



ANNO PRIMO

VICTORIÆ REGINÆ.

Cap. 31.

An Act for extending the Power to grant Building Leases contained in the Will of *Randle Jackson* Esquire, deceased, and for other Purposes.

[12th July 1837.]

WHEREAS *Randle Jackson*, late of *North Brixton* in the County of *Surrey*, Esquire, deceased, did, in such Manner as the Law requires for the Validity of Devises of Freehold Estates, sign and publish his last Will and Testament in Writing, bearing Date the Eleventh Day of *June* One thousand eight hundred and thirty-six, and thereby, after giving and bequeathing to his the said Testator's Nieces *Caroline Butcher*, Wife of the Reverend *Edward Robert Butcher* Doctor of Laws, *Eliza Macdougall* (therein called *Eliza Macdougall*), Wife of *James Patrick Macdougall*, of the Twenty-first *Bengal* Native Infantry, and late Sub-assistant Commissary General in the Service of the Honourable *East India* Company, and *Ellen Catherine Jackson*, then residing with him the said Testator, and to his the said Testator's Nephew *Edward James Jackson* of *Worcester College, Oxford*, (the Son and Daughters of his the said Testator's late Brother *John Jackson*,) the Sum of Three hundred Pounds each for their respective immediate Use and Benefit, and after also giving and bequeathing to *Henry Johnson* of *East India Buildings, Bishopsgate*, Esquire, and *Robert Edward Johnson* (therein called *Robert Johnson*)

Will of
Randle Jackson, Esquire,
11th June
1836.

[Private.]

Johnson) of *Great Winchester Street* in the City of *London*, Esquire, Two of his the said Testator's Trustees and Executors therein-after named, the Sum of Five hundred Pounds each, and after also making the several specific and pecuniary Bequests therein contained, and giving and devising unto the said *Henry Johnson*, *Robert Edward Johnson*, *Edward James Jackson*, and *James Patrick Macdougall*, their Heirs, Executors, Administrators, and Assigns, all such Estates as were vested in him upon Trust or by way of Mortgage as therein mentioned, he the said Testator gave and bequeathed to the said *Henry Johnson* and *Robert Edward Johnson*, *Edward James Jackson*, and *James Patrick Macdougall*, the Sum of Ten thousand Pounds Sterling, upon Trust to lay out and invest the same in their Names at Interest in the Parliamentary Stocks or Funds of *Great Britain*, or upon Government or Real Securities in *England*, and from Time to Time alter, vary, and change the said Stocks, Funds, and Securities as they should think fit; and upon further Trust, during the then present Coverture of his said Niece *Caroline Butcher*, to pay the Dividends, Interest, and Income arising from the said Trusts, Stocks, Funds, and Securities to the said *Caroline Butcher* for her separate Use as therein mentioned, and in case the said *Caroline Butcher* should at any Time during her Life be discovert, then during any such Discoverture to pay the said Interest, Dividends, and annual Produce unto the said *Caroline Butcher* until she should charge or dispose of the same, or attempt or agree so to do; and from and immediately after she should so charge or dispose of the said Interest, Dividends, and annual Produce, or any Part thereof, or attempt or agree so to do, then during the Remainder of the Life of the said *Caroline Butcher*, and although she might at any Time thereafter be under Coverture, to pay the said Interest, Dividends, and annual Produce unto the Person or Persons who would, under the Trusts of that his Will, have been entitled thereto in case the said *Caroline Butcher* was then dead; and upon further Trust, if the said *Caroline Butcher* should at any Time be again under Coverture, then during all such future Coverture (provided she should not then have already forfeited the said Interest, Dividends, and annual Produce under the Clause lastly therein-before contained,) to pay the said Interest, Dividends, and annual Produce during any such Coverture unto the said *Caroline Butcher*, for her separate Use as therein mentioned, until she should charge or dispose of the same, or should attempt or agree so to do; and from and immediately after the said *Caroline Butcher* should so charge or dispose of the said Interest, Dividends, and annual Produce, or any Part thereof, or should attempt or agree so to do, then during the Remainder of the Life of the said *Caroline Butcher*, and although she might at any Time thereafter become discovert, to pay the said Interest, Dividends, and annual Produce unto the Person or Persons who would under the Trusts of that his Will have been entitled thereto in case the said *Caroline Butcher* was then dead; and after the Decease of his said Niece *Caroline Butcher* then upon further Trust that they his said Trustees or Trustee for the Time being should stand possessed of the said last-mentioned Trust Monies, Stocks, Funds, and Securities, and the Dividends, Interest, and Income thereof, in Trust for all and every the Children of his said Niece *Caroline Butcher*, then born or thereafter to be born, who should live to attain the Age of Twenty-one Years, and to be divided between such Children equally; and as to such of the same Children as should not be born in his Lifetime, or in due Time after his Decease, to be an Interest absolutely vested in

in them respectively, and their respective Executors and Administrators; but as to such of them as were then born, or should be thereafter born in his Lifetime or in due Time after his Decease, he declared that their respective Shares should be held by the Trustees or Trustee for the Time being of that his Will upon Trust to pay the Dividends, Interest, and annual Produce of the respective Shares of such respective Child to him or her respectively during his or her Life; and after his or her respective Decease, then in Trust for all and every such of the Children of such respective Child as should live to attain the Age of Twenty-one Years, in equal Shares; and upon Trust, during such last-mentioned Suspense of vesting, to apply the Dividends and Interest of the expectant Share of the Child presumptively entitled thereto for or towards his or her respective Maintenance and Education after the Decease of his or her respective Parent as aforesaid; and if there should happen to be no Child of any One or more of the Children of the said *Caroline Butcher*, then born or thereafter to be born in his Lifetime or in due Time after his Decease as aforesaid, who should live to attain a vested Interest in the respective Share thereby intended to be provided for him, her, or them of and in the said Trust Monies, Stocks, Funds, and Securities under the Trusts aforesaid, then, after the Decease of such respective Child of the said *Caroline Butcher*, and such Failure of his or her respective Issue as aforesaid, as well the original Share thereby limited to or in Trust for such Child of the said *Caroline Butcher* for Life, with Remainder to his or her respective Children as aforesaid, as also any surviving or accruing Share or Shares which should have survived or accrued to him or her, or his or her respective Issue, under the Trusts therein contained, of and in the aforesaid Trust Monies, Stocks, Funds, and Securities, or any Part or Parts thereof, should be in Trust for all and every other the Children of his said Niece *Caroline Butcher* who should live to attain the Age of Twenty-one Years, in equal Shares, but so that as to such of them as should be born in his Lifetime or in due Time after his Decease such respective surviving and accruing Share or Shares should be in Trust for them respectively for their respective Lives, and after their respective Deceases in Trust for their respective Children who should attain the Age of Twenty-one Years, and with the like Trusts for their Maintenance and Education, and with the like Limitation over, as therein-before declared of his or her original Share of and in the Trust Monies, Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof; and he declared that in case there should be no Child nor the Issue of any Child of his said Niece *Caroline Butcher*, who under the Trusts aforesaid should become absolutely entitled to the said Trust Monies, Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof, then after her Decease, and the Failure of all such Issue as aforesaid, the said last-mentioned Trust Monies, Stocks, Funds, and Securities should fall into and become Part of his residuary Personal Estate; and he thereby gave and bequeathed to the said *Henry Johnson*, *Robert Edward Johnson*, *Edward James Jackson*, and *James Patrick Macdougall* the further Sum of Twenty-six thousand Pounds upon the Trusts therein declared, for the Benefit of the Children and Grandchildren of the said *Caroline Butcher*, as therein mentioned; and the said Testator directed, that during the Suspense of vesting of the Share of any Child of the said *Caroline Butcher*, whether absolutely or for Life, as well in the said Sum of Ten thousand Pounds as also in the said Sum of Twenty-six thousand Pounds,

