

**CHAPTER xciii.**

An Act to provide for the winding up and dissolution of the Guild of Literature and Art and for other purposes. A.D. 1897.

[15th July 1897.]

WHEREAS an Act was passed in the year 1854 (herein-after called "the Act of 1854") entitled "An Act to incorporate the Guild of Literature and Art and to enable it to hold lands":

And whereas the Act of 1854 recited inter alia that an association had been formed under the name of "The Guild of Literature and Art" for the purpose Firstly of aiding those of its members who follow literature or the fine arts as a profession to obtain and continue insurances upon their lives Secondly for the purpose of establishing a provident sickness fund for such members and Thirdly for the purpose of providing dwellings for the benefit of its members and of granting annuities to its members and their widows and the Act of 1854 also recited that in furtherance of these purposes a fund had been raised by voluntary contributions and that Sir Edward George Earle Lytton Bulwer Lytton of Knebworth in the county of Hertford Baronet had offered and was then willing to endow the said association so soon as it could legally accept and hold the same with a piece of land for the erection of the dwellings so contemplated as aforesaid with suitable pleasure ground attached thereto:

And whereas the Act of 1854 further recited that for the reasons therein assigned the said association could not effectually carry into execution the laudable purposes aforesaid unless by the aid of Parliament:

And whereas under the provisions of the Act of 1854 the Most Noble William Spencer Duke of Devonshire K.G. the Right Honourable Granville George Earl Granville the said Sir Edward George Earle Lytton Bulwer Lytton Sir Charles Lock Eastlake Knight President of the Royal Academy Charles Dickens John Forster Barrister-at-Law and Charles Knight together with all persons who were at the time of the passing of the Act or for the

A.D. 1897. time being might be members of the said association were declared to be one body politic and corporate for the purposes aforesaid by the name of "The Guild of Literature and Art" (herein-after called "the Guild") and by that name should have perpetual succession and might sue and be sued and do all lawful acts for the promotion of the objects above mentioned subject to the provisions of the Act of 1854 and to the byelaws of the Guild for the time being and by the sixth section of the Act of 1854 the Guild were empowered to sell their lands and property but it was provided that nothing therein contained should enable the Guild to sell grant and demise surrender exchange assign or dispose of the land then intended to be granted to them by the said Sir Edward George Earle Lytton Bulwer Lytton or any additions thereto and the residences to be erected thereon and any lands which were or might be assigned by the Guild for the accommodation exercise or recreation of the members of the Guild or which were or might be given to the Guild :

And whereas by the Act of 1854 the said William Spencer Duke of Devonshire Granville George Earl Granville and Gilbert Abbot A'Becket John Absolon Thomas Oldham Barlow Robert Bell William Wilkie Collins Dudley Costello and Charles Dickens Peter Cunningham a Fellow of the Society of Antiquaries of London the said Sir Charles Lock Eastlake Knight Augustus Egg Associate of the Royal Academy John Forster and Thomas Grieve Charles Knight Austen Henry Layard and Mark Lemon Patrick Macdowell Royal Academician Richard Owen Fellow of the Royal Society Clarkson Stanfield Royal Academician Frank Stone Associate of the Royal Academy William Telbin Sir James Emerson Tennant Knight John Tenniel Frederick William Topham and William Henry Wills were appointed the council of the Guild to whom and to their successors should be confided the absolute management and control of the Guild and of the funds and property thereof and it was declared that the said council and their successors should be empowered to do all acts which they might deem expedient for the furthering of the purposes of the Guild subject to the provisions of the Act of 1854 and to the byelaws for the time being :

And whereas by deed dated the fifteenth day of September one thousand eight hundred and sixty-three the said Edward George Earle Lytton Bulwer Lytton (afterwards raised to the peerage by the title of Baron Lytton and herein-after called "Lord Lytton") granted and conveyed to the Guild a piece of freehold land containing about two acres situate at Stevenage in the county of

Hertford subject to the condition that it should be lawful for Lord Lytton and his heirs to re-enter upon the said piece of land and repossess the same in case of the Guild alienating the same or any part thereof or using the same except for the purposes therein mentioned or letting the same otherwise than to the members of the Guild and the Guild caused to be built on such land dwelling-houses now two in number which with the consent of the late Earl of Lytton (herein-after mentioned) were and are now let to yearly tenants not being members of the Guild at rents payable to the Guild and in addition to the ownership of the aforesaid land and houses the Guild is possessed of the sum of two thousand one hundred and twelve pounds sixteen shillings invested in two and three quarters per cent. consolidated stock together with the sum of thirty-one pounds thirteen shillings and ninepence in cash now standing to their account with Messrs. Coutts and Company the bankers to the Guild :

