CHAPTER iii.

An Act to incorporate the Trustees and Guardians of Shakespeare's Birthplace, and to vest in them certain lands and other property in Stratford-upon-Avon, including the property known as Shakespeare's Birthplace; and to provide for the maintenance in connexion therewith of a Library and Museum; and for other purposes. A.D. 1891.

[26th March 1891.]

WHEREAS, prior to the execution of the indenture or deed of conveyance, dated the fourth day of July, one thousand eight hundred and sixty-six, contained in the First Schedule hereto, the lands and messuages in the borough of Stratford-upon-Avon, set forth in the six schedules to that indenture, including a house in Henley Street, in that borough, generally known and reputed as the house in which William Shakespeare, dramatist and poet, was born, were from time to time purchased and acquired by means of public subscription, for the purpose of being preserved and maintained in perpetuity as a national memorial of William Shakespeare, and were after the dates of such respective purchases vested in and managed by certain persons acting as committees or trustees for and on behalf of the nation, and such persons, or some of them, acting as aforesaid, restored the said house in Henley Street, and converted a portion of it into a library and museum of relics, books, manuscripts, pictures and objects illustrative of the life, times, and works of William Shakespeare, and placed the same under the care and management of a custodian, and laid out and ornamented the grounds adjoining to the said house:

And whereas the said several properties, together with the said library and museum and the then contents thereof, were by the said indenture and deed of conveyance of the fourth day of July, one thousand eight hundred and sixty-six, upon the recital, among other things, that it was expedient that, for more effectually carrying out

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the objects aforesaid, the whole of the said property should be placed on a more permanent basis, under the control and management of the official persons and others in the said indenture after named, and that the legal estate therein should be conveyed to the Mayor, Aldermen and Burgesses of Stratford-upon-Avon, in trust for that purpose, granted and conveyed by the persons in whom the said property was then vested, for all the estate and interest therein of the said persons respectively, to the said Mayor, Aldermen and Burgesses, to hold the same and every part thereof, with their respective appurtenances, unto them and their successors, upon the trusts and subject to the conditions therein-after mentioned, that is to say, upon trust to permit the lord lieutenant of the county of Warwick for the time being, the high steward of the borough of Stratford-upon-Avon for the time being, the mayor of the said borough for the time being, the aldermen of the said borough for the time being, the justices of the peace for the said borough for the time being, the town clerk of the said borough for the time being, the vicar of the parish of Stratford-upon-Avon for the time being, the head master of the Free Grammar School at Stratford-upon-Avon for the time being, and certain other persons therein named, and every other person who should thereafter become a donor to the said house, library and museum, to the value of one hundred pounds and upwards, or who should thereafter be elected a member as therein-after mentioned, during their respective lives, to have the control and management of the said properties, and particularly for this purpose to have power from time to time to make such rules and regulations for the government, protection and preservation of the said house, library and museum, and the grounds and appurtenances thereto, and the protection and preservation of the books and articles therein as they the said Trustees, or a majority of them assembled at any meeting duly convened, consisting of not less than five members, should from time to time think proper, and from time to time in like manner to alter or annul any such rules as they might think proper, and also at any such meeting to appoint or remove a custodian, but so that in the control and management of the said properties, and in framing such rules and regulations, the said Trustees should always have regard to the object for which the said properties were purchased, and should not allow the same, or any part thereof, to be used for any purpose inconsistent with such object: Provided always that, on the death or retirement of any trustee not being a trustee by virtue of his office, it should be incumbent on the said Trustees, or a majority of them assembled at any meeting duly convened, at which at least five members should be present, to appoint by minute, in writing, to be

entered on the minutes of such meeting, any fit person to supply the place of any such Trustee so dying or retiring:

And whereas prior to the execution of the indenture or deed of conveyance, dated the seventeenth day of April, one thousand eight hundred and seventy-six, set forth in the Second Schedule hereto, the property in Stratford-upon-Avon, called and known as New Place, and certain lands adjoining thereto, which belonged, or are believed to have belonged to William Shakespeare, and are described in the two schedules to that indenture, were purchased and acquired by James Orchard Halliwell, afterwards known as James Orchard Halliwell-Phillipps, by means of moneys partly subscribed by him and partly raised by public subscription, and were vested by conveyance in him for all the estate and interest of the respective grantors:

And whereas by the said last-mentioned indenture and deed of conveyance, upon the recital, among other things, that the said purchases were made by him with the intention of at some future time conveying them to the said Mayor, Aldermen and Burgesses of Stratford-upon-Avon, in trust for the preservation and management thereof by the Trustees of Shakespeare's house, library and museum, and that a declaration of such his intention was signed by him, dated the twenty-eighth day of April, one thousand eight hundred and sixty-five, he, the said James Orchard Halliwell-Phillipps, in pursuance of such intention, granted and conveyed, or purported to grant and convey, unto the said Mayor, Aldermen and Burgesses, and their successors, all and singular the hereditaments described in the first and second schedules to the said last-mentioned deed of indenture and conveyance, together with the appurtenances to the same respectively belonging, to hold the same and every part thereof, with their respective appurtenances, unto the said Mayor, Aldermen and Burgesses, and their successors, upon the trusts and subject to the conditions therein-after mentioned, such trusts and conditions being identical with those expressed in the herein-before recited indenture and deed of conveyance, dated the fourth day of July, one thousand eight hundred and sixty-six:

