

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. CLXI.

An Act for ſettling and ſecuring an Annuity on *Arthur* Duke of *Wellington* and his Heirs; and for empowering the Lord High Treaſurer or Lords Commiſſioners of the Treaſury to advance, out of the Conſolidated Fund of *Great Britain*, a Sum of Money in lieu of ſuch Annuity, to purchaſe an Eſtate in order to accompany the ſaid Title, in conſideration of the eminent and ſignal Services performed by the ſaid Duke of *Wellington* to His Majeſty and to the Public; and for making further Proviſion for the Diſpoſal of a Sum of Money granted by an Act of the laſt Seſſion of Parliament for purchaſing an Eſtate for the ſaid Duke, then Marquis of *Wellington*. [29th *July* 1814.]

Moſt Gracious Sovereign,

WHEREAS His Royal Highneſs the Prince Regent, acting in the Name and on the Behalf of Your Majeſty, by His moſt gracious Meſſage to Your Majeſty's faithful Commons, hath been pleaſed to declare that having taken into His Conſideration the many ſignal Victories obtained by Field Marſhal the Duke of *Wellington*, His Royal Highneſs has been pleaſed to confer upon him the Rank and Title of a Duke and Mar-

quis of the United Kingdom; and is desirous of further manifesting the Sense he entertains of those great and extraordinary Services which have exalted the Renown of the *British* Army, established the Independence and Safety of *Portugal* and *Spain*, and contributed largely to the Tranquillity of *Europe*, the Prince Regent therefore recommended to His Majesty's faithful Commons to enable His Royal Highness to grant such Annuity to Field Marshal the Duke of *Wellington* and to the Heirs of his Body who may succeed to the Title of Duke of *Wellington*, as shall tend to support the high Dignity of the Title conferred, and be at the same Time a lasting Memorial of His Royal Highness's Feelings, and of the Gratitude and Munificence of the Nation; now, we Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdom, in Parliament assembled, duly considering Your Majesty's most gracious Intention, do 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 one Annuity or yearly Sum of Thirteen thousand Pounds of lawful Money of *Great Britain* shall be issued and issuing and paid and payable out of, and charged and chargeable upon the Consolidated Fund of *Great Britain* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon or payable out of the said Fund); and the same shall from Time to Time be paid Quarterly, free and clear of all Taxes and Deductions whatsoever, in Manner and Form following; that is to say, To *Arthur* now Duke of *Wellington*, and to the Heirs Male of the Body of the said Duke to whom the said Title, Honour and Dignity of Duke of *Wellington* shall descend, pursuant to the Limitation of the Patent whereby the said Dignity is granted; and in Default of such Heirs Male, then to and for the Benefit of such Person or Persons, and to such Uses as are herein-after mentioned, limited, and directed, expressed and declared; which said Annuity or yearly Rent or Sum shall commence and take Effect from the Tenth Day of *October* in the Year of our Lord One thousand eight hundred and thirteen; the First Payment to be computed and made to the Fifth Day of *July* One thousand eight hundred and fourteen, and from thence shall be payable Quarterly at the Four usual Days of Payment in the Year; that is to say, the Tenth Day of *October*, the Fifth Day of *January*, the Fifth Day of *April*, and the Fifth Day of *July* in every Year.

An Annuity of 13,000l. granted to the Duke of Wellington, and his Heirs, to be paid Quarterly.

II. Provided always, and be it further enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners of the Treasury in *Great Britain* for the Time being, upon Application of the said Duke, or of the Heirs Male of the Body of the said Duke who may succeed to the Title of the Duke of *Wellington*, to advance at one Time, or from Time to Time, to the Trustees for the Time being for the Purposes of an Act passed in the last Sessions of Parliament, intituled *An Act for granting a Sum of Money for purchasing an Estate for the Marquis of* Wellington *and his Heirs, in Consideration of the eminent and signal Services performed by the said Marquis of* Wellington *to His Majesty and the Public*, as amended by another Act passed in the same Session of Parliament, out of the Consolidated Fund of *Great Britain* in lieu of the said Annuity of Thirteen thousand Pounds, or any Part thereof, any Sum or Sums not exceeding in the Whole

The Treasury, on Application of the Duke or his Heirs, may advance to the Trustees under 53 G. 3. c. 4. instead of the Annuity, 400,000l. to purchase Lands, &c.

Whole the Sum of Four hundred thouſand Pounds, for the Purpoſe of enabling the ſaid Truſtees, with the Approbation of the ſaid Lord High Treaſurer, or Lords Commiſſioners, to purchaſe Manors, Lands, Tenements, and Hereditaments to be ſettled to the Uſe of the ſaid Duke and the Heirs Male of his Body to whom the Title of Duke of *Wellington* ſhall deſcend, and to ſupport the Dignity and the Dukedom; and in Default of ſuch Heirs Male, then to and for the Benefit of ſuch Perſon or Perſons, and to ſuch Uſes as are herein-after mentioned, limited, and directed, expreſſed and declared; and from the Time when ſuch Sum of Four hundred thouſand Pounds, or any Portion thereof, may be ſo advanced, the whole of the ſaid Annuity, or a Part thereof proportionate to the Principal Sum ſo advanced, ſhall ceaſe and determine.

Truſtees under recited Act to be Truſtees under this Act, and the 100,000l. to be ſubject to the Regulations of this Act.

III. And be it further enacted, That the Truſtees for the Time being for the Purpoſes of the ſaid recited Acts of the laſt Seſſion of Parliament ſhall be Truſtees for the Purpoſes of this Act, and ſhall have all ſuch Powers and Authorities, and be entitled to all ſuch Rights, Privileges, and Exemptions, and ſhall be ſubject to all the ſame Proviſions and Regulations in the Execution of the Truſt repoſed in them by this Act, as they have and are entitled to in relation to the Truſts of the ſaid recited Acts; and that the Sum of One hundred thouſand Pounds, granted by the ſaid firſt-recited Act of the laſt Seſſion of Parliament, or ſo much thereof as ſhall not have been laid out in the Purchaſe of Manors, Lands, Tenements, or Hereditaments, and alſo any Manors, Lands, Tenements, or Hereditaments which may have been or may be purchaſed by or with the Money granted under the ſame Act, or any Part thereof, ſhall be liable and ſubject to all the Rules, Regulations, and Reſtrictions in this Act mentioned and contained with reſpect to the Money to be advanced under this Act, and with reſpect to any Manors, Lands, Tenements, or Hereditaments to be purchaſed under this Act, and as if the ſaid Sum of One hundred thouſand Pounds had been granted by this Act, and as if the ſaid Eſtates had been purchaſed under the Proviſions of this Act.

Treaſury by Warrant to direct the Auditor of Exchequer to make forth Debentures for paying the 400,000l. and the Annuity,

IV. And be it further enacted, That it ſhall be lawful for the Commiſſioners of His Majeſty's Treaſury of *Great Britain* now being, or any Three or more of them, and the Lord High Treaſurer and Under Treaſurer of the Exchequer, and Commiſſioners of the Treaſury of *Great Britain* for the Time being, or any Three of them, and they are hereby authorized and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer in *Great Britain*, now and for the Time being, to make forth and paſs Debentures from Time to Time for paying the ſaid Sum of Four hundred thouſand Pounds, or ſuch Part thereof as ſhall be applied for as aforeſaid, and alſo from Time to Time for paying the ſaid Annuity or Yearly Rent or Sum of Thirteen thouſand Pounds, or ſo much thereof as ſhall be payable, as the ſame ſhall from Time to Time become due and payable, without any Fees or Charges to be demanded or taken for paying the ſame or any Part thereof; which ſaid Warrant, and the Debentures to be made forth and paſſed thereupon, ſhall be a ſufficient Authority to the ſeveral and reſpective Officers of the Receipt of the Exchequer now and for the Time being for the Payment of the ſaid Sum of Four hundred thouſand Pounds, or ſuch Part thereof as ſhall be applied for as aforeſaid, to ſuch Truſtees reſpectively as aforeſaid, and alſo of ſuch Annuity as aforeſaid, to the ſaid Duke of *Wellington* and the

Heirs Male of the Body of the ſaid Duke of *Wellington*, or to ſuch other Perſon or Perſons as ſhall be entitled to receive the ſame, at the reſpective Quarterly Days in this Act before appointed for Payment thereof, without any further or other Warrant to be ſued for, had, or obtained in that Behalf.

