ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

CAP. CV.

An Act to enable Persons to bequeath Lands and Tenements to the Commissioners for the Government of the *Royal Naval Asylum*, and to authorize the said Commissioners to hold the same for the Benefit of the said Asylum; and for amending an Act made in the Forty-seventh Year of His present Majesty relating to the said Asylum. [26th *June* 1811.]

WHEREAS His Majesty was pleased, by Warrant under His Royal Sign Manual, dated the Twenty-ninth Day of *April* One thousand eight hundred and nine, to establish an Institution, called "The *Royal Naval Asylum* for the Management and Education of a certain Number of Orphans and other Children of the Non-commissioned Officers and Seamen of His Majesty's Fleet, and of the Royal Marine Forces;" and appointed divers Persons to be Commissioners for the Government thereof: And whereas well-disposed Persons may be willing and desirous of devising Freehold Messuages, Lands, Tenements, and Hereditaments to the said Commissioners, for the Purpose of enabling them to carry into more effectual Execution the beneficial Purposes of the said Institution, if the Statutes of Mortmain did not prevent such Devises; and it would greatly tend to the Benefit of the said Asylum, and of the Public, if Power was given for any Person or Persons to devise or give, and for the said Commissioners to accept, take, and hold Messuages, Lands, Tenements, and Hereditaments for the Use of the said Asylum: And whereas by an Act passed in the Forty-seventh Year of the Reign of His present Majesty, intituled, *An Act for enabling His Majesty to grant the Palace called the* 47 G.3.c.52.
King's House, *with the Appurtenances, situate in* Greenwich Park, *in the County of* Kent, *to the Commissioners for the Government of the Royal Naval Asylum, and for enabling the said Commissioners to appoint a Chaplain to officiate therein*, it was among other Things enacted, That it should be lawful for His Majesty, His Heirs or Successors, by Letters Patent, to grant the Fee Simple and Inheritance of the said Hereditaments and Premises unto and to the Use of such Persons as His said Majesty had by His Royal Warrant, bearing Date on the Twenty-fifth Day of *July* One thousand eight hundred and five, appointed Commissioners for the Government of the said *Royal Naval Asylum*, their Heirs and Assigns, in Trust, for the Use and Benefit of the said *Royal Naval Asylum*: And whereas His Majesty was pleased, by virtue and in pursuance of the said Act, by His Royal Letters Patent, bearing Date at *Westminster*, the Eighth Day of *June* in

the Forty-ſeventh Year of His Reign, to give and grant unto His Royal Highneſs *Erneſt* Duke of *Cumberland*, and Five of the Commiſſioners of the ſaid *Royal Naval Aſylum*, all the Hereditaments and Premiſes mentioned and comprized in the ſaid recited Act, to hold to them and their Heirs and Aſſigns for ever in Truſt and for the Uſe and Benefit of the ſaid *Royal Naval Aſylum*: And whereas it has been lately diſcovered, that there is by Miſtake included in the ſaid Act a Piece or Parcel of Ground containing One Acre, One Rood, and Sixteen Perches which did not belong to His Majeſty, but which belongs to and is the Property of the Governors and Directors of the Royal Hoſpital for Seamen at *Greenwich*: May it therefore pleaſe 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 it ſhall and may be lawful for any Perſon or Perſons whomſoever, to give, deviſe, or bequeath any Meſſuages, Lands, Tenements, or Hereditaments to and for the Uſe and Benefit of the *Royal Naval Aſylum*; and that the ſaid Commiſſioners and their Succeſſors ſhall be able and capable in Law, without Licence in Mortmain, to take, hold, receive, poſſeſs, and enjoy to them and their Succeſſors, for the Purpoſes of the ſaid Aſylum, any Manors, Meſſuages, Lands, Rents, Tenements, Annuities, and Hereditaments of what Nature or Kind ſoever; or any Eſtate or Intereſt ariſing or derived out of any Manors, Meſſuages, Lands, Tenements, or Hereditaments to them and their Succeſſors, in Fee and Perpetuity, or for Life or Lives, or Terms of Years, or otherwiſe, and to let, ſell, alien, aſſign, and diſpoſe of the ſame Manors, Meſſuages, Lands, Tenements, and Hereditaments at their Will and Pleaſure, and in ſuch Manner as ſhall be moſt beneficial for the ſaid Inſtitution.

Perſons may deviſe and Commiſſioners may accept and hold Eſtates.

II. And be it further enacted, That from and after the paſſing of this Act, the ſaid Act paſſed in the Forty-ſeventh Year of the Reign of His preſent Majeſty (except ſuch Part thereof as relates to the Appointment of a Chaplain to the ſaid *Royal Naval Aſylum*, and except ſo much thereof as exempts from Penalties, on account of Non-reſidence, in that Part of the United Kingdom called *England*, any ſpiritual Perſon acting as Chaplain, Auditor, Secretary or in any other public Office in the ſaid Aſylum), ſhall be and the ſame is hereby repealed.