And whereas since the date of the said respective indentures and deeds of conveyance of the said several properties, in favour of the said Mayor, Aldermen and Burgesses and their successors, the same have been managed and administered by the ex-officio trustees thereby appointed, and by other trustees appointed in manner thereby provided for the purposes of the trust thereby created, who have expended considerable sums of money in ornamentally laying out the grounds forming part of the said properties, and under their

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management valuable additions have been made to the contents of the said library and museum by bequest, gift and purchase:

And whereas the following persons now act in the execution of the said trust along with the said ex-officio trustees, that is to say, Ernest Edward Baker, the Reverend Charles Evans, Charles Edward Flower, Edgar Flower, Henry Graves, Frederick Haines, Sir Arthur Hodgson, K.C.M.G., Henry Irving, Sir Theodore Martin, K.C.B., and Samuel Timmins:

And whereas, in order to raise the necessary funds for enabling the said Trustees to carry into effect the purposes of the said trust, they have made a charge for admission to the said house, library and museum, and a surplus fund, amounting, as at the thirty-first day of March last, one thousand eight hundred and ninety, to the sum of three thousand one hundred and eighty-nine pounds ten shillings and fourpence, has accumulated in their hands, after paying the expenses incurred by them in managing and maintaining the property, and in paying the salaries of a custodian and librarian, of which sum two thousand three hundred and fourteen pounds two shillings and tenpence is now invested in consols, two hundred pounds in Stratford-upon-Avon Corporation four per cent. gas debenture bonds, three hundred pounds in three and a half per cent. Stratford-upon-Avon Corporation Gas Stock, and three hundred and seventy-five pounds seven shillings and sixpence stands to the credit of the said Trustees in their current account with the Metropolitan and Birmingham Bank, Limited:

And whereas doubts have arisen as to the validity of the conveyance to the said Corporation in perpetuity of the several properties granted and conveyed to them by the said recited indentures and deeds of conveyance, dated respectively the fourth day of July, one thousand eight hundred and sixty-six, and the seventeenth day of April, one thousand eight hundred and seventy-six; and it is expedient that such doubts should be removed, and that the national trust thereby intended to be created should be established on a permanent basis, with due and proper provisions for carrying the same into effect, by maintaining the said several properties now vested in the said Corporation as aforesaid, and by maintaining, enlarging and improving the collections contained in the said library and museum, and from time to time acquiring, if and as opportunity may arise, any houses and lands which are of national interest, as being associated with the life of William Shakespeare, or his wife, or parents:

And whereas the objects aforesaid cannot be effected 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 advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as the Shakespeare Birthplace, &c., Trust Act, 1891.

Interpretation.

2. In this Act the expression "the Trustees" means the Trustees and Guardians of Shakespeare's Birthplace, incorporated by this Act; "the committee" means the committee from time to time appointed by the Trustees under the provisions of this Act; "the trust estate" means the lands, houses and messuages, with the appurtenants thereof, and the library and museum, with the contents thereof; "the trust moneys" means the various sums of stock and money by this Act transferred to and vested in the Trustees, together with any additions to the same respectively, which may from time to time be made or acquired by the Trustees, by gift, purchase, bequest or otherwise; "the Corporation" means the Mayor, Aldermen and Burgesses of the borough of Stratford-upon-Avon.

Purposes of the trust.

3. The purposes of the trust created by and to be carried into effect under this Act are to maintain the trust estate, and any additions thereto which shall from time to time be made under the powers and provisions of this Act, and to apply the trust moneys by this Act vested in the Trustees, and any moneys which may from time to time come into their hands, in maintaining in fit and proper order, as a permanent and national memorial of William Shakespeare, the lands, houses and hereditaments, with the appurtenants thereof, and the library and museum with the contents thereof, by this Act purported to be vested in the Trustees, together with any additions to the same respectively, and to enlarge and improve the collections contained in the said library and museum; to acquire, if and as opportunity may arise, any houses or lands which are of national interest as being associated with the life of William Shakespeare, or his wife or parents, and generally to exercise the several powers and authorities by this Act granted to the Trustees.

Trustees for execution of Act.

4. The trust estate and the trust moneys shall be held in trust, and this Act shall be carried into effect by the persons following, that is to say, the lord lieutenant of the county of Warwick for the time being, the high steward of the borough of Stratford-upon-Avon for the time being, the Mayor and Aldermen of the said borough for the

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time being, the town clerk of the said borough for the time being, the vicar of the parish of Stratford-upon-Avon for the time being, the head master of the Free Grammar School at Stratford-upon-Avon for the time being, who shall be called ex officio trustees; the said Ernest Edward Baker, the said Reverend Charles Evans, the said Charles Edward Flower, the said Edgar Flower, the said Henry Graves, the said Frederick Haines, the said Sir Arthur Hodgson, K.C.M.G., the said Henry Irving, the said Sir Theodore Martin, K.C.B., and the said Samuel Timmins, and any person who shall hereafter be elected as a trustee in manner herein-after provided, who shall be called life trustees; and subject to the provisions herein-after contained, the ex officio trustees and the life trustees shall be and are hereby constituted a body corporate, by the name of "the Trustees and Guardians of Shakespeare's Birthplace," and shall have a common seal, and by the said name shall have perpetual succession, and shall and may take, purchase, hold and dispose of lands and real estate and other property for the purposes of this Act.

