

ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

Cap. 20.

An-Act to enable the Mayor and Commonalty and Citizens of the City of London to jet and sell Parcels of Ground in Saint George's Fields near Bethlem Hospital to the Governors of the said Hospital.

[1st July 1839.]

HEREAS Bethlem Hospital in Saint George's Fields was erected on Land in the Parish of Saint George the Martyr in the County of Surrey, which, in pursuance of an Act of Parliament made in the Fiftieth Year of the Reign of King George the Third, intituled An Act for vesting the Lease of the Governors 50 G.3.c.198. of Bethlem Hospital in the Scite of the Hospital in the Mayor and Commonalty and Citizens of the City of London, by whom it was granted; and for authorizing the said Mayor and Commonalty and Citizens to grant certain Lands in Saint George's Fields in lieu thereof, to Trustees for the Governors of the said Hospital, for the like Term, for the Purpose of erecting a new Hospital thereon on an enlarged Scale, was demised by the Mayor and Commonalty and Citizens of the City of London, by an Indenture bearing Date the Eleventh Day of July One thousand eight hundred and ten, to Sir Richard Carr Glyn Baronet, then one of the Aldermen of the said City of London, and President of the said Hospital, and Richard Clark Esquire, then [Private.]

then Chamberlain of the said City of London, and Treasurer of the said Hospital, for the Term of Eight hundred and sixty-five Years, to be computed from the Feast Day of Saint Michael the Archangel then last past, at the yearly Rent of One Shilling, in Trust for the Governors for the Time being of the said Hospital, and for the Purposes of the said Hospital: And whereas the Roads in Saint George's Fields in front of the said Hospital have been altered by the Trustees of the Surrey New Roads, acting in the Execution of an Act of Parliament made in the Third Year of the Reign of King George the 3 G.4.c. 112. Fourth, intituled An Act for more effectually amending certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey; and for watching, lighting, and otherwise improving the said Roads, and the Road in front of the said Hospital, and which Road leads from Lambeth to Newington, and is called "Saint George's Road," has been removed to a greater Distance from the said Hospital; and for effecting the said Alterations of the said Roads the Trustees of the said Roads, by virtue of Acts of Parliament, one of them made in the said Third Year of the Reign of King George the Fourth, intituled 3 G. 4. c. 126. An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, and the other of them made in the Fourth Year of the Reign of King George the 4 G. 4. c. 95. Fourth, intituled An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, gave up to the said Mayor and Commonalty and Citizens, the Owners of the adjoining Lands and Hereditaments, Pieces of Ground, being the Parts which were discontinued or stopped up of the old Road which was in front of the said Hospital, and of other Roads which communicated therewith, and granted and released the same to the said Mayor and Commonalty and Citizens by a Deed Poll under the Hands and Seals of

Seven of the said Trustees, bearing Date the Tenth Day of May One thousand eight hundred and thirty-eight, in lieu of other Pieces of Land now forming Part of the said Roads which the said Mayor and Commonalty and Citizens were seised of as Part of the Bridge House Estates of the said City of London, and which were conveyed to the said Trustees by a Deed Poll under the Common Seal of the said Mayor and Commonalty and Citizens, bearing Date the same Tenth Day of May One thousand eight hundred and thirty-eight: And whereas in consequence of the said Alteration of the said Roads the Approach to the said Hospital is over the Piece or Parcel of Land between the Land demised by the said Indenture of the Eleventh Day of July One thousand eight hundred and ten and the said present Road called "Lambeth Road" or "Saint George's Road," which Piece or Parcel of Land consists partly of Parts of the said old Roads discontinued and stopped up, and granted and released as aforesaid, and partly of Land situated between the same and the said present Road, and which is Part of the said Bridge House Estates, and which Piece or Parcel of Land contains altogether Two Acres Two Roods and Three and a Half Perches, and is described in the First Schedule to this Act annexed: And whereas the said Mayor and Commonalty and Citizens are willing to let the said Piece

