



ANNO QUARTO & QUINTO

# GULIELMI IV. REGIS.

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## Cap. 30.

An Act for vesting certain Estates situate in the Parish of *Herne* in the County of *Kent* devised by the Will of *Edward Reynolds* Esquire, deceased, in Trustees for Sale, and for laying out the Monies to be produced by such Sale in the Purchase of other Estates, to be settled to the same Uses. [27th June 1834.]

**W**HEREAS *Edward Reynolds*, late of the Parish of *Hearne* in the County of *Kent*, Esquire, deceased, duly signed and published, in such a Manner as the Law requires for rendering valid Devises of Freehold Estates, his last Will and Testament in Writing, bearing Date the Second Day of *August* One thousand eight hundred and eight, and thereby gave and devised One Annuity or yearly Rent Charge or Sum of Fifty-four Pounds and Twelve Shillings of lawful Money of *Great Britain*, free and clear of and from all Taxes, Charges, and Deductions whatsoever, parliamentary or otherwise, unto *Mary Perkins*, since deceased, who had many Years lived and then lived with the said Testator, and her Assigns, for and during the Term of her natural Life, to be issuing and going out of all that his Messuage or Tenement, and the Malthouse, Barns, Stables, Yards, Gardens, Orchards, Backsides, and Appurtenances thereunto belonging, and also out of all those several Pieces or Parcels of Land, Arable, Meadow, and Pasture, containing in the whole by Estimation Five-and-forty Acres, more or less, with their and every of their Appurtenances to the said Messuage or Tenement likewise belonging

Recital of the Will of Edward Reynolds Esq., 2d August 1808.

[Private.]



or appertaining, or therewith then or theretofore used, letten, occupied, or enjoyed, situate, lying, and being in the Parish of *Hearne* aforesaid in the said County of *Kent*, theretofore in the Tenure or Occupation of *Ann Dadd* Widow or her Assigns, and then in the Tenure or Occupation of him the said Testator or his Assigns, and also out of all that Messuage or Tenement, and the Outhouses, Edifices, Buildings, Yard, Garden, and several Pieces or Parcels of Land, Arable and Pasture, to the said last-mentioned Messuage or Tenement belonging, containing in the whole by Estimation Fourteen Acres, more or less, with their and every of their Appurtenances, situate, lying, and being in the Parish of *Hearne* aforesaid in the said County of *Kent*, then late in the Tenure or Occupation of *Edward Sole* or his Assigns, and then in the Tenure or Occupation of him the said Testator or his Assigns, and to be paid yearly and every Year during the Life of the said *Mary Perkins* (since deceased) upon the Days therein mentioned; and he the said Testator gave and devised One other Annuity or yearly Rent Charge or Sum of Ten Pounds of like lawful Money, free and clear of and from all Taxes, Charges, and Deductions whatsoever, parliamentary or otherwise, unto *Charity Bean*, since deceased, (the Wife of *Stephen Bean*,) for and during the Term of her natural Life, to be also issuing and going out of his the said Testator's said Messuages or Tenements, Lands, Hereditaments, and Premises therein-before and herein-before mentioned and described, with their Appurtenances, and to be paid yearly and every Year during the natural Life of the said *Charity Bean* upon the Days and in manner therein mentioned; and he the said Testator gave and devised One further Annuity or yearly Rent Charge or Sum of Ten Pounds of like lawful Money, free and clear of and from all Taxes, Charges, and Deductions as aforesaid, unto *Henry Bean* (One of the Sons of the said *Stephen Bean* and *Charity* his Wife), to be issuing and going likewise out of his the said Testator's Messuages or Tenements, Lands, Hereditaments, and Premises therein-before and herein-before mentioned and described, with the Appurtenances, and to be paid and applied by his Executors therein-after named for and towards the Education and bringing up of the said *Henry Bean* until he should attain the Age of Twenty-one Years, if he should so long live, upon the Feast Days aforesaid, by like even and equal half-yearly Payments, the first half-yearly Payment of the said last-mentioned Annuity or yearly Rent Charge or Sum of Ten Pounds to begin and to be made upon such of the said Feast Days which should first and next happen after his the said Testator's Decease; and when and so soon as the said *Henry Bean* should have attained the Age of Twenty-one Years, then, in lieu and stead of any further Payment of the said Annuity of Ten Pounds, he the said Testator gave and bequeathed unto him the said *Henry Bean* the Sum of One hundred Pounds of lawful Money of *Great Britain*, and if the said *Henry Bean* should happen to depart this Life under the Age of Twenty-one Years, then he the said Testator gave and bequeathed the said Legacy of One hundred Pounds unto all and every the Brothers and Sisters of the said *Henry Bean* who should be living at the Time of the Decease of the said *Henry Bean*, in equal Shares and Proportions, and with the Payment of the said Sum of One hundred Pounds he the said Testator did thereby expressly charge his said Messuages or Tenements, Lands, Hereditaments, and