Transfer to Trustees under this Act of Shakespeare's birthplace, &c.

5. From and after the passing of this Act, and by virtue thereof, the lands, houses and the appurtenants thereof, described in the said two several deeds of indenture and conveyance set forth in the First and Second Schedules to this Act respectively, and thereby conveyed to the Corporation, together with the said library and museum, and all the books, engravings, manuscripts, furniture, articles and things of every description severally contained therein, now held in trust by the persons herein-before named in manner herein-before described, shall be and the same are hereby transferred to and vested in the Trustees and their successors, for all the estate and interest therein of the Corporation, and of the Trustees appointed as aforesaid, or acting in execution of the trusts of the said two several deeds of indenture and conveyance, to be kept by them in fit and proper order, as a permanent and national memorial of William Shakespeare, in manner prescribed by this Act; and in like manner the several sums of money above mentioned, now held in trust by the Trustees appointed or acting as aforesaid, and the securities upon which such sums of money are invested, are, from and after the passing of this Act, and by virtue thereof, transferred to and vested in the Trustees, and may be by them from time to time applied, re-invested, or otherwise disposed of by them, for the purposes and subject to the provisions of this Act; but nothing in this section shall render unnecessary any transfer by deed of prescribed form, or any transfer or registration in the books of any company, office or person, of any securities which would have been transferable only in such manner if this Act had not been passed.

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Trustees authorised to receive donations, subscriptions, &c.

6. It shall be lawful for the Trustees to receive devises, bequests, donations and subscriptions (annual or otherwise), of land, buildings, money, manuscripts, books, pictures and objects of art or antiquity, illustrative of the life, times and works of William Shakespeare, and to hold and dispose of the same, and to lay out such sums of money as they shall so receive, and any moneys by this Act transferred to them, or which may hereafter come into their hands, in such way as they may deem most expedient for the purposes of this trust, as herein-before defined and described, after defraying the necessary expenses of carrying the same into effect; and it shall be lawful for them, out of any surplus moneys so coming into their hands, after defraying the expense of carrying into effect the other purposes of this Act, to purchase such manuscripts, books, pictures and other objects as aforesaid, and to purchase and hold, as and when the opportunity shall arise, and thereafter to maintain and keep in repair, in the form and manner, as nearly as may be, of their original construction and arrangement, the cottage at Shottery, in the county of Warwick, known as the cottage of Anne Hathaway, the wife of William Shakespeare; and also the house at Wilmcote, in the same county, known as the house of Mary Arden, his mother, and any other property known or believed to have belonged to William Shakespeare, or his wife or parents; and the said cottage, house, and other property respectively shall, if and when so purchased, be and become part of the trust property, and be dealt with in like manner as if they were by this Act vested in the Trustees.

How surplus trust funds to be invested.

7. The trust moneys shall be from time to time invested in any of the securities prescribed and authorised by the Trust Investment Act, 1889.

Power to Trustees to make charge for admission to the birthplace, library, and museum.

8. It shall be lawful for the Trustees to make such reasonable charges, as they may from time to time see fit, for admission to the said birthplace house, library, museum, New Place, and other property, and to accumulate or apply any moneys derived therefrom as part of the trust moneys: Provided that, if and when the trust moneys shall be accumulated in the hands of the Trustees to such an amount as may be deemed sufficient for carrying into effect the purposes of the trust as herein-before expressed, wholly or in part, for the time, they may diminish, suspend for a time, or altogether abolish such charge, according to the circumstances of the case, so that the charge to the public for admission to the trust property shall be as light as is consistent with effectually carrying out the said purposes.

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Power to Trustees to appoint custodians, librarian, &c.

9. The Trustees may from time to time appoint a secretary, a custodian or custodians of the said birthplace, New Place, and other property, and also a librarian, to superintend and take care of the said library and museum, and the respective contents thereof, and they may pay such salaries as they think fit to the said secretary, custodians and librarian respectively, and they may also provide and pay for all such officers, assistants, gardeners and labourers as are necessary for keeping up and maintaining the trust estate, and the houses and gardens forming parts thereof, in thorough repair, and where necessary and appropriate, in ornamental order and condition, and the Trustees shall pay and discharge all debts and liabilities, or pensions granted by the present acting Trustees, and indemnify them against all responsibility in regard thereto.

Provision for election of future life trustees.