Warrant of Treaſury to be valid.

V. And be it further enacted, That after ſigning of any ſuch Warrant the ſame ſhall be good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determined or revocable by or upon the Demiſe of His Majeſty (whom God long preſerve!) or any of His Heirs or Succeſſors, or by or upon the Death or Removal of any of the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer or Under Treaſurer, or by or upon the Determination of the Power, Office or Offices of them or any of them.

Treaſury and Exchequer required to do every Thing neceſſary without Fee.

VI. And be it further enacted, That the Commiſſioners of the ſaid Treaſury now being, and the Lord High Treaſurer of the ſaid Treaſury for the Time being, Chancellor and Under Treaſurer, Chamberlains and Barons of the ſaid Exchequer, and all other the Officers and Miniſters of the Court of Exchequer, and of the Receipt thereof, now and for the Time being, ſhall, and they are hereby authorized and ſtrictly enjoined and required to do, without Fee or Reward, all ſuch Acts, Matters, and Things as are herein-before directed and required, or ſhall be neceſſary to be done and performed by them or any or either of them, in order to render this Act and the ſeveral Payments hereby directed effectual.

Acquittances of the Truſtees and the Duke of Wellington, to be a ſufficient Diſcharge.

VII. And be it further enacted, That the Acquittance and Acquittances, Receipt or Receipts of the ſaid Truſtees reſpectively, for any Sum ſo to be advanced to them and of the ſaid Duke of *Wellington*, or the Heirs Male of the Body of the ſaid Duke of *Wellington* jointly with the ſame Truſtees, or of ſuch other Perſon or Perſons as ſhall be entitled or authorized to receive any ſuch Annuity, or any ſuch Sum as aforeſaid, ſhall be a good and ſufficient Diſcharge for the Payment of any ſuch Sum or Sums ſo to be advanced without any further or other Warrant to be ſued for or obtained in that Behalf, and that any ſuch Sum ſo to be advanced, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions, and other Public Charges whatſoever; and in caſe any of the Officers of the Receipt of His Majeſty's Exchequer ſhall refuſe or neglect to pay the ſaid Annuity, or any Sum ſo required to be advanced, or any Part thereof, according to the true Intent and Meaning of this Act, or ſhall refuſe to do any Act neceſſary to enable the ſaid Truſtees reſpectively, and the ſaid Duke of *Wellington*, and the Heirs Male of the Body of the ſaid Duke, and ſuch other Perſon or Perſons as ſhall be entitled to receive the ſame, then the ſaid Truſtees reſpectively and Duke, and the Heirs Male of the Body of the ſaid Duke, and ſuch other Perſon or Perſons as ſhall be entitled to receive the ſame or any Part thereof, may from Time to Time ſue, proſecute, and implead ſuch Officers, or any of them, their Executors and Adminiſtrators, by Bill, Plaint, or Action of Debt, and ſhall or may recover Judgements and ſue out Executions thereupon againſt ſuch Officers reſpectively, their Heirs, Executors, or Adminiſtrators, for ſo much of ſuch Sum of Four hundred thouſand Pounds, and for ſo much of ſuch Sum or Sums of Money then due and owing for any ſuch Annuity as aforeſaid as ſhall have been in the Hands of the Officer or Officers of the Receipt of

the Exchequer, at the Time or Times when Demands ſhall have been legally made of the Payment of the ſaid Sum or Annuity, or any Part thereof as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by ſuch Officer or Officers reſpectively.

Truſtees empowered to lay out the 400,000l. in the Purchaſe of Lands, &c.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to whom the ſaid Sum of Four hundred thouſand Pounds, or any Part thereof, may be advanced as aforeſaid, and they are hereby required to lay out and inveſt the ſaid Sum of Four hundred thouſand Pounds, or any Part thereof, in the Purchaſe of any Freehold or Copyhold or Cuſtomary Manors, Lands, Tenements, and Hereditaments, of a good Eſtate of Inheritance in Fee Simple in poſſeſſion, to be free from Incumbrances, except Fee Farm and Quit Rents, and other Rents or Services, and to be ſituate in any Part of *Great Britain*; and the ſaid Freehold Manors, Lands, Tenements, and Hereditaments, ſhall, when ſo purchaſed, be forthwith ſettled, conveyed, and aſſured, to the ſaid Truſtees, their Heirs and Aſſigns, to the Uſe of the ſaid Duke of *Wellington*, and the Heirs Male of the Body of the ſaid Duke of *Wellington*; and in Default and on Failure of ſuch Heirs Male, then to the ſaid Truſtees and their Heirs, to the Uſe of the ſaid Truſtees and their Heirs, upon the ſeveral Truſts, and for the Benefit of the ſeveral Perſons herein-after limited and directed, mentioned, expreſſed, and declared.

If Money cannot be immediately ſo inveſted, Truſtees may inveſt it in Exchequer Bills.

IX. Provided always, and be it further enacted, That if on the Payment of the ſaid Sum of Four hundred thouſand Pounds, or any Part thereof, to ſuch Truſtees as aforeſaid, the ſaid Truſtees ſhall not be able immediately to inveſt the ſame in any ſuch Purchaſe as aforeſaid, then and in ſuch Caſe the ſaid Truſtees ſhall and they are hereby required to lay out ſuch Sum of Four hundred thouſand Pounds, or any Part thereof ſo to be advanced or paid to them, or ſuch Part thereof as cannot be ſo inveſted as aforeſaid, in Exchequer Bills, or in any other Government Securities, and to keep the ſame ſo inveſted in Exchequer Bills, or ſome other Government Securities, bearing Intereſt until the ſame can be inveſted in any ſuch Purchaſe as aforeſaid; and in the mean Time, and from Time to Time, to pay the Intereſt ariſing therefrom to the ſaid Duke of *Wellington*, or the Perſon entitled for the Time being to ſuch Annuity as aforeſaid.

Duke of Wellington empowered to ſettle a Jointure on the Dutcheſs of 2,500l. per Annum, in Addition to former Jointures.

X. And be it further enacted, That it ſhall be lawful for the ſaid Duke of *Wellington*, or for any Perſon upon whom the ſaid Title of Duke of *Wellington* ſhall deſcend, either before or after his Marriage with any Woman or Women, by any Deed or Deeds or Writing or Writings, with or without Power of Revocation, to be by him ſealed and delivered in the Preſence of Two or more credible Witneſſes (but ſubject and without Prejudice to the Annuity or Annuities, yearly Sum or Sums, if any, which ſhall be then ſubſiſting, and payable by way of Jointure or Jointures out of the ſaid Manors, Lands, Tenements, and Hereditaments, by virtue of any Grant, Limitation, or Appointment, to be made in purſuance of the Power herein contained), to grant, limit, and appoint unto ſuch Woman or Women whom he ſhall ſo marry, for her or their Life or Lives, and for her or their Jointure or Jointures, in bar of Dower as herein-after is expreſſed, any Annuity or yearly Sum not exceeding the Sum of Two thouſand five hundred Pounds, of like lawful Money, clear of all Taxes,

Charges, and Deductions whatsoever, by Act of Parliament or otherwise howsoever, to commence and take effect immediately after the Decease of the Person granting, limiting, or appointing the same, and to be issuing and payable out of the said Annuity of Thirteen thousand Pounds hereby granted; provided the said principal Sum of Four hundred thousand Pounds shall not have been advanced as aforesaid, or out of the said Rents and Profits of the said Manors, Lands, Tenements, and Hereditaments, provided the said Sum of Four hundred thousand Pounds shall have been advanced and invested as aforesaid; or if Part of the said principal Sum of Four hundred thousand Pounds shall have been advanced as aforesaid, then the said Annuity by way of Jointure shall be issuing and payable proportionally out of the Part of the said Annuity of Thirteen thousand Pounds then remaining payable, and out of the Rents and Profits of the said Manor, Lands, and Hereditaments, purchased with the said Part of such principal Sum so advanced as aforesaid, and to be paid and payable by equal quarterly Payments; and the first of the said quarterly Payments to be made on the Quarter Day which shall first happen after the Decease of the Person who shall have appointed the Annuity or yearly Sum last herein-before authorized: Provided always, that such Jointure or Jointures shall and may be in addition to any Jointure or Jointures chargeable under the Provisions of the said first recited Act of the last Session of Parliament, on Manors, Lands, Tenements, and Hereditaments, purchased or to be purchased by or with the Money granted by the said recited Act, or any Part thereof.

