



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. 2.

An Act for making Provision with respect to the Interest of Sir *Henry Meux* Baronet, in the Business of the *Horse Shoe* Brewery.

[29th June 1863.]

WHEREAS on the Seventeenth Day of *April* One thousand eight hundred and sixty-three the Lords Justices acting in Lunacy “in the Matter of Sir *Henry Meux* Baronet, a Person of unsound Mind,” ordered that it should be referred to the Masters in Lunacy to inquire and certify whether it would be fit and proper and for the Benefit of Sir *Henry Meux* and his Estate that a new or further Partnership should be entered into with the then Partners of Sir *Henry Meux* in the *Horse Shoe* Brewery, or with any other and what Person or Persons, and if so upon what Terms, and whether any and what Application should be made to Parliament for effectuating such Object: And whereas by a Report of *Francis Barlow* Esquire, One of the Masters in Lunacy, dated the Fifth Day of *May* One thousand eight hundred and sixty-three, and made in pursuance of the recited Order, after reporting as follows,—“ 1. That “ the said *Horse Shoe* Brewery is situate in the Parish of *Saint Giles in the Fields* in the County of *Middlesex*, and was in the Year “ One thousand eight hundred and nine established by the Father “ of the said Sir *Henry Meux*, and was carried on by him and his
[Private.] “ Partners

Sir Henry Meux's Estate Act, 1863.

“ Partners or Partner until his Death in One thousand eight hundred
 “ and forty-one; and from the Year One thousand eight hundred and
 “ forty-one to the Year One thousand eight hundred and fifty-three
 “ the said *Horse Shoe* Brewery was carried on by the said Sir *Henry*
 “ *Meux* in Partnership with *Henry Neelson Smith*, who had been in
 “ Partnership with the said Father of the said Sir *Henry Meux*, and
 “ which said *Henry Neelson Smith* dying in that Year the said
 “ *Horse Shoe* Brewery was carried on until the Articles of Partnership
 “ herein-after mentioned by the said Sir *Henry Meux* alone; 2. That
 “ by Articles of Partnership dated the Fifth Day of *January* One
 “ thousand eight hundred and fifty-four, and made between the said
 “ Sir *Henry Meux*, of the First Part, *Dudley Coutts Marjoribanks*,
 “ therein described, of the Second Part, and *Richard Berridge*, therein
 “ described, of the Third Part, after certain Recitals therein set forth,
 “ it was agreed that they the said Sir *Henry Meux*, *Dudley Coutts*
 “ *Marjoribanks*, and *Richard Berridge* should become and be Part-
 “ ners in the said *Horse Shoe* Brewery for the Term of Ten Years
 “ from the Fifth Day of *July* One thousand eight hundred and fifty-
 “ three, determinable nevertheless as therein mentioned; and it was
 “ agreed, amongst other things, that the said Partnership Business
 “ should be carried on at the said *Horse Shoe* Brewery under the
 “ Firm of ‘*Henry Meux & Co.*’ and in such Shares as therein
 “ set forth, subject to the Variation therein mentioned, and that
 “ the said Sir *Henry Meux* should not be bound to attend per-
 “ sonally or otherwise to the said Business, but that the said
 “ *Dudley Coutts Marjoribanks* should at all Times give his per-
 “ sonal Service and Attention to the said Business and the Affairs
 “ thereof as the said Sir *Henry Meux* should from Time to Time
 “ require, and that the said *Richard Berridge* should give his
 “ best personal Attention and exclusive Services to the said
 “ Business and the Concerns thereof, he receiving such Salary as
 “ therein mentioned, and that in every Year a general Rest of the
 “ Partnership Property and the Liabilities in respect thereof should
 “ be, as soon as conveniently might be, taken as on the Fifth Day of
 “ *July*, and entered in the Partnership Books, as therein more particu-
 “ larly set forth; and it is thereby provided, that in case of the
 “ Death of the said Sir *Henry Meux* before the Expiration of the said
 “ Partnership, he should be at liberty to dispose of his Share by Will,
 “ and in case of the Death of the said *Dudley Coutts Marjoribanks*
 “ and *Richard Berridge*, or either of them, during the said Term, the
 “ said Sir *Henry Meux* should be at liberty to take their or his
 “ Shares in manner therein provided, and that the said Partners
 “ should, Six Months previous to the Expiration of the said Partner-
 “ ship, meet together for considering and adjusting the Terms of a
 “ new or further Partnership, and if all the said Partners should not,
 “ Three Months before the Fifth Day of *July* One thousand eight
 “ hundred

Sir Henry Meux's Estate Act, 1863.

