



ANNO TRICESIMO NONO

GEORGI II. REGIS.

Cap. 79.

An Act for enabling *William Stephen Poyntz* Esquire, and the Honourable *Elizabeth Mary* his Wife, to charge the Estates, late of the Right Honourable *George Samuel* Lord Viscount *Montague*, deceased, in the County of *Suffex*, with a competent Sum of Money, for improving the same; and for other Purposes. [12th July 1799.]

WHEREAS the Right Honourable *George Samuel* Lord Viscount *Montague*, deceased, did, by his last Will and Testament in Writing, bearing Date on or about the Thirteenth Day of *November*, in the Year One thousand seven hundred and ninety-two, after charging all his Manors and Hereditaments in the County of *Suffex* with the Payment of an annual Sum of Four hundred Pounds, clear of all Taxes and Deductions, unto his Mother the Right Honourable *Frances* Dowager Viscountess *Montague*, for her Life, (in Addition to the annual Rent Charge of Six hundred Pounds then payable to her thereout), give and devise all and every his Manors, Messuages, Farms, Lands, and Hereditaments, situate, lying, and being in or within the County of *Suffex*,

Preamble.
Will of *George Samuel* Lord Viscount *Montague*.

[Loc. & Per.]

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unto

unto his Sister *Elizabeth Mary*, now the Wife of *William Stephen Poyntz*, of *Cowdray* in the County of *Suffex*, Esquire, then the Honourable *Elizabeth Mary Browne* Spinster, and her Assigns, for her Life, without Impeachment of Waste, with Remainder to *John Gage* and *John Forster* and their Heirs, during her Life, in Trust to preserve contingent Remainders, with Remainder to the First and other Sons of the said *Elizabeth Mary* successively in Tail general, with Remainder to all and every the Daughter and Daughters of the said *Elizabeth Mary*, if more than One, as Tenants in common in Tail general, with cross Remainders to the Survivors or others of such Daughters, on Failure of Issue of any of them, as Tenants in common in Tail general, with Remainder to Sir *Richard Bedingfeld* Baronet, (then *Richard Bedingfeld* Esquire, by the Description of his Cousin *Richard Bedingfeld*, Son of Sir *Richard Bedingfeld* Baronet, since deceased), and his Assigns, for his Life, without Impeachment of Waste, with Remainder to the said *John Gage* and *John Forster*, and their Heirs, during the Life of the said Sir *Richard Bedingfeld* the Son, in Trust to preserve contingent Remainders, with Remainder to his First and other Sons successively in Tail general, with Remainder to the Daughter or Daughters of the said Sir *Richard Bedingfeld* the Son, if more than One, as Tenants in common in Tail general, with cross Remainders to and amongst the Survivors or others of such Daughters, on Failure of Issue of any of them, as Tenants in common, if more than One, in Tail general, with Remainder to the right Heirs of the Testator: And whereas the said *George Samuel* Lord Viscount *Montague* died in the Year One thousand seven hundred and ninety-three, without having revoked or altered his said Will, leaving his said Sister his Heiress at Law; who thereupon entered upon and became seised of the said Estates, devised to her for her Life as aforesaid: And whereas, by Indenture bearing Date the Eighteenth Day of *August* One thousand seven hundred and ninety-four, and made between the said *Elizabeth Mary Browne* of the First Part; the said *William Stephen Poyntz* of the Second Part; and the Right Honourable *John* Earl of *Sandwich*, the Right Honourable *George John* Earl *Spencer*, *Wriothesly Digby*, of *Mereden* in the County of *Warwick*, Esquire, and the said *John Gage*, of the Third Part; made previously to and in Contemplation of the Marriage then intended, and soon afterwards solemnized, between the said *William Stephen Poyntz* and *Elizabeth Mary Browne*; all and every the Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, devised by the said Will in Manner aforesaid, were granted and demised by the said *Elizabeth Mary Browne*, with the Privity of the said *William Stephen Poyntz*, unto the said *John* Earl of *Sandwich*, *George John* Earl *Spencer*, *Wriothesly Digby*, and *John Gage*, their Executors, Administrators, and Assigns, for the Term of Ninety-nine Years from the Date of the said Indenture, if the said *William Stephen Poyntz* and *Elizabeth Mary Browne* should both so long live, without Impeachment of Waste, upon Trust, after the Solemnization of the said Marriage, by and out of the Rents and Profits of the said Manors, Hereditaments, and Premises, to levy and raise sufficient Monies to pay and keep down the aforesaid Rent Charges, and the Interest of the Mortgages therein-mentioned, or other Incumbrances, or such of them as affected the Premises thereby demised, and subject thereto, yearly to levy and raise the annual Sum of One thousand two hundred Pounds, clear of all Taxes and Deductions, and to pay the same Quarterly on the Days therein mentioned, unto such Person or Persons, and for