or

or the Stocks, Funds, and Securities in or upon which the same might be invested (and as to the said Sum of Ten thousand Pounds subject to the Life Estate of his said Niece *Caroline Butcher* therein), his said Trustees or Trustee for the Time being should accumulate the Dividends, Interest, and Proceeds of the said Trust Monies, Stocks, Funds, and Securities at Compound Interest, to be added to and deemed Part of the Share from which such Accumulation should have proceeded; and the said Testator thereby also gave and bequeathed to the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall* the Sum of Sixteen thousand Pounds Sterling, upon Trust to lay out and invest the same in their Names at Interest in the Parliamentary Stocks or Funds of *Great Britain*, or upon Government or Real Securities in *England*, and from Time to Time to alter, change, and vary the said Stocks, Funds, and Securities as they should think fit; and upon further Trust to pay the Dividends, Interest, and Income arising from the said last-mentioned Trust Money, Stocks, Funds, and Securities to the said Niece *Eliza Macdougall* for her separate Use as therein mentioned; and in case the said *Eliza Macdougall* should at any Time during her Life be discovert, then during any such Discoverture to pay the said Interest, Dividends, and annual Produce unto the said *Eliza Macdougall* until she should charge or dispose of the same or should attempt or agree so to do; and from and immediately after the said *Eliza Macdougall* should so charge or dispose of the said Interest, Dividends, and annual Produce, or any Part thereof, or attempt or agree so to do, then during the Remainder of the Life of the said *Eliza Macdougall*, and although she might at any Time thereafter be under Coverture, to pay the said Interest, Dividends, and annual Produce unto the Person or Persons who under the Trusts of that his Will would have been entitled thereto in case the said *Eliza Macdougall* was then dead; and upon further Trust, if the said *Eliza Macdougall* should at any Time be again under Coverture, then during such future Coverture (provided she should not then have already forfeited the said Interest, Dividends, and annual Produce under the Clause lastly therein-before contained) to pay the said Interest, Dividends, and annual Produce during any such Coverture unto the said *Eliza Macdougall* for her separate Use as therein mentioned, until the said *Eliza Macdougall* should charge or dispose of the same or any Part thereof, or should attempt or agree so to do; and from and immediately after the said *Eliza Macdougall* should so charge or dispose of the said Interest, Dividends, and annual Produce, or any Part thereof, or should attempt or agree so to do, then during the Remainder of the Life of the said *Eliza Macdougall*, and although she might at any Time thereafter become discovert, to pay the said Interest, Dividends, and annual Produce unto the Person or Persons who under the Trusts of that his Will would have been entitled thereto in case the said *Eliza Macdougall* was then dead; and he thereby declared that it should be lawful for the said *Eliza Macdougall*, notwithstanding Coverture, by her last Will and Testament in Writing, or any Codicil thereto, to be executed in the Presence of and to be attested by Two credible Witnesses, to appoint to her said Husband the said *James Patrick Macdougall*, in case he should survive her, any annual Sum not exceeding the Sum of One hundred Pounds, to be charged upon and paid and payable out of the said last-mentioned Interest, Dividends, and annual Produce during the Life of the said *James Patrick Macdougall*, or until he should charge or dispose of the same or any Part thereof, or attempt

or agree so to do, or until the same or any Part thereof should by reason of the Bankruptcy or Insolvency of the said *James Patrick Macdougall*, or by any other Means whatsoever, become vested in or payable to any Person or Persons whomsoever other than the said *James Patrick Macdougall*, in either of which Cases he declared that such Annuity should thenceforth absolutely cease and be void; and he declared that from and after the Decease of his said Niece *Eliza Macdougall*, subject to any Annuity which she might appoint for the Benefit of the said *James Patrick Macdougall* under the Power lastly therein-before contained, his said Trustees or Trustee for the Time being should stand possessed of and interested in the said last-mentioned Stocks, Funds, and Securities, and the Dividends, Interest, and Income thereof, in Trust for all and every the Children of his said Niece *Eliza Macdougall* who should live to attain the Age of Twenty-one Years, to be divided between or among them equally; and as to such of them as should not be born in his Lifetime or in due Time after his Decease, to be Interests absolutely vested in them respectively, and their respective Executors, Administrators, and Assigns; and as to such of them as should be born in his Lifetime or in due Time after his Decease, to be held upon the like Trusts for them for Life, with Remainder after their respective Deceases, upon the like Trusts for the Benefit of their respective Children attaining the Age of Twenty-one Years, and with the like Benefit of Survivorship and Accruer between and among the Children and remoter Issue of his said Niece *Eliza Macdougall*, and with the like Trusts for Maintenance and Education for the Benefit of such Children and their respective Issue, and generally in such Manner as he had therein-before expressed, declared, or referred to of and concerning the said Sum of Ten thousand Pounds therein-before given to or in Trust for the Children of his said Niece *Caroline Butcher*, and their Issue, or the Stocks, Funds, or Securities in or upon which the same should be invested; and in case there should be no Child nor the Issue of any Child of his said Niece *Eliza Macdougall* who should become absolutely entitled to the said last-mentioned Trust Monies, Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof, then after the Decease of the said *Eliza Macdougall*, and such Failure of her Issue as aforesaid, but subject as aforesaid, they his said Trustee or Trustees for the Time being should stand possessed of the said last-mentioned Stocks, Funds, and Securities, and the Interest, Dividends, and annual Produce thereof, as Part of his residuary Personal Estate; and the said Testator thereby also gave and bequeathed to the said *Henry Johnson*, *Robert Edward Johnson*, *Edward James Jackson*, and *James Patrick Macdougall* the Sum of Thirty thousand Pounds Sterling, upon Trust to lay out and invest the same in their Names at Interest in the Parliamentary Stocks or Funds of *Great Britain*, or upon Government or Real Securities in *England*, and from Time to Time to alter, change, and vary the Securities in or upon which the said Trust Monies should be invested as he, she, or they in his, her, or their Discretion should think fit; and upon further Trust to pay the Dividends, Interest, and Income arising from the said last-mentioned Stocks, Funds, and Securities to his said Niece *Ellen Catherine Jackson* during her Life, and whilst she should at any Time be unmarried, for her proper Use and Benefit, until she should charge or dispose of the same or any Part thereof, or should attempt or agree so to do; and from and immediately after the said *Ellen Catherine Jackson* should so charge or dispose of the said Interest, Dividends,