Limitation of Jointure.

XI. Provided always, and be it further enacted, That the said Annuity of Thirteen thousand Pounds, or such Part thereof as shall from Time to Time remain payable, and the said Manors, Lands, Tenements, and Hereditaments, to be purchased under the Authority of this Act, shall not at one and the same Time be together subject to the Payment of more than the yearly Sum of Three thousand Pounds, for or in respect of any Jointure or Jointures which shall be made in pursuance of the Powers herein-before contained, in addition to the yearly Sum of Three thousand Pounds chargeable by the said first recited Act of the last Session of Parliament, on Manors, Lands, Tenements, or Hereditaments, purchased or to be purchased by or with the Money granted by the said recited Act, or any Part thereof: Provided nevertheless, that the Execution of the aforesaid Jointuring Power, by any of the Persons to whom such Power is given by the said recited Act or this Act, shall not be prevented or invalidated by reason of any prior Charge for Jointures under the said recited Act or this Act, to the full Amount allowed in and by the said recited Act and this Act; but the Execution of such Power, by any such Person, shall be good and effectual to create the Jointure thereby charged pursuant to the said recited Act or this Act, notwithstanding any prior Charge or Charges of Jointure under the Powers of the said recited Act or this Act, to the full Amount allowed in and by the said recited Act and this Act; and any subsequent Jointure shall take effect when and as any prior Jointure or Jointures shall cease, and so far and to such Extent only as such prior Jointure shall cease, and to no further or greater Extent, and not to any further or greater Extent than the actual Amount of the Jointure charged by the Execution of such Power in manner aforesaid.

XII. Provided

Lands ſo purchaſed not to be ſubject to Dower.

XII. Provided always, and be it further enacted, That the Manors, Meſſuages, Lands, Tenements, and Hereditaments, ſo to be purchaſed under this Act as aforeſaid, ſhall not be ſubject to Dower of the Wife or Wives of the ſaid Duke of *Wellington*, or of any of the Perſons who may ſucceſſively be ſeized thereof under the Limitations aforeſaid.

Duke of Wellington empowered to leaſe the Manors (except the Manſion Houſe, &c.) for 21 Years;

XIII. And be it further enacted, That it ſhall be lawful for the ſaid Duke of *Wellington*, and for the Heirs Male of the Body of the ſaid Duke, who ſhall for the Time being be in poſſeſſion of or entitled to the Rents and Profits of the ſaid Manors, Lands, Tenements, and Hereditaments, ſo to be purchaſed as aforeſaid, as and when they ſhall reſpectively be in the Poſſeſſion or entitled as aforeſaid, to grant, demiſe, and leaſe, all or any of ſuch Manors, Lands, Tenements, and Hereditaments, which ſhall be ſo purchaſed under this Act as aforeſaid (except ſuch of them as ſhall conſiſt of a Capital Manſion Houſe, Gardens, and Park, intended for the actual Reſidence and Occupation of thoſe who for the Time being ſhall be entitled in poſſeſſion to the Rents and Profits of the Manors, Lands, Tenements, and Hereditaments, ſo to be purchaſed), to any Perſon or Perſons, for any Term or Number of Years not exceeding Twenty-one Years, in Poſſeſſion, but not in Reverſion, Remainder, or Expectancy, or by way of future Intereſt, ſo as upon every ſuch Leaſe there be reſerved and made payable, during the Continuance thereof reſpectively, the beſt and moſt improved yearly Rent or Rents that can be reaſonably had or obtained for the ſame, without taking any Sum or Sums of Money by way Fine or Income, for or in reſpect of ſuch Leaſe or Leaſes, and ſo as the Leſſees to be therein reſpectively named, and their reſpective Executors, Adminiſtrators, or Aſſigns, be not made diſpuniſhable of or for Waſte by any expreſs Words therein, and ſo as that in every ſuch Leaſe there be contained a Condition or Clauſe of Re-entry for Non-payment of the Rent or Rents to be thereby reſpectively reſerved, and ſo as ſuch reſpective Leſſees duly ſeal and deliver Counterparts of ſuch Leaſes reſpectively.

and may grant Building Leaſes for 90 Years.

XIV. And be it further enacted, That it ſhall be lawful for the ſaid Duke of *Wellington*, and for the Heirs Male of the Body of the ſaid Duke who ſhall be entitled for the Time being to any Manors, Lands, Tenements, or Hereditaments which ſhall be purchaſed under this Act, or which ſhall have been or ſhall be purchaſed under the ſaid firſt recited Act of the laſt Seſſion of Parliament, by Indenture, ſealed and delivered in the Preſence of and atteſted by Two credible Witneſſes, to demiſe, leaſe, and grant ſuch Manors, Lands, Tenements, or Hereditaments, or any Part thereof (except ſuch capital Manſion Houſe, Gardens, and Park as aforeſaid) unto any Perſon or Perſons who ſhall be willing to build upon the ſame, in the Manner by the Leaſe or reſpective Leaſes ſo to be granted to be ſpecified, for any Term or Number of Years abſolute, not exceeding the Term of Ninety Years, to take effect in Poſſeſſion, and not in Reverſion, or by way of future Intereſt, with Liberty for the Leſſee or Leſſees to take down all or any Part or Parts of any Buildings which may be ſtanding upon the Premiſes in any ſuch Leaſe or Leaſes reſpectively to be comprized, and to convert and diſpoſe of the Materials thereof to ſuch Uſes and Purpoſes as ſhall be therein mentioned and agreed upon, and alſo to lay out and appropriate any Part of the Premiſes to be comprized in ſuch Leaſe or Leaſes as or for a Yard or Yards, Garden or Gardens to

any Building or Buildings which may be built upon the Premiſes, or as and for a Way or Ways, Street or Streets, Road or Roads, Avenue or Avenues, Paſſage or Paſſages, Sewer or Sewers, for the Uſe and Convenience of the Leſſee or Leſſees, or other Tenants or Occupiers of the Premiſes, in ſuch Manner as ſhall be mentioned and agreed upon in ſuch Grant, Leaſe, or Demiſe, together with ſuch Privileges and other Eaſements as ſhall be deemed reaſonable or convenient, ſo as there be reſerved in and by ſuch Leaſes, Demiſes, or Grants reſpectively the beſt and moſt improved yearly Rent that can be reaſonably had or gotten for the ſame, to be made payable Quarterly, free from all Deductions whatſoever, regard being had to the Value of the Buildings (if any) to be comprized in ſuch Demiſes or Leaſes, without taking any Fine, Premium, or Foregift, or any Thing in the Nature thereof, for the making of ſuch reſpective Leaſes, and ſo as there be contained in ſuch Demiſes or Leaſes reſpectively Covenants from the reſpective Leſſees, to pay the Rent thereby reſerved, and to build and keep in Repair the Meſſuages, Erections, and Buildings which may be agreed to be erected and built on the Premiſes thereby reſpectively to be leaſed at the End of the Term or Terms in ſuch Leaſes granted, and ſo as there be contained in ſuch Demiſes or Leaſes reſpectively a Power for the Leſſors and their Surveyors and Agents to enter upon the Premiſes, and to inſpect the State and Condition thereof, and all ſuch other uſual and proper Covenants, Proviſoes, and Conditions, on the Parts of the reſpective Leſſees, as are uſually contained in Building Leaſes, and ſo as there be alſo contained in ſuch Leaſes, Demiſes, or Grants reſpectively Conditions of Re-entry for Non-payment of the Rents to be thereby reſerved on Non-performance of the Covenants, Proviſoes, or Conditions on the reſpective Leſſees Part, and ſo as the reſpective Leſſees do ſeverally execute Counterparts of their reſpective Leaſes.