His Death in 1793, leaving his Sister his Heiress at Law.

Settlement of the *Suffex* Estates on Mrs. *Poyntz's* Marriage.

for such Purposes, as the said *Elizabeth Mary Browne* should, notwithstanding her Coverture, by Writing appoint, or in Default of such Appointment, to her proper Hands for her sole and separate Use, in the Nature of Pin Money, and upon Trust to permit or authorize the said *William Stephen Poyntz*, or his Assigns, to receive and take the Residue of the Rents and Profits of the said Premises, other than the Profits arising by Sale of the Timber and Timber-like Trees, for his and their own Use; and upon further Trust, that the said Trustees should, from Time to Time during the Continuance of the said Term, fell, cut down, and sell, all such of the Timber or Timber-like Trees which should be growing on the said Premises, or any Part thereof, as the said *William Stephen Poyntz* and *Elizabeth Mary Browne* should jointly by Writing under their Hands and Seals order or direct, and should lay out and apply all the net Monies to arise by such Sales, after deducting the Costs and Expences incident to the valuing and felling such Timber, and the Sale thereof, unto such Person or Persons, and for such Purposes, as the said *William Stephen Poyntz* and *Elizabeth Mary Browne* should, from Time to Time order, direct, and appoint, and in Default of such Order or Appointment, to the proper Hands of the said *William Stephen Poyntz* and *Elizabeth Mary Browne*, for their own Use: And whereas the said *William Stephen Poyntz* and the said *Elizabeth Mary* his Wife, have Issue Two Daughters, the eldest of whom is named *Frances Isabella Poyntz*, and is of the Age of Three Years or thereabouts, and the youngest is of the Age of Two Months, and is named *Elizabeth Georgiana*; and the said *Sir Richard Bedingfeld* the Son hath Issue Three Daughters, all Infants, namely, *Frances Charlotte*, *Matilda Maria*, and *Agnes Maria*, the eldest of whom is of the Age of Three Years or thereabouts: And whereas Part of the said Estates consist of divers large Tracts of Ground, containing Three thousand Acres and upwards, situate and being within the Parishes of *Lurgarshall*, *Tillington*, *Farnhurst*, *Linchmere*, *Linch*, *Bepton*, *Cocking*, *Easebourn*, *Midhurst*, *Lodsworth*, *Sulham*, *Wool Lavington*, *Leominster*, *Warning Camp*, *Poynings*, *Clayton*, and *Edburton*, in the said County of *Sussex*, of which Six hundred Acres and upwards are capable of great Improvement, and a superior Mode of Cultivation, if properly drained, fenced, and divided, and proper Buildings were erected thereon; and other Parts thereof, containing One thousand Acres and upwards, now let at a very low Rent, lie wholly uncultivated and waste, which, though unfit for Cultivation in respect to Corn, Grain, or Hay, would, if planted and inclosed or fenced from Cattle, be capable of producing valuable Timber; and divers Parts of the Roads on the said Estates are impassable with loaded Carriages: And whereas the greater Part of the Farm Houses and Buildings upon the said Manors and Estates are in a very ruinous Condition, and many of them are very improper for Repair, not only by reason of their Decay, but on account of the Magnitude and inconvenient Form and Situation of the Buildings, the same having in many Instances been erected for other Purposes than and being ill adapted for Farm Houses, so that the entire taking down the same and erecting in their Stead convenient and substantial Houses and Buildings, suitable and proper for the Farms to be occupied therewith, will not only be a great and permanent Improvement of the said Estates, but will be a Means of saving much future Expence in Repairs: And whereas upon a Calculation made of the Expence which must necessarily attend the completing the said several Improvements and Buildings, it is com-