Premises therein-before and herein-before mentioned and described ; and he the said Testator gave and devised One Annuity or yearly Rent Charge or Sum of Fifty-two Pounds and Ten Shillings of lawful Money of *Great Britain*, free and clear of and from all Taxes, Charges, and Deductions whatsoever, parliamentary or otherwise, unto *John Collard* (the Husband of his the said Testator's late deceased Daughter *Emma*) and his Assigns, for and during the Term of his natural Life, if he should so long continue a Widower, to be issuing and going out of all other his the said Testator's Freehold Messuages or Tenements, Lands, Hereditaments, and Real Estate whatsoever and wheresoever (except the Messuage or Tenement, and Farm, Lands, and Hereditaments, situate, lying, and being in the Parish of *Sturry* in the County of *Kent*, therein-after in the said Will by him the said *Edward Reynolds* particularly given and devised), and to be paid yearly and every Year during the natural Life of the said *John Collard*, if he should so long continue a Widower, at or upon the Two most usual Feasts or Days of Payment in the Year, (that is to say,) the Feasts of the Annunciation of the Blessed Virgin *Mary* and *Saint Michael* the Archangel, by even and equal half-yearly Payments, the first half-yearly Payment thereof to begin and to be made upon such of the said Feast Days which should first and next happen after his the said Testator's Decease ; and it was the Mind and Will of him the said Testator, and he did thereby further will, devise, order, and direct, that if it should happen that the said Annuity or yearly Rent Charge or Sum of Fifty-two Pounds and Ten Shillings, or any Part thereof, should be behind or unpaid, in part or in all, by the Space of Twenty-one Days next after either of the said Days of Payment whereon as aforesaid the same ought to be paid, then and so often it should and might be lawful to and for the said *John Collard* and his Assigns into and upon all other his the said Testator's Freehold Messuages, Lands, Tenements, and Hereditaments (except as aforesaid), or into any Part or Parts thereof, to enter, and there to distrain for the said Annuity or yearly Rent Charge or Sum of Fifty-two Pounds and Ten Shillings, or for any Part thereof so being behind and unpaid as aforesaid, and the Distress and Distresses then and there found from thence to take, lead, drive, amove, carry away, impound, or otherwise detain and keep, and also sell and dispose of the same, for and towards Satisfaction of all Arrears of the said Annuity or yearly Rent Charge or Sum of Fifty-two Pounds and Ten Shillings, and also of all Costs and Charges of taking such Distress and Distresses, returning the Overplus (if any) to the Owner or Owners of the Goods and Chattels so distrained ; and after giving and devising a Messuage or Tenement and Farm, and the Lands and Hereditaments thereunto belonging, situate in the Parish of *Sturry* in the said County of *Kent*, in the Manner therein mentioned, he the said Testator gave and devised his said Messuages or Tenements, Lands, Hereditaments, and Premises, with the Appurtenances therein-before first particularly mentioned and described (subject nevertheless to and charged and chargeable with the Payment of the said several Annuities or yearly Rent Charges of Fifty-four Pounds and Twelve Shillings, Ten Pounds, and Ten Pounds,) and also all the Residue of his Messuages, Lands, Tenements, and Hereditaments, and Real Estate, whatsoever and wheresoever, as well in Possession as in Reversion, Remainder,  
or



or Expectancy (subject nevertheless to and charged and chargeable with the Payment of the said Annuity or yearly Rent Charge or Sum of Fifty-two Pounds and Ten Shillings), unto *Edward Collard*, One of the surviving legitimate Children of the said Testator's Daughter *Emma* by the aforesaid *John Collard* (therein called *John Collard* the elder), and his Assigns, for and during the Term of his natural Life, without Impeachment of or for any Manner of Waste; and from and after the Determination of that Estate, to the Use and Behoof of *Thomas Foord* of the Parish of *Saint Dunstan* in the said County of *Kent*, Esquire, and *Thomas Wood* of *Chislett* in the said County of *Kent*, Gentleman, and their Heirs, during the natural Life of the said *Edward Collard*, in Trust to preserve the contingent Uses and Estates therein-after limited from being defeated or destroyed, and for that Purpose to make Entries and bring Actions as Occasion should be or require, but nevertheless to permit and suffer the said *Edward Collard* to receive and take all the Rents, Issues, and Profits of all and every his the said Testator's last-mentioned Messuages, Lands, Tenements, and Hereditaments, and Real Estate, for and during the Term of his natural Life; and from and immediately after the Decease of the said *Edward Collard* he the said Testator gave and devised all and every his said last-mentioned Messuages, Lands, Tenements, and Hereditaments, and Real Estate, unto all and every the Son and Sons of the Body of the said *Edward Collard* lawfully to be begotten, equally to be divided between them (if more than One) Share and Share alike, as Tenants in Common and not as Joint Tenants, and unto the several and respective Heirs of the Body and Bodies of all and every such Son and Sons lawfully issuing; and in case One or more of such Sons should happen to die without Issue of his or their Body or Bodies, then as to the Share or Shares of him or them so dying without Issue, unto the Survivors or Survivor and others or other of them, to be equally divided between them (if more than One) Share and Share alike, as Tenants in Common and not as Joint Tenants; and unto the several and respective Heirs of the Bodies and Body of such Survivors or Survivor and others or other of them; and if all such Sons but One should happen to die without Issue of their Bodies, or if there should be but One such Son, then unto such surviving or only Son and the Heirs of his Body; and for default of such Issue then unto all and every the Daughter and Daughters of the Body of the said *Edward Collard* lawfully to be begotten, to be equally divided between them Share and Share alike, as Tenants in Common and not as Joint Tenants, and to the several and respective Heirs of the Body and Bodies of all and every such Daughter and Daughters lawfully issuing; and in case One or more of such Daughters should happen to die without Issue of her or their Body or Bodies lawfully issuing, then as to the Share or Shares of her or them so dying without Issue, unto the Survivors or Survivor and others or other of them, to be equally divided between them (if more than One) Share and Share alike, to take as Tenants in Common and not as Joint Tenants, and the several and respective Heirs of the Bodies and Body of such Survivors or Survivor, and others or other of them; and if all such Daughters but One should happen to die without Issue of their Bodies, or if there should be but One such Daughter, then unto such Surviving or only Daughter, and the Heirs of her Body; and for default