The Duke to be anſwerable for Waſte on the Manors, &c.

XV. And be it further enacted, That it ſhall not be lawful for the ſaid Duke of *Wellington*, or the Heirs Male of the Body of the ſaid Duke, who for the Time being ſhall be entitled in Poſſeſſion to the Rents, Iſſues, and Profits of any Manors, Lands, Tenements, and Hereditaments ſo purchaſed or to be purchaſed and ſettled as aforeſaid under this Act, or under the ſaid firſt recited Act of the laſt Seſſion of Parliament, to commit or permit any Kind of malicious or deſtructive Waſte in or upon ſuch Manors, Lands, Tenements, or Hereditaments, or in or upon any Part thereof; and if the ſaid Duke of *Wellington*, or any ſuch other Perſon as aforeſaid, ſhall at any Time or Times commit or permit any ſuch malicious or deſtructive Waſte, then and in every ſuch Caſe the ſaid Duke, or any other ſuch Perſon as aforeſaid, ſo committing or permitting any ſuch malicious or deſtructive Waſte, and his or their Executors and Adminiſtrators, ſhall be reſponſible in Damages to the Truſtees for the Time being, and ſhall accordingly, by virtue of this Act, be ſueable at Law by the ſaid Truſtees, in an Action upon the Caſe, for ſuch Damages; and in every ſuch Action in which Judgment ſhall be given for the Plaintiff, Coſts ſhall be awarded againſt the Defendant or Defendants; and all ſuch Monies as ſhall be ſo recovered for Damages and Coſts ſhall, after Payment of all Expences and Charges which ſhall be incurred or ſhall ariſe in Execution of this Part of the Truſts of this Act, be applied by the ſaid Truſtees for the Time being in Improvement of any of the Manors, Lands, Tenements, and Hereditaments ſo to be purchaſed and ſettled as aforeſaid, by Repairs, Buildings, Planting, Incloſure, Draining, or otherwiſe, in the ſame Manner

as is herein-after directed concerning the Application of the reſiduary Surplus Money from Sale of Timber under the Proviſions herein-after contained.

Allowing the making of Bricks or digging of Quarries.

XVI. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Duke of *Wellington*, and the Heirs Male of the Body of the ſaid Duke, who ſhall be entitled for the Time being to the Rents and Profits of any ſuch Manors, Meſſuages, Lands, Tenements, and Hereditaments, purchaſed or to be purchaſed under this Act, or under the ſaid firſt recited Act of the laſt Seſſion of Parliament, to dig any Brick Earth for making Bricks, or to ſink, dig, or work any Quarries of Stone, Mines of Coal, Minerals, or other Mines, or to grant Leaſes for any Term not exceeding Twenty-one Years, of any Land for the making of Bricks, or ſinking, digging, or working any ſuch Quarries or Mines in any ſuch Manors, Lands, Tenements, or Hereditaments, other than and except on any of the Gardens or Parks near to or ſurrounding the Manſion of Reſidence, without being impeachable for any Waſte by reaſon thereof.

Reſtriction as to felling of Timber.

XVII. And be it further enacted, That it ſhall not be lawful for the ſaid Duke of *Wellington*, or any of the Heirs Male of the Body of the ſaid Duke, to cut down or fell, or cauſe to be cut down or felled, any Timber which ſhall be growing or ſtanding in or upon the Manors, Lands, and Hereditaments ſo purchaſed or to be purchaſed and ſettled under this Act, or under the ſaid firſt recited Act of the laſt Seſſion of Parliament as aforeſaid, or any Part thereof, otherwiſe than in Manner herein-after authorized; and if any ſuch Timber ſhall be felled or cut down in any other Manner than is herein-after authorized, the Perſon or Perſons ſo felling or cutting down ſuch Timber, or cauſing the ſame to be felled or cut down, ſhall be reſponſible to the Truſtees for the Purpoſes of this Act for the Time being, for the Value of the Timber ſo felled or cut down, and ſhall accordingly, by virtue of this Act, be ſueable by the ſaid Truſtees for the Time being in an Action upon the Caſe for the ſaid Damages, and in every ſuch Action in which Judgment ſhall be given for the Plaintiffs, Treble Coſts ſhall be awarded againſt the Defendant or Defendants; and all ſuch Sums of Money as ſhall be ſo recovered for ſuch Damages and Coſts, ſhall, after Payment of all Charges and Expences which ſhall be incurred or ariſe in the Execution of this Branch of the Truſts of this Act, be applied by the ſaid Truſtees for the Time being in the ſame Manner as herein-after is directed in reſpect of the reſiduary Surplus Monies from the Sale of Timber under the Proviſions for that Purpoſe herein-after mentioned.

Survey of Timber to be made annually, to aſcertain what is proper to be cut.

XVIII. And be it further enacted, That ſome Time in the Month of *November* in every Year, when Occaſion ſhall require, and the ſame ſhall be requeſted by the ſaid Duke of *Wellington*, or by any of the Heirs Male of the Body of the ſaid Duke who ſhall be Duke of *Wellington*, and as ſuch entitled for the Time being to the Rents and Profits of ſuch Manors, Lands, Tenements, and Hereditaments, a Survey and Valuation ſhall be made by ſome fit and proper Perſon or Perſons to be appointed by the Truſtees for the Time being, of all ſuch Timber ſtanding, growing, and being in or upon the ſaid Manors, Lands, and Hereditaments ſo to be purchaſed and ſettled as aforeſaid, as it ſhall be the Wiſh of the ſaid Duke of *Wellington*, or the Duke of *Wellington* for the Time being, to have cut down in courſe of the enſuing Year, and as ſhall be fit and in proper Courſe, or be otherwiſe

advantageous or proper to be cut down; and ſuch Survey and Valuation ſhall be reduced into Writing, and being ſo written, ſhall be ſigned by the Perſon or Perſons appointed to make the ſame, and be verified by his or their Oath or Oaths (to be adminiſtered to him or them by any Juſtice of the Peace, any ſuch Juſtice being hereby authorized to adminiſter the ſame accordingly), and after ſuch Survey and Valuation ſhall be made and ſworn to as aforeſaid, it ſhall be lawful for the ſaid Truſtees reſpectively, with the Conſent and Approbation of the ſaid Duke of *Wellington*, or the Duke of *Wellington* for the Time being, as the Caſe may be, ſuch Conſent to be teſtified by Writing under the Hand of the Duke of *Wellington* for the Time being giving the ſame, to order and direct that the ſaid Timber which ſhall have been ſelected and marked for cutting by the Perſon or Perſons making ſuch Survey and Valuation, or ſo much of ſuch Timber as ſhall be ſpecified in ſuch Conſent of the ſaid Duke of *Wellington*, or the Duke of *Wellington* for the Time being, ſhall be forthwith cut down and felled, and ſold and diſpoſed of with all convenient Speed, for ſuch Sum or Sums as to the ſaid Truſtees ſhall appear to be the beſt Price or Prices that can reaſonably be had or obtained for the ſame.

Application of the Money ariſing by the Sale of Timber, to be in Truſt for the Proviſion of Children.