“ hundred and sixty-three, agree on the Terms of a new or further
 “ Partnership, or what should be done at the Expiration of the said
 “ Partnership, the said Sir *Henry Meux* or those claiming under him,
 “ if he or they should so elect, should or might have and take an
 “ Assignment and Transfer of the Shares and Interests of the said
 “ *Dudley Coutts Marjoribanks* and *Richard Berridge* respectively of
 “ and in the said Copartnership, Capital, and Effects at the Rest so to
 “ be made as aforesaid as on the said Fifth Day of *July* One thousand
 “ eight hundred and sixty-three; 3. That by Indenture dated the
 “ Twentieth Day of *December* One thousand eight hundred and
 “ fifty-six, endorsed on the said Articles of Partnership, and made
 “ between the said Sir *Henry Meux* of the First Part, *Dudley Coutts*
 “ *Marjoribanks* of the Second Part, and *Richard Berridge* of the
 “ Third Part, it was, referring to the therein within written Articles of
 “ Partnership, agreed, amongst other things, that the said annual
 “ Rests should in each Year, except the Account on or up to the
 “ Fifth Day of *July* One thousand eight hundred and sixty-three, be
 “ made and taken on or up to the Fifth Day of *January* in every
 “ Year; 4. That by Inquisition dated the Seventeenth Day of *June*
 “ One thousand eight hundred and fifty-eight the said Sir *Henry*
 “ *Meux* was found to be a Person of unsound Mind and incompetent
 “ to manage himself or his Estate; 5. That the Right Honourable
 “ *Ernest Augustus Charles Brudenell Bruce*, commonly and herein-
 “ after called Lord *Ernest Bruce*, and *Richard Arabin*, were, by an
 “ Order dated the Thirtieth Day of *July* One thousand eight
 “ hundred and fifty-eight, and by Certificate dated the Twentieth
 “ Day of *October* One thousand eight hundred and fifty-eight,
 “ appointed Committees of the Estate of the said Sir *Henry Meux*;
 “ 6. That the said Sir *Henry Meux* intermarried with Dame *Louisa*
 “ *Caroline Meux* on the Nineteenth Day of *January* One thousand
 “ eight hundred and fifty-six, and there has been Issue of the said
 “ Marriage *Henry Bruce Meux* only, who is his Heir-at-Law and
 “ sole Next of Kin, and is, with the said Dame *Louisa Caroline*
 “ *Meux*, the only Person who would be entitled to his Personal
 “ Estate in case he were now dead intestate; 7. That the said
 “ *Henry Bruce Meux* is an Infant of the Age of Six Years, and
 “ by my Certificate dated the Twenty-first Day of *July* One
 “ thousand eight hundred and fifty-eight I appointed the said
 “ Dame *Louisa Caroline Meux* his Guardian, for the Purposes of this
 “ Lunacy; 8. That the said Partnership Business at the said *Horse*
 “ *Shoe* Brewery has been carried on upon the Terms of the said
 “ Articles of Partnership and further Articles, and the said Business
 “ has been and is of great Magnitude, and has been and is carried on
 “ with a very large Amount of Capital, and by far the largest Portion of
 “ such Capital belongs and has belonged to the said Sir *Henry*
 “ *Meux*, and the said Partnership Business has been very profitable
 “ to

Sir Henry Meux's Estate Act, 1863.