of



of such Issue, he the said Testator gave and devised all and every his said last-mentioned Messuages, Lands, Tenements, and Hereditaments, and Real Estate, unto *Henry Collard* (the natural Son of his the said Testator's Daughter *Emma* by the said *John Collard* the elder before their Intermarriage), *Mary Collard* (Daughter of the said *John Collard* the elder and his the said Testator's Daughter *Emma*), *John Collard* the younger; and *Sydney Collard* (the Two other surviving legitimate Children of his the said Testator's Daughter *Emma* by the said *John Collard* the elder), equally to be divided between them, Share and Share alike, as Tenants in Common and not as Joint Tenants, and unto the Heirs of the Bodies and Body of the said *Henry Collard*, *Mary Collard*, *John Collard* the younger, and *Sydney Collard*, lawfully issuing; and in case either or any of them the said *Henry Collard*, *Mary Collard*, *John Collard* the younger, and *Sydney Collard*, should happen to die without Issue of his, her, or their Body or Bodies, then unto the Survivors or Survivor and others or other of them, to be equally divided between them (if more than One) Share and Share alike, as Tenants in Common and not as Joint Tenants, and the several and respective Heirs of the Bodies and Body of such Survivors or Survivor and others and other of them; and if there should be only One such Survivor, then unto such only Survivor and the Heirs of his or her Body; and for default of such Issue unto his the said Testator's own right Heirs for ever: Provided also, and the said Testator's Mind and Will was, and he did thereby further order and direct, that it should and might be lawful to and for the said *Mary Perkins* to reside and dwell in his Dwelling House in the Parish of *Hearne* aforesaid, and to use and occupy the Gardens thereto belonging, and to have the Keep and Pasturage of Two Cows in the Pastures belonging to the said Farm and Lands therein-before and herein-before first mentioned and described, and to winter Two Cows in the Farm Yard of the same Premises, for and during the Term of her natural Life, without any Person claiming under him the said Testator interfering with or preventing her from so doing, and without her paying or being liable to pay any Rent, Cesses, or Taxes, or other Acknowledgment of any Kind whatsoever for and on account of such Residence, Occupation, Pasturage, or other Privilege, and free also from all Charges of Repairs incident thereto, she the said *Mary Perkins* doing no wilful Hurt or Damage to the said Premises or any Part thereof, any thing therein contained to the contrary thereof in anywise notwithstanding; and he the said Testator made, nominated, constituted, and appointed the said *Thomas Foord*, *Thomas Wood*, and *John Collard* the elder, Executors of that his said last Will and Testament, and ordered and directed that his said Executors, their Executors and Administrators, should from Time to Time receive and collect the Rents, Issues, and Profits of his the said Testator's said Freehold Messuages, Lands, Tenements, and Hereditaments, as the same should become due and payable, until the said *Mary Collard* and *Edward Collard* should respectively attain the Age of Twenty-two Years, and out of the said Rents, Issues, and Profits thereof should yearly pay and apply the Sum of One hundred Pounds of like lawful Money for and towards the Education and bringing up of him the said *Edward Collard* until he should have attained that Age, and should further yearly pay and apply the Sum of Twenty Pounds of

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like lawful Money a-piece unto and for the Use and Benefit of the said *Henry Collard, Mary Collard, John Collard* the younger, and *Sydney Collard*, until they should have severally attained the Age of Twenty-two Years, by way of Pocket Money; and as for touching and concerning all the Rest and Residue of the clear Rents and Profits of his the said Testator's Freehold and Leasehold Estates (after deducting Land Tax and Repairs), and all the Personal Property undisposed of by the said Will, he the said Testator directed that the same should from Time to Time, as the same should arise and be received, be laid out by his said Executors in the Manner and for the Purposes therein mentioned; and he the said Testator did further order and direct that it should and might be lawful to and for the said *Mary Collard* and *Edward Collard*, when and as they should be respectively in the actual Possession of the said Freehold Premises thereby limited in Use to them for their Lives as aforesaid, by Indenture or Indentures under her or his Hand and Seal to demise, lease, or grant all or any Part of the said Premises unto any Person or Persons for any Number of Years not exceeding Fourteen Years, to take effect in Possession, and not in Reversion or Remainder or by way of future Interest, so as there be reserved upon every such Lease, to continue payable half-yearly during the Term in every such Lease to be granted, the best and most improved yearly Rent that could or might be reasonably had or gotten for the same, without taking any Fine, Premium, or Foregift, and so as there be contained in every such Lease a Condition of Re-entry for Nonpayment of the Rent and Rents thereby respectively to be reserved, and so as the respective Lessees execute a Counterpart of all such Leases, and so as no Clause be contained in any of the said Leases giving Power to any Lessee to commit Waste, or exempting him, her, or them from Punishment for so doing: And whereas the said *Edward Reynolds* duly signed and published a Codicil to his said Will, which Codicil bears Date the said Second Day of *August* One thousand eight hundred and eight, and did not thereby alter or revoke his said Will, so far as relates to the Devises therein contained of his said Messuages or Tenements, Lands, Hereditaments, and Premises at *Herne* aforesaid: And whereas the said *Edward Reynolds* died some Time in the Year One thousand eight hundred and eight without having altered or revoked his said Will, except so far as the same was altered or revoked by his said Codicil, leaving the said *Mary Perkins, Charity Bean, Henry Bean, John Collard* the elder, *Mary Collard, Edward Collard, Henry Collard, John Collard* the younger, and *Sydney Collard*, him surviving: And whereas the said *Thomas Foord, Thomas Wood*, and *John Collard* the elder, on the Eighth Day of *November* One thousand eight hundred and eight, duly proved the said Will and Codicil in the Prerogative Court of the Archbishop of *Canterbury*: And whereas the said *Mary Perkins* died some Time since, and the said Annuity or yearly Rent Charge or Sum of Fifty-four Pounds and Twelve Shillings, given and devised to the said *Mary Perkins* for her Life by the said Will of the said *Edward Reynolds* deceased, has been fully paid and satisfied: And whereas the said *Charity Bean* died some Time since, and the said Annuity or yearly Rent Charge or Sum of Ten Pounds, given and devised to the said *Charity Bean* for her Life by the said Will of the said