XIX. And be it further enacted, That the Monies from Time to Time to ariſe and be produced by every Sale of Timber as aforeſaid, ſhall be paid to and received by the ſaid Truſtees for the Time being, and the ſaid Truſtees, after Payment of all Expences attending any ſuch Valuation and Sale, ſhall from Time to Time, in the firſt Place, ſet apart and appropriate ſo much of the Surplus Monies as, at the Time when ſuch Sale ſhall be ordered as aforeſaid, ſhall be equal in Amount to One Fourth Part of the then groſs yearly Rental of the ſaid Manors, Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed and ſettled as aforeſaid, if the Produce of ſuch Timber ſhall amount to ſo much, and do and ſhall, from Time to Time, by and out of the Monies which ſhall be ſo ſet apart and appropriated, or by and out of the Monies produced by the Sale of ſuch Timber, pay to the Perſon who at the Time of ſuch Order as aforeſaid ſhall be in the Poſſeſſion or entitled to the Rents, Iſſues, and Profits of the ſaid Manors, Lands, Tenements, and Hereditaments ſo to be purchaſed and ſettled as aforeſaid, or to the Executors or Adminiſtrators of ſuch Perſon, a Sum equal to Ten Pounds *per Centum* on the Amount of the whole of ſuch groſs yearly Rental, for the Purpoſe of paying and reimburſing to ſuch Perſon the Charges and Expences which may have been incurred by him in neceſſary and incidental Repairs upon the ſaid Eſtates, and do and ſhall lay out and inveſt the Reſidue of the Monies (which ſhall be ſo ſet apart and appropriated as aforeſaid) in or upon any Government Stocks or Funds, or at Intereſt on any real Securities, in the Names of the ſaid Truſtees for the Time being, and the ſaid Truſtees in whoſe Names the ſame ſhall be ſo inveſted, ſhall ſtand and be poſſeſſed of and intereſted in the ſaid Stocks, Funds, and Securities, upon the Truſts following; (that is to ſay,) upon Truſt from Time to Time during the Life of the Perſon who ſhall for the Time being be ſo in Poſſeſſion or entitled to the ſaid Manors, Lands, Tenements, and Hereditaments as aforeſaid at the Time ſuch Timber ſhall in Manner aforeſaid be ordered to be felled and cut down, or until ſuch Stocks, Funds, and Securities ſhall be diſpoſed of, in the Life-time of ſuch Perſon, according to the Direction and Appointment of ſuch Perſon, to be made and given in Manner herein-after mentioned, to receive the Dividends and Intereſts, and annual Proceeds of the

ſaid

ſaid Stocks, Funds, and Securities, and to lay out and inveſt the ſame Dividends, Intereſts, and annual Proceeds in or upon any ſuch other Stocks, Funds, and Securities as aforeſaid, in the way of Accumulation, and ſo from Time to Time during the whole of the ſaid Life, or until ſuch Diſpoſition as aforeſaid as to the Intereſt, Dividends, and annual Proceeds of ſuch other Stocks, Funds, and Securities, or of any ſuch Stocks, Funds, or Securities, in or upon which any like Accumulations ſhall afterwards, during ſuch Life, or until ſuch Diſpoſition as aforeſaid be inveſted or placed out; and from and immediately after the Death of the Perſon ſo being or having been in the Poſſeſſion, or entitled as laſt aforeſaid, or from and after ſuch Time as ſhall be directed and appointed by ſuch Perſon in Manner herein-after mentioned, then as to all the ſaid original Stocks, Funds, and Securities, and alſo as to all thoſe ariſing from ſuch Accumulations as aforeſaid, in Truſt for all and every or ſuch One or more of the Children of the Perſon ſo being or having been in Poſſeſſion, or entitled as laſt aforeſaid, (other than and except the eldeſt Son or only Son of ſuch Perſon, at ſuch Age or Ages, Day or Days, and Times, either during the Life-time or after the Deceaſe of the Perſon ſo being or having been in Poſſeſſion or entitled as aforeſaid, and in ſuch Parts, Shares, and Proportions, and with ſuch Maintenance in the mean Time, until the Aſſignment or Transfer of their reſpective Shares, and ſubject to ſuch Proviſoes and Limitations over (ſuch Proviſoes and Limitations nevertheleſs to be for the Benefit of ſome or one of the ſame Children, except as aforeſaid), and in ſuch Manner and Form as the Perſon ſo for the Time being in Poſſeſſion, or entitled as aforeſaid by any Deed or Deeds, Writing or Writings, with or without Power of Revocation or new Appointment, to be by ſuch Perſon ſealed and delivered in the Preſence of, and atteſted by Two or more credible Witneſſes, or by the laſt Will and Teſtament of ſuch Perſon in Writing, or any Codicil or Codicils thereto to be ſigned and publiſhed by ſuch Perſon, in the Preſence of Three or more credible Witneſſes, ſhall direct or appoint; and in default of and ſubject to ſuch Direction or Appointment, then in Truſt for all and every the Child and Children of the Perſon ſo having been in Poſſeſſion or entitled as laſt aforeſaid (other than and except the eldeſt or only Son of ſuch Perſon, in equal Shares and Proportions, (if more than one); and if there ſhall be but One ſuch Child, then in Truſt for ſuch One Child, and to aſſign, transfer, and make over the Share or Shares of ſuch of them as ſhall be a Son or Sons to him or them at his or their Age or reſpective Ages of Twenty-one Years; and the Share or Shares of ſuch of them as ſhall be a Daughter or Daughters, to her or them at her or their Age or reſpective Ages of Twenty-one Years, or Day or reſpective Days of Marriage which ſhall firſt happen after the Deceaſe of the Perſon ſo having been in Poſſeſſion or entitled as laſt aforeſaid.

Further Directions as to the Application of ſuch Money veſted in Government Securities.

XX. Provided always, and be it further enacted, That in caſe any ſuch Child or Children being a Son or Sons (other than and except as aforeſaid) ſhall attain the Age of Twenty-one Years, or being a Daughter ſhall attain the like Age, or be married in the Lifetime of the Perſon ſo being in Poſſeſſion, or entitled as laſt aforeſaid, it ſhall and may be lawful for ſuch Perſon to direct and appoint in Manner aforeſaid, that the Share or Shares of any ſuch Son or Daughter of and in ſuch Truſt Stocks, Funds, and Securities laſt-mentioned, or any Part of ſuch Share or Shares ſhall and may be paid to any ſuch Son or Daughter at the Time when or at

any Time after he or ſhe ſhall attain ſuch Age, or be married as aforeſaid, and in Default of ſuch Direction or Appointment, then the Share or Shares of ſuch Son or Sons ſo attaining the Age of Twenty-one Years (other than and except as aforeſaid), and of ſuch Daughter or Daughters ſo attaining the like Age, or being married before ſuch Age, of, in, and to the ſaid Truſt Stocks, Funds, and Securities laſt-mentioned, or ſuch Part of the ſaid Stock, Funds, and Securities, as ſhall not have been ſo directed or appointed as aforeſaid, ſhall reſpectively be and be conſidered as a veſted Intereſt or veſted Intereſts in the ſame Child or Children, and ſhall be tranſmiſſible as ſuch to his, her, or their Executors, Adminiſtrators, or Aſſigns, notwithſtanding the Death of ſuch Child or Children afterwards in the Lifetime of the Perſon ſo in the Poſſeſſion or entitled as laſt aforeſaid.

Shares of ſuch Truſt Money for Children to go in certain Caſes to Survivors.