“ to the said *Sir Henry Meux* and his Estate ; 9. That having
 “ regard to the Interest not only of the said *Sir Henry Meux*, but
 “ also of the said *Dudley Coutts Marjoribanks* and *Richard Berridge*
 “ in the said Partnership, I abstain from setting forth any further
 “ Particulars in relation thereto ; 10. That the said Lord *Ernest*
 “ *Bruce* and *Richard Arabin* are advised that any new or further
 “ Partnership on behalf of the said *Sir Henry Meux* and his Estate
 “ cannot be effectually established without the Authority of Parlia-
 “ ment ; 11. That the last Day on which any Petition to Parliament
 “ can be lodged for the Purpose of obtaining the Authority of Par-
 “ liament for the Purpose of effectually establishing any Partnership
 “ which may be approved of by your Lordship on behalf of the said
 “ *Sir Henry Meux* and his Estate is the Twelfth Day of *May* instant ;
 “ 12. That it cannot, within the Time so limited for lodging such
 “ Petition to Parliament, be ascertained whether it will be fit and
 “ proper, and for the Benefit of the said *Sir Henry Meux* and his
 “ Estate, and is expedient, that a new or further Partnership should
 “ be entered into ;”—the said Master certified, “ 1. That, having
 “ regard to the Character and Magnitude of the Interest of the said
 “ *Sir Henry Meux* in the said Partnership Business so carried on in
 “ the said *Horse Shoe* Brewery, it will, if Terms beneficial to him
 “ and his Estate can be arranged, be expedient and fit and proper
 “ that a new or further Partnership should, for such Period and on
 “ such Terms and Conditions as your Lordship shall approve, be
 “ entered into with his present Partners, or with some other Person or
 “ Persons for carrying on such Business ; 2. That, having regard to the
 “ Circumstances herein-before stated, it is fit and proper and expedient
 “ that the said Lord *Ernest Bruce* and *Richard Arabin* should make
 “ Application to Parliament to enable them, in the Name and on the
 “ Behalf of the said *Sir Henry Meux*, should your Lordship so
 “ order, to enter into and execute such Articles of Partnership with
 “ his said present Partners, or with any other Person or Persons, and
 “ for such Period and on such Terms as your Lordship should
 “ approve, for carrying on the said Business of a Brewer at the *Horse*
 “ *Shoe* Brewery :” And whereas by an Order of the Lords Justices
 made in the Matter of the said Lunacy, and dated the Eighth Day of
May One thousand eight hundred and sixty-three, it was ordered that
 the said Report should be confirmed, and that the said Lord *Ernest*
Bruce and *Richard Arabin*, as the Committees of the Estate of the
 said *Sir Henry Meux*, should be at liberty to apply for an Act of
 Parliament for the Purpose of authorizing, in case the Lord Chan-
 cellor or Lords Justices of Appeal entrusted by virtue of the Queen’s
 Sign Manual with the Care and Commitment of the Custody of the
 Persons and Estates of Persons found idiot, lunatic, or of unsound
 Mind shall so direct, the Formation of a new or further Partnership
 for the carrying on the Business of the said Brewery between the
 said

Sir Henry Meux's Estate Act, 1863.

said Sir *Henry Meux* and such other Persons, for such Periods, upon such Terms, and with such Provisions, and in such Manner as the Lord Chancellor or Lords Justices entrusted as aforesaid should direct, and of making any such new or further Partnership, if formed, binding upon the said Sir *Henry Meux* and his Estate, and all Persons claiming under him, in the same Manner as if he, being of sane Mind, had executed the Deed or Deeds to establish such Partnership; and it was ordered that Notice of the Application to Parliament for the said Bill should be given to the said Lady *Meux*, and to Viscountess *Malden*, *Elizabeth Mary Arabin*, and Lady *Bowyer Smijth*, the Sisters of the said Sir *Henry Meux*: And whereas Notice of the Application to Parliament for this Act has been accordingly given to those Persons: And whereas, with a view to the Advantage not only of Sir *Henry Meux* but also (in case of his Decease) of his Wife and Child, it may be expedient that a new or further Partnership in the Business should be entered into, or that other Arrangements should be made, under the Authority of the Lord Chancellor, and it is fit that Provision for such Purposes be made as appears by this Act: And whereas the Objects of this Act cannot be attained without the Authority of Parliament, and the Provisions of this Act for effecting such Objects have been approved by the said Lord Justices: Wherefore Your Majesty's most dutiful and loyal Subjects, Lord *Ernest Bruce* and *Richard Arabin*, 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 assembled, and by the Authority of the same, as follows; (that is to say,)

1. This Act may for all Purposes be cited as "*Sir Henry Meux's Estate Act, 1863.*" Short Title.

2. In this Act, unless there be something in the Subject Matter or Context repugnant to the Construction, the Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being entrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, and when and so long as the Lords Justices of the Court of Appeal in Chancery for the Time being shall be entrusted as aforesaid concurrently with the Lord Chancellor, then and so long the Expression shall be construed to include or be applicable to the Lords Justices as aforesaid, so that all the Powers, Authorities, and Duties to be had, exercised, and performed under this Act by the Lord Chancellor entrusted as aforesaid shall and may be had, exercised, and performed, as well by the Lord Chancellor acting either alone or jointly with both or either of the Lords Justices aforesaid, as

Interpretation of
"the Lord
Chancellor."

[*Private.*]

d

by

Sir Henry Meux's Estate Act, 1863.

by both of the Lords Justices aforesaid acting jointly apart from the Lord Chancellor.

Power to
Lord Chan-
cellor to
issue Orders
as to Horse
Shoe Brew-
ery.

3. The Lord Chancellor may from Time to Time, so long as the said *Sir Henry Meux* and his Estate shall continue to be subject to the Jurisdiction in Lunacy, order or direct to be done, permitted, and, suffered with respect to the Business of the *Horse Shoe Brewery*, and the said Partnership, and any further Partnership or Partnerships therein, and the Earnings, Profits, and Proceeds thereof, and any Share of and Interest in the same respectively, and the carrying on or winding-up of the said Business, and the Disposal of the said Business, and of any Real or Personal Estate belonging thereto or employed therein, or which may have belonged thereto or been employed therein, and otherwise in relation to the said Business and the Affairs and Concerns thereof, all and whatsoever *Sir Henry Meux*, if of sound Mind, might do, permit, or suffer, or concur in doing, permitting, or suffering with respect to the same.