Codicil to  
said Will,  
2d August  
1808.



said *Edward Reynolds* deceased, has been fully paid and satisfied: And whereas the said *Henry Bean* has attained his Age of Twenty-one Years, and the said Annuity or yearly Rent Charge or Sum of Ten Pounds, given and devised by the said Will of the said *Edward Reynolds* deceased to the said *Henry Bean* until he should attain the Age of Twenty-one Years, and also the said Sum of One hundred Pounds, given and bequeathed by the same Will to the said *Henry Bean* when and so soon as he should attain the Age of Twenty-one Years, have been fully paid and satisfied: And whereas the said *Mary Collard* some Time since died unmarried and without Issue: And whereas the said *Edward Collard* hath attained the Age of Twenty-two Years, and the said *Henry Collard*, *John Collard* the younger, and *Sydney Collard*, have severally attained the Age of Twenty-two Years: And whereas the said *Edward Collard*, in the Year One thousand eight hundred and twenty-two, intermarried with *Elizabeth Finnis*, and has Issue only Three Children, namely, *Edward Reynolds Collard*, *Emma Reynolds Collard*, and *Elizabeth Reynolds Collard*, all of whom are Infants under the Age of Twenty-one Years: And whereas the said *Henry Collard* in or about the Year One thousand eight hundred and fourteen intermarried with *Susan Sayer*: And whereas the said *John Collard* the younger, in or about the Year One thousand eight hundred and twenty-one, intermarried with *Harriet Sayer*: And whereas the said *Sydney Collard*, in or about the Year One thousand eight hundred and twenty-two, intermarried with *Mary Ann Sayer*: And whereas the Messuages or Tenements, Lands, and other Hereditaments situate in the Parish of *Herne*, devised by the said Will of the said *Edward Reynolds* deceased, are very conveniently and eligibly situated for the Erection of Houses and Buildings thereon, and it would be highly beneficial to the Persons entitled and to become entitled to such Messuages or Tenements, Lands, and other Hereditaments under the said Will, if the same could be forthwith sold; but by reason of the Limitations and Provisions contained in the said Will the same cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subject the said *Edward Collard*, on behalf of himself and the said *Edward Reynolds Collard*, *Emma Reynolds Collard*, and *Elizabeth Reynolds Collard*, his said infant Children, doth most humbly beseech Your Majesty 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 from and after the passing of this Act all those Messuages or Tenements, Lands, and other Hereditaments situate and lying in the said Parish of *Herne* in the said County of *Kent*, devised by the herein-before recited Will of the said *Edward Reynolds* deceased, which Messuages or Tenements, Lands, and other Hereditaments are specified in the Schedule to this Act annexed, with all and every the Appurtenances to the same Hereditaments and Premises belonging, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, shall, from and immediately after the passing of this Act, be vested in and the same are hereby absolutely vested in *Henry William Ward* of *Tower Street* in the City of *London*, Wine Merchant,

Estates  
vested in  
Trustees,  
upon Trust  
to sell and  
to convey the  
same to Pur-  
chasers.