And whereas during the Session of 1896 the council of the Guild authorised the promotion of a Bill in Parliament for the purposes herein-after mentioned and such council then consisted of three members namely Sir John R. Robinson Knight and Frederick Clifford one of Her Majesty's counsel and Charles Dickens :

And whereas the said Charles Dickens has since died and for several years the number of members of the Guild has gradually decreased and no new members have been elected nor have any subscriptions or donations been received by the Guild and it has now no annuitants nor as herein-before stated do any of its members reside in the said dwelling-houses but grants have from time to time been made by the council to necessitous members in pursuance of the objects herein-before mentioned or some of them :

And whereas it has under these circumstances been found to be impossible to carry out the purposes for which the Guild was incorporated and it is therefore expedient that the Act of 1854 should be repealed and that the Guild should be dissolved and provision made to the effect herein-after expressed for the disposal of its property and assets :

And whereas the Society for the Management and Distribution of the Literary Fund commonly called the Royal Literary Fund by which name they are herein-after referred to was incorporated by Royal Charter dated the nineteenth day of May in the year one thousand eight hundred and eighteen for the purposes of protecting and relieving persons of genius and learning and their families who shall be in want and distress with perpetual succession and a common seal and power to hold land :

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And whereas the Artists' General Benevolent Institution was incorporated by Royal Charter dated the thirtieth day of June in the year one thousand eight hundred and forty-two for the purpose of relieving distressed and meritorious artists whose works have been generally known and esteemed by the public as well as their widows and orphans with perpetual succession and a common seal and power to hold land :

And whereas with a view to carry out more effectually the charitable objects for which the Guild was formed and incorporated the council desire with the assent of the remaining members of the Guild and after payment of its debts and liabilities to divide the moneys of the Guild in equal moieties between the said Royal Literary Fund and Artists' General Benevolent Institution and also to transfer to these two bodies jointly or severally as in this Act provided the said land and houses belonging to the Guild subject as herein-after mentioned :

And whereas at a general meeting of the members of the Guild held on the seventh day of December one thousand eight hundred and ninety-six a resolution for the dissolution of the Guild and for the division of its property and assets was unanimously adopted and a further resolution was also unanimously adopted sanctioning and approving the promotion by the council of the Bill for this Act :

And whereas Lord Lytton by his will dated the twenty-fifth day of November one thousand eight hundred and sixty-nine (which was proved on the fourth day of March one thousand eight hundred and seventy-three in the principal registry of Her Majesty's Court of Probate) gave his residuary estate to his son Edward Robert (therein called Robert Edward) who on the said testator's death became Baron Lytton and was afterwards created Earl of Lytton :

And whereas the said Earl of Lytton by his will dated the twelfth day of February one thousand eight hundred and eighty-six (which was on the twenty-seventh day of February one thousand eight hundred and ninety-two proved in the principal registry of the Probate Division of the High Court of Justice) gave all his residuary estate to his wife Edith Countess of Lytton and Charles William Earle upon trust for sale and conversion into money and (subject to providing certain moneys for the persons and purposes therein mentioned) to hold the proceeds upon trust for such of his sons as should at his death become tenant in tail in possession of the estates at Knebworth settled by the will and codicils of his (the testator's) late grandmother (meaning thereby the late Elizabeth Barbara Bulwer Lytton) and should attain the age of twenty-one years :

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And whereas the said estates at Knebworth consist of a house called Knebworth House and divers lands and under the will dated the twenty-first day of July one thousand eight hundred and forty of the said Elizabeth Barbara Bulwer Lytton (which was proved on the fourteenth day of February one thousand eight hundred and forty-four in the Prerogative Court of Canterbury) the Right Honourable Victor Alexander George Robert Earl of Lytton (who was the eldest son of the said Edward Robert first Earl of Lytton) is now tenant in tail in possession of such house and lands and he is an infant having been born on the ninth day of August one thousand eight hundred and seventy-six :

And whereas the land comprised in the said conveyance of the fifteenth day of September one thousand eight hundred and sixty-three is in proximity to and adjoins part of the said lands so settled by the will of the said Elizabeth Barbara Bulwer Lytton as aforesaid :

And whereas the trustees under the said will of the late Earl of Lytton have assented to the transfer as herein proposed of the land granted to the Guild by their predecessor in title and of the houses so as aforesaid built thereon :

And whereas the said two societies agree to take over and to hold the property and assets of the Guild as in this Act provided and with a view thereto it is expedient that each of such societies should have power to hold subject to the provisions of this Act the land granted to the Guild as aforesaid :

And whereas the purposes aforesaid cannot be carried out 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 :—

1. This Act may be cited as the Guild of Literature and Art (Dissolution) Act 1897. Short title.

2. All sums of money stocks funds and other securities together with all dividends due or accruing thereon of or to which the Guild was possessed or otherwise entitled shall immediately upon the passing of this Act but after deducting the debts and liabilities of the Guild including therein the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act be transferred as nearly as may be in equal moieties to the said Royal Literary Fund and the said Artists' General Benevolent Institution Transfer of property of Guild.

