

May it please your Lordships

52952

I have considered the annexed Petition of Arnold Thompson praying your Lordships to grant him a Lease of a Messuage situate within the Ditch of Windsor Castle for such term & under such Rent as to your Lordships shall seem meet.

The said House as I am informed was built about the year 1692 by an Arnold Thompson (Grandfather of the Petitioner as is alleged by virtue of some Licence or Grant made to him from Henry Duke of Norfolk then Governor of Windsor Castle for a term of 29 years which expired in the year 1721. The said Arnold Thompson by his will duly proved the 27th of October 1721, devised the said House to his wife for life and after her decease to his Daughter Eliz. Thompson and her assigns for ever But if his daughter should die without issue then he gave it to his three youngest Daughters Sarah Fortune and Jane Shore and share alike. On the Death of the Widow the said Elizabeth Thompson entered thereon pursuant to her fathers Will and held the same till her death which happened in the year 1739, unmarried and without issue having first made her Will bearing date the 12th of August 1739 and after some pecuniary Legacies gave the rest of her Estate Messuages Tenements and ground to her sister Sarah Thompson her heirs and assigns for ever, and made her sole Executrix who entered on the said House and enjoyed the same during her Life and about the Month of June 1751 she died having first made her will dated the 27th of March 1740. And thereby bequeathed to her sister Jane Smith her moiety of the said house during her Life and directed her Exors to sell the said moiety, and devised the Money arising by such Sale to her Nephews Thomas, Arnold and George Finchell and her Nieces Mary

and M^{rs}. Finchett Children of her Sister Anne Finchett Share
and Share alike and appointed M^r. John Davis of New Windsor
Sole Executor who duly proved the said Will the 27th of June
1740, And thereupon the said Jane Smith entered upon the
premises and held and enjoyed the same. - And I find
that the Petitioner in the year 1746 filed a Bill in Equity
against the said Jane Smith and Ignatius Smith her
husband and the said John Davis to discover their Title to
the said House apprehending the same to be an Estate of
Inheritance and that he might have some Right to the same
or some part thereof, And from their Answer and other papers
and proceedings in that Cause it came out that the supposed
Lease thereof expired in 1721, and that since that time they
had no other Title but possession, tho the family had bequeath'd
it from one to another as an Estate of Inheritance, However the
Petitioner did not give any further trouble to the s^d. Jane
Smith who enjoyed it during her Life but on her Death which
happened in the month of January last made the discovery
and now petitions your Lordships for a Lease thereof, But
the said John Davis being Executor as aforesaid and Trustee for
the said Jane Smith, and for the Children of Anne Finchett,
obtained the possession of the premises on M^{rs}. Smiths death
and thereupon applied to the Governor of Windsor Castle for
a Lease thereof, on behalf of John Davis his Son, And
accordingly obtained a Deed or Instrument under the hand and
Seal of the Governor bearing date the 6th day of March last,
whereby he demised the said house to John Davis Junior for
29 years from Lady day last, at and under a Rent of 12^s. 6^d.
Ann^o. And on my Survey of the premises he produced the said
Deed as a good Lease against the Land tho nothing is more
Evident than that the same is contrary to Law and void.
I have caused the said Messuage and Ground to be viewed
and

and Surveyed and a plan to be made thereof which is hereunto annexed the whole piece of ground contains near a quarter of an acre situate within the Castle Ditch and the house erected on part thereof is an old Building part Brick and part Timber now in the Occupation of Lady Mary Cook & worth about £25. p Ann. And I am of Opinion if the house which is an Inroadment on the Palace be permitted to stand and remain there and to be granted on Lease the same ought to be granted in a legal manner by your Lordships Warrant and Authority and no other and duly put in Charge in aid of the Lord Revenue; And if your Lordships shall think fit to grant the same to the Petitioner in regard to the Charge he has been at in the Discovery a Lease thereof may pass to him for a term of 31 years from the date for a Fine of £50. Reserving to his Majesty his heirs and Successors a Rent of £8. 6. 8 p Ann. With a clause of Resumption at the pleasure of the Crown on repaying a proportionable part of the Fine and also for restraining the Lessee from railing or fastning Fruit Trees, Buildings or anything whatever to the walls of the Castle which will be agreeable to the Civil List Act.

All which &c

Robt Herbert Surr. Gen^l
 Aug. 24th 1754

Hon Robert Herbert
 Surveyor General
 of all His Majesty's
 Honours, Castles &c

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Hon Robert Herbert,
Surveyor-General of all His Majesty's
Honours, Castles etc

Surveyor Gen. Report
on the Petition of Arnold
Thompson for a Lease of
a House near Windsor Castle

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