chant, and *John Collard* the younger, of *Herne Bay* in the said County of *Kent*, Hoyman, their Heirs and Assigns, to the Use of them the said *Henry William Ward* and *John Collard* the younger, their Heirs and Assigns, for ever, freed and absolutely acquitted, exonerated, and discharged of and from all and singular the Gifts, Devises, Uses, Estates, Limitations, Restrictions, Trusts, Entails, Remainders, Reversions, Charges, Powers, Provisoos, and Declarations whatsoever in and by the herein-before in part recited Will of the said *Edward Reynolds* deceased limited, expressed, declared, and contained of or concerning the same Hereditaments and Premises respectively, or any of them, or any undivided Part, Share, or Proportion thereof; but nevertheless upon the Trusts and for the Ends, Intents, and Purposes herein-after expressed or declared of or concerning the same, (that is to say,) upon Trust that they the said *Henry William Ward* and *John Collard* the younger, and the Survivor of them, and the Heirs and Assigns of such Survivor, do and shall as soon as conveniently may be after the passing of this Act, or at any Time or Times thereafter, absolutely make sale and dispose of the said Messuages or Tenements, Lands, and other Hereditaments, (including, if they or he shall think fit, but not otherwise, so much of the said Hereditaments as shall be set out and appropriated by virtue of this Act as and for Ways, Streets, Avenues, Paths, Passages, Watercourses, Sewers, Drains, Cesspools, or other Conveniences, Squares, and other open Spaces, but nevertheless, as to the Hereditaments so set out and appropriated, subject and without prejudice to such Rights and Easements as any Person or Persons whosoever would have or be entitled to, in, upon, over, under, and through the same Hereditaments, in case the same were not so sold and disposed of,) either at One Time or several Times, and either in One Lot or in several Lots, and either by public Auction or private Contract, unto any Person or Persons who shall or may be willing to become the Purchaser or Purchasers thereof respectively, and for the best Price or Prices that can or may, in the Opinion of the said *Henry William Ward* and *John Collard* the younger, and the Survivor of them, and the Heirs and Assigns of such Survivor, be obtained or reasonably gotten for the same, and upon such Terms and under such Conditions, Stipulations, and Agreements as they or he shall think fit, and either with or without the Hedges, Fences, Timber, and other Trees and Underwood growing and standing thereon respectively, with full Power, Liberty, and Authority to buy in the said Messuages or Tenements, Lands, and other Hereditaments, or any of them, or any Part or Parts thereof, which may be put up or offered for Sale at any Auction, and to re-sell the same at any future Auction, or by private Contract, without being answerable for any Loss which may happen by such Re-sale, and to do, perform, and execute all such Acts, Deeds, Matters, and Things which may be requisite and proper for the Purpose of effectuating such Sale or Sales; and upon Payment into the Bank of *England* in manner herein-after directed of the Purchase Monies for which the said Hereditaments and Premises shall be sold, upon Trust that they the said *Henry William Ward* and *John Collard* the younger, and the Survivor of them, and the Heirs and Assigns of such Survivor, do and shall convey and assure the said Hereditaments and Premises which shall



be so sold and disposed of, with their Appurtenances, unto and to the Use of the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, or to such Uses, and upon such Trusts, and for such Intents and Purposes, and in such Manner as such Purchaser or Purchasers shall direct or require, absolutely freed and discharged as herein-before is mentioned.

II. And be it further enacted, That it shall be lawful for the said *Henry William Ward* and *John Collard* the younger, and the Survivor of them, and the Heirs and Assigns of such Survivor, and they and he are and is hereby authorized and empowered, from Time to Time to set out and appropriate any Part or Parts of the Hereditaments hereby vested in the said *Henry William Ward* and *John Collard* the younger, and their Heirs, in Trust as aforesaid, (including the Sites of the Messuages or Buildings which may be pulled down by virtue of this Act,) as and for a Way or Ways, Street or Streets, Avenue or Avenues, Path or Paths, Passage or Passages, Watercourse or Watercourses, Sewer or Sewers, Drain or Drains, Cesspool or Cesspools, or other Convenience or Conveniences; and also, if they or he shall think fit, to set out and appropriate any Part or Parts of the same Hereditaments as and for a Square or Squares, or open Spaces or Spaces, in any other Form or Forms; and also, if they or he shall think fit, to make and form into a Way or Ways, Street or Streets, Avenue or Avenues, Path or Paths, Passage or Passages, Watercourse or Watercourses, Sewer or Sewers, Drain or Drains, Cesspool or Cesspools, or other Convenience or Conveniences, Square or Squares, or open Space or Spaces, in any other Form or Forms, the Hereditaments so set out and appropriated as aforesaid, and to divide into such Lots and in such Way and Manner as the said Trustees or Trustee for the Time being acting in the Execution of this Act shall in their or his Discretion think most beneficial, the said Hereditaments hereby vested in the said *Henry William Ward* and *John Collard* the younger, and their Heirs, in Trust as aforesaid (including the Sites of the Messuages and other Buildings which may be pulled down by virtue of this Act, and including so much of the said Hereditaments as shall be set out and appropriated by virtue of this Act as and for Ways, Streets, Avenues, Paths, Passages, Watercourses, Sewers, Drains, Cesspools, or other Conveniences, but so nevertheless that no Lot shall comprise more of the Hereditaments set out and appropriated as and for Ways, Streets, Avenues, Paths, and Passages, than shall be adjoining to and immediately in front of the Residue of such Lot, nor extend beyond the Middle of any Way, Street, Avenue, Path, or Passage so set out and appropriated as last aforesaid, and so nevertheless that no Part or Parts of the said Hereditaments so set out and appropriated as aforesaid for Ways, Streets, Avenues, Paths, and Passages shall form an entire Lot); and also to fence and inclose, if they or he shall think it expedient, all or any of the Lots into which the said Hereditaments shall be so divided as aforesaid, and to grub up, cut, and take down all or any of the Hedges, Fences, Timber, and other Trees and Underwood respectively growing and standing on the said Hereditaments, or any Part or Parts thereof; and to take down and remove all or any of the Houses, Buildings, and Erections now standing and being on the

Power to set out Parts of Hereditaments for Ways.