10. Whenever, by death, resignation or otherwise, any one or more of the life trustees by this Act appointed shall cease to act, then and in every such case the Trustees shall, at a meeting convened, with notice of the object, by a circular in writing, addressed to every Trustee by the secretary (if any) of the Trustees, or if there shall be no secretary, then by the town clerk of the borough of Stratford-upon-Avon, not less than two nor more than three weeks before the day of such meeting, and at which meeting not less than five Trustees shall be present, proceed to appoint a trustee or trustees to fill the vacancy so created.

Power to make regulations.

11. Subject to the provisions of this Act, it shall be lawful for the Trustees from time to time to make, alter, vary and repeal regulations for the management and administration of the trust estate and trust moneys, as to the time and place of holding their meetings, the mode of convening meetings, and the number of Trustees necessary to form a meeting, and as to adjournments of meetings, and for conducting the business to be transacted at meetings, and for all other purposes necessary for the execution of their trust; and all officers and servants, salaried or otherwise, employed in the care, protection and management of the trust estate, shall be appointed by the Trustees, subject to such regulations and conditions as they shall think proper.

Provision as to meetings of Trustees.

12. A meeting of the Trustees shall be held once at least in the course of every year; and, except in cases where it may be otherwise determined by some regulation of the Trustees, the decision of the majority of the Trustees present at any meeting duly convened in accordance with such regulations, and at which there shall be present the quorum, if any, prescribed by such regulations, upon any question which may have been duly submitted to the decision of the meeting, shall be binding upon the Trustees, until rescinded

at a subsequent meeting attended by the same or a larger number of Trustees than were present at the meeting at which such previous decision was given. A.D. 1891.

Trustees may appoint a committee.

13. The Trustees may from time to time appoint a committee of their own body of not less than eight members, and may give and delegate to such committee all and every such powers, instructions and authorities, not inconsistent with the special provisions of this Act in relation to the purposes thereof, as the Trustees may think proper, and such committee may at any time be dissolved by the Trustees: Provided that the proceedings of such committee shall from time to time be submitted to the Trustees in general meeting, for confirmation or rejection thereof.

Trustees to keep accounts of receipts and expenditure.

14. The Trustees shall keep regular and complete accounts of their receipts and expenditure, which shall be balanced on the thirty-first day of March in each year, and examined and audited by a chartered accountant, appointed by the Trustees at their yearly general meeting to be held in the month of April or May in each year.

Costs of Act.

15. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Trustees out of the trust moneys.

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SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

This Indenture, made the fourth day of July, one thousand eight hundred and sixty-six, between Thomas Thomson, of Leamington Priors, in the county of Warwick, M.D.; William Oakes Hunt, Gentleman; and Edward Fordham Flower, Esquire, both of Stratford-upon-Avon, in the said county, of the first part; the said Thomas Thomson and John Payne Collier, of Maidenhead, in the county of Berks, Esquires, of the second part; and the Mayor, Aldermen, and Burgesses, of the Borough of Stratford-upon-Avon, of the third part.

Whereas by indenture, dated on or about the first day of January, one thousand eight hundred and forty-eight, between William Sheldon and Joseph Slatter of the first part, Robert Bell Wheler of the second part, Elizabeth Izod of the third part, and the said Thomas Thomson, William Oakes Hunt, David Rice (since deceased), and the said Edward Fordham Flower of the fourth part, the hereditaments and premises described in the first schedule hereto, and intended to be hereby granted, were, by their then description of "All those "four messuages, tenements or dwelling-houses, with the hereditaments and "premises thereunto belonging, situate and being in Henley Street, in the "borough of Stratford-upon-Avon aforesaid, heretofore in the several tenures "or occupations of John Martin, William Minshull, Simon Doughty and "William Rhodes, since of Edward Lightfoot, Daniel Field, Daniel Hobbis "and Thomas Rogers, afterwards of William Warrilow, John Malins, Widow "Sumner and John Gibson, and now or lately of Thomas Hewins, Widow "Ludlow, Samuel Russell and Samuel Steel, and being on the westward side of "and adjoining to, and originally forming part of 'Shakespeare's Birthplace,'" conveyed and assured unto and to the use of the said Thomas Thomson, William Oakes Hunt, David Rice and Edward Fordham Flower, their heirs and assigns, for ever, as joint tenants and not as tenants in common: And whereas by indenture, dated on or about the twenty-seventh day of July, one thousand eight hundred and forty-eight, between John Smith of the first part, John Court, George Jarrett and Mary Jarrett his wife, and William Court of the second part, and the Right Honourable George William Frederick Howard, commonly called Viscount Morpeth (since deceased), Thomas Amyot (since deceased), the said Thomas Thomson and John Payne Collier of the third part, the hereditaments and premises described in the second schedule hereto, and intended to be hereby also granted, were, by their then description of "All that "messuage, tenement or dwelling-house, situate in Henley Street, in Stratford-

