ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

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Cap. 12.

An Act to extend the Provisions of an Act of the Eleventh Year of King *George* the Third, Chapter Ten, relating to *Morden College*.

[31st *July* 1845.]

Will of Sir John Morden, dated 15th Oct. 1702.

WHEREAS Sir *John Morden* Baronet by his last Will and Testament in Writing, bearing Date the Fifteenth Day of *October* in the Year of our Lord One thousand seven hundred and two, gave and devised all his Real and Copyhold Estates in trust for the Maintenance and Support in or at the College founded by him, and now known as *Morden College*, in the Parish of *Charlton* near *Blackheath*, of as many poor Merchants as the clear yearly Rent and Revenue of his said Real or Copyhold Estates would maintain, allowing to each Merchant Twenty Pounds a Year, to be laid out in Provisions and Necessaries, as is therein particularly prescribed; and the said Testator declared that a Treasurer should be appointed to collect and get in the Rents, Issues, and Profits of his Real Estates, and to set and let the same, and to pay the clear Produce in the

Manner described in the said Will, and the said Testator by his said Will directed that the yearly Sum of Forty Pounds should be paid to such Treasurer; and the said Testator also authorized his Trustees for the Time being to reduce or increase the Number of the said poor Merchants as they should think fit, having always respect to the Income and Revenue of the Estates given and appointed for the Endowment of the College aforesaid, and for the better Collection of the said Testator's Personal Estate abroad: And whereas the said Testator by a Codicil annexed to his said Will reduced, for the Reasons therein stated, the Pension payable to each poor Merchant to Fifteen Pounds a Year: And whereas by an Act of Parliament passed in
11 G. 3. c. 10. the Eleventh Year of King *George* the Third, intituled *An Act for carrying into execution an Agreement made between* Peter Burrell *Esquire, Surveyor General of His Majesty's Lands, and the Trustees of* Morden College *in the County of* Kent, *for enabling His Majesty, His Heirs and Successors, to grant Leases of* Maidenstone Hill *in the Parish of* East Greenwich *in the County of* Kent, *to the said Trustees, upon the Terms mentioned in the said Agreement; and for empowering the said Trustees to increase the Salaries and Pensions of the Treasurer, Chaplain, and poor Merchants in the said College*, after reciting, amongst other things, that it had been found by Experience that the said yearly Sums directed in the said Will to be paid to the Treasurer and Chaplain were by no means adequate to the Care, Pains, and Allowance which a due Execution of the Offices would necessarily require, and that the said Pensions of Fifteen Pounds a Year were too small and inadequate to induce Merchants of liberal Education who had fallen into Decay by unavoidable Accidents and unforeseen Events, and were aged and infirm, to partake of the said Charity; for Remedy thereof, and to the end that proper Persons might be encouraged to apply for Admission to the said College, and the pious charitable Intentions of the said Sir *John Morden* more effectually carried into effect, it is therefore enacted by the said recited Act, that it should and might be lawful to and for the Trustees of the said College for the Time being and they were thereby authorized and empowered to increase the Salaries payable to the said Treasurer and Chaplain respectively to such Sum and Sums of Money as they should think proper and reasonable, not exceeding Fifty Pounds yearly, and also to increase the Pensions payable to each poor Merchant admitted or to be admitted into the said College to such Sum or Sums of Money as they should think proper and reasonable, not exceeding the Sum of Forty Pounds to each poor Merchant yearly, any Restriction contained in the Will or Codicil of Sir *John Morden* to the contrary thereof in anywise notwithstanding:
Decree, dated 6th June 1834. And whereas by a Decree made in a certain Cause in Chancery, wherein His late Majesty's Attorney General, on the Relation of *John*

Charles Stewart and others, was Informant, and Sir *John William Lubbock* Baronet and others were Defendants, bearing Date the Sixth Day of *June* One thousand eight hundred and thirty-four, it was, amongst other things, referred to the Master of the said Court in rotation to inquire and state to the Court whether it was fit and proper that any and what Increase should be made to the Allowances then granted to the Pensioners, and whether any and what Addition could be made to the Number of Pensioners maintained at the College, and also to inquire and state to the Court whether it would be fit and proper that any and what Increase should be made to the Allowance then granted to the Treasurer of the College: And whereas a Report, dated the Ninth Day of *May* One thousand eight hundred and thirty-six, having been made by *John Edward Dowdeswell* Esquire, the Master to whom the said Cause was referred, it was declared, by an Order made in the said Cause, on the same coming on for further Directions, on the Sixteenth Day of *November* One thousand eight hundred and thirty-six, that under all the Circumstances of the Case the Pensioners of the Charity were entitled to have the Salaries allowed to them increased from Forty Pounds *per Annum* to Seventy-two Pounds *per Annum* each, but not disturbing the Payments that had been made up to the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six; and it was ordered, that the Salary to the Treasurer be increased to One hundred Pounds a Year, as mentioned and approved of by the said Master's said Report of the Ninth Day of *May* One thousand eight hundred and thirty-six, as and from the said Twenty-ninth Day of *September* then last; and it was ordered, that the Trustees of the said Charity should be at liberty to apply for an Act of Parliament as therein mentioned: And whereas by an Order bearing Date the Sixth Day of *November* One thousand eight hundred and thirty-seven, made on Appeal to the Lord Chancellor from the last-mentioned Order of the Sixteenth of *November* One thousand eight hundred and thirty-six, it was amongst other things ordered, that it should be referred to the said Master to inquire and state to the Court whether any increased Allowance should be made to the Treasurer beyond the annual Sum of One hundred Pounds mentioned in the said Master's said Report of the said Ninth Day of *May* One thousand eight hundred and thirty-six: And whereas the said Master by his Report, bearing Date the Twenty-first Day of *May* One thousand eight hundred and forty-five, made in pursuance of the said last-mentioned Order of the Sixth Day of *November* One thousand eight hundred and thirty-seven, amongst other things certified, that he was of opinion that it would be fit and proper, and for the Benefit of the Charity, that the Trustees should be at liberty to increase the Allowance to be made to the Treasurer to such Sum or Sums not exceeding the yearly Sum of