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dends, and annual Produce or any Part thereof, or attempt or agree so to do, then during the Remainder of the Life of the said *Ellen Catherine Jackson*, and although she might at any Time thereafter be under Coverture, to pay the said Interest, Dividends, and annual Produce unto the Person or Persons who under the Trusts of that his Will would have been entitled to the same in case the said *Ellen Catherine Jackson* was then dead; and upon further Trust, if the said *Ellen Catherine Jackson* should at any Time or Times thereafter be under Coverture, then during all such Coverture (provided she should not then have already forfeited the said Interest, Dividends, and annual Produce under the Clause lastly therein-before contained,) to pay the said Interest, Dividends, and annual Produce during any such Coverture unto the said *Ellen Catherine Jackson* for her separate Use, as therein mentioned, until the said *Ellen Catherine Jackson* should charge or dispose of the same or any Part thereof, or should attempt or agree so to do; and from and immediately after the said *Ellen Catherine Jackson* should so charge or dispose of the said Interest, Dividends, and annual Produce, or any Part thereof, or should attempt or agree so to do, then during the Remainder of the Life of the said *Ellen Catherine Jackson*, and though she might at any Time thereafter become discoverd, to pay the said Interest, Dividends, and annual Produce unto the Person or Persons who under the Trusts of that his Will would have been entitled to the same in case the said *Ellen Catherine Jackson* was then dead; and from and after the Decease of his said Niece *Ellen Catherine Jackson*, then he directed that his said Trustees or Trustee for the Time being should stand possessed of and interested in the said last-mentioned Stocks, Funds, and Securities, and the Dividends, Interest, and Income thereof, in Trust for all and every the Children of his said Niece *Ellen Catherine Jackson* who should live to attain the Age of Twenty-one Years, to be divided between or among them (if more than One) in equal Shares; and in case his said Niece *Ellen Catherine Jackson* should not have any Child who should attain the Age of Twenty-one Years, then, after her Decease, and the Failure of such Issue as last aforesaid, he directed that the said last-mentioned Trust Monies, Stocks, Funds, and Securities should fall into and become Part of his residuary Personal Estate; and he thereby declared, that, notwithstanding any thing therein-before contained, in case his said Niece *Ellen Catherine Jackson* should marry, it should be lawful for her, notwithstanding her Coverture, by her last Will and Testament in Writing, or any Codicil thereto, to be executed as therein mentioned, to appoint that any Husband of his said Niece *Ellen Catherine Jackson* who might survive her should, from and after such Failure of her Issue as aforesaid, but not otherwise, have and receive, out of the Dividends, Interest, and annual Income of the said last-mentioned Trust Monies, Stocks, Funds, and Securities, one Annuity or yearly Sum not exceeding Five hundred Pounds for and during the Term of his Life; and in that Event also, and subject to the said Annuity, the said last-mentioned Trust Monies, Stocks, Funds, and Securities should fall into and become Part of his residuary Personal Estate; and he thereby declared and directed, that no Part of the said Four Legacies of Ten thousand Pounds, Twenty-six thousand Pounds, Sixteen thousand Pounds, and Thirty thousand Pounds should be paid until the several other Legacies given by that his Will were fully paid and satisfied, his Intention being, that in case of a Deficiency of Assets such Deficiency should be abated out of the said Four several Legacies rateably in proportion to the respective Amounts thereof; and he thereby

thereby directed that Interest after the Rate of Four Pounds *per Centum* should be paid by his Executors on the said Four several Legacies of Ten thousand Pounds, Twenty-six thousand Pounds, Sixteen thousand Pounds, and Thirty thousand Pounds, or on so much thereof respectively as should from Time to Time remain due from the Time of his Decease until the same should respectively be fully paid and satisfied, such Interest to be paid quarterly, and the first quarterly Payment thereof to be made at the End of Three Months after his Decease; and the said Testator thereby gave, devised, and bequeathed unto the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall*, their Heirs, Executors, Administrators, and Assigns, all his Freehold and Leasehold Messuages, Lands, Tenements, and Hereditaments situate and being at *Brixton* aforesaid or elsewhere in the County of *Surrey*, except the Freehold Premises in *Bermondsey*, to which he became entitled under the Will of his late Brother *Samuel Jackson*, to hold the same unto and to the Use of them the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall*, their Heirs, Executors, Administrators, and Assigns, according to the Natures and Qualities thereof respectively, upon Trust from Time to Time to pay all the Rents, Issues, and Profits thereof unto or permit the same to be received by his said Niece *Ellen Catherine Jackson* during her Life whilst she should at any Time be unmarried, or until she should charge or dispose of the same, or should attempt or agree so to do; and from and immediately after the said *Ellen Catherine Jackson* should so charge, alien, or dispose of the said Rents, Issues, and Profits, or any Part thereof, or attempt or agree so to do, then, during the Remainder of the Life of the said *Ellen Catherine Jackson*, and although she might any Time thereafter be under Coverture, to pay the said Rents, Issues, and Profits unto the Person or Persons who under the Trusts of that his Will would have been entitled to the same in case the said *Ellen Catherine Jackson* was then dead; and upon further Trust, if the said *Ellen Catherine Jackson* should at any Time thereafter be under Coverture, then during all such Coverture (provided she should not then have already forfeited the said Rents, Issues, and Profits under the Clause lastly therein-before contained,) to pay the said Rents, Issues, and Profits during any such Coverture unto the said *Ellen Catherine Jackson* for her separate Use as therein mentioned, until the said *Ellen Catherine Jackson* should charge or dispose of the same, or should attempt or agree so to do; and from and immediately after the said *Ellen Catherine Jackson* should so charge or dispose of the said Rents, Issues, and Profits, or any Part thereof, or should attempt or agree so to do, then during the Remainder of the Life of the said *Ellen Catherine Jackson*, and although she might at any Time thereafter become discover, to pay the said Rents, Issues, and Profits unto the Person or Persons who under the Trusts of that his Will would have been entitled to the same in case the said *Ellen Catherine Jackson* was then dead; and from and immediately after the Decease of his said Niece *Ellen Catherine Jackson* he directed that his said Trustees or Trustee for the Time being should stand and be seised and possessed of the said Freehold and Leasehold Messuages, Lands, Tenements, and Hereditaments in Trust for the Child, if only One, or if more then One, then unto, between, and among all the Children of his said Niece *Ellen Catherine Jackson* who should attain the Age of Twenty-one Years, to be equally divided between them, if more than One, as Tenants in Common, and to his and their Heirs, Executors, Administrators, and Assigns, according to the Natures and Qualities thereof respectively;

respectively; but in case his said Niece *Ellen Catherine Jackson* should depart this Life without having had any Child who should live to attain the Age of Twenty-one Years, then after the Decease of the said *Ellen Catherine Jackson*, and such Failure of Issue as aforesaid, he directed that his said Trustees or Trustee should stand and be seised and possessed of the said Freehold and Leasehold Messuages, Lands, Tenements, and Hereditaments upon, to, and for such or the like Trusts, Ends, Intents, and Purposes, and under and subject to such or the like Powers, Provisoos, and Declarations as were therein-after expressed, declared, and contained of and concerning the Residue of his Freehold and Leasehold Hereditaments, or such of them as should be then subsisting and capable of taking effect; and the said Testator thereby gave and devised unto the said *James Patrick Macdougall* all his the said Testator's Copyhold Messuages, Lands, Tenements, and Hereditaments situate at *Brixton* aforesaid or elsewhere in the said County of *Surrey*, to hold to the said *James Patrick Macdougall*, his Heirs and Assigns, nevertheless upon, to, and for such or the like Trusts, Ends, Intents, and Purposes as were therein-before declared of and concerning his said Freehold Lands, Tenements, and Hereditaments at *Brixton* therein-before devised to or in Trust for his said Niece *Ellen Catherine Jackson* and her Issue as aforesaid; but he declared, that in case his said Niece *Ellen Catherine Jackson* should depart this Life without having had any Child who should live to attain the Age of Twenty-one Years, then after the Decease of the said *Ellen Catherine Jackson*, and such Failure of Issue as aforesaid, he directed that the said Copyhold Messuages, Lands, Tenements, and Hereditaments should be held by the said *James Patrick Macdougall* upon, to, and for such or the like Trusts, Ends, Intents, and Purposes, and under and subject to such or the like Powers, Provisoos, and Declarations, as were therein-after expressed, declared, and contained of and concerning the Residue of his Freehold and Copyhold Hereditaments, or as near thereto as the Nature of the Property, the Deaths of Parties, and other Circumstances would permit; and the said Testator thereby gave and devised unto the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall*, their Heirs, Executors, Administrators, and Assigns, all the Rest, Residue, and Remainder of his Freehold, Copyhold, and Leasehold Messuages, Lands, Tenements, and Hereditaments, (but not including his Leasehold House in *Bernard Street, Russell Square*,) to hold the same unto and to the Use of the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall*, their Heirs, Executors, Administrators, and Assigns, according to the Natures and Qualities thereof respectively, nevertheless upon the Trusts therein-after declared; and he gave and bequeathed his said Leasehold House in *Bernard Street*, and also all the Residue of his Personal Estate and Effects not otherwise specifically disposed of, unto the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall*, their Executors, Administrators, and Assigns, upon Trust, with all convenient Speed after his Decease, to sell and convert into Money his said Leasehold House in *Bernard Street*, and to call in and convert into Money his said residuary Personal Estate, or such Part thereof as should not consist of Bank Stock or funded or Government or Real Securities, which they or he might think fit to retain on the Securities existing at his Death, and by and out of the Money to arise or be produced from that Part of his Personal Estate which he had directed to be called in and converted into Money,