" upon-Avon aforesaid, called the 'Swan and Maidenhead,' together with the " stables, granary, and other outbuildings thereto belonging; and also all that " other messuage, tenement or dwelling-house, in Henley Street aforesaid, " adjoining on the west side to the said first-mentioned house, with the " buildings, yards, gardens and premises thereto belonging, commonly called " 'Shakespeare's House,'' conveyed and assured unto and to the use of the said Viscount Morpeth, Thomas Amyot, Thomas Thomson and John Payne Collier, their heirs and assigns, for ever: And whereas by indenture, dated on or about the twentieth day of September, one thousand eight hundred and fifty-six, between Charles Wittman Benny of the first part, Mary Barke of the second part, Henry Barke and Jane Barke of the third part, and the said Thomas Thomson, William Oakes Hunt, David Rice (since deceased) and Edward Fordham Flower of the fourth part, the hereditaments and premises described in the third schedule hereto, and intended to be hereby also granted, were, by their then description of " All that messuage, tenement or dwelling-house, with " yard, garden, granary and buildings adjoining thereto, together with the " buildings formerly used as a coach office, at the bottom of the garden, situate " in and near the Henley Street, in Stratford-upon-Avon aforesaid, in the said " county of Warwick, which said premises were formerly in the tenure or " occupation of John Keen, then of Susannah Court, since then of George " Barke, afterwards of Thomas Deacle Gill, and are now in the occupation of " Smith," conveyed and assured unto and to the use of the said Thomas Thomson, William Oakes Hunt, David Rice and Edward Fordham Flower, their heirs and assigns, for ever: And whereas by indenture, dated on or about the sixteenth day of December, one thousand eight hundred and fifty-six, between John Warden of the one part, and the said Thomas Thomson, William Oakes Hunt, David Rice (since deceased) and Edward Fordham Flower of the other part, the hereditaments and premises described in the fourth schedule hereto, and intended to be hereby also granted, were, by their then description of " All that piece or parcel of ground, fronting a road or " street called the Guildpits, whereon a barn formerly stood, and upon part " whereof stables are erected, situate at the back of certain cottages in " Stratford-upon-Avon aforesaid, in a street there called the Henley Street, and " adjoining on the north-eastward side to a stable belonging to an inn called ' the 'White Lion' Hotel, and on the south-eastward to the back yard " formerly belonging to an inn called the 'Swan and Maidenhead,' but now " disused as an inn, all which said premises contain three hundred and seventy-" two square yards, and are particularly delineated and described in the " plan endorsed on these presents, and coloured yellow," conveyed and assured unto and to the use of the said Thomas Thomson, William Oakes Hunt, David Rice and Edward Fordham Flower, their heirs and assigns, for ever: And whereas by an indenture, dated on or about the twenty-fourth day of July, one thousand eight hundred and fifty-seven, between the said Charles Wittman Benny of the first part, Mary Barke of the second part, the said Henry Barke and Jane Barke of the third part, and the said Thomas Thomson, William Oakes Hunt, David Rice (since deceased) and Edward Fordham Flower of the fourth part, the hereditaments and premises described in the fifth schedule hereto, and intended to be hereby also granted, were, by their then description of "All that building or tenement,

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" formerly a stable, but lately used as the Primitive Methodist Chapel, with " the stable, buildings and yard thereto adjoining and belonging, situate in the " Guildpits, in Stratford-upon-Avon aforesaid, and adjoining to other premises " lately purchased by the said parties hereto of the fourth part from the said " Charles Wittman Benny, and which said hereditaments and premises are " delineated and further described in the map or plan thereof, drawn in the " margin of these presents, and thereon coloured pink," conveyed and assured unto and to the use of the said Thomas Thomson, William Oakes Hunt, David Rice and Edward Fordham Flower, their heirs and assigns, for ever: And whereas by an indenture, dated on or about the fourteenth day of October, one thousand eight hundred and fifty-nine, between the said William Oakes Hunt and Robert Hiorne Hobbes, of Stratford-upon-Avon aforesaid, gentleman, of the first part, the said Mayor, Aldermen and Burgesses of the second part, and the said Thomas Thomson, William Oakes Hunt, David Rice (since deceased) and Edward Fordham Flower of the third part, the hereditaments and premises described in the sixth schedule hereto, and intended to be hereby also granted, were, by their then description of " All that piece of land adjoining the property " of the Corporation of Stratford-upon-Avon on the south-east, the property " belonging to Mr. Charles Edward Flower on the north-west, in a street " called the Guild Street," conveyed and assured unto and to the use of the said Thomas Thomson, William Oakes Hunt, David Rice and Edward Fordham Flower, their heirs and assigns, for ever: And whereas the said several properties herein-before mentioned were purchased with moneys raised for that purpose by public subscriptions, and by liberal donations made by the late John Shakspeare and others, with the object of protecting and preserving for ever hereafter, as a national monument, the birthplace of William Shakespeare: And whereas since the said hereditaments and premises comprised in the said respective indentures have been conveyed as aforesaid, several of the dwelling-houses and other buildings therein described have been taken down and the sites thereof converted into orchard and garden ground, the said house called " Shakespeare's Birthplace " has been restored and repaired, the said house called " The Swan and Maidenhead " has been fitted up as a Shakespeare library and museum, and a portion of the said buildings so purchased has been converted into a residence for a custodian, the several acts aforesaid having been done for furthering the object for which the said moneys raised as aforesaid were given: And whereas numerous gifts of books and Shakespearian relics have since been made to and are deposited in the said house, library and museum, to be there preserved for ever, and the whole form a most interesting and valuable collection—the expense of maintaining which is defrayed by means of small admission fees paid by visitors thereto: And whereas the said parties hereto of the first and second parts, considering it expedient, for the more effectually carrying out of the objects aforesaid, that the whole of the said property should be placed on a more permanent basis, under the control and management of the official persons and others herein-after named, are desirous of conveying the legal estate therein to the said Mayor, Aldermen and Burgesses, in trust for that purpose: Now this indenture witnesseth that, in pursuance of such desire, the said Thomas Thomson, William Oakes Hunt and Edward Fordham Flower hereby grant unto the said Mayor, Aldermen and Burgesses, and their successors, the hereditaments described in the first, third,