Piece or Parcel of Ground to the Governors of the said Hospital at the yearly Rent of Five Shillings, in consideration of the Sum of Three hundred Pounds, to be applied towards defraying the Costs incurred by the said Mayor and Commonalty and Citizens in and about the said Alteration of the said Roads; and the Governors of the said Hospital are desirous that the said Piece or Parcel of Land should be demised to them for a Term of the like Duration as the Term for which, by virtue of the said Indenture of the Eleventh Day of July One thousand eight hundred and ten, they now hold the said Hospital and the Lands belonging thereto, and to which the said Piece or Parcel of Land adjoins and is annexed, and the said Mayor and Commonalty and Citizens are willing to make such Demise, if they are authorized so to do: And whereas the Bridge House Estates of the City of London, of which the said Piece or Parcel of Land forms Part, are vested in the Mayor and Commonalty and Citizens of the said City, as Trustees for maintaining and repairing London Bridge, and by virtue of the Acts of Parliament herein-after mentioned, (that is to say,) an Act made in the Fourth Year of the Reign of King George the Fourth, intituled An Act for the rebuilding of London 4 G. 4. c. 50. Bridge, and for improving and making suitable Approaches thereto, another Act made in the Seventh Year of the Reign of King George the Fourth, intituled An Act to authorize the Lords Commissioners of His 7 G. 4. c. 40. Majesty's Treasury to advance Money out of the Consolidated Fund towards the Expences of rebuilding London Bridge, and another Act made in the Third and Fourth Years of the Reign of His late Majesty King William the Fourth, intituled An Act for raising a Sum of Money 3 & 4 W. 4. for the Repair of Blackfriars Bridge, the surplus Rents and Profits of c. 118. the said Estates, after Payment of the Expences of London Bridge and of the Repairs thereof, and of lighting and watching the same, and all other Expences in anywise relating thereto, are charged with the Payment of large Sums of Money borrowed and raised for rebuilding and repairing London Bridge and Blackfriars Bridge, and the Interest thereof: And whereas a Piece of Ground immediately opposite to the Front of the said Hospital, on the opposite Side of the said present Lambeth Road or Saint George's Road, and which Piece of Ground is also Part of the said Bridge House Estates, and a small Part whereof formed Part of an old Road stopped up and discontinued, and was granted and released by the said Trustees as aforesaid, has for some Time been offered to be let on Building Leases, and One House has been erected on the West Corner thereof, and which Piece of Ground is described in the Second Schedule to this Act annexed: And whereas the Governors of the said Hospital, being desirous to prevent the said Piece of Ground or any Part thereof from being appropriated to Purposes which might interfere with the Cure or Comfort of the Patients committed to their Charge, have requested the said Mayor and Commonalty and Citizens to sell to them the Fee Simple of the said Ground, subject to any Leases which may have been granted thereof, the Rents reserved in which Leases shall accrue to the said Governors from and after the Conveyance of the said Piece of Ground, and are willing to pay the Sum of Six thousand five hundred Pounds for the Purchase thereof, and also to pay all Expences relating to the Sale thereof, and the said Mayor . and Commonalty and Citizens believe that it would be advantageous

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to sell the same for such Price or Sum of Six thousand five hundred Pounds, if they were authorized so to do: Wherefore Your Majesty's most dutiful and loyal Subjects the said Mayor and Commonalty and Citizens of the City of London, and the said Mayor and Commonalty, and Citizens, Masters, Guardians, and Governors of the said Hospital called Bethlem, do most humbly beseech 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 The Land in assembled, and by the Authority of the same, That the said Mayor and Commonalty and Citizens of the said City of London, or their Successors, shall and they are hereby directed and required, within scribed in the Six Calendar Months next after the passing of this Act, at the Costs and Charges of the said Governors of the said Hospital, upon Payment by the said Governors of the Sum of Three hundred Pounds, to demise and lease unto such Persons as the said Govenors shall name in that Behalf, in Trust for the Governors of the said Hospital for the Time being, the said Piece or Parcel of Ground situated, Governors of lying, and being in Saint George's Fields aforesaid, described in the First Schedule to this Act annexed, with their Appurtenances, for the Term of Eight hundred and thirty-six Years, to be computed from the Feast of Saint Michael the Archangel now last past (being equal to the Residue now to come and unexpired of the said Term of Eight hundred and sixty-five Years), at and under the yearly Rent of Five Shillings.

and to be used as an entrance Ground.