Money, and also all other his said residuary Personal Estate, to pay and discharge all the Costs, Charges, and Expences of and attending the Execution of the Trusts thereby reposed in them; and in the next place to pay and discharge his funeral and testamentary Expences, and the several Legacies given and bequeathed by that his Will or any Codicil or Codicils thereto, and not directed by him to be paid out of any specific Fund; and after Payment thereof upon Trust to lay out and invest the Residue of the Money to arise or be produced from that Part of his Personal Estate which he had directed to be called in and converted into Money, as the same should from Time to Time come to their Hands, in their Names at Interest in or on some or one of the Parliamentary Stocks or Funds of *Great Britain*, or on Government or Real Securities in *England*, and from Time to Time alter, change, and vary the same, and also the Bank Stock, Government or Real Securities of which he should die possessed, and other the Securities on which his residuary Personal Estate should at any Time after his Decease be invested, as they should think fit; and he declared that his said Trustees or Trustee for the Time being should stand and be seised and possessed of all and singular his said residuary Freehold, Copyhold, and Leasehold Messuages, Lands, Tenements, and Hereditaments, and also all his said residuary Trust Monies, Stocks, Funds, and Securities, and other residuary Personal Estate, upon Trust to pay all the Rents, Issues, and Profits, Dividends, Interest, and Income of all his residuary Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, unto his said Nephew *Edward James Jackson* and his Assigns for his Life, or until he should charge or dispose of the same, or should attempt or agree so to do, or until the same or any Part thereof should by reason of the Bankruptcy or Insolvency of the said *Edward James Jackson*, or by any other Means whatsoever, become vested in or payable to any Person or Persons whomsoever other than the said *Edward James Jackson*, and from and immediately after the said *Edward James Jackson* should so charge or dispose of the said Rents, Issues, Profits, Interest, Dividends, and annual Produce, or any Part thereof, or should attempt or agree so to do, or the same should by reason of his Bankruptcy or Insolvency or other Means as aforesaid become vested in any Person other than the said *Edward James Jackson*, then during the Remainder of the Life of the said *Edward James Jackson* to pay the said Rents, Issues, Profits, Dividends, Interest, and annual Produce unto the Person or Persons who for the Time being would be entitled to the same in case the said *Edward James Jackson* were then dead; and he thereby declared that it should be lawful for the said *Edward James Jackson*, by any Deed or Deeds to be duly executed, to appoint to any Wife of him the said *Edward James Jackson* who might happen to survive him any annual Sum not exceeding the Sum of Five hundred Pounds, to be paid during the Life of such Wife, or for any less Period of Time, out of and to be chargeable upon all (or such Part as the said *Edward James Jackson* should appoint) of the said residuary Freehold, Copyhold, and Leasehold Messuages, Lands, Tenements, and Hereditaments, Trust Monies, Stocks, Funds, and Securities, but so that the same annual Sum should not take effect in possession or be payable until after the Decease of the said *Edward James Jackson*; and from and immediately after the Decease of his said Nephew *Edward James Jackson*, then, subject to the Trusts or Power therein-before contained for the Benefit of such surviving Wife (if any) of the said *Edward James Jackson*, upon

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Trust

Trust that they his said Trustees or Trustee for the Time being should convey, surrender, and assure, pay, transfer, and assign, all and singular the said residuary Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, and the Rents, Issues, and Profits, Dividends, Interest, and Income thereof, to or in Trust for the Child, Grandchild, or other Issue, or all or any One or more of the Children, Grandchildren, or other Issue of the said *Edward James Jackson*, such Grandchildren and Issue respectively to be born before any such Appointment as therein-after was mentioned should be made to them respectively, in such Manner and Form, and in such Parts, Shares, and Proportions, as his said Nephew *Edward James Jackson* by any Deed or Deeds, or by his last Will and Testament in Writing, or any Codicil or Codicils thereto, to be respectively executed as therein mentioned, should appoint, and in default of such Appointment, upon Trust to convey, surrender, and assure, pay, assign, and transfer all the said residuary Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, and the Rents, Issues, and Profits, Dividends, Interest, and Income thereof, to or in Trust for the Child, if only One, and if more than One then to or between and among all the Children of the said *Edward James Jackson*, to be divided between or among the same Children, if more than One, in equal Shares as Tenants in Common, and his, her, and their Heirs, Executors, Administrators, and Assigns, according to the Natures and Qualities thereof respectively, and to be absolutely vested in the same Children respectively when and as he, she, or they respectively should attain his, her, or their Age or respective Ages of Twenty-one Years, or die under that Age, leaving Issue living at his, her, or their Death or respective Deaths; and upon this further Trust, in case any One or more of the Children of his said Nephew *Edward James Jackson* should die under the Age of Twenty-one Years without leaving any Issue of his, her, or their Body or respective Bodies living at his, her, or their Death or respective Deaths, then to convey, surrender, and assure, pay, assign, and transfer the Share or Shares of the said residuary Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, which under the Trusts therein-before contained should belong to the Child or Children respectively who should die as aforesaid, and also that Part or Share, or those several and respective Parts or Shares, of and in the said residuary Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, which from Time to Time should under that Provision have survived or accrued to the Child or Children respectively dying as aforesaid to the other or if more than One to the others of the same Children, equally Share and Share alike as Tenants in Common, and his, her, and their Heirs, Executors, Administrators, and Assigns, according to the Nature and Qualities thereof respectively, and to be absolutely vested at the respective Ages or Times therein-before appointed respecting the original Share or Shares of the same Child or Children, and to be conveyed and assured, paid, assigned, and transferred, at the Time or several and respective Times therein-before appointed respecting the said original Share or Shares, or as soon after the Death of each respective Child dying as aforesaid as conveniently might be; and he thereby declared that no Child or Children taking any Part or Share of the said Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, under or by virtue of any Direction or Appointment to be made by the said *Edward James Jackson* in pursuance of the Power or