fourth, fifth, and sixth schedules hereto, with the appurtenances to the same respectively belonging; and the said Thomas Thomson and John Payne Collier hereby grant unto the said Mayor, Aldermen and Burgesses, and their successors, the hereditaments described in the recited indenture of the twenty-seventh day of July, one thousand eight hundred and forty-eight, which hereditaments are now known by the description contained in the second schedule hereto, with the appurtenances; to hold the same and every part thereof, with their respective appurtenances, unto the said Mayor, Aldermen and Burgesses, and their successors, upon the trusts and subject to the conditions herein-after mentioned, that is to say:—upon trust to permit the lord lieutenant of the county of Warwick for the time being, the high steward of the borough of Stratford-upon-Avon for the time being, the Mayor of the said borough for the time being, the Aldermen of the said borough for the time being, the justices of the peace for the said borough for the time being, the town clerk of the said borough for the time being, the vicar of the parish of Stratford-upon-Avon for the time being, the head master of the Free Grammar School at Stratford-upon-Avon for the time being, and the said Thomas Thomson, John Payne Collier, Charles Holte Bracebridge, of Atherstone Hall, in the county of Warwick, Esquire, James Orchard Halliwell, of number six, St. Mary's Place, West Brompton, in the county of Middlesex, Esquire, the said William Oakes Hunt, Edward Fordham Flower and Robert Hiorne Hobbes, John Atkinson, second master of the said Grammar School, and every other person who shall hereafter become a donor to the said house, library and museum, to the value of one hundred pounds and upwards, or who shall hereafter be elected a member, as herein-after mentioned, during their respective lives, to have the control and management of the said properties, and particularly for this purpose to have power from time to time to make such rules and regulations for the government, protection and preservation of the said house, library and museum, and the grounds and appurtenances thereto, and the protection and preservation of the books and articles therein, as they, the said Trustees, or a majority of them assembled at any meeting duly convened, consisting of not less than five members, shall from time to time think proper, and from time to time, in like manner, to alter or annul any such rules as they may think proper; and also at any such meeting to appoint or remove a custodian, but so that in the control and management of the said properties, and in framing rules and regulations, the said Trustees shall always have regard to the object for which the said properties were purchased, and shall not allow the same or any part thereof to be used for any purpose inconsistent with such object: Provided always, that on the death or retirement of any Trustee, not being a trustee by virtue of his office, it shall be incumbent on the said Trustees, or a majority of them assembled at any meeting duly convened, at which five members at least shall be present, to appoint by minute in writing, to be entered on the minutes of such meeting, any fit person to supply the place of any such Trustee so dying or retiring. In witness whereof the said parties to these presents have hereunto set their hands and seals, the day and year first above written.

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FIRST SCHEDULE.

All that cottage or tenement in Henley Street, now used by the Corporation of Stratford-upon-Avon for keeping the borough records, situate on the westward side and adjoining and originally forming part of Shakspeare's birthplace; and also the garden on the westward side of the said cottage, whereon three cottages formerly stood, which have since been taken down, which premises are coloured blue on the plan drawn in the margin of the second skin of these presents.

SECOND SCHEDULE.

All that messuage or tenement situate in Henley Street, commonly called Shakspeare's house, adjoining on the westward side thereof to the said cottage described in the said first schedule, and on the eastward side thereof to the messuage or tenement next herein-after mentioned: And also all that the said last-mentioned messuage or tenement formerly called the Swan and Maidenhead, but now converted into a library and museum, and adjoining on the westward side thereof to the garden ground described in the third schedule; together with the garden at the back of the said two messuages or tenements, which said premises are coloured yellow on the said plan.

THIRD SCHEDULE.

All that piece of garden ground situate in Henley Street, whereon a dwelling-house formerly stood, which has been since taken down, adjoining on the westward side thereof to the said Swan and Maidenhead, now used as a library and museum: And all that messuage or dwelling-house now in the occupation of Mrs. Ashwin, as custodian of Shakspeare's birthplace: And all that garden behind the said premises and extending down to the piece of waste ground described in schedule six, which premises are coloured green on the said plan.

FOURTH SCHEDULE.

