which are particularly mentioned in the Schedule to this present Act, with their Appurtenances, unto any Person or Persons who shall be willing and shall covenant and agree to improve the same, by erecting or building thereon any new House or Houses, Erections, or Buildings, or to rebuild or repair any of the Messuages or Tenements, Erections and Buildings whatsoever, which now are or hereafter shall be on the Scite of the same Hereditaments, or any Part thereof, or to expend such Sums of Money in the Improvement thereof respectively, as shall be thought adequate for the Interest therein respectively, to be parted with, with or without Liberty for the Lessee or Lessees to take down all or any Part or Parts of any Buildings which may be standing upon the Premises, in any such Lease or Leases respectively to be comprised, and to convert and dispose of the Materials thereof to such Uses and Purposes as shall be therein mentioned and agreed upon; and also to lay out and appropriate any Part of the Premises to be comprised in such Lease or Leases as and for a Yard or Yards, Garden or Gardens, to any Building or Buildings built or to be built upon the Premises, or as and for a Way or Ways, Street or Streets, Road or Roads, Avenue or Avenues, Passage or Passages, Sewer or Sewers, for the Use and Convenience of the Lessee or Lessees, or other Tenants or Occupiers of the Premises, in such Manner as shall be mentioned and agreed upon in such Lease or Demise, together with such Privileges and other Easements as shall by the said *John William Spicer*, or any other the Person or Persons executing such Lease, be deemed reasonable or convenient, so as each such Lease shall be for a Term or Number of Years not exceeding Ninety-nine Years, to take Effect either in Possession or immediately after the Determination of the subsisting Lease for the Time being of the same Hereditaments respectively, and so that the subsisting and reversionary Terms do not together exceed the Term of Ninety-nine Years, to be computed from the Time of making such First Lease or Leases respectively; and so as no reversionary Lease shall be granted to any other Person or Persons than the then Tenant or Tenants under the subsisting Lease or Leases; and so as there be reserved in and by such Leases or Demises respectively the best and most improved yearly Rent that can be reasonably had or gotten for the same Leases respectively, at the Time of executing the same Leases, the same Rents to be made payable Half-yearly, or oftener, free from all Deductions whatsoever (Regard being had to the Value of the Buildings (if any) to be comprised in such Demises or Leases), without taking any Fine, Premium, or Foregift, or any Thing in the Nature thereof, for the making such respective Leases or Demises; and so as there be contained in such Demises or Leases respectively, Covenants from the respective Lessees to pay the Rents reserved by the Leases granted to them respectively, and to build and keep in Repair the Messuages, Erections, and Buildings, which may have been or may be agreed to be erected and built on the Premises, or may be built or building thereon at the Time of the Execution of such Lease or Leases and to surrender and leave in Repair the Messuages, Erections, and Buildings to be erected and built upon the Premises thereby respectively to be leased at the End of the Term or Terms in such Leases to be granted; and so

so that there be also contained in such Leases or Demises or Grants respectively Conditions of Re-entry for Non-payment of the Rent to be thereby reserved, for a Time not exceeding Three Calendar Months, to be limited in such Leases respectively; and so as the respective Lessees shall severally execute and deliver to the Lessors Counterparts of their respective Leases.

II. Saving always to the King's most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the said *John William Spicer*, *William Frederick Spicer*, *William Henry Spicer*, the Nephews respectively, and the Executors, Administrators, and Assigns, of the said *John William Spicer*, and the first and other Sons of the said *John William Spicer*, *William Frederick Spicer*, and *William Henry Spicer*, the Nephews respectively, and the Heirs Males of the Bodies of the same first and other Sons respectively, and to the said *William Francis Spicer*, his Heirs and Assigns,) all the Estate, Right, Title, Interest, Claim, and Demand, whatsoever, of, in, to, or out of the Premises comprized in the said Will of the said *Richard Spicer* the Testator, and in the Schedule to this Act, which 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 made. General Saving.

III. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof so printed shall be admitted as Evidence thereof by all Judges, Justices, and others. Evidence.

## The SCHEDULE herein-before referred to.

	Rents reserved by the subsisting Leases.			Annual Value.		
	£.	s.	d.	£.	s.	d.
A. A Messuage, with the Appurtenances, in the Tenure or Occupation of Thomas Ashley.	46	13	4	650	0	0
A Six Acres and Half of Garden Ground, also in the Tenure or Occupation of Thomas Ashley.						
All the old Leases expire at Midsummer 1808.						
A. A Messuage or Tenement called the Artichoke, with the Appurtenances, now in the Possession of Messrs. Clowes, Newberry, Madox, and Company, Brewers.	60	0	0	140	0	0
A. A Messuage, with the Appurtenances, in the Occupation of William Gould.						
A Messuage, with the Appurtenances, now or late in the Tenure or Occupation of Lawrence Calverley.	30	0	0	75	0	0
A. A Messuage, with the Appurtenances, called by the Name of the Rose and Crown, together with the Three Messuages thereunto adjoining, with their Appurtenances, which said Four last mentioned Messuages are now in the Tenure or Occupation of William Holcombe, his Undertenant or Undertenants.						
All that other Messuage on the South Side of Bull-Head Court, near Newington Causeway, together with the Yard and Garden enclosed and fronting the same; and also the Shed or Sheds adjoining on the North End of the said Messuage or Tenement and Premises, now in the Possession of William Fawcitt or his Undertenants.	25	0	0	60	0	0
A. Also Seven small Messuages which have been erected on the North Side and East End of the said last mentioned Yard and Garden, with the Appurtenances, and now or lately in the Possession of J. Bridgeman, Charles Cox, William Cole, John Morris, William Ragen, William Jones, and John Arding, as Undertenants to the said William Fawcitt.						
B. Also a Messuage with the Two Gardens thereto adjoining and belonging, now in the Possession of Elizabeth Bennett, Widow.	18	0	0	36	0	0
Also a Messuage with the Appurtenances, with the Shop or Shed adjoining to, and in front of the said Messuage, and a small Yard or Garden behind the same, now in the Possession or Occupation of James Leavers.						
Also a Messuage now in the Possession of Ellis Bearckley.						
Also Three Rooms or Apartments over the back Part of the Messuage, and now converted into and forming						

		Rents reserved by the subsisting Leases.			Annual Value.		
		£.	s.	d.	£.	s.	d.
A.	Part of the present Dwelling House of the said James Leavers.	37	16	0	120	0	0
	Also Two Wooden Sheds situate behind, adjoining Eastward on a Railing or Gateway, late of the said Edward Bennett, but now of the Widow Bennett.						
	Also Two Messuages, now in the Possession of James Hams and James Hams the younger, as Undertenants to the said James Leavers.						
	Also Two Wooden Sheds or Buildings nearly adjoining to the last-mentioned Messuages.						
B.	Also a Messuage with the Appurtenances, now in the Tenure or Occupation of Benjamin Noakes, his Tenants or Undertenants.	18	0	0	40	0	0
	Also a Plot of Ground and Stable thereon, or on Part thereof, now in the Tenure or Possession of the said Benjamin Noakes, his Undertenant or Undertenants.						
B.	Also a Plot of Ground now in the Tenure or Possession of the Representatives or Devisees of Richard Hollyer, deceased, their Undertenant or Undertenants.	A Pepper Corn.			15	0	0
All which Messuages and Hereditaments are situate in the Parish of Saint Mary, Newington, in the County of Surrey.		235	9	4	1136	0	0

Mr. Gubbins speaks to parts (A.)  
Mr. Sarel to (B.)

*James Gubbins.*  
*Andrew Lovering Sarel.*