II. And be it further enacted, That in the Lease so to be granted, there shall be contained a Covenant by the said Governors of the said Hospital, or the Lessees therein to be named, with the said Mayor and Commonalty and Citizens, and their Successors, that for and during the whole Term of Eight hundred and thirty-six Years the said Land shall be used, kept, and maintained as an Entrance Road to the said Hospital and Garden, or ornamental Plantation only; and that the Governors or Trustees shall not, nor shall any Person claiming under them, erect or build any House or other Building upon any Part thereof, except a Lodge at the Entrance thereof; and in the said Lease there shall be contained a Proviso for Re-entry, by the said Mayor and Commonalty and Citizens, or their Successors, into the said Land demised, in case the said Covenant shall not be fully observed.

Receipts of the Bridgemasters to be effectual Discharges.

III. And be it further enacted, That the Receipt or Receipts of the Wardens or Keepers of London Bridge for the said Sum of Three hundred Pounds shall be a sufficient and effectual Discharge or sufficient and effectual Discharges for the Money in such Receipt or Receipts expressed or acknowledged to be received; and the Governors, or Person or Persons to whom the same respectively shall be given, shall not afterwards be answerable or accountable for the Misapplication or Nonapplication of the Money in such Receipt or Receipts expressed or acknowledged to be received.

Corporation, upon Payment of the

IV. And be it further enacted, That the said Mayor and Commonalty and Citizens shall and they are hereby empowered and required,

required, at any Time after the passing of this Act, at the Request, Purchase Costs, and Charges of the said Governors of the said Hospital, and Money into upon Payment of the Sum of Six thousand five hundred Pounds into the Bank, to the Bank of England in manner herein-after directed, to convey and assure the said Ground described in the Second Schedule to this Act the Goannexed, and the Fee Simple and Inheritance thereof, free from all vernors. Incumbrances, with the Appurtenances, to such Persons as the said Governors shall name in that Behalf, in Trust for the said Governors of the said Hospital for the Time being, freed and absolutely discharged of and from all the Trusts, Charges, and Incumbrances to which the same would otherwise have remained subject.

convey to Trustees for

V. And be it further enacted, That the Sum of Six thousand five Application hundred Pounds to be paid for the Purchase of the said Ground shall, of Purchase before the Execution of such Conveyance as aforesaid, be paid by Money. the said Governors into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, ex parte the Purchasers of a Part of the Bridge House Estates of the City of London, pursuant to the Method prescribed by an Act passed in the First Year of the Reign 1 G. 4. c. 35. of His Majesty King George the Fourth, intituled An Act for the better securing Monies and Effects paid into the Court, of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, without Fee or Reward; and at any Time or Times after such Monies shall have been paid in as aforesaid the same or any Part thereof shall be laid out, under the Direction of the said Court of Exchequer, (to be obtained upon Petition to be preferred by the said Mayor and Commonalty and Citizens in a summary Way,) in the Purchase of other Ground, Land, Tenements, and Hereditaments, (being Freehold of Inheritance,) to be vested in the said Mayor and Commonalty and Citizens as Part of the Bridge House Estates of the said City of London.

VI. And be it further enacted, That the Certificate or Certificates Accountant General and of the said Accountant General, together with the Receipt or Receipts Receipt of of one of the Cashiers of the said Bank of England, (to be thereunto Cashier of annexed and therewith filed in the Office of the Queen's Remembrancer,) shall from Time to Time be good and effectual Discharges for be Discharges such Monies as shall be paid into the Bank of England as aforesaid; Purchase and the Person and Persons to whom such Receipts and Certificates Monies. respectively shall be given, his, her and their respective Heirs, Executors, Administrators, and Assigns, shall not afterwards be accountable for any Misapplication or Nonapplication of such Monies respectively, or of any Part thereof.