All that piece or parcel of ground whereon stables formerly stood, situate at the back of the cottages and premises described in the first schedule and fronting the waste ground near the Guildpits described in the sixth schedule, which piece or parcel of ground has been thrown into and now forms part of Shakspeare's Birthplace Garden, and is coloured red on the said plan.

FIFTH SCHEDULE.

All that piece of ground near Guild Street, whereon a building used as a Primitive Methodist Chapel formerly stood, which has been since taken down: And all that yard adjoining thereto, and which together have been added to and now form part of the garden called Shakspeare's Birthplace Garden: And

all that outbuilding formerly a stable adjoining to and occupied with the dwelling-houses described in schedule three as in the occupation of Mrs. Ashwin, and coloured pink on the said plan.

Sixth Schedule.

All that piece of land, part of the waste land of the manor of Stratford-upon-Avon, lying between the said street called Guild Street, and the premises described in the second, third, fourth and fifth schedules, which said piece of land has been thrown into and now forms part of the garden called Shakspeare's Birthplace Garden, and is coloured brown on the said plan.

THOMAS L.S. THOMSON. E. F. L.S. FLOWER.

Corporation Seal.

WM. O. HUNT L.S. JOHN PAYNE L.S. COLLIER.

Signed, sealed and delivered by the within-named Thomas Thomson, William Oakes Hunt and Edward Fordham Flower, in the presence of

HENRY O. HUNT,
Solicitor,
Stratford-upon-Avon.

Signed, sealed and delivered by the within-named John Payne Collier, in the presence of

E. L. COLLIER, Spinster,
Maidenhead.

A.D. 1891.

SECOND SCHEDULE.

THIS INDENTURE, made the seventeenth day of April, one thousand eight hundred and seventy-six, between JAMES ORCHARD PHILLIPPS, of Number Six, Saint Mary's Place, but now named Number Eleven, Tregunter Road, West Brompton, in the county of Middlesex, Esquire, of the first part, and the MAYOR, ALDERMEN and BURGESSES of the Borough of Stratford-upon-Avon of the second part.

WHEREAS by an indenture, dated the fourth day of July, one thousand eight hundred and sixty-six, and made between Thomas Thomson, M.D., William Oakes Hunt and Edward Fordham Flower of the first part, the said Thomas Thomson and John Payne Collier of the second part, and the said Mayor, Aldermen and Burgesses of the third part, the house at Stratford-upon-Avon aforesaid, known as "Shakespeare's Birthplace," with the garden attached thereto, and other premises adjoining in Henley Street, described in the several schedules thereto, were conveyed to the said Mayor, Aldermen and Burgesses, in trust, for the preservation and management thereof, and of the library and museum established there: And whereas by an indenture, dated the eighth day of February, one thousand eight hundred and sixty-two, and made between William Warrilow of the first part, Charles Frederick Loggin, and Sarah Amphyliss his wife of the second part, and the said James Orchard Phillipps (then James Orchard Halliwell) of the third part, the piece or parcel of ground now known as "Shakespeare's Large Garden," but then called the Bowling Green, with the greenhouse, messuage, cottages, or tenement thereto belonging, which premises as now known are more particularly described in the first schedule hereto, and in the plan indorsed upon the second skin of these presents, and thereon coloured pink, were conveyed by way of sale to the said James Orchard Phillipps, and his heirs and assigns, for ever: And whereas by an indenture, dated the twenty-first day of March, one thousand eight hundred and sixty-two, and made between the said William Warrilow of the one part, and the said James Orchard Phillipps (then James Orchard Halliwell) of the other part, the messuage, garden and premises adjoining the last-mentioned premises, and as now known more particularly described in the second schedule hereto, and coloured green on the said plan, were also conveyed by way of sale to the said James Orchard Phillipps, his heirs and assigns, for ever: And whereas both the said purchases were made by the said James Orchard Phillipps with the intention at some future time of conveying the said properties to the said Mayor, Aldermen and Burgesses, in trust, for the preservation and management thereof by the trustees of Shakespeare's house, library and museum, and a declaration thereof was signed by the said James Orchard Phillipps, dated the twenty-eighth day of April, one thousand eight hundred and sixty-five: And whereas, in the year one thousand eight hundred and twenty-seven, a certain portion of Shakespeare's large garden aforesaid was