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said Hereditaments, and to sell and dispose of, either together or in Parcels, and either by public Auction or private Contract, all or any of the Materials composing all or any of the Houses, Buildings, Fences, and Erections which shall be so taken down and removed, and to use and apply the said Materials, or any Part of them, or any Part or Parts thereof, in such Manner as they or he shall think most beneficial for effectuating the Objects and Purposes of this Act, or any of them; and also to sell and dispose of, either together or in Parcels, and either by public Auction or private Contract, all or any of the Materials composing any House or Houses, Building or Buildings, or other Erection or Erections now standing and being on the said Hereditaments; with such Provisions for pulling down the House or Houses, Building or Buildings, or other Erection or Erections, the Materials whereof shall be so sold and disposed of, and removing the Materials thereof, as they or he shall think fit; and to level all or any Part of the said Land or Ground; and to remove, fill up, arch over, cover in, stop, and divert such Mound or Mounds, Pit or Pits, Dyke or Dykes, Ditch or Ditches, River or Rivers, Pond or Ponds, Watercourse or Watercourses, and Drain or Drains, in or upon the said Land or Ground, as they or he may think fit; and to make or cause to run and flow in any other Course which they or he may think fit, in, over, and through the said Land or Ground, any River or Rivers, Watercourse or Watercourses, which they or he may think fit to stop or divert; and to dig, sell, and dispose of all such Sand, Gravel, Stone, Brick-earth, Clay, Loam, and other Earth or Soil as it shall be found convenient to remove, for effecting any of the Objects and Purposes of this Act; and the Costs, Charges, and Expences attending or incident to the carrying into execution all or any of the Powers and Authorities given to and vested in the said *Henry William Ward* and *John Collard* the younger, their Heirs and Assigns, under and by virtue of this Act, shall be paid out of the first Monies arising from the Sale or Sales to be made and effected by virtue of this Act, and which shall be respectively applicable to the Payment of such Costs, Charges, and Expences; and in case any Person or Persons shall advance and pay any Sum or Sums for the Purpose of enabling the said Trustees or Trustee for the Time being acting in execution of this Act to carry into execution all or any of the Powers and Authorities hereby given to and vested in them or him, such Person or Persons shall be repaid the same, with Interest after the Rate of Five Pounds *per Centum per Annum*, out of the Monies arising from the Sale or Sales to be made and effected by virtue of this Act, and such Person or Persons shall have and be entitled to a Charge or Lien on the said Monies for the Sum or Sums so advanced and paid by him or them respectively.

Purchasers to pay Purchase Monies into the Bank of England.

III. And be it further enacted, That the Purchaser or Purchasers of the Messuages or Tenements, Lands, and other Hereditaments specified in the Schedule to this Act annexed, and of the Materials composing the Houses, Buildings, Fences, and Erections which shall be respectively sold and disposed of under the Powers and Authorities in this Act contained, or of any Part or Parts thereof respectively, shall pay his, her, or their Purchase Money or Purchase Monies into the Bank of *England*, in the Name and with the Privity of the Ac-



countant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Purchasers of the Estate of *Edward Reynolds* Esquire, deceased, pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four; and as soon as conveniently may be after such Monies shall have been so paid in as aforesaid, the same, or so much thereof as shall not be ordered by the said Court of Chancery to be applied in the Payment of Costs, Charges, and Expences, according to the Direction hereinafter contained, shall, upon Petition to be presented to the said Court of Chancery in a summary Way by the said *Edward Collard* during his Life, and after his Decease by the Person or Persons who for the Time being would be entitled to the Possession of or to the Receipt of the Rents and Profits of the Messuages, Lands, and Hereditaments to be purchased with such Monies by virtue of this Act, if the same were purchased and settled as herein-after is mentioned, in case such Person or Persons shall be then of the Age of Twenty-one Years, or by the Guardian or Guardians of such Person or Persons on his, her, or their Behalf, in case such Person or Persons shall be under that Age, be laid out and invested, by or under the Direction of the said Court of Chancery, in pursuance of an Order to be made on such Petition, in the Purchase of Freehold or Copyhold or Customary Messuages, Lands, and Hereditaments in Possession, to be situate in *England* or *Wales*, so that such Copyhold or Customary Messuages, Lands, and Hereditaments do not exceed together One-sixth Part in Value of the Freehold Estates to be so purchased, and be adjoining thereto or intermixed therewith, or be convenient to be held with the same, and to be free from Incumbrances (except Chief and Quit Rents and Services, and Leases at improved Rents); and immediately after making such Purchase or Purchases the Messuages, Lands, and Hereditaments which shall be so purchased shall be conveyed, settled, and assured to and for such and the same Uses and Estates, and upon and for such and the same Trusts, Intents, and Purposes, and with, under, and subject to such and the same Powers, Provisoos, Agreements, and Declarations, as are in and by the herein-before in part recited Will of the said *Edward Reynolds* deceased limited, declared, or contained of and concerning the Messuages, Lands, and other Hereditaments comprised therein, or such and so many of the same Uses, Estates, Trusts, Intents, Purposes, Powers, Provisoos, Limitations, and Declarations as shall be then subsisting and capable of taking effect, or as near thereto as the Deaths of Parties and other Contingencies will admit.

IV. And be it further enacted, That all Sums of Money which shall be so paid into the Bank in the Name of the said Accountant General to his Account there *ex parte* the Purchasers of the Estates late of *Edward Reynolds* Esquire, deceased, as herein-before directed, or so much thereof as shall not be ordered by the said Court of Chancery to be applied in Payment of such Costs, Charges, and Expences, according to the Directions hereinafter contained, shall, in the meantime and until the said Monies shall be invested in the Purchase

Sums paid into the Bank to be laid out in Exchequer Bills, &c. until invested in the Purchase of other Messuages, &c.



Purchase of other Messuages, Lands, and Hereditaments as aforesaid, be from Time to Time laid out, under the Direction of the said Court of Chancery, in the Purchase of Navy or Victualling or Exchequer Bills, and the Interest arising from the Money so laid out in the Purchase of such Navy or Victualling or Exchequer Bills, and the Money to be received from the same as they shall respectively be paid off by Government, shall be laid out from Time to Time in the Purchase of other Navy or Victualling or Exchequer Bills; provided always, that it shall be lawful for the said Court of Chancery to make such General or Special Order or Orders, if necessary, that 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 shall be issued, such 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 in that Case the Interest of the old Bills shall be laid out as herein-before directed with respect to the Interest of the Bills which may be paid off; and all the said Navy, Victualling, and Exchequer Bills, whether purchased or received in exchange, shall be deposited in the Bank of *England* in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases be found and approved as herein-before directed, and until the same shall, upon Petition to be preferred to the Court in a summary Way by the said *Edward Collard* during his Life, and after his Decease by the Person or Persons who for the Time being would be entitled to the Possession of or to the Receipt of the Rents and Profits of the Messuages, Lands, and Hereditaments so to be purchased as aforesaid, if such Person or Persons shall be of the Age of Twenty-one Years, or by the Guardian or Guardians of such Person or Persons, on his, her, or their Behalf, in case such Person or Persons shall be under that Age, be ordered to be sold by the said Accountant General for the Purpose of making or completing such Purchase or Purchases of Land in such Manner as the said Court shall think fit and direct; and if the Money arising by the Sale of such Navy, Victualling, or Exchequer Bills shall exceed the Amount of the original Purchase Money so laid out as aforesaid, then and in such Case only the Surplus which shall remain after discharging the Expences of the Application to the Court shall be paid to such Person and Persons respectively as would have been entitled to receive the Rents and Profits of the Land directed to be purchased in case the same had been actually purchased in pursuance of this Act, or to the Representative or Representatives of such Person or Persons, as Part of his, her, or their Personal Estate.

Accountant  
General's  
Certificate  
and Receipt  
of Cashier of  
the Bank  
sufficient  
Discharge to  
Purchasers.

V. And be it further enacted, That the Certificate and Certificates of the said Accountant General, together with the Receipt and Receipts of the Cashier of the Bank, to be thereunto annexed and therewith filed in the Registry Office of the said Court of Chancery, of the Payment into the Bank of *England* by such Purchaser or Purchasers of his, her, or their Purchase Money or Monies, or of any Part or Parts thereof as aforesaid, or any Office Copy or Office Copies thereof, shall from Time to Time be and be deemed and taken to be a good and sufficient Discharge and good and sufficient

Discharges



Discharges to such Purchaser and Purchasers, and to his, her, and their Heirs, Executors, Administrators, and Assigns, for so much or such Part or Parts of the Purchase Money or Monies for which such Certificate or Certificates and Receipt or Receipts respectively shall be so given as aforesaid; and after filing such Certificate or Certificates, and Receipt or Receipts, such Purchaser or Purchasers, and his, her, or their Heirs, Executors, Administrators, and Assigns, shall be absolutely acquitted and discharged of and from the same Monies, and shall not be answerable or accountable for any Loss, Misapplication, or Nonapplication thereof or of any Part thereof.

VI. And be it further enacted, That in the meantime and until such Sale or Sales shall be made of the said Messuages or Tenements, Lands, and other Hereditaments by this Act authorized to be sold, the Rents and Profits of the same Messuages or Tenements, Lands, and other Hereditaments, or of so much and such Part and Parts thereof as shall for the Time being and from Time to Time remain unsold, shall be received and taken and enjoyed by such Person or Persons as would have been entitled to have had, received, and enjoyed the same in case this Act had not been passed.

Until Sales, Rents and Profits to be received by such Persons as would have been entitled if the Act had not passed.

VII. Provided always, and be it further enacted, That it shall and may be lawful for the High Court of Chancery, and the said Court is hereby authorized and required, from Time to Time to make such Order or Orders as the said Court shall think fit for taxing all the Costs, Charges, and Expences attending the preparing, soliciting, applying for, obtaining, and passing of this Act, and preparatory thereto, and the Costs, Charges, and Expences attending the Sales to be made by virtue of this Act, and the Execution of the Powers and Authorities hereby given to the said Trustees or Trustee for the Time being acting in execution of this Act, and the Costs, Charges, and Expences of the several Applications to be made to the said Court respecting the Matters aforesaid, and the Costs, Charges, and Expences of taking the said Monies out of the Bank and investing the same in new Purchases as aforesaid, and for Payment of all Costs, Charges, and Expences out of the said Monies, and out of the Monies arising by the Sale of the said Navy, Victualling, and Exchequer Bills to be so purchased as aforesaid.

Court of Chancery to make Orders for taxing and paying Costs relating to the Act.

VIII. Provided always, and be it further enacted, That if the Trustees hereby appointed or to be appointed as herein-after mentioned, or either of them, or their or either of their Heirs, shall die, or desire to relinquish, or shall refuse or decline or be incapable to act in the Trusts, Powers, and Authorities hereby reposed in them and him respectively, or shall go out of *Great Britain*, before the same Trusts, Powers, and Authorities shall be fully and completely performed and executed, then and in every such Case it shall be lawful for the said Court of Chancery, on Motion or Petition in a summary Way by the said *Edward Collard* during his Life, and after his Decease by the Person or Persons who would for the Time being be beneficially entitled in Possession to the Rents or Profits of the Messuages, Lands, and Hereditaments to be purchased by virtue of this Act, in case the same were purchased, if such Person or Persons shall be of

Power to appoint new Trustees.

[Private.]



the Age of Twenty-one Years, or by the Guardian or Guardians of such Person or Persons, on his, her, or their Behalf, if such Person or Persons shall be under that Age, from Time to Time to nominate and appoint One or more Person or Persons to be a Trustee or Trustees in the Place and Stead of the Trustee or Trustees so dying, or desiring to relinquish, or refusing or declining or being incapable to act, or going out of *Great Britain* as aforesaid; and when and so often as any Trustee or Trustees shall have been nominated and appointed in manner aforesaid, all the said Trust Estates which shall then be vested in the Trustee or Trustees so dying, or desiring to relinquish, or refusing or declining or being incapable to act, or going out of *Great Britain* as aforesaid, either solely or jointly with the other Trustee or Trustees of the same Trust Estates respectively, shall thereupon with all convenient Speed be conveyed and settled and assured in such Sort and Manner and so that the same Estates shall immediately thereupon be and become lawfully and effectually vested in the surviving, continuing, or other Trustee or Trustees of the same Trust Estates respectively, and such newly appointed Trustees, or in such new or other Trustee or Trustees only, as the Case may require, upon the same Trusts, Ends, Intents, and Purposes as are herein-before expressed, contained, and declared of and concerning the same Estates respectively, or such or so many as shall be then subsisting or capable of taking effect; and such new Trustee or Trustees shall and may in all Things act in the Management, carrying on, and Execution of the Trusts hereby created, as fully and effectually, and with all the same Powers and Authorities, to all Intents and Purposes whatsoever, as if he or they had been originally by this Act nominated a Trustee or Trustees.

General  
Saving.

IX. Saving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all and every other Persons or Person, Bodies Politic and Corporate, their, his, and her Heirs, Executors, Administrators, Successors, and Assigns, (other than and except the said *Edward Collard*, *Edward Reynolds Collard*, *Emma Reynolds Collard*, and *Elizabeth Reynolds Collard*, the infant Children of the said *Edward Collard*, and all and every other Children and Child which the said *Edward Collard* may hereafter have by *Elizabeth Collard* his present Wife, and by any Woman and Women whom he may hereafter marry, and the Heirs of the respective Bodies of the said *Edward Reynolds Collard*, *Emma Reynolds Collard*, *Elizabeth Reynolds Collard*, and such other Children and Child lawfully issuing, and the said *Henry Collard* and *Susan* his Wife, *John Collard* the younger and *Harriet* his Wife, *Sydney Collard* and *Mary* his Wife, and *John Collard* the elder, and the Heirs of the respective Bodies of the said *Henry Collard*, *John Collard* the younger, and *Sydney Collard*, and the right Heirs of the said *Edward Reynolds* deceased, and the Trustees to preserve contingent Remainders in the herein-before in part recited Will of the said *Edward Reynolds* deceased named, and their Heirs, Executors, and Administrators, and all and every other Persons and Person whomsoever, having or lawfully or equitably claiming, or who shall or may hereafter have or claim, any Estate, Right, Title, Term, Interest, Charge, or Incumbrance whatsoever, of, in, to, upon, out of, or concerning



cerning the said Messuages or Tenements, Lands, and other Hereditaments hereby vested in Trust to be sold as aforesaid, or any of them, or any Part or Parts thereof respectively, under or by virtue of the same Will of the said *Edward Reynolds* deceased, or any of the Uses, Trusts, or Limitations therein contained,) all such Estates, Rights, Titles, Interests, Claims, and Demands whatsoever, of, in, to, or out of the said Messuages or Tenements, Lands, and other Hereditaments hereby vested in Trust to be sold as aforesaid, or any of them, or any Part or Parts thereof, as they and every or any of them had before the passing of this Act, or could or might have had, held, or enjoyed or been entitled to if this Act had not been passed.

X. And be it further enacted, That this Act shall be printed by the several Printers to the King'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 to be printed by the King's Printers.

The SCHEDULE to which the foregoing Act refers.

Name of the Estate.	Occupiers.	Description.	Quantity.			Annual Rent.		
			A.	R.	P.	£	s.	d.
Part of the Knowler Badcock Farm	John Collard	Farm House, Barn, Stabling, Outbuildings, and Lands	142	2	19	160	0	0
Ditto	John Homersham	Cottage and Garden	0	1	28			
Ditto	George Sladden	Cottage and Garden	0	2	33			
Ditto	Robert Colegate	Storehouse	-	-	-	0	5	0
Ditto	Elizabeth Homersham	Dwelling House, and Bathing Rooms	-	-	-	-	-	-
Birds	Unoccupied	Cottage and Garden	0	1	38	-	-	-
Dadds and Sole	Edward Collard, Esquire	Farm House, Barn, Outbuildings, Malt Oast, Bullock Yard, and Land	52	1	28	300	0	0
Ditto	Ditto	Two Pieces of Land	3	3	8			
Hampton Hill	Ditto	Two Pieces of Land	14	1	3			
Eddington	Ditto	Dwelling House, Stabling, Brewhouse, Garden, and Paddock	1	0	28	-	-	-
Park	Ditto	Dog Kennel and Land	14	2	7	-	-	-
Betsworths	Thomas Betsworth	House, Barn, and Land	6	2	29	18	0	0
Dadds and Sole	Henry Luddington	Cottage and Garden	0	3	18	15	4	0
			237	3	39	499	15	0

Tho<sup>s</sup>. W. Collard, Surveyor.