XXI. Provided alſo, and be it further enacted, That if any ſuch Child being a Son ſhall die under the Age of Twenty-one Years, or become an eldeſt or only Son, or being a Daughter, ſhall die under that Age, without having been married, then and in ſuch Caſe and in Default of and ſubject to ſuch Direction or Appointment as aforeſaid, the Share of each ſuch Son ſo dying, or becoming an eldeſt or only Son, and of each ſuch Daughter ſo dying without having been married as aforeſaid, of and in the ſaid Truſt Stocks, Funds, and Securities, (other than what ſhall have been actually applied for the Advancement of ſuch Son or Sons as herein-after mentioned) ſhall from Time to Time go and accrue to the Survivors or Survivor, and others or other of the ſame Children, and the reſpective Executors, Adminiſtrators, and Aſſigns of ſuch of them as ſhall be dead, having firſt acquired a veſted Intereſt in their reſpective original Shares, and be equally divided between or amongſt ſuch Survivors and others of them, and the ſaid Repreſentatives of thoſe who ſhall be dead (if more than one) in equal Shares and Proportions, and ſhall be transferrable and payable at the ſame Ages, Days and Times reſpectively as his, her, or their original Share or Shares, and ſuch Benefit of Survivorſhip or Accruer ſhall extend as well to the ſurviving or accruing as to the original Shares.

Until Truſt Funds become tranſferrable the Dividends to be paid Guardians for the Maintenance of Children.

XXII. And be it further enacted, That in the mean Time after the Death of the Perſon ſo having been entitled or in Poſſeſſion as laſt aforeſaid, or until the ſaid Truſt Stocks, Funds, and Securities ſhall become aſſignable or transferrable by virtue of the Truſts aforeſaid, the Dividends, Intereſt, and Annual Proceeds thereof, or of ſo much thereof, whereof no ſuch Direction or Appointment ſhall have been made as aforeſaid, ſhall be paid to the Guardian or Guardians for the Time being, of ſuch Child or Children whoſe Share or reſpective Shares of the ſaid Truſt Stocks, Funds, and Securities ſhall not then have become aſſignable or transferrable as aforeſaid, to be applied for and towards the Maintenance and Education, and for the Benefit of the ſame Child or Children (if more than one) according and in proportion to their ſeveral apparent or preſumptive Rights and Shares in the ſaid Truſt Stocks, Funds, and Securities.

Truſtees empowered, in default of other Appointment, to diſpoſe of

XXIII. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees for the Time being, of the ſaid laſt-mentioned Truſt Stocks, Funds, and Securities, at any Time during the Life of any Perſon ſo being entitled or in Poſſeſſion as aforeſaid, according to ſuch Direction and

Appointment as aforesaid, and by and with the Consent and Approbation of such Person, or at any Time after the Decease of the Person so having been in Possession, or entitled as last aforesaid; and in Default of any such Appointment or Direction by such Person, then for the said Trustees upon their own Authority to sell and dispose of, or call in and receive any Part of the Share or Shares of such Child or Children, being a Son or Sons, of and in the said Trust Stocks, Funds, and Securities, so as the Sum or Sums to be raised or called in do not exceed the Sum of Ten thousand Pounds in the Whole for any one such Son, and to apply the same Sum or Sums for placing out such Son or Sons in any Profession or Employment, or for his or their Instruction therein, or for purchasing him or them a Commission in the Army, or otherwise for his or their Advancement or Benefit, notwithstanding that such his or their Share or Shares shall not then have become vested, due, and payable, or notwithstanding that such Son or Sons shall not have attained the Age of Twenty-one Years.

Shares of Sons to a certain Amount for their Benefit.

XXIV. And be it further enacted, That in case the Person so in Possession or entitled to the said Manors, Lands, Tenements, and Hereditaments as last aforesaid, shall die without having any Child or Children who shall live to become entitled to the said last mentioned Trust Stocks, Funds, and Securities, then and in such Case the Trustees thereof for the Time being shall stand possessed of and interested in the same Trust Stocks, Funds, and Securities, in Trust for the Executors or Administrators of the Person so dying having been in Possession and entitled as last aforesaid, and to assign, transfer, and make over the same accordingly.

In case of no Children, Trustees to be possessed of the Trust Funds for the Executors, &c.

XXV. And be it further enacted, That it shall be lawful for the said Trustees with the Consent and Approbation in Writing of the Person so in Possession or entitled to the Rents, Issues and Profits of the said Manors, Lands, Tenements and Hereditaments for the Time being, to sell and dispose of all or any Part of the said last mentioned Trust Stocks, Funds, and Securities, and to lay out and invest the Monies thereon arising in or upon any other such Government or Real Securities as aforesaid, and in like manner to alter, vary, and change such other Government Stocks, Funds, and Real Securities for others of the same or the like Nature, and so from Time to Time as often as shall be deemed expedient, subject always nevertheless to the Trusts thereof herein-before declared.

Trustees with Consent of the Person in Possession may change Securities.

XXVI. And as to, for, and concerning the Residue of the Surplus of the Monies which shall from Time to Time arise and be produced by every such Sale of Timber so to be cut down and felled as aforesaid, after setting apart and appropriating so much thereof as is herein directed to be set apart and appropriated for the Purposes aforesaid; be it further enacted, That the said Trustees of this Act for the Time being shall apply all such residuary Monies in such Improvement and Melioration of the said Manors, Lands, Tenements, and Hereditaments so to be purchased and settled as aforesaid, or of some Part thereof, by Buildings, Reparation, Planting, Inclosure, Draining, or otherwise, as the Trustees of this Act for the Time being, with the Consent of the said Duke of *Wellington*, or the Person or Persons seised of or entitled to the said Manors, Lands, Tenements, and Hereditaments, in Possession for the Time being, or in case of Infancy, his or their Guardian or Guardians for the Time being, shall think most proper; or if the said Trustees for the Time being or a Majority of them shall disagree

Trustees to apply the Residue of the Money arising by the Sale of Timber in the Improvement of the Manors to be purchased.

agree with the ſaid Duke of *Wellington*, or the Perſon or Perſons ſo ſeized or entitled as aforeſaid, or his or their Guardian or Guardians about the Manner of ſuch Application, then as the Lord High Treaſurer or the Firſt Commiſſioner of the Treaſury for the Time being, ſhall on a Reference to him by any of the Parties who ſhall ſo differ by any Writing or Writings to be ſealed and delivered by him direct and appoint.

Truſtees, with Conſent of the Perſon in Poſſeſſion, may ſell or exchange Manors, &c. and purchaſe others.

XXVII. Provided always, and be it further enacted, That it ſhall be lawful for the Truſtees for the Time being under this Act, at the Requeſt and with the Conſent and Approbation of the Perſon or Perſons for the Time being entitled in Poſſeſſion to the Rents and Profits of any Manors, Lands, Tenements, and Hereditaments ſo purchaſed or to be purchaſed as aforeſaid, (ſuch Conſent and Approbation to be teſtified by Writing under his, her, or their Hand and Seal or Hands and Seals, and atteſted by Two or more credible Witneſſes), to ſell or exchange any ſuch Manors, Meſſuages, Lands, Tenements, and Hereditaments, for the Purpoſe of purchaſing any other Manors, Lands, Tenements, or Hereditaments of a good Eſtate of Inheritance in Fee Simple in Poſſeſſion, and to be free from Incumbrances, and ſituate in *Great Britain* as aforeſaid; and for that Purpoſe to convey by way of Sale or by way of Exchange all or any of ſuch Manors, Lands, Tenements, and Hereditaments ſo to be purchaſed as aforeſaid, unto any Perſon or Perſons, and his and her or their Heirs and Aſſigns reſpectively, either together or in Parcels for ſuch Equivalent in Money, or in Manors, Lands, Tenements, and Hereditaments, as to them the Truſtees for the Time being ſhall ſeem meet; and it ſhall be lawful for the Truſtees for the Time being, and they are hereby required to lay out and inveſt the Purchaſe Money which ſhall ariſe from every or any ſuch Sale, or any Part thereof, in the Purchaſe of other Manors, Lands, Tenements, and Hereditaments of a good Eſtate of Inheritance in Fee Simple in Poſſeſſion, free from Incumbrances, and ſituate in *Great Britain* as aforeſaid, and in the mean Time to lay out and keep inveſted in Public Stocks or Government Securities in their Names the Purchaſe Money to be received as aforeſaid, or ſo much thereof as ſhall not have been applied in the Purchaſe of other ſuch Manors, Lands, Tenements, and Hereditaments as aforeſaid, and to pay and apply the Intereſt, Dividends, and Income thereof to the Perſon who for the Time being would be entitled to the Rents and Profits of ſuch Manors, Lands, Tenements, and Hereditaments, if ſuch Purchaſe had actually been made; and when any ſuch Manors, Lands, Tenements, or Hereditaments hereby made exchangeable as aforeſaid ſhall be ſo diſpoſed of and conveyed in Exchange for or in lieu of any other Manors, Lands, Tenements, or Hereditaments as aforeſaid, and when all or any other ſuch Manors, Lands, Tenements, and Hereditaments ſhall have been purchaſed with Money ariſing from any ſuch Sale or Sales as aforeſaid, the Fee Simple and Inheritance of ſuch Manors, Lands, Tenements, and Hereditaments ſo taken in Exchange, or purchaſed as laſt aforeſaid, ſhall be well ſettled, conveyed, and aſſured to the Uſe of ſuch Perſons, and for ſuch Eſtates and under and ſubject to ſuch Powers and Proviſions as the ſaid Manors, Lands, Tenements, or Hereditaments, which ſhall by virtue of this Act be ſo diſpoſed of by way of Sale or in Exchange, would under the Limitations in this Act contained have ſtood limited, if the ſame had not been ſold or exchanged; and all and every Perſon and Perſons to whom any ſuch Conveyance of all or any of the ſaid Manors, Lands, Tenements, and Hereditaments hereby made ſaleable or exchangeable as aforeſaid, ſhall have