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conveyed by way of sale, by Edward Leyton, the then owner thereof, to certain persons for the purposing of building a theatre thereon: And a declaration of trust, dated the eighth day of December, one thousand eight hundred and forty-one, was executed, whereby it was declared that the purchase money paid for the same was the proper money of the several parties named in the schedule to such declaration of trust, and that the said property was held by them in trust for such parties, and the then present shareholders in the said property: And whereas subsequently the said James Orchard Phillipps became the purchaser from the said shareholders of the whole of their shares in such last-mentioned property, and has since, as sole beneficial owner thereof, had the said theatre pulled down and the land thrown open to the remainder of the said large garden: And whereas the said James Orchard Phillipps, in pursuance of the said declaration of trust, is desirous of carrying out his aforesaid intention, by placing the whole of the premises herein-before mentioned and described in the schedules hereto, and described and coloured pink and green respectively in the aforesaid plan, on a more permanent basis, under the control and management of the official persons and others, herein-after named, and of conveying the same to the said Mayor, Aldermen and Burgesses, to be held by them, together with Shakespeare's house library and museum aforesaid, in trust for that purpose: Now this indenture witnesseth that, in pursuance of such intention and desire as aforesaid, the said James Orchard Phillipps, as to all the premises comprised in the first and second schedules hereto, doth hereby grant and convey unto the said Mayor, Aldermen and Burgesses, and their successors, all and singular the hereditaments described in the first and second schedules hereto, and which are coloured pink and green respectively upon the said plan, together with the appurtenances to the same respectively belonging; to hold the same and every part thereof, with their respective appurtenances, unto the said Mayor, Aldermen and Burgesses, and their successors, upon the trusts and subject to the conditions herein-after mentioned, that is to say, upon trust to permit the lord lieutenant of the county of Warwick for the time being, the high steward of the borough of Stratford-upon-Avon for the time being, the Mayor of the said borough for the time being, the Aldermen of the said borough for the time being, the justices of the peace for the said borough for the time being, the town clerk of the said borough for the time being, the vicar of the parish of Stratford-upon-Avon for the time being, the head master of the Free Grammar School at Stratford-upon-Avon for the time being, and the said James Orchard Phillipps, John Payne Collier, Edward Fordham Flower, Robert Hiorne Hobbes, the Reverend Thomas Rea Medwin, Frederick Haines, Henry Huth, F W Cosins, Charles Edward Flower, and Doctor Clement Mansfield Ingleby, being at the present time trustees of the said house, library and museum, and every other person who shall hereafter become a donor to the said house, library and museum, to the value of one hundred pounds and upwards, or who shall hereafter be elected a member as hereafter mentioned, during their respective lives, to have the control and management of the premises expressed to be hereby granted, and the protection and preservation thereof, in conjunction with the said house, library and museum, as they the said Trustees, or a majority of them assembled at any meeting duly convened, consisting of not less than five members, shall from time to time think proper,

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and otherwise in the same manner as the said house, library and museum are managed and controlled by them: Provided always, that on the death or retirement of any trustee, not being a trustee by virtue of his office, it shall be incumbent on the said Trustees, or a majority of them assembled at any meeting duly convened, at which five members at least shall be present, to appoint by minute in writing, to be entered on the minutes of such meeting, any fit person to supply the place of any such trustee so dying or retiring. In witness whereof the said James Orchard Phillipps has hereunto set his hand and seal, and the said Mayor Aldermen and Burgesses have hereunto affixed their common seal the day and year first above written.

The First Schedule above referred to.

All that piece or parcel of land or ground, lately used as a bowling green, situate within the borough of Stratford-upon-Avon aforesaid, adjoining on the south to the pieces or parcels of land or ground herein-after mentioned; and also all that other piece or parcel of land or ground adjoining on the north to the firstly herein-before mentioned piece or parcel of ground, whereon or some part whereof formerly stood two cottages, in the respective occupations of William Hartley and Joseph Prentice; and also all that other piece or parcel of land or ground, adjoining on the north to the said firstly herein-before mentioned piece or parcel of ground, and on some part whereof lately stood a theatre, and the remaining part whereof used as garden ground, and then or late in the occupation of Charles Frederick Loggin; all of which said several pieces or parcels of land or ground and hereditaments, with the boundaries and abuttals thereof, are more particularly described and delineated in the first map or plan thereof, drawn in the margin of these presents, and thereon coloured pink.

The Second Schedule above referred to.

All that messuage or tenement, with the garden, buildings and appurtenances thereto belonging, situate within the borough of Stratford-upon-Avon aforesaid, in a certain street there called Chapel Street, late in the occupation of David Rice deceased, and now of Thomas William Salmon; and also all that garden or parcel of land near the chapel, and lying between the said messuage and premises and a certain lane or street called Chapel Lane, alias Walker Street, and late in the tenure of the said David Rice deceased, and now of the said Thomas William Salmon, and on some part whereof formerly stood a stable and harness house, and comprising the walls on the north and east parts thereof; all which said hereditaments, with the boundaries and abuttals

thereof, are more particularly described and delineated in the second map or plan thereof drawn in the margin of these presents, and thereon coloured green. A.D. 1891.

J. O. L.S. Phillipps.

Corporation Seal.

Signed, sealed and delivered by the within-named James Orchard Phillipps, in the presence of

William Rendle,
Surgeon,
Treverbyn,
Forest Hill, S.E.

Henry Stebbing,
47, Hollywood Road,
West Brompton.
Butcher.

Sealed with the common seal of the within-named Mayor, Aldermen and Burgesses, in the presence of

Thos. Hunt,
Town Clerk.

"Enrolled in the High Court of Justice (Chancery Division), the twenty-second day of April, in the year of our Lord one thousand eight hundred and seventy-six, (being first duly stamped), according to the tenor of the Statutes made for that purpose."

39 Qs

Romilly.

Enrolment Office Stamp.

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