Certificate of the Bank to

VII. And be it further enacted, That the said Sum of Money which shall be paid into the Bank of England as aforesaid shall from Exchequer Time to Time be laid out, under the Direction of the said Court Bills. of Exchequer, in the Purchase of Exchequer Bills, and the Interest arising from the Money so laid out in the said Exchequer Bills, and the Money received for the same as they shall be respectively paid [Private.] off

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Purchase Money to be laid out in

Courts of Exchequer may make Orders for exchanging Bills.

off by Government, shall be laid out in the Name of the Accountant General in the Purchase of other Exchequer Bills: Provided always, that it shall be lawful for the said Court of Exchequer to make such General Order or Orders, or Special Order or Orders, if necessary, whenever the Exchequer Bills of the Date of those in the Hands of the said Accountant General shall be in the Course of Payment by Government, and new Exchequer Bills may be received in Exchange for those which are so in the Course of Payment, as shall be effectual for enabling such Receipt in exchange, and that in that event the Interest of the new Bills shall be laid out as before directed with respect to the Interest of the old Bills which are paid off; all which said Exchequer Bills respectively, whether purchased or exchanged, shall be deposited in the Bank of England in the Name of the said Accountant General, and shall there remain until the same shall, in a summary Way, by or on behalf of the said Mayor and Commonalty and Citizens as aforesaid, be ordered to be sold by the said Accountant General, and to be applied in the Manner and for the Purposes herein-before mentioned.

Costs of the Act and Purchases to be paid by the Gothe Court of Exchequer to tax the Costs.

VIII. And be it further enacted, That all Costs, Charges, and Expences incident to and to be incurred in passing this Act, or in anywise relating thereto, and also the reasonable Expences of all Purchases to be made in pursuance of this Act, under the vernors, and Direction and with the Approbation of the said Court of Exchequer as aforesaid, shall be paid by the said Governors; and that it shall be lawful for the said Court of Exchequer, and the said Court is hereby required, from Time to Time, on the Petition of the said Mayor and Commonalty and Citizens, to make such Orders as the Court shall think fit for allowing, taxing, and settling all Costs, Charges, and Expences touching the several Matters herein-before provided for.

Power to grant Building Leases of the Ground Schedule, Leases.

IX. And be it further enacted, That from and after the said Ground described in the said Second Schedule shall have been conveyed to such Persons as the said Governors shall name in that Behalf as in the Second aforesaid, it shall be lawful for such Persons, their Heirs and Assigns, from Time to Time, by the Direction of the said Governors for the and Repairing Time being, by Indenture or Indentures, sealed and delivered by such Persons, their Heirs and Assigns, and also sealed with the Common Seal of the said Hospital, to lease or demise all or any Part or Parts of the said Ground to be conveyed as aforesaid in the said Second Schedule described, together with all Easements and Appurtenances belonging to any such Premises, or convenient to be held or occupied therewith, unto or for the Benefit of any Person or Persons, Body or Bodies Politic or Corporate, and his or their Successors, Executors, Administrators, and Assigns, for any long Term or Terms of Years not exceeding Ninety-nine Years, for the Purpose of building, erecting, making, or continuing and working, upon the Hereditaments so to be leased or demised, any House or Houses, Outhouses, Manufactories, Edifices, or Buildings, or making some other material Improvement of the same Hereditaments beyond the mere Reparation of the same, or for the Purpose of laying out any Plot or Plots, Quantity or Quantities, Parcel or Parcels of Ground, as or for any Road or Roads,