Part of Act repealed.

III. And be it further enacted, That it ſhall and may be lawful to and for His Majeſty, His Heirs or Succeſſors at any Time or Times hereafter, by Letters Patent, or Indenture or Indentures, under the Great Seal of *Great Britain*, to grant the Fee-ſimple and Inheritance of, and in all, and ſingular the capital Meſſuage or Manſion Houſe, Lands, Tenements, Hereditaments, and Premiſes hereinafter mentioned and deſcribed, unto and to the Uſe of ſuch Perſons as His ſaid Majeſty has by His Royal Warrant bearing Date on the Twenty-fifth Day of *July* in the Year of our Lord One thouſand eight hundred and five, in the Forty-fifth Year of the Reign of His ſaid Majeſty, appointed Commiſſioners for the Government of the ſaid *Royal Naval Aſylum*, their Heirs and Aſſigns, or to ſuch of the ſaid Commiſſioners as His Majeſty may think fit, their Heirs and Aſſigns, in Truſt, for the Uſe and Benefit of the ſaid *Royal Naval Aſylum*, and for the Purpoſe of the ſaid Inſtitution; that is to ſay, the Palace or Manſion Houſe commonly called the *King's Houſe* or the *Queen's Houſe*, the Ranger's Lodge, with the Gardens, Tilt Yard, Lodges, and Appurtenances belonging or appertaining thereto, ſituate in *Greenwich* Park, in the County of *Kent*, which ſaid Premiſes comprize all that One Piece or Parcel of Ground, whereon lately ſtood all that capital Manſion and Offices, heretofore called the *King's Houſe* or the *Queen's Houſe* (but now called the *Royal Naval Aſylum*), ſituate, lying and being within the Pariſh of *Eaſt Greenwich*, in the County of

His Majeſty empowered to grant the Premiſes mentioned to the Commiſſioners of the Naval Aſylum.

Kent, abutting towards the North on that Part of *Romney*'s Road which leads from *Park Row*, at the South-East Corner of *Gree wich* Hospital, to that Part of *Romney*'s Road at the South-West Corner of *Greenwich* Hospital, and there containing Seven hundred and twenty-three Feet Eleven Inches, little more or less; nd abutting toward the West on a Piece or Parcel of Ground belonging to *Greenwich* Hospital, and used as a Gar len by the Governor of the said Hospital, and there containing Four hundred and twenty-seven Feet Three Inches; thence returning Westward along and abutting Northward on the South End of the said Garden, and there containing One hundred and thirty-seven Feet, Five Inches; thence returning again Southward, and abutting further toward the West on that other Part of *Romney*'s Road which leads from *Greenwich* Park to *Ship Dock*, and there containing Forty-one Feet Eight Inches, little more or less; thence returning Eastward, and abutting toward the South upon *Greenwich* Park, and there containing Forty-three Feet and Five Inches, little more or less; thence returning Northward, and abutting toward the East upon the said *Greenwich* Park, and there containing Five Feet and Four Inches, little more or less; thence returning Eastward, and abutting again toward the South upon the said *Greenwich* Park, and there containing One hundred and seven Feet, little more or less; thence returning Southward, and abutting toward the West upon the said *Greenwich* Park, and there containing Seventy Feet and Eight Inches, little more or less; thence returning Eastward and abutting again toward the South upon the said *Greenwich* Park, and there containing Six hundred and Sixty-eight Feet and Nine Inches, little more or less; and abutting toward the East in part upon the said *Greenwich* Park, and containing in such Part Forty Feet and Six Inches, little more or less; and in other part upon *Park Row*, and containing in such other Part Four hundred and ninety-eight Feet and Four Inches, little more or less; and also all that other Piece or Parcel of Ground (whereon stands all that Lodge and Out-buildings lately used as the Residence of the *Maitre d'Hotel* of Her Royal Highness the Princess of *Wales*, and heretofore used as the Residence of the Clerk of the Works or Labourer in Trust, in the said *King's House* or the *Queen's House*), situate, lying and being within the said Parish of *East Greenwich*, in the said County of *Kent*, and situate to the Eastward of the said last-mentioned Piece or Parcel of Ground, and abutting toward the North upon *Park Place*, and there containing Eight hundred and Ten Feet, little more or less, and abutting toward the West upon the said *Greenwich* Park, and there containing Fifty-six Feet and Four Inches, little more or less; and abutting toward the South upon the said *Greenwich* Park, and there containing Eight hundred and Eight Feet and Four Inches, little more or less; and abutting toward the East upon the said *Greenwich* Park, and there containing Fifty-eight Feet, little more or less; and also all that other Piece or Parcel of Ground (whereon stands all that Lodge, now or lately occupied by Sir *John Douglas* Knight, and heretofore occupied by Admiral *Brathwayte*) situate, lying and being within the said Parish of *East Greenwich*, in the said County of *Kent*, and situate to the South Eastward of the said last-mentioned Piece or Parcel of Ground, and abutting at the North End thereof toward the North upon *Park Place*, and there containing Twenty-three Feet and Nine Inches, little more or less; and abutting toward the West upon the said *Greenwich* Park, and there containing Fifty-two Feet and Eight Inches, little more or less; thence returning Eastward, and abutting toward the South upon the said *Greenwich* Park, and there containing Sixteen Feet, little more or less; thence returning Southward, and again abutting toward the West upon the said *Greenwich* Park, and there containing Three hundred and Ninety-two Feet, little more or less; and abutting toward the South upon the said *Greenwich* Park, and there containing Sixty-one Feet and Six Inches,