Issue of Mr. and Mrs. *Poyntz*, Two Daughters, both Infants. Issue of *Sir Richard Bedingfeld*, Three Daughters, all Infants.

A considerable Part of the Estates consists of large Tracts of Land, capable of great Improvement.

The greater Part of the Farm Houses in a ruinous Condition, and improper for Repair.

Expence of Improvements wanting, computed at 12,000*l*.

puted

Mr. and Mrs. Poyntz and Sir Richard Bedingfeld are desirous such Improvements should be made; and conceive that the Expence thereof should be charged upon the Estate.

The Expences of the Act, and of the surveying and improving of the Estates;

and of making the Applications to the Court of Chancery, after directed, but not exceeding 12,000*l.* in the Whole, are to be charged on the said Estates.

puted that such Expence, including the Expence already incurred by the said *William Stephen Poyntz* towards such Improvements, will amount in the Whole to the Sum of Twelve thousand Pounds or thereabouts, exclusive of Oak Timber to be used in such Buildings, and the necessary Fences which the said *William Stephen Poyntz* and *Elizabeth Mary* his Wife are willing should be supplied or taken from the Woodlands upon the said Estates, an Estimate of which Expences is set forth in Schedule (A.) hereunto annexed: And whereas the said *William Stephen Poyntz* and *Elizabeth Mary* his Wife, as also the said *Sir Richard Bedingfeld*, are very desirous that such several Improvements should be effected; but inasmuch as the same will add greatly to the Value of the Inheritance of the said Estates, and are likely to produce more Benefit to the future than to the present Possessors thereof, they humbly conceive it to be just and reasonable that the Expences incurred, and to be incurred, of carrying the same into Execution, should be raised out of or charged upon the said Estates; and they are also desirous that proper Powers may be given for exchanging Parts of the said settled Estates for, and in lieu of other real Estates in the said County of *Suffex*, to be settled in lieu thereof, and to the same Uses; But inasmuch as by reason of the Limitations in the said Will and Indenture of Demise or Settlement, the same cannot be effected without the Aid and Authority of Parliament, therefore Your Majesty's most dutiful and loyal Subjects, the said *William Stephen Poyntz* and *Elizabeth Mary* his Wife, and also the said *Sir Richard Bedingfeld*, as well on Behalf of themselves as of their said Infant Children, 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 as well the Costs, Charges, and Expences of applying for and obtaining and passing this Act, as also all the Costs, Charges, Expences, and Disbursements, which the said *William Stephen Poyntz* hath already expended or been put to, or which he or the said *Elizabeth Mary* his Wife in case of her surviving him, shall expend or be put to, in or upon the Account of the mapping, planning, and surveying the said devised Manors, Farms, and Lands in the County of *Suffex*, or any Part or Parts thereof, for the Purposes of this Act, and of making Plans and Estimates of the Improvements thereon; and also in or upon the Account of draining, dividing, inclosing, fencing, planting, and putting in a proper State of Cultivation, and erecting proper and convenient or necessary Buildings upon the same Manors, Farms, and Lands, and taking down and rebuilding, altering, or substantially repairing the present Farm Houses and Buildings thereon; and also the Costs, Charges, and Expences of making the several Applications to the Court of Chancery hereby authorized; and the preparing and executing the several Mortgages or Charges hereby authorized to be made; and all other the Costs, Charges, and Expences of carrying this Act into Execution, but not exceeding in the Whole the Sum of Twelve thousand Pounds, shall (but subject and without Prejudice to the aforesaid Annuities or Rent Charges, and the several Mortgages and Incumbrances now subsisting on the said Estates) be charged upon or raised out of the said devised Manors, Farms, Lands, and Hereditaments, in the County of *Suffex*, or some Part or Parts thereof, after the same, or any Part or Parts thereof,

thereof, shall have been so cultivated and improved as aforesaid, by such Ways and Means as are herein-after expressed.