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Roads, Way or Ways, Street or Streets, Square or Squares, Passage or Passages, or otherwise, for the Use and Convenience of the Lessee or Lessees, Tenant or Tenants, Occupier or Occupiers of the said Here!ditaments, or as or for any Court or Courts, Yard or Yards, Garden or Gardens to be adjoining or belonging to any such House or Houses, Outhouses, Manufactories, Edifices, or Buildings, or for Purposes of Ornament, or for the Purpose of taking down and rebuilding any of the Messuages, Tenements, or Hereditaments which at any Time or Times hereafter shall be standing or being upon or on any Part of the said Ground and Hereditaments, and also to lease and demise all or any of the Messuages, Tenements, and Hereditaments which at any Time or Times hereafter shall be standing or being upon or on any Part of the said Ground to be conveyed as aforesaid, and described in the said Second Schedule, together with all Easements and Appurtenances belonging to any such Premises, or convenient to be held or occupied therewith, unto or for the Benefit of any Person or Persons, Body or Bodies Politic or Corporate, and his or their Successors, Executors, Administrators, and Assigns, for any Term or Terms of Years not exceeding Forty Years, for the Purpose of repairing any of the Messuages, Tenements, or Hereditaments which at any Time or Times hereafter shall be standing or being upon or on any Part of the said Ground and Hereditaments, so that there be reserved or limited and made payable, in and by each and every such Lease, the best and most improved yearly Rent or Rents that can or may be reasonably had or obtained for the same, under the Circumstances of the Case, without taking any Sum or Sums of Money or other Thing by way of Fine, Premium, or Foregift for or or in respect of any such Demise or Lease.

X. And be it further enacted, That it shall be lawful for the said Power to Governors, at any Time or Times after the passing of this Act, by contract to themselves, or by any Person or Persons on their Behalf, to enter grant such Leases. into any Contract or Contracts in Writing for making or granting any such Demise or Demises, Lease or Leases as aforesaid, and thereby to fix and determine the Rent or Rents to be reserved or made payable upon or in respect of such Demises or Leases (which Rent or Rents is or are to be the best and most improved yearly Rent or Rents that can be reasonably obtained for the said Premises at the Time of making such Contract or Contracts, without taking any Fine, Premium, or Foregift for the same as aforesaid), and the Mode of reserving and securing the same, and also the Periods of Payment thereof; and such Rent or Rents may be made to commence immediately, or after any Term not exceeding One Year from the Date of any such Contract or Contracts; and it shall be lawful for the said Governors to direct their Trustees for the Time being of the said Ground and Hereditaments to make or grant any Lease or Leases, pursuant to and in performance of such Contract or Contracts, according to the true Intent and Meaning thereof, notwithstanding that the Rent or Rents to be reserved or made payable pursuant to such Contract or Contracts may not at the Time of the Execution of such Lease or Leases be the best or most improved Rent or Rents for the Premises so leased: Provided always, that the Rent or Rents to be reserved or made payable upon or in respect

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of all and every such Lease and Leases as aforesaid shall be made payable clear of all Deductions whatsoever, and the Lessee or Lessees shall duly sign and deliver a Counterpart or Counterparts of such Lease or Leases, and thereby enter into Covenants for the due Payment of the Rent or Rents to be thereby respectively reserved or made payable, and to erect and build or repair (as the Case may be), and keep in repair, the House or Houses, Outhouses, Manufactories, Edifices, and Buildings, or other Improvements which may have been or may be intended and agreed to be erected, built, and made thereon or repaired (as the Case may be), or which may be built or building or repairing thereupon at the Time of the Execution of such Lease or Leases, and also to keep the Buildings insured against Loss or Damage by Fire to an Amount not less than Three Fourth Parts of the Value of such Buildings, and such other Covenants as shall be thought requisite and necessary for the Security of the said Rent or Rents, and of the Hereditaments out of which the same shall or may be reserved or made payable as aforesaid, and so as in every such Lease there shall be contained such Power of Entry, and Perception of Rents and Profits, for securing the Payment of the Rent or Rents to be thereby reserved or made payable, as the Lessors shall think proper and reasonable.

General Saving.