A.D. 1897. — and shall vest in them respectively and may be applied by the governing bodies of these societies to the general purposes for which they were established.

Power to
Guild to
assign or sell
real estate.

3. The council of the Guild may grant demise assign and dispose of to the said Royal Literary Fund and the said Artists' General Benevolent Institution in such manner as shall be agreed among the three said parties to such arrangement or may transfer to trustees for the joint benefit of the said two societies the land granted to the Guild by Lord Lytton and the dwelling-houses erected thereon and the Guild is hereby empowered to do and execute all such acts deeds and assurances as shall be necessary for effecting and completing any such grant demise assignment or disposition or any such transfer of personal estate as is provided for in the preceding section Provided always that at any time within twenty-one years after the passing of this Act the said Right Honourable Victor Alexander George Robert Earl of Lytton (if of full age) or the person or persons for the time being entitled whether beneficially or as trustee or trustees to the possession or receipt of the rents of Knebworth House aforesaid and the lands for the time being held therewith shall have and may exercise a right to purchase the said land and houses upon terms to be agreed between him or them and the said two societies or to be settled in case of difference between the parties by arbitration under the Lands Clauses Acts Provided also that nothing herein contained shall enable the said two societies or either of them or any trustees jointly or severally appointed by them for the purposes aforesaid to sell grant demise assign or dispose of the said land or of any part thereof or of the said dwelling-houses or either of them without the written consent of the person or persons for the time being entitled to possession or receipt of the rents of Knebworth House aforesaid and the lands held therewith.

Saving of
rights of the
Earl of
Lytton's
trustees.

4. Nothing in this Act contained shall derogate from or restrict the rights (if any) of the trustees of the Earl of Lytton or their successor or successors in title as defined by the said deed of the fifteenth day of September one thousand eight hundred and sixty-three.

Indemnity
to persons
under dis-
ability con-
sented to
Bill.

5. Trustees and all other persons in any representative or fiduciary capacity who have assented bonâ fide to the Bill for this Act are hereby indemnified and saved harmless against all claims of any person by reason of such assent having been given by them or any of them and no claim for loss or damage of any kind shall be competent to any person against any such trustees or other persons under disability in respect of such assent so given by them.

- 6.** It shall be lawful for the Royal Literary Fund and the Artists' General Benevolent Institution subject to such stipulations and conditions as to the contracting parties may seem fit to accept from the Guild the grant and gift of the land and houses herein-before mentioned or to appoint trustees to hold the same on their joint behalf or otherwise and the governing bodies of the two said institutions or any trustees representing them as aforesaid may hold use and enjoy such land and houses and apply the proceeds thereof in equal moieties to the purposes of their respective institutions and from time to time may also sell grant demise surrender exchange assign and dispose of the said land and houses or any part thereof (subject as in this Act provided) and for that purpose may do and execute all such acts deeds and assurances as shall be necessary for the effecting and completion of any such grant surrender demise exchange assignment or disposition.
- 7.** All persons who immediately before the passing of this Act were members of the Guild shall immediately on the passing of this Act if literary members be accepted as members of and become eligible for relief from the said Royal Literary Fund and in like manner shall if artists be accepted as members of and become eligible for relief from the Artists' General Benevolent Institution.
- 8.** Forthwith after the passing of this Act the council shall proceed to wind up the affairs of the Guild and shall pay satisfy and discharge all the debts and liabilities of the Guild.
- 9.** When all the debts and liabilities of the Guild are paid and discharged and the property and assets of the Guild are duly transferred and its affairs wound up as herein-before provided the council of the Guild and their predecessors in office shall be relieved and discharged from all duties and obligations incumbent upon them under the Act of 1854 and shall not be liable for any acts done or omitted to be done in performing the same and the Guild shall be by this Act dissolved and shall thenceforth cease to exist and the Act of 1854 shall be and is by this Act repealed.
- 10.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid out of the property and funds of the Guild.

A.D. 1897.
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Power to
Royal
Literary
Fund and
Artists'
General
Benevolent
Institution
to hold cer-
tain land &c.

Members of
the Guild
to become
members of
the two
societies.

Winding up
of Guild.

Dissolution
of Guild.

Costs of Act.

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