have been made by way of Sale or in Exchange; and the reſpective Heirs and Aſſigns of ſuch Perſon and Perſons ſhall and may have, hold, and enjoy the Hereditaments which ſhall by them reſpectively be purchaſed or taken in Exchange, freed and abſolutely diſcharged of and from all the Uſes, Eſtates, Charges, Powers, and Proviſions hereby limited, expreſſed, and declared of and concerning the ſame Hereditaments, other than and except ſuch Demiſes or Leaſes as ſhall have been previouſly made in purſuance of the Powers in that Behalf herein contained.

Annuity, or Manors, &c. not to be aliened or incumbered, &c.

XXVIII. And be it further enacted, That ſo long as the ſaid Title, Honour and Dignity of Duke of *Wellington* ſhall endure, and until there ſhall be a Failure of Heirs Male of the Body of the ſaid *Arthur* Duke of *Wellington*, to whom the ſaid Title, Honour and Dignity of Duke of *Wellington* might deſcend, purſuant to the Limitations of the Patent whereby the ſaid Dignity is granted, neither the ſaid Duke of *Wellington*, nor any of the Heirs Male of his Body to whom the ſaid Annuity, yearly Rent or Sum of Thirteen thouſand Pounds, or any the Manors, Lands, Tenements, and Hereditaments ſo to be purchaſed ſhall ſtand limited under this Act, ſhall alien, convey, diſpoſe, charge, or incumber the ſaid Annuity, or any Part thereof, or the ſaid Manors, Lands, Tenements, or Hereditaments, or any Part thereof, for any greater or larger Eſtate or Time than during the natural Life of the Perſon ſo aliening, conveying, diſpoſing, charging, or incumbering the ſame, nor ſhall have any Power by Fine or Recovery, or by the Exerciſe of any Power, or by any other Act, Aſſurance, or Conveyance in the Law to diſcontinue the Eſtate of, or to hinder, bar, or diſinherit any the Perſon or Perſons in, to, or upon whom the ſaid Annuity, or any Part thereof, or any the ſaid Manors, Lands, Tenements, and Hereditaments are by this Act to be veſted or limited, or appointed to come or deſcend, from ſucceeding to, holding or enjoying, receiving or taking the ſame Annuity, or any Part thereof, or any the ſaid Manors, Lands, Tenements, or Hereditaments according to the ſaid Limitations, other than and except by Means of ſuch Leaſes and Jointures, and Power of felling and ſelling Timber and diſpoſing of the Monies thence ariſing, as may be made or exerciſed under the Proviſions of this Act, and by Means of Grants of Lands or Tenements held by Copy of Court Roll, according to the Cuſtoms of the reſpective Manors to be purchaſed whereof the ſame may be held; but all ſuch Fines, Recoveries, Acts, Aſſurances, and Conveyances, other than ſuch Leaſes and Jointures, and Powers and Grants by Copy as aforeſaid, ſhall be and are hereby declared and enacted to be void.

Settlement of Annuity and Manors, &c. in caſe of Failure of Heirs Male.

XXIX. And be it further enacted, That upon Failure and in Default of Heirs Male of the Body of the ſaid *Arthur* Duke of *Wellington*, to whom the ſaid Title, Honour, and Dignity of Duke of *Wellington* might deſcend as aforeſaid, if at the Time of ſuch Failure there ſhall be Iſſue of the Body of the ſaid *Arthur* Duke of *Wellington*, being only one Daughter of the ſaid Duke, or only one Daughter of any Heir Male of the Body of the ſaid Duke, or being only one Deſcendant of any ſuch Daughter; then and in ſuch Caſe as to the ſaid Annuity, yearly Rent, or Sum of Thirteen thouſand Pounds, or ſo much thereof as ſhall then remain payable; and as to the ſaid Sum of Four hundred thouſand Pounds, or ſo much thereof as ſhall not have been advanced as aforeſaid; and as to the ſaid Sum of

One hundred thouſand Pounds granted by the ſaid firſt recited Act of the laſt Seſſion of Parliament, or ſo much thereof as ſhall not have been paid according to the ſaid Act; and as to the Exchequer Bills or other Securities in which the ſaid ſeveral Sums of Money, or any Part thereof, may have been and may remain inveſted by the Truſtees of this Act for the Time being; and alſo as to all and every the Manors, Lands, Tenements, and Hereditaments ſo to be purchaſed with the ſaid Sum of Four hundred thouſand Pounds, or any Part thereof as aforeſaid, under this Act, or which may have been or may be purchaſed with the ſaid Sum of One hundred thouſand Pounds, or any Part thereof, granted by the ſaid recited Act of the laſt Seſſion of Parliament; the Truſtees for the Time being under this Act ſhall convey and aſſure all and every the ſaid Annuities, Sums of Money, and Eſtates to the Uſe of any ſuch only Daughter, or of any ſuch only Deſcendant of any ſuch Daughter, and to the Heirs and Aſſigns of any ſuch only Daughter, or only Deſcendant of any ſuch Daughter, for ever; and if at the Time of ſuch Failure of Heirs Male of the Body of the ſaid *Arthur* Duke of *Wellington* there ſhall be Two or more Perſons, Iſſue of the Body of the ſaid Duke, being Daughters of the ſaid Duke, or Daughters of any Heir Male of the Body of the ſaid Duke, or being One or more ſuch Daughter or Daughters, and any Deſcendant or Deſcendants of any other Daughter or Daughters, or being all Deſcendants of any ſuch Daughter or Daughters, then and in ſuch Caſe as to the ſaid Sum of One hundred thouſand Pounds granted by the ſaid recited Act of the laſt Seſſion of Parliament, or ſo much thereof as ſhall not have been paid according to the Directions of the ſaid recited Act; and as to the Exchequer Bills or other Securities in which the ſame, or any Part thereof may have been and ſhall remain inveſted by the Truſtees for the Time being; and as to all and every Manors, Lands, Tenements, and Hereditaments which ſhall or may have been purchaſed with the ſaid Sum of One hundred thouſand Pounds, or any Part thereof, the Truſtees for the Time being under this Act ſhall ſtand and be ſeiſed and poſſeſſed of, and intereſted in the ſame and every Part thereof, upon the Truſts following, (that is to ſay), In Truſt for all ſuch Daughters and Deſcendants of Daughters, and the Heirs of their reſpective Bodies, in equal Shares and Proportions, and to convey, aſſign, transfer, and make over the Share or Shares of each of ſuch Daughters, at their reſpective Ages of Twenty-one Years or reſpective Days of Marriage, which ſhall firſt happen after the Deceaſe of ſuch Duke of *Wellington* for the Time being, by whoſe Deceaſe ſuch Failure of Heirs Male of the Body of the ſaid *Arthur* Duke of *Wellington* ſhall happen; and the Share or Shares of ſuch of the Deſcendants of Daughters as ſhall be a Son or Sons, to him or them at his or their Age or reſpective Ages of Twenty-one Years; and the Share or Shares of ſuch Deſcendants of Daughters as ſhall be a Daughter or Daughters, to her or them at her or their Age or reſpective Ages of Twenty-one Years or Day or reſpective Days of Marriage, which ſhall firſt happen after the Deceaſe of ſuch Duke of *Wellington* for the Time being as aforeſaid, with Croſs Remainders between and among all and every ſuch Daughters, and Deſcendants of Daughters; and as to the ſaid Annuity of Thirteen thouſand Pounds by this Act granted, or ſo much thereof as ſhall not have been advanced as aforeſaid, and as to the ſaid Sum of Four hundred thouſand Pounds, or ſo much thereof as may not have been advanced as aforeſaid, and as to the Exchequer Bills, or other Securities