XI. 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, and their Heirs, Executors, Administrators, Successors, and Assigns, (except the said Mayor and Commonalty and Citizens, and their Successors, and the Person or Persons for the Time being entitled to the Benefit of the Trusts to which the said Bridge House Estates are subject or liable, and the Solicitor of Her Majesty's Treasury for the Time being, and the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, and all and every other Person or Persons who are entitled to any Charges or Incumbrances created or made on the Rents and Profits of the said Bridge House Estates, under the Powers of the Acts of Parliament herein-before mentioned, or any of them,) all such Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever, of, in, to, or out of the said Ground described in the said Schedules to this Act, or either of them, or any Part or Parts thereof, as they, or every or any of them, had before the passing of this Act, or could or might have had or held or enjoyed or been entitled to if this Act had not been made.

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

XII. And be it further enacted, That this Act 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.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

A Description of the Land, Parcel of the Bridge House Estates, lying immediately in front of Bethlem Hospital, and forming Part of the ornamental Ground or Garden there, being the Land formerly agreed to be demised to the Governors of Bethlem Hospital for a short Term of Years, and now intended to be demised for the whole remaining Term to come in the original Site of the Ground upon which the Hospital is erected; videlicet,

All that Piece or Parcel of ornamental Garden Ground lying immediately in front of the said Hospital in Saint George's Fields aforesaid, and containing by Admeasurement Two Acres Two Roods and Three Perches and One Half of another Perch, be the same Quantities little more or less; abutting on the South Side upon the and Hospital, and abutting on the East Side of the said ornamental Piece of Garden Ground upon a certain Road leading from an Inn called or known by the Name of "The Elephant and Castle," at Newington, to Westminster, and extending along the Line of the said Road Five hundred and thirty-three Feet Two Inches, be the same Quantities little more or less; and abutting on the West Side on a certain Road leading from the Road last mentioned to Lambeth, and extending along the Line of the said last-mentioned Road up to a Break or Turn at the End thereof Seven hundred and sixtyseven Feet Seven Inches, such Break or Turn comprising in addition thereto Ninety-three Feet Nine Inches, making in the whole Eight hundred and sixty-one Feet Four Inches, be the same Quantities little more or less; and abutting towards the North upon the Angle (rounded off) which is formed by the Junction of the said Two Roads, and containing in Admeasurement, from the Extremity of the said Angle (rounded off) in a direct Line towards the Wall in front of the East Wing of the said Hospital, Two hundred and thirtysix Feet Four Inches, be the same Quantities little more or less.

> Wm. Mountague. Sydney Smirke.

THE SECOND SCHEDULE.

A DESCRIPTION of the Land situate in front of Bethlem Hospital, and being on the opposite Side of the High Road running in front of the said Hospital, being Parcel of the Bridge House Estates agreed to be sold to the Governors of Bethlem Hospital in Fee; videlicet,

All that Piece or Parcel of Land, being of a triangular Form or Figure, and situate in Saint George's Fields in the Parish of Saint George the Martyr, Southwark, in the County of Surrey, containing by Admeasurement Two Acres One Rood and Nineteen Perches, be the same Quantities little more or less; abutting on the South Side upon a certain Roadway lying immediately in front of the ornamental Ground or Garden of the said Hospital, and extending along the Line of the said Roadway Five hundred and fifty-one Feet and Six Inches, be the same Quantities little more or less; and abutting on the East Side of the said triangular Piece of Land upon a certain other Roadway leading from the last-mentioned Roadway to the Westminster Road, and extending up to a Break or Turn at the North End thereof Three hundred and ninety-seven Feet, such Break or Turn comprising in addition thereto Thirty-eight Feet, making in the whole Four hundred and thirty-five Feet, be the same Quantities little more or less; and abutting upon the West Side of the said triangular Piece of Land upon a certain other Roadway leading from the said Roadway lying in front of Bethlem Hospital to the Westminster Road aforesaid, the said triangular Piece of Land extending in this Direction Four hundred and eighty-five Feet and Ten Inches, be the same Quantities little more or less.

Wm. Mountague.
Sydney Smirke.

London: Printed by George E. Eyre and Andrew Spottiswoode, Printers to the Queen's most Excellent Majesty. 1839.