Power for
Committees
of Estate
of Sir H.
Meux to
enter into
Partnerships
under Order,
&c. of Lord
Chancellor.

4. The Committees or Committee from Time to Time of the Estate of *Sir Henry Meux* may from Time to Time during his Lunacy enter into any such Partnership or Partnerships in the Business of the *Horse Shoe Brewery*, with such Person or Persons, and for such Periods, and upon such Terms and Conditions, pecuniary and otherwise, and with such Powers and Provisions whatsoever, and generally in such Manner and Form, and enter into and execute such Articles of Partnership or Partnerships, or Partnership Deed or Partnership Deeds, and do all such other Things in relation to the said Business, and the carrying on or winding-up of the same, or the Disposal thereof, or of any Real or Personal Estate belonging thereto or employed therein, or which may have belonged thereto or been employed therein, or otherwise in relation to the said Business or the Affairs and Concerns thereof, as the Lord Chancellor shall from Time to Time order or direct.

Orders, &c.
to be made
in same
Manner as
under Lu-
nacy Regu-
lation Act.

5. Any Order or Direction for any of the Purposes of this Act may be made or given upon Petition presented or Application made in the Matter of the said Lunacy in like Manner as is provided by "The Lunacy Regulation Act, 1853," and the Proceedings, including Appeals, upon every such Petition or Application, and under any Order or Direction to be made or given thereon, shall, as nearly as possible, be regulated by the Practice from Time to Time applicable to Proceedings under "The Lunacy Regulation Act, 1853," or any other Act from Time to Time in force for the Regulation of Proceedings in Lunacy.

Validity of
Orders, &c.

6. Every Order or Direction of the Lord Chancellor made for any of the Purposes of this Act, and notwithstanding its being such as, if
this

Sir Henry Meux's Estate Act, 1863.

this Act were not passed, would be altogether or in part beyond or in excess of the ordinary Jurisdiction or Authority of the Lord Chancellor, and everything whatsoever done in pursuance of or in conformity with any such Order or Direction, and every Lease, Counterpart of Lease, Sale, Exchange, Partition, Purchase, Conveyance, Assurance, Mortgage, Security, Surrender, Renewal, Transfer, Reconveyance, Release, Contract, Arrangement, Liability, Payment, Act, Deed, and Thing whatsoever granted, taken, made, executed, accepted, procured, entered into, incurred, and done respectively in pursuance of any or every such Order or Direction, or of any or every Articles of Partnership or Partnership Deed entered into or executed in pursuance of any such Order or Direction, or with respect to any Real or Personal Estates or Effects from Time to Time belonging to or employed, or which may have belonged to or been employed, for any Purposes of the said Business, shall be absolutely valid and shall accordingly at Law and in Equity bind Sir *Henry Meux*, his Heirs, Executors, and Administrators, and all Persons claiming or to claim by, from, through, under, or in trust for him or them, in the same Manner as if, being of sound Mind, he had been a Party thereto, or had acted or concurred therein.

7. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to every other Person, Body Politic and Corporate, and their respective Heirs, Successors, Executors, and Administrators, (other than and except the several Persons who are by this Act expressly excepted out of this general Saving,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever of, in, to, or out of the Real and Personal Estates and Effects of Sir *Henry Meux* to which this Act relates, or any Part thereof, as they or any of them had before the passing of this Act, or would, could, or might have or enjoy if this Act were not passed.

General Saving.

8. Provided always, That the following Persons are excepted out of the general Saving in this Act contained, and accordingly are the only Persons bound by this Act; (that is to say,)

Persons excepted from general Saving, and who are bound by this Act.

- (A.) Sir *Henry Meux*, his Heirs, Executors, Administrators, Appointees, and Assigns:
- (B.) Dame *Louisa Caroline Meux*, her Executors, Administrators, and Assigns:
- (C.) *Henry Bruce Meux*, his Heirs, Executors, Administrators, and Assigns:
- (D.) Lord *Ernest Bruce* and *Richard Arabin*, as the Committees of the Estate of Sir *Henry Meux*, and any or every future Committee of his Estate:
- (E.) Every Person who from Time to Time after the passing of this Act enters into any Partnership or any Deed or Contract or Arrangement in accordance with this Act, and all Persons claiming by or under him.

9. This

Sir Henry Meux's Estate Act, 1863.

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

9. 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.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1863.