Authority lastly therein-before contained, should have or be entitled to any further or other Share of and in the said residuary Freehold, Copyhold, and Leasehold Estates, Trust Monies, Stocks, Funds, and Securities, of which no such Direction or Appointment should have been made as aforesaid, without bringing his, her, or their Share or Shares into Hotchpot, and accounting for the same accordingly; and he further declared, that in case there should not be any Child of his said Nephew *Edward James Jackson* who should live to attain the Age of Twenty-one Years, or die under that Age, leaving Issue living at his or her Death, then his said Trustees or Trustee for the Time being should be possessed of and interested in his said residuary Trust Monies, Stocks, Funds, and Securities upon the Trusts therein-after mentioned; and he directed that his said Trustees or Trustee for the Time being should, subject to the Proviso therein-after contained, stand and be seised and possessed of the said residuary Freehold, Copyhold, and Leasehold Estates upon Trust to sell and absolutely dispose of the same by public Auction or private Contract, and by and out of the Money to arise by such Sale or Sales pay and discharge all the Costs, Charges, and Expences attending the same, and lay out and invest the Residue of the said Money in their Names at Interest in or upon some or one of the Parliamentary Stocks or Funds of *Great Britain*, or on Government or Real Securities in *England*, and from Time to Time alter, change, and vary the said Stocks, Funds, and Securities as they should think fit; and he directed that his said Trustees or Trustee for the Time being should be possessed of and interested in the Stocks, Funds, and Securities in which the said Trust Monies should be invested, upon and for such and the like Trusts, Ends, Intents, and Purposes as were next therein-after declared of and concerning his said residuary Trust Monies, Stocks, Funds, and Securities; and he did thereby declare, that in case there should be a Failure of all the Issue of his said Nephew *Edward James Jackson* capable of taking under the Limitations and Trusts of that his Will, then from and after his Decease, and the Failure of all his Issue entitled as aforesaid, but subject to any Exercise of the Powers or Authorities thereby vested in him as aforesaid, all the said Trust Monies, Stocks, Funds, and Securities the Trusts whereof were therein-before declared for the Benefit of the said *Edward James Jackson* and his Children respectively, and all the Trust Monies to arise by such Sale or Sales as last aforesaid, and the Stocks, Funds, and Securities in or upon which the same might be invested, should be divided between and among the said *Eliza Macdougall*, *Ellen Catherine Jackson*, and *Caroline Butcher*, the Share of the said *Eliza Macdougall* to be held upon and for the like Trusts, Ends, Intents, and Purposes, and Powers and Limitations over, as were therein-before expressed and declared of and concerning her said Legacy of Sixteen thousand Pounds, and the Share of the said *Ellen Catherine Jackson* to be held upon and for the like Trusts, Ends, Intents, and Purposes, and Limitations over, as were therein-before expressed and declared of and concerning her said Legacy of Thirty thousand Pounds; and the Share of his said Niece *Caroline Butcher* to be held upon and for the like Trusts, Ends, Intents, and Purposes, Powers and Limitations over, as were therein-before expressed and declared respecting her said Legacy of Ten thousand Pounds; and he declared that in case any One or more of them the said *Caroline Butcher*, *Eliza Macdougall*, and *Ellen Catherine Jackson* should depart this Life without any Issue who under the Trusts therein-before contained should become entitled to an absolute Interest in the

the said last-mentioned Trust Monies, Stocks, Funds, and Securities, then he directed that as well the original Share as also any surviving or accruing Share or Shares which should have survived or accrued under that Clause to the Niece so dying, and whose Issue should so fail, of and in his said residuary Trust Monies, Stocks, Funds, and Securities, should, from and after the Determination of the Interest of the Person or Persons so dying, and of her or their Issue, subject nevertheless to the Trusts or Powers therein-before declared, and given for the Benefit of the surviving Husband of the said *Eliza Macdougall* and *Ellen Catherine Jackson* (if any), belong to or be equally divided between and among the others or other of them the said *Caroline Butcher*, *Eliza Macdougall*, and *Ellen Catherine Jackson*, and be subject to and held upon the like Trusts, Powers, and Limitations over respectively as were therein-before declared of and concerning her or their respective Share or Shares in the same Trust Monies, Stocks, Funds, and Securities; and he further declared, that in case all of them his said Nieces the said *Eliza Macdougall*, *Ellen Catherine Jackson*, and *Caroline Butcher* should depart this Life without having any Issue who should live to attain an absolute Interest in the said Trust Monies, Stocks, Funds, and Securities, then he directed that his said Trustees or Trustee for the Time being should stand and be possessed of and interested in all and singular the said Trust Monies, Stocks, Funds, and Securities, in Trust for the Executors, Administrators, and Assigns of his said Nephew the said *Edward James Jackson*; and he thereby provided, declared, and directed that it should be lawful for the Trustees or Trustee for the Time being of all and singular his said Freehold, Copyhold, and Leasehold Messuages, Lands, Tenements, and Hereditaments therein-before devised, at any Time and from Time to Time and as often as they or he should think it expedient or advisable, (nevertheless with the Consent and Approbation of the Person or Persons, if any, being adult, and free from all Disabilities except Coverture,) and Coverture was not to be deemed a Disability, who for the Time being should be entitled to the Rents, Issues, and Profits of the said Freehold, Copyhold, and Leasehold Messuages, Lands, Tenements, and Hereditaments, by Indenture or Indentures, to be sealed and delivered by him, her, or them respectively, to grant, demise, or lease all and every or any of his Freehold, Copyhold, and Leasehold Messuages, Lands, Tenements, and Hereditaments therein-before given, devised, and bequeathed to any Person or Persons for any Term of Years not exceeding Twenty-one Years, in the Manner and subject to the Conditions therein mentioned; and also to contract and agree to demise and lease all or any Part or Parts of the said Freehold, Copyhold, and Leasehold Lands and Hereditaments to any Person or Persons who should be willing to take the same for the Purpose of building thereon any House or Houses or other Buildings, and for making suitable and convenient Yards, Areas, and Gardens, or other Conveniences to the same, for any Term not exceeding the Term of Ninety-nine Years from the Day of the Date of such Contracts, or any prior Period, to take effect in Possession, and not in Reversion or by way of future or concurrent Interest, and to be for, at, and under the best and most improved yearly Rent that could be reasonably had and obtained at the Time of such Contract or Agreement for the Land or Hereditaments to be therein comprised for the Purposes aforesaid, without taking any Fine or Premium in respect of the same; and afterwards from Time to Time, when and as the Land so contracted to be let or any Part thereof

thereof should be built upon in the Manner to be stipulated in such Contracts or Agreements, or with such Variation therein as his said Trustees or Trustee, with such Consent as aforesaid, should approve of, in Writing, and the Building or Buildings thereon should be covered in, by One or more Indenture or Indentures to demise and lease the Lands, Tenements, and Hereditaments so agreed to be let, or the Part or Parts thereof so then built upon as last aforesaid, together with the House or Houses and other Buildings thereupon erected and built, unto the Person or Persons contracting to take the same as aforesaid, or unto such Person or Persons as he, she, or they, or his, her, or their Executors or Administrators, should nominate, and his said Trustees or Trustee approve, for and during the Term or Remainder of the Term specified in such Contract or Agreement, and in such Parts and Parcels, and under and subject to such Parts and Portions of the yearly Rent or Rents to be specified in such Contract or Agreement as should be thought proper and convenient, so that none of such Lessees to whom such Leases should be made should be by any Clause or Words free from Impeachment of Waste, and so that in every such Lease there should be contained Covenants on the Lessee's Part to keep in repair the several Messuages, Erections, and Buildings which might be erected and built on the Premises, and to keep such several Messuages, Erections, and Buildings in such Leases respectively comprised insured from Loss or Damage by Fire to the Amount of Three Fourth Parts of the Value thereof, and so that in every such Lease there should be contained a Clause for Re-entry in case the Rent or Rents thereby reserved should be behind or unpaid by the Space of Twenty-one Days, and so that the Lessee or Lessees to whom such Lease or Leases should be made as aforesaid should execute a Counterpart or Counterparts of such Lease or Leases; and he thereby nominated and appointed the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall* to be Executors in Trust of that his Will: And whereas the said *Randle Jackson* signed and published a Codicil to his said Will, which said Codicil bears Date the Twenty-third Day of *February* One thousand eight hundred and thirty-seven, and is also attested in such Manner as the Law requires for the Validity of Devises of Freehold Estates, and thereby, after reciting that he had by his said Will given to the said *Henry Johnson and Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall* the Sum of Ten thousand Pounds Sterling, upon certain Trusts thereby declared, for the Benefit of his Niece the said *Caroline Butcher* and her Children and Grandchildren as therein contained; and that he had also given to the said Trustees the Sum of Twenty-six thousand Pounds Sterling, upon certain Trusts thereby declared, for the Benefit of the Children and Grandchildren of the said *Caroline Butcher*, as therein also contained; and that he had also thereby given to the same Trustees the Sum of Sixteen thousand Pounds Sterling, upon certain Trusts thereby declared, for the Benefit of his Niece *Eliza Macdougall*, the Wife of the said *James Patrick Macdougall*, and her Children and Grandchildren, and the said *James Patrick Macdougall*, as therein contained; and that he had bequeathed to the same Trustees the Sum of Thirty thousand Pounds Sterling, upon certain Trusts thereby declared, for the Benefit of his Niece *Ellen Catherine Jackson* and her Children, and any future Husband of his said Niece, as therein contained; and that he had by his said Will directed that no Part of the said Four Legacies of Ten thousand Pounds, Twenty-six thousand Pounds, Sixteen