II. And be it further enacted, That it shall and may be lawful to and for the High Court of Chancery, and the same Court is hereby required, from Time to Time to order it to be referred to a Master of the said Court, to enquire what Improvements of the Nature or Description herein-before mentioned have been already and hereafter shall be made upon the said devised Estates in the County of *Suffex*, or any Part or Parts thereof, by the said *William Stephen Poyntz*, or by the said *Elizabeth Mary* his Wife in case of her surviving him, and what Costs, Expences, and Disbursements the said *William Stephen Poyntz* hath already expended or been put to, and what Costs, Expences, and Disbursements, he in his Lifetime, or the said *Elizabeth Mary* his Wife after his Death, shall hereafter expend or be put to on that Account; and also to enquire what other Costs, Charges, and Expences, the said *William Stephen Poyntz* hath already been put to or expended, and what he or the said *Elizabeth Mary* his Wife shall hereafter be put to or expend, respecting all or any other the Matters aforesaid; and also to tax the Costs, Charges, and Expences of applying for and obtaining and passing this Act, and of all Applications to and Proceedings in the Court of Chancery in pursuance hereof, and of the Mortgages or Charges and Assurances hereby authorized to be made; and to order the said Master to state the Result of his Inquiry, with his Opinion thereon, together with the Amount of the said Taxed Costs, to the Court; and after the said Master shall have made his Report, then to order that the Amount of all such Costs, Charges, and Expences, which shall be found by the said Master to have been so expended as aforesaid, and also the Amount of the said Taxed Costs, or any Part or Parts thereof, but not exceeding in the Whole the Sum of Twelve thousand Pounds, shall be raised by the said *William Stephen Poyntz*, or by the said *Elizabeth Mary* his Wife, so having expended the same as aforesaid, by Mortgage or Charge upon the said devised Estates in the County of *Suffex*, or some Part or Parts thereof, in such Manner as is herein-after expressed; (but subject nevertheless and without Prejudice as aforesaid).

Reference to one of the Masters of the Court of Chancery, to enquire into the Improvements made or to be made on the Estates,

and to tax the Costs of this Act, and of the Applications to the Court, and to report thereon.

Such Costs, and the Expence of the Improvements made, but not exceeding in the Whole 12,000*l.* to be charged on the Estate.

III. And be it further enacted, That after the making of any such Order or Orders, of the Court of Chancery, for raising any Sum or Sums of Money as aforesaid, it shall and may be lawful to and for the said *William Stephen Poyntz*, or for the said *Elizabeth Mary Poyntz*, in case she shall survive him, by any Deed or Deeds, Instrument or Instruments in Writing, to be by him or her sealed and delivered in the Presence of and attested by Two or more credible Witnesses, or by his or her last Will and Testament in Writing, or any Codicil thereto, executed according to the Statute of Frauds, to subject and charge all or any Part of the said Manors, Messuages, Lands, Tenements, and Hereditaments, late of the said *George Samuel* Lord Viscount *Montague*, in the said County of *Suffex*, (but subject and without Prejudice to the said Rent Charges of Six hundred Pounds and Four hundred Pounds to the said *Frances* Dowager Viscountess *Montague*, and to such other Charges and Incumbrances as the said Manors and Hereditaments, or any Part thereof, are liable at the Time of passing this Act, but subject also and without Prejudice to the Trusts declared by the said Indenture of Demise of the Eighteenth Day of *August*

Power to charge the Estates with Money and Interest, laid out in Improvements, &c.

