ANNO SEPTIMO

GEORGII IV. REGIS.

C A P. XXXV.

An Act to enable incapacitated Persons to convey to the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, certain Premises situate in the Parish of *Greenwich* in the said County, and for other Purposes relating thereto. [5th *May* 1826.]

WHEREAS the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent* have occasion for certain Messuages or Tenements and Land in the Vicinity of the Royal Hospital, for the Purpose of improving the Approaches thereto, and for the Benefit and Advantage of the said Royal Hospital; and it may be found that, by reason of the Minority or other Disability of some of the Parties interested, good and effectual Conveyances cannot be made thereof without the Aid and Authority of Parliament: Be it therefore 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 with respect to all Purchases already made, or contracted to be made, by the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, or which they may be desirous of making hereafter, of Messuages, Lands, or Tenements situate and being

Bodies Politic, &c. and incapacitated Persons may contract and agree with the Commis-

sioners of Greenwich Hospital for the Sale of Lands, &c.

being in the Parish of *Greenwich* in the County of *Kent*, either for the Benefit of the said Royal Hospital, or the Improvement of the Approaches to the same, or for the Improvement of the Neighbourhood thereof, that it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and all other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any Messuages, Lands, Tenements, or Hereditaments, or any Part thereof, situate in the Parish of *Greenwich* in the County of *Kent*, which already have been or which shall hereafter be thought fit or expedient to be purchased by the said Commissioners and Governors, to contract and agree with the said Commissioners and Governors for the absolute Sale of the said Messuages or Tenements, Land or Hereditaments, to them, and also to convey, by Indenture of Bargain and Sale, any Messuages, Lands, Tenements, or Hereditaments already contracted and agreed to be purchased, or which shall hereafter be contracted or agreed to be purchased, and the Inheritance thereof in Fee Simple, unto and to the Use of the said Commissioners and Governors, their Successors and Assigns; and which said Bargains and Sale shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Inrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons or Bodies conveying, but also to convey all Right, Estate, Interest, Use, Property, Possibility, Claim, and Demand whatsoever of their said several Cestuique Trust, whether Infants or Issue unborn, or other Person or Persons under Disability as aforesaid, and of all Persons whomsoever claiming or to claim by, from, or under him, her, or them, or under any other Persons whomsoever claiming or to claim in Remainder or Reversion expectant on any particular Estate, or by way of Executory Devise or Springing Use, or otherwise howsoever; and the same shall be deemed and considered to bar the Dower and Dowers of any such Feme Covert, and all Estates Tail and other Estates, Possessions, Reversion, Remainder, or Expectancy, and the Issue and Issues of any Person or Persons claiming under them, as effectually as Fines or Common Recoveries, or any other Conveyance or Assurance would do if levied or suffered or executed by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees

in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is and are and shall be indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Application of Purchase Money when amounting to 200*l.* or upwards.

II. And be it further enacted, That in all Cases in which there shall be any Money to be paid for any Messuages, Lands, Tenements, or Hereditaments contracted for or purchased, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* The Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*; to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments which have been or shall be purchased for the Purposes aforesaid stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement thereof was then actually made.

Application of Purchase Money when less than 200*l.* and exceeding 20*l.*

III. Provided always, and be it further enacted, That if any Money so to be paid for any Lands, Tenements, or Hereditaments to be purchased for the Purposes aforesaid, and belonging to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail or for Years, Trustees, Femes Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in such Case the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his,

his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved of by the said Commissioners and Governors, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends to arise therefrom, or the Interest thereof, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application of Money not exceeding 20*l.*

IV. Provided always, and be it further enacted, That where such Money so contracted and agreed to be paid as last before mentioned shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased or agreed for, or hereafter to be purchased for the Purposes aforesaid, or in case of Idiotcy, Infancy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Persons in Possession to be deemed entitled.

V. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Messuages, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Messuages, Lands, Tenements, or Hereditaments so purchased or to be purchased as aforesaid, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases to be allowed by the Court.

VI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation

tion entitled to any Messuages, Lands, Tenements, or Hereditaments purchased or to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases so agreed for or purchased, or hereafter from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners and Governors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct: Provided always, that no such Order shall be made if it can be shown by the said Commissioners and Governors, or it shall appear upon the Face of the Agreement for any such Purchase aforesaid, that the Consideration Money for the same was intended to cover and include all contingent and other Expences relating to the said Purchase.

Upon Payment of Purchase Money, Premises to be vested in the Commissioners and Governors of the said Hospital.

VII. And be it further enacted, That upon the Payment of the Money contracted or to be contracted or agreed to be paid for the Purchase of any Messuages, Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest as aforesaid, to the Party or Parties or Person or Persons respectively entitled to receive such Monies, or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpose of being disposed of in manner herein-before directed, as the Case may be, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or in Equity, of the Party or Parties and Person or Persons respectively, to whom or for whose Use or Benefit the same shall be paid, into or out of such Lands, Tenements, or Hereditaments, shall vest in the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, their Successors and Assigns.

Commissioners empowered to grant Leases.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners and Governors, and their Successors, from Time to Time and at all Times hereafter, in such Manner as they shall deem expedient, to grant, demise, and lease any Messuages or Tenements, or Sites of Messuages, or other Land or Ground situate in the said Parish of *Greenwich* in the County of *Kent*, belonging to the said Commissioners and Governors, or which shall or may hereafter belong to them, and shall not be necessary to be used or occupied for the Purposes of the said Institution, unto any Person or Persons for any Term or Number of Years not exceeding Twenty-one Years for any such Lease, unless the same be a Building or Repairing Lease, and not exceeding Sixty-one Years for any such Building or Repairing Lease, to take effect in Possession only, and not in Reversion or by way of future Interest; and so as in all such Leases there be respectively reserved and made payable during the Continuance thereof the best and most improved yearly Rent or Rents respectively which can be reasonably obtained for the same, without taking any Fine, Premium, or Foregift for the making thereof; and so as in every such Demise and Lease there shall be contained a Condition of Re-entry for Non-payment

payment of the said reserved Rent; and so as the respective Lessees duly execute Counterparts of the said respective Leases.

Public Act.

IX. 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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