Codicil,
23d Feb.
1837.

[Private.]

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thousand

thousand Pounds, and Thirty thousand Pounds should be paid until the several other Legacies given by his Will were fully paid and satisfied, as it was his Intention that, in case of a Deficiency of Assets, such Deficiency should be abated out of the said Four several Legacies rateably in proportion to the respective Amounts thereof; and that he had by his said Will directed that Interest after the Rate of Four Pounds *per Cent.* should be paid by his Executors on the said Four several Legacies, or on so much thereof as should from Time to Time remain due from the Time of his Decease until the same should respectively be fully paid and satisfied, such Interest to be paid quarterly, and the first quarterly Payment thereof to be made at the End of Three Months after his Decease; and also reciting that he had lately transferred the Sums of Seventy thousand nine hundred Pounds Three *per Cent.* Consolidated Bank Annuities, and Fourteen thousand one hundred and fifty Pounds Three *per Cent.* Reduced Bank Annuities, into the joint Names of himself and of the said *Henry Johnson* and *Robert Edward Johnson*, in the Books of the Governor and Company of the Bank of *England*; and that by an Indenture bearing even Date with the said Codicil, and made between himself of the one Part, and the said *Henry Johnson* and *Robert Henry Johnson* of the other Part, it was declared that he and the said *Henry Johnson* and *Robert Edward Johnson*, and the Survivors and Survivor of them, and the Executors and Administrators of such Survivor, should stand possessed of the said Sums of Seventy thousand nine hundred Pounds Three *per Cent.* Consolidated Bank Annuities and Fourteen thousand one hundred and fifty Pounds Three *per Cent.* Reduced Bank Annuities, upon Trust to pay the Interest, Dividends, and annual Produce of the said Sums to him, or permit the same to be received by him for his Life, and after his Decease to stand possessed of the said Sums of Seventy thousand nine hundred Pounds Three *per Cent.* Consolidated Bank Annuities and Fourteen thousand one hundred and fifty Pounds Three *per Cent.* Reduced Bank Annuities, and the Dividends and annual Produce thereof, upon and for the Trusts, Intents, and Purposes expressed and declared of and concerning the same in and by the Indenture next therein-after mentioned; and that by another Indenture also bearing even Date with the said Codicil, and made between himself of the one Part, and the said *Henry Johnson*, *Robert Edward Johnson*, *Edward James Jackson*, and *James Patrick Macdougall* of the other Part, it was declared, that immediately after his Decease the said *Henry Johnson* and *Robert Edward Johnson*, or the Survivor of them, or the Executors or Administrators of the Survivor of himself and the said *Henry Johnson* and *Robert Edward Johnson*, should transfer the said Sums of Seventy thousand nine hundred Pounds Three *per Cent.* Consolidated Bank Annuities, and Fourteen thousand one hundred and fifty Pounds Three *per Cent.* Reduced Bank Annuities, to the said *Henry Johnson*, *Robert Edward Johnson*, *Edward James Jackson*, and *James Patrick Macdougall*, or such of them as should be then living, to be held by them upon the Trusts therein-after mentioned, (namely,) as to the Sum of Eleven thousand two hundred and twenty Pounds Three *per Cent.* Consolidated Bank Annuities, Part of the said Sum of Seventy thousand nine hundred Pounds like Annuities, upon certain Trusts thereby primarily declared in favour and for the Benefit of his said Niece *Caroline Butcher* and her Children and Grandchildren, as therein contained; and as to the Sum of Twenty-nine thousand one hundred and seventy-two Pounds Three *per Cent.* Consolidated Bank Annuities (further Part of the said Sum of
Seventy

Seventy thousand nine hundred Pounds like Annuities) upon certain Trusts thereby primarily declared in favour and for the Benefit of the Children and Grandchildren of the said *Caroline Butcher* as therein contained; and as to the Sum of Seventeen thousand nine hundred and fifty-two Pounds Three *per Cent.* Consolidated Bank Annuities (further Part of the said Sum of Seventy thousand nine hundred Pounds like Annuities) upon certain Trusts thereby primarily declared in favour and for the Benefit of his said Niece *Eliza Macdougall*, and her Children and Grandchildren and the said *James Patrick Macdougall*, as therein contained; and as to the Sum of Twelve thousand five hundred and fifty-six Pounds Three *per Cent.* Consolidated Bank Annuities (the remaining Part of the said Sum of Seventy thousand nine hundred Pounds like Annuities), and also the said Sum of Fourteen thousand one hundred and fifty Pounds Three *per Cent.* Reduced Bank Annuities, upon certain Trusts thereby primarily declared in favour and for the Benefit of his said Niece *Ellen Catherine Jackson* and her Children, and any future Husband of the said *Ellen Catherine Jackson* as therein contained, he the said Testator did thereby declare that the said Sum of Eleven thousand two hundred and twenty Pounds Three *per Cent.* Consolidated Bank Annuities, so settled for the Benefit of the said *Caroline Butcher* and her Children and Grandchildren as aforesaid, was so settled by him in lieu and satisfaction of the said Sum of Ten thousand Pounds Sterling so intended to be bequeathed by him upon Trusts for their Benefit by his said Will as aforesaid, and he thereby declared the same should be received by them in satisfaction of the said Bequest of Ten thousand Pounds accordingly; and he further declared, that the said Sum of Twenty-nine thousand one hundred and seventy-two Pounds Three *per Cent.* Consolidated Bank Annuities, so settled for the Benefit of the Children and Grandchildren of the said *Caroline Butcher* as aforesaid, was so settled by him in lieu and satisfaction of the said Sum of Twenty-six thousand Pounds Sterling so intended to be bequeathed by him upon Trusts for their Benefit by his said recited Will as aforesaid, and he thereby declared the same should be received by them in satisfaction of the said Bequest accordingly; and he further declared, that the said Sum of Seventeen thousand nine hundred and fifty-two Pounds Three *per Cent.* Consolidated Bank Annuities, so settled for the Benefit of the said *Eliza Macdougall* and her Children and Grandchildren and Husband as aforesaid, was so settled by him in lieu and satisfaction of the said Sum of Sixteen thousand Pounds Sterling so intended to be bequeathed by him upon Trusts for their Benefit by his said Will, and he thereby declared the same should be received by them in satisfaction of the said Bequest accordingly; and he further declared, that the said Sums of Twelve thousand five hundred and fifty-six Pounds Three *per Cent.* Consolidated Bank Annuities, and Fourteen thousand one hundred and fifty Pounds Three *per Cent.* Reduced Bank Annuities, so settled for the Benefit of the said *Ellen Catherine Jackson* and her Children and Husband as aforesaid, were so settled in lieu and satisfaction of the Sum of Twenty-three thousand eight hundred and ninety Pounds Sterling, Part of the said Legacy of Thirty thousand Pounds so intended to be bequeathed by him upon Trusts for their Benefit by his said Will, and he thereby declared the same should be received by them in satisfaction *pro tanto* of the said Bequest accordingly; and he thereby ratified and confirmed the Bequest of the Sum of Six thousand one hundred and ten Pounds,
Residue