rities in which the ſame or any Part thereof may have been and may remain inveſted by the Truſtees for the Time being; and as to all and every the Manors, Lands, Tenements, and Hereditaments, which may have been purchaſed with the ſaid Sum of Four hundred thouſand Pounds, or any Part thereof, the Truſtees for the Time being under this Act ſhall ſtand and be poſſeſſed of and intereſted in the ſame, and every Part thereof, upon the Truſts following, (that is to ſay), In Truſt for all and every or any ſuch one or more of ſuch Daughters, and Deſcendants of Daughters, at ſuch Age or Ages, Day or Days, Time or Times, and in ſuch Parts, Shares, and Proportions, and with ſuch Maintenance in the mean Time, until the Conveyance, Aſſignment, or Transfer of their reſpective Shares, and ſubject to ſuch Proviſoes and Limitations over, (ſuch Proviſoes and Limitations nevertheleſs to be for the Benefit of ſome or one of the ſame Daughters, or Deſcendants of Daughters), and in ſuch Manner and Form as the ſaid *Arthur* Duke of *Wellington*, or the Perſon being Duke of *Wellington* for the Time being, ſhall, on Failure of ſuch Heirs Male as aforeſaid, direct or appoint, by any Deed or Deeds, Writing or Writings, with or without Power of Revocation or new Appointment, to be by ſuch Duke of *Wellington* for the Time being ſealed and delivered, in the Preſence of and atteſted by Two or more credible Witneſſes, or by the laſt Will and Teſtament of ſuch Duke of *Wellington* for the Time being, in Writing, or any Codicil or Codicils thereto, to be ſigned and publiſhed in the Preſence of Three or more credible Witneſſes; and in Default of and ſubject to ſuch Direction or Appointment, then in Truſt for all ſuch Daughters, and Deſcendants of Daughters, and the Heirs of their reſpective Bodies, in equal Shares and Proportions, with Croſs Remainders between and among all and every ſuch Daughters, and Deſcendants of Daughters, and to convey, aſſign, transfer, and make over the Shares of ſuch Daughters, or Deſcendants of Daughters, at ſuch Days and Times as are herein-before mentioned and directed with reſpect to the Shares of Daughters, and Deſcendants of Daughters, of and in the ſaid Sum of One hundred thouſand Pounds, and of and in the Manors, Lands, Tenements, and Hereditaments purchaſed or to be purchaſed therewith.

Settlement in caſe of Failure of Heirs of the Body of the Duke of Wellington.

XXX. Provided always, and be it further enacted, That upon Failure of Heirs of the Body of the ſaid *Arthur* Duke of *Wellington*, the ſaid Annuity, yearly Rent, or Sum of Thirteen thouſand Pounds, or ſo much thereof as ſhall then remain payable, and the ſaid Sum of Four hundred thouſand Pounds, or ſo much thereof as ſhall not have been advanced as aforeſaid, and the ſaid Sum of One hundred thouſand Pounds granted by the ſaid firſt recited Act of the laſt Seſſion of Parliament, or ſo much thereof as ſhall not have been paid; and the Exchequer Bills or other Securities in which the ſaid ſeveral Sums, or any Part thereof, may have been and remain inveſted as aforeſaid; and all and every the Manors, Lands, Tenements, and Hereditaments, which ſhall or may be purchaſed with the ſaid Sum of Four hundred thouſand Pounds as aforeſaid, or any Part thereof, or which have been or may be purchaſed with the ſaid Sum of One hundred thouſand Pounds, or any Part thereof, ſhall go and remain to the Uſe of the ſaid *Arthur* Duke of *Wellington* and his Heirs and Aſſigns for ever; which ultimate Remainder or Reverſion in Fee Simple it ſhall be lawful for the ſaid Duke of *Wellington* and his Heirs and Aſſigns, at any Time or Times during the Continuance of the ſaid Honour, Title, and Dignity of Duke of *Wellington*, and

until there ſhall be a Failure of Iſſue of the Body of the ſaid *Arthur* Duke of *Wellington* as aforeſaid, to grant, convey, deviſe, and diſpoſe of by Deed or Will, or by any other Aſſurance or Aſſurances, by which Freehold Eſtates in Remainder or Reverſion are capable by Law of being conveyed or diſpoſed of; any Thing in this Act contained to the contrary in anywiſe notwithſtanding.

100,000l. to be laid out for a Manſion Houſe, inſtead of 10,000l. under the recited Act.

XXXI. And whereas by the ſaid recited Act paſſed in the laſt Seſſion of Parliament, intituled *An Act to amend an Act of the preſent Seſſion of Parliament, for granting a Sum of Money for the Marquis of* Wellington *and his Heirs, in conſideration of the eminent and ſignal Services performed by the ſaid Marquis of* Wellington *to His Majeſty and the Public*, the Truſtees for the Purpoſe of the ſaid firſt-recited Act are empowered to lay out a Sum not exceeding Ten thouſand Pounds in building a Manſion Houſe and laying out a Park or Pleaſure Ground or Garden, and in improving or ornamenting the ſame, or in repairing or altering any Manſion Houſe which ſhould be then ſtanding upon Lands purchaſed for the Purpoſes of the ſaid firſt recited Act: And whereas it is expedient that a larger Sum ſhould be allowed to be expended for the ſaid Purpoſes in lieu of the ſaid Sum of Ten thouſand Pounds: Be it therefore enacted, That it ſhall be lawful for the ſaid Truſtees to lay out any Sum not exceeding in the Whole the Sum of One hundred thouſand Pounds, out of the ſaid Annuity, or out of the ſaid Four hundred thouſand Pounds, to be advanced as aforeſaid under this Act, and to pay and apply ſuch Sum, not exceeding One hundred thouſand Pounds in the Whole, in and about the building or repairing and altering any Manſion Houſe upon Lands to be purchaſed under this Act, and in and about providing, laying out, and embelliſhing a Park, Garden, and Pleaſure Ground, in ſuch Manner as in the ſaid recited Act of the laſt Seſſion of Parliament, for amending the ſaid firſt-recited Act of the ſaid Seſſion, is more particularly ſpecified, and ſo as the ſame may be a fit and ſuitable Reſidence of the Duke of *Wellington*; any Thing in the ſaid recited Act to the contrary notwithſtanding.

Act may be amended this Seſſion.

XXXII. And be it further enacted, That this Act may be altered, amended, or repealed, by any Act or Acts to be paſſed in this Seſſion of Parliament.

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