Inches, little more or leſs; and abutting toward the Eaſt upon *Maize Hill*, and there containing Four hundred and Ten Feet, little more or leſs; and thence trending North-Weſtward in an Angle of Forty-ſeven Degrees, and abutting upon and facing the South End of the Road leading from *Park Place* to *Woolwich*, and there containing Fifty-one Feet and Four Inches, little more or leſs.

The Grant of the Lands to be valid.

IV. And be it further enacted, That ſuch Grant of the ſaid Premiſes, or any Part thereof, as ſhall be made by His ſaid Majeſty, his Heirs or Succeſſors, by any ſuch Letters Patent, Indenture or Indentures, as aforeſaid, in purſuance of this Act, ſhall be, and is, and are hereby declared and enacted to be good, valid, and effectual in the Law, according to the Tenor and Purport thereof, in the ſaid Letters Patent, Indenture or Indentures to be expreſſed, notwithſtanding any Reſtriction, Matter, or Thing contained in an Act of Parliament made in the Firſt Year of the Reign of Her late Majeſty Queen *Anne*, intituled, *An Act for the better Support of Her Majeſty's Houſehold, and of the Honour and Dignity of the Crown*; or in an Act made in the Firſt Year of His preſent Majeſty's Reign, intituled, *An Act for the Support of His Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Brit in; or in an Act made in the Thirty-fourth Year of His preſent Majeſty's Reign, intituled, *An Act for the better Management of the Land-Revenue of the Crown, and for the Sale of Fee-Farm and other unimproveable Rents*; or any other Law or Statute to the contrary in anywiſe notwithſtanding.

1 An. c. 7.

1 G. 3. c. 1.

34 G. 3. c. 75.

Act explained with regard to Settlement.

V. And whereas it is by the ſaid recited Act enacted, That no Officer, Servant, or other Perſon who ſhould belong to or reſide in the ſaid *Royal Naval Aſylum*, or Officer, Servant or other Perſon retained or employed in the ſaid *Royal Naval Aſylum*, either by or in the Service of the Commiſſioners for the Purpoſes of the ſaid *Royal Naval Aſylum*, or by or in the Service of any Perſon or Perſons reſiding in or belonging to the ſaid *Royal Naval Aſylum*, ſhould, by reaſon of any ſuch Office, Reſidence, Service, or Employment gain or acquire any Settlement in or be entitled to Relief from the Pariſh of *Greenwich*; and it is expedient that in this reſpect the ſaid Act ſhould be explained and amended: be it therefore further enacted and declared, That nothing in the ſaid Act contained ſhall extend, or be conſtrued to extend, to hinder or prevent any Perſon or Perſons attached to and reſiding in the ſaid *Royal Naval Aſylum* from acquiring a Settlement in the ſaid Pariſh of *Greenwich*, by reaſon of his, her or their having occupied or been entruſted with an Apartment or Tenement in the ſaid *Royal Naval Aſylum* of the annual Value of Ten Pounds; but that the Proviſion in the ſaid recited Act, upon the Subject of Settlements to be acquired in the ſaid Pariſh of *Greenwich*, ſhall extend and be applicable only to Settlements by Hiring and Service, and by Apprenticeſhips.

General Saving.

VI. Saving always to all Bodies Politic and Corporate, and all other Perſons whomſoever, and their, his and her Succeſſors, Heirs, Executors and Adminiſtrators (other than and except His moſt Excellent Majeſty, and his Heirs and Succeſſors), all ſuch Eſtate, Right, Title, Intereſt, Claim, and Demand of, in and to the Premiſes to be granted in and by the ſaid Letters Patent, Indenture or Indentures, to be made in purſuance of this Act, as they, every or any of them had before the paſſing of this Act, or might, or could, or would have had, held or enjoyed in caſe this Act had not been made.

Public Act.

VII. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and others, without being ſpecially pleaded.

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