Residue of the said Sum of Thirty thousand Pounds intended to be bequeathed by his said Will for the Benefit of the said *Ellen Catherine Jackson* and her Children as aforesaid; and he thereby declared, that the said Sum of Six thousand one hundred and ten Pounds should be held by the Trustees or Trustee for the Time being of his said Will upon and for such Trusts, Intents, and Purposes, and with and subject to such Powers, Provisoos, and Declarations, as were in and by his said Will expressed and declared of and concerning the said Sum of Thirty thousand Pounds thereby intended to be bequeathed, and in all other respects he thereby ratified and confirmed his said Will: And whereas the said *Randle Jackson* signed and published Two other Codicils to his said Will, and thereby gave certain pecuniary Legacies, but did not otherwise alter his said Will or first-mentioned Codicil: And whereas the said *Randle Jackson* departed this Life on the Fifteenth Day of *March* One thousand eight hundred and thirty-seven, without having any further or otherwise than as aforesaid altered or revoked his said Will, and without having altered or revoked the said Codicils thereto; and on the Third Day of *April* One thousand eight hundred and thirty-seven the said Will and Codicils were proved by all the said Executors in the Prerogative Court of the Archbishop of *Canterbury*: And whereas the said *Ellen Catherine Jackson*, *Edward James Jackson*, *Caroline Butcher*, and *Eliza Macdougall* have all attained the Age of Twenty-one Years: And whereas the said *Ellen Catherine Jackson* and *Edward James Jackson* have never been married: And whereas the said *Caroline Butcher* intermarried with the said *Edward Robert Butcher* on the Twenty-fifth Day of *October* One thousand eight hundred and twenty-three, by whom she hath Issue Three Children, videlicet, *Randle Jackson Butcher*, *Emma Catherine Butcher*, and *Eliza Caroline Jackson Butcher*, all of whom are under the Age of Twenty-one Years, that is to say, the said *Randle Jackson Butcher* of the Age of Ten Years, the said *Emma Catherine Butcher* of the Age of Seven Years, and the said *Eliza Caroline Jackson Butcher* of the Age of Three Years, and no other Issue: And whereas there is no Issue of the said *Eliza Macdougall*: And whereas the said Freehold and Copyhold Lands and Hereditaments at *Brixton* aforesaid, from the general Situation thereof, and especially from their Vicinity to the Metropolis, have become particularly eligible for Building Purposes: And whereas it would tend greatly to the advantageous letting of the same Freehold and Copyhold Lands and Hereditaments, and be highly beneficial to all Persons interested therein, if the said Trustees for the Time being of the said Will were enabled to lay out and appropriate any Part of the same Lands as and for Roads, Streets, Mews, Ways, Drains, Sewers, or Easements, and to sell and dispose of such Timber, Gravel, Sand, Brick and other Earth, Clay, Stone, and other Minerals, as herein-after mentioned, and to grant and demise to the Lessees of any of the Lands comprised in the said Powers of leasing any Rights of Road or other Easements or Conveniences, and any Rights of making or using any Sewers or Drains, or other Conveniences or Easements, through, over, under, in, or upon any Part or Parts of the Lands at *Brixton* aforesaid, comprised in the said Powers of leasing; and also to pay and apply any Part of the aforesaid Sum of Six thousand one hundred and ten Pounds, or the Stocks, Funds, and Securities in which the same may be invested, and also any Monies to arise by the Sale or Sales of any such Timber, Gravel, Sand, Brick and other Earth, Clay, Stone, and other Minerals, in payment of the Costs and Charges of or attending the obtain-

ing this present Act, and also in payment (but subject to repayment out of the first Rents to be received as herein-after mentioned) of the Costs and Charges of attending the making or forming any Parts of the said Lands into Roads, Streets, Mews, Ways, Drains, Sewers, or Easements, and making Surveys, Plans, or Maps of the said Lands and Hereditaments at *Brixton* for the Purpose of building thereon for any of the Purposes aforesaid, and also the Costs, Charges, and Expences of fencing or dividing any Parts of the said Lands, and the Costs of Surveyors, Agents, or other Persons to be employed by the said Trustees or Trustee in superintending the laying, making out, and forming any such Land for Roads, Streets, Mews, Drains, Sewers, or Easements, and of superintending the erecting and building of any Messuages, Erections, or Buildings as aforesaid: And whereas by reason of the Trusts and Limitations contained in the herein-before recited Will of the said *Randle Jackson*, and Codicil thereto, the aforesaid several Objects cannot be effected without the Aid of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects the said *Ellen Catherine Jackson*, *Edward James Jackson*, *Caroline Butcher*, *James Patrick Macdougall*, *Eliza Macdougall*, and also the said *Edward Robert Butcher* on behalf of his said infant Children, 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, That it shall be lawful for the Trustees and Trustee for the Time being under the said Will of the said *Randle Jackson*, or any of them, at any Time or Times after the passing of this Act, with the Consent and Approbation of the Person or Persons, if any, being adult and free from all Disabilities except Coverture (and Coverture is not to be deemed a Disability), who for the Time being shall be entitled to the Rents, Issues, and Profits of the said Freehold and Copyhold Lands and Hereditaments devised by the said Will of the said *Randle Jackson* as aforesaid, to set out and allot and appropriate any Part or Parts of the same Lands and Hereditaments (either including or excluding the Sites of all or any of the Houses, Erections, or Buildings now standing and being, or building and forming on the same Lands,) as and for Roads, Streets, Mews, Ways, Avenues, Passages, Drains, Sewers, Reservoirs, Watercourses, or other Easements and Conveniences, and to make and form into or for Roads, Streets, Mews, Ways, Avenues, Passages, Drains, Sewers, Reservoirs, Watercourses, or other Easements and Conveniences, the Lands so set out, allotted, and appropriated as aforesaid, and also to divide the Lands and Hereditaments at *Brixton* so devised as aforesaid into such Lots, or in such Way and Manner as shall be thought most beneficial, and also to fence and inclose all or any of the Lots into which the said Lands shall be so divided as aforesaid, and also to remove, fill up, arch over, cover in, stop, and divert any Mounds, Pits, Dykes, Ditches, Ponds, Drains, and Watercourses in or upon the said Lands at *Brixton* aforesaid comprised in the said Powers of leasing, and also to dig, sell, and dispose of all such Timber, Gravel, Sand, Brick Earth, Clay, and Stone, and other Earth, Soil, or Mineral as it shall be found convenient to cut, fell, or remove for effecting any of the Objects or Purposes aforesaid.

Power for the Trustees to appropriate Land for Roads, &c.