One thousand seven hundred and ninety-four, for the Benefit of the said *William Stephen Poyntz* and *Elizabeth Mary Poyntz*, or either of them, with the Payment of the Sum or Sums of Money which shall be so from Time to Time ordered or authorized by the said Court of Chancery to be raised by him the said *William Stephen Poyntz* or by the said *Elizabeth Mary* his Wife as aforesaid, with lawful Interest for the same from the Time of making such Charge, or from the Death of him or her making the same; and also by the same or any other Deed or Deeds, Instrument or Instruments in Writing, or Will or Codicil respectively, to limit or create any Term or Terms of Years upon, or to make any Demise or Demises by way of Mortgage of, the said Manors, Messuages, Lands, Tenements, and Hereditaments, so to be charged for any Term or Terms of Years, without Impeachment of Waste, to any Person or Persons willing to advance the Sum or Sums so from Time to Time ordered or authorized to be raised, so as the Estate, Term, and Interest, so to be granted by any such Demise or Demises, be made redeemable on full Payment of the Sum or Sums, and the Interest for the same, which shall be charged by virtue of this present Power, by the Person or Persons for the Time being entitled to the Freehold and Inheritance of the Premises so to be demised; and so as such Grant or Demise do also contain a Covenant, that the said *William Stephen Poyntz*, or the said *Elizabeth Mary* his Wife if she shall survive him, shall and will, during the Life of her the said *Elizabeth Mary*, pay and keep down the Interest of the said Sum or Sums so to be charged as aforesaid.

In case of the Death of either Mr. or Mrs. *Poyntz*, without having charged the Estates, the Expences incurred by either of them to be a Charge upon the Estate.

IV. And be it further enacted, That in case the said *William Stephen Poyntz* shall die without having raised or charged the Sum or Sums already expended by him in Improvements as aforesaid, upon the said Estates in the said County of *Suffex*; or in case the said *William Stephen Poyntz* shall hereafter in his Lifetime, or the said *Elizabeth Mary* his Wife shall after his Death, expend any Sum or Sums in Improvements or for Costs as aforesaid, and shall die without having raised or charged the same upon the said Estates in the County of *Suffex*, then and in such Case the same Sum or Sums, when and so soon as the said Master shall have made his Report thereon, as is hereby required, and the same shall have been confirmed by an Order of the said Court of Chancery, (but not exceeding in the Whole the Sum of Twelve thousand Pounds), shall be a Charge (but subject and without Prejudice as aforesaid) upon the said Estates in the County of *Suffex*, from the Time of the Death of him or her so respectively expending the same, with Interest thereon from thenceforth after the Rate of Four Pounds *per Centum per Annum*, and shall belong to his or her Executors or Administrators respectively as Part of his or her Personal Estate; and the said Court of Chancery is hereby authorized and required to make such Order or Orders from Time to Time for ascertaining the Amount thereof, and for enabling such Executors or Administrators to raise the same, with such Interest as aforesaid, by Mortgage or Charge upon the said Estates in the County of *Suffex*, as is or are herein-before authorized to be made for ascertaining and raising such Amount and Interest in the Lifetime of the said *William Stephen Poyntz* and *Elizabeth Mary* his Wife respectively.

Power to cut Oak Timber for effecting

V. And be it further enacted, That it shall be lawful for the said *William Stephen Poyntz*, during the joint Lives of him and the said *Elizabeth Mary* his Wife, and after his Death to and for the said *Elizabeth Mary*

Mary if she shall survive him, from Time to Time, to fell, cut, and carry, or cause to be felled, cut, or carried, upon and from any Part of the said Lands late belonging to the said *George Samuel* Lord Viscount *Montague*, (except the Park called *Cowdray Park*), such and so many Trees of an Age and Size fit and proper to be felled, as shall be necessary to supply such Timber as shall be requisite for the erecting and completing the several Houses and Buildings, Repairs, Fences, and other Improvements, which shall be so made as aforesaid, and to cause such Timber