Master's Report, dated 9th May 1836.

Order, dated 16th Nov. 1836.

Order, dated 6th Nov. 1837.

Master's Report, dated 21st May 1845.

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Four hundred Pounds, including the said Sum of One hundred Pounds a Year, and that such increased Salary should commence as soon as he should resign the Situation in *King's College* then held by him, and begin to devote his whole Time and Attention to the Affairs and Concerns of the said Charity, and the Duties of his Office as Treasurer of *Morden College;* and the said Master further reported, that he had settled and approved the Bill mentioned in the said Report, the Provisions whereof as to the future Payments to the Treasurer and poor Merchants are the same as those herein-after in this present Act contained: And whereas by another Order bearing Date the Third Day of *June* One thousand eight hundred and forty-five, after Confirmation of the said Report, it was amongst other things ordered, that the Defendants the Trustees should apply for an Act of Parliament in the Terms of the Bill settled by the said Master, with the Addition of a Provision that such Increase of Salary to the Treasurer, not exceeding One hundred Pounds a Year, as therein mentioned, should commence from the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six: And whereas it will be greatly for the Benefit of the Charity, and in furtherance of the Objects of the said Will and Act of Parliament, that a further Increase should be made to the Salaries or Pensions to be allowed to each poor Merchant admitted or to be admitted into the said College; and the great Increase in the Business and Transactions regarding the Affairs and Property of the said Charity makes it also expedient that the Treasurer for the Time being should give his constant Attendance to the said Business and Transactions, and should fulfil the Duties of Steward and Manager of the said Estates; and it is therefore for the Benefit of the said Charity that the Trustees thereof should be at liberty to increase the Salary to be allowed to such Treasurer: And whereas it has become expedient that the Buildings of the said College should be enlarged and altered, for the Purpose of affording better Accommodation and Room for a greater Number of such poor Merchants as aforesaid, and it may hereafter become expedient that the said Buildings should for such Purpose be further enlarged so as to admit a still greater Number of poor Merchants, so long as the yearly Rents, Income, and Revenues of the said College and Charity shall continue to increase, and having always respect to such Rents, Income, and Revenues, as in the said Will directed: And whereas the said several Objects cannot be duly carried into effect without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, That it shall and may be lawful, at

Order, dated 3d June 1845.

Trustees empowered to

at any Time or Times hereafter, to and for the Trustees of the said College for the Time being and they are hereby authorized and empowered to increase the Salary payable to the said Treasurer for the Time being of the said College to such Sum of Money as they shall think proper and reasonable, not exceeding the yearly Sum of One hundred Pounds, in case such Treasurer shall not give his constant Attendance to the said Business and Transactions, and shall not fulfil the Duties of Steward and Manager of the said Estates, or not exceeding the yearly Sum of Four hundred Pounds in case such Treasurer shall give his constant Attendance to the said Business and Transactions, and shall not hold any other Situation or Office elsewhere which shall take him away from such Attendance, and shall fulfil the Duties of Steward and Manager as aforesaid, such Increase not exceeding the yearly Sum of One hundred Pounds to commence from the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six; and also that it shall be lawful for the Trustees of the said College for the Time being and they are hereby authorized and empowered to increase the Pensions payable to each poor Merchant admitted or to be admitted into the said College to such Sum or Sums of Money as they shall think proper and reasonable, not exceeding the Sum of Seventy-two Pounds in the whole to each poor Merchant yearly, any Restriction contained in the Will or Codicil of the said Sir *John Morden*, or in the said hereinbefore recited Act of Parliament, to the contrary thereof in anywise notwithstanding.

increase Salaries to Treasurer and Pensions to poor Merchants.

II. And be it further enacted, That it shall be lawful for the Trustees for the Time being from Time to Time, having such respect to the Income and Revenue of the said College as aforesaid, to increase or alter the Buildings of the said College as they shall think fit, for the Purpose of affording better Accommodation and Room for any greater Number of such poor Merchants.

Trustees empowered to alter Buildings.

III. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, and her, his, and their respective Heirs, Successors, Executors, Administrators, and Assigns, (other than and except the Trustees of the said College for the Time being,) all such Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever, of, in, to, and out of the said College, Hereditaments, and Premises, or any Parts thereof, as they, any or either of them, had before the passing of this Act, or would have had, held, or enjoyed in case this Act had not been passed.

General Saving.

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

IV. And be it enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1845.