II. And be it further enacted, That whenever, at any Time or Times after the passing of this Act, any Part or Parts of the said Hereditaments

[*Private.*]

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devised

Leases under the Power contained in

the Will may
be made
subject to
certain
Covenants.

devised by the said Will of the said Testator, situate and being at *Brixton* aforesaid, shall be demised or leased by virtue of or under the aforesaid Power for that Purpose contained in the said Will, such Lease or Leases respectively may be made with or under and subject to Covenants or Stipulations to be entered into or made by or on the Part of the Lessee or Lessees to contribute towards the Expences of making and keeping in repair any Roads, Streets, Mews, Ways, Sewers, Drains, or other Conveniences now or hereafter to be laid out and made in, upon, over, through, or under any Part or Parts of the said Hereditaments at *Brixton* aforesaid devised by the said Will, or with or under and subject to any of such Covenants or Stipulations; and that it shall be lawful for the said Trustees or Trustee for the Time being of the said Power of leasing contained in the said Will, with such Consent and Approbation as aforesaid, in any such Lease or Leases of any Part or Parts of the said Lands and Hereditaments at *Brixton* aforesaid, or in the Contract for the same, to reserve the Right of making and laying out any Roads, Streets, Mews, Ways, Sewers, Drains, or other Conveniences in, upon, over, or under the Lands and Hereditaments to be demised or leased, or any Part or Parts thereof, at the Time of such Lease or Leases being contracted for or granted, or at any subsequent Time or Times to be fixed upon by them or him, and to reserve any Rights of Road or Way at the Time of such Lease being contracted for or granted, or at any subsequent Time or Times to be fixed upon by them or him, and also to reserve any Rights of using any Sewers or Drains, or any other Rights, Easements, or Conveniences in, upon, over, through, or under the Lands and Hereditaments to be demised or leased, and to grant unto the Lessee or Lessees of any Part of the said Lands and Hereditaments any Rights of Road or Way, or of making or using any Roads, Ways, Mews, Sewers, Drains, or other Conveniences through, over, or under in or upon any Part or Parts of the said Lands and Hereditaments which shall not have been demised, or of using any Roads, Ways, Mews, Sewers, Drains, or other Conveniences which, or the Right of Enjoyment whereof, shall have been reserved through, over, under, in, or upon any Part or Parts of the said Lands and Hereditaments which shall have been demised or leased.

The Exe-
cutors autho-
rized to carry
this Act into
execution.

III. And be it further enacted, That it shall be lawful for the said *Henry Johnson, Robert Edward Johnson, Edward James Jackson, and James Patrick Macdougall*, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, and other the Trustees and Trustee for the Time being acting in execution of the said Will of the said *Randle Jackson*, or any of them, to apply a sufficient Part of the aforesaid Sum of Six thousand one hundred and ten Pounds, or the Stocks, Funds, and Securities in or upon which the same may be laid out and invested, and the Monies to arise under or by any Sale or Sales to be made by them as herein-before mentioned in payment and discharge of the Costs, Charges, and Expences preparatory to and attending the applying for, obtaining, and passing this Act, and also to pay and apply such further Part thereof, not exceeding in the whole the Sum of One thousand five hundred Pounds (but subject to such Repayment out of the Rents and Profits as herein-after mentioned as may be required) in or towards the Payment and Discharge of all the Costs, Charges, and Expences of or attending or in anywise relating to the laying out, making, or forming such Roads,
Ways,

Ways, Streets, Avenues, Mews, Passages, Drains, Sewers, Reservoirs, Watercourses, or other Easements and Conveniences, Appropriations and Improvements as aforesaid, and surveying the said Estates at *Brixton* aforesaid, and drawing or making Plans or Maps thereof for the Purpose of building thereon, or for any other of the Purposes aforesaid, and also the Costs and Charges of the Surveyors and Agents to be employed by the said Trustees or Trustee in or about surveying or superintending the laying out and making of the said Roads, Ways, Streets, Avenues, Mews, Passages, Drains, Sewers, Reservoirs, Watercourses, and other Easements and Conveniences, and the erecting and building of the said Messuages, Erections, and Buildings, and of all or any of the other Objects and Purposes which they and he are and is under the Power of this Act and the Powers of leasing for Building Purposes contained in the said Will of the said *Randle Jackson* authorized to carry into effect.

IV. Provided always, and be it further enacted, That all and every the Sums and Sum of Money which shall be applied by the said Trustees or Trustee out of the said Sum of Six thousand one hundred and ten Pounds, or the Stocks, Funds, and Securities in or upon which the same may be invested, in payment or discharge of any of the Costs, Charges, and Expences aforesaid, (other than and except the Costs, Charges, and Expences preparatory to or attending the applying for, obtaining, and passing this Act, shall be repaid and reimbursed to the said Trustees or Trustee out of the first Rents which shall from Time to Time be reserved in and become payable under any of the Leases to be granted of the aforesaid Premises or any Part thereof, under the Powers of leasing for such Purposes in the said Will of the said *Randle Jackson* and herein contained; and such Rents and Profits shall from Time to Time be received by the said Trustees or Trustee, and applied accordingly, until the Amount of all such Costs, Charges, and Expences (other than and except as aforesaid) shall thereby and therewith be fully repaid to the Trust Fund from which the same shall have been taken as aforesaid.

The Expences incurred to be repaid out of the Rents.

V. Provided always, and be it further enacted, That it shall and may be lawful for the High Court of Chancery from Time to Time, upon the Petition of any Person or Persons who for the Time being shall be beneficially entitled to or interested in the Rents and Profits of the said Lands and Hereditaments at *Brixton* aforesaid, or if any such Person or Persons be an Infant or Infants, then upon the Petition of his, her, or their Guardian or Guardians, to make such Order or Orders as the said Court shall think fit for taxing and settling the Costs, Charges, and Expences herein-before directed to be paid, and for taxing the Costs, Charges, and Expences of or relating to the Applications made to the said Court under this present Provision.

Court of Chancery may make Orders for Taxation of Costs.

VI. Provided also, and be it further enacted, That this Act shall not, nor shall any thing herein contained, be construed or deemed or taken to revoke, annul, suspend, prejudice, lessen, or affect the Powers contained in the herein-before recited Will of the said *Randle Jackson* deceased, except so far as the same may be defeated or affected by the Exercise of any of the Powers of this Act.

Powers contained in Mr. Jackson's Will not to be affected.

VII. Saving

General
Saving.

VII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Persons and Person, Bodies Politic and Corporate, and their respective Heirs, Successors, Executors, Administrators, and Assigns, (other than and except the said *Ellen Catherine Jackson* and her future Children, *Edward James Jackson*, his future Wife, Children, Grandchildren, and other Issue, *Caroline Butcher*, and her Children hereafter to be born, the said *Randle Jackson Butcher* and his future Children, the said *Emma Catherine Butcher* and her future Children, the said *Eliza Catherine Jackson Butcher* and her future Children, and the said *Eliza Macdougall* and her future Children, their Heirs, Executors, and Administrators respectively, in respect of the Estates limited to them by the said Will of the said *Randle Jackson* deceased, and first-mentioned Codicil thereto, and all and every other Persons and Person claiming or to claim any Estate, Right, Title, Interest, or Charge at Law or in Equity of, in, to, or upon the said Lands and Hereditaments at *Brixton* aforesaid so demised by the said *Randle Jackson* as aforesaid, or any of them, or any Part thereof, under or by virtue of the same Will and Codicil,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever in, to, or out of the same Lands and Hereditaments at *Brixton* aforesaid, and every or any Part thereof, as they, every or any of them, had before the passing of this Act, or would, could, or might have had, held, or enjoyed in case this Act had not been passd.

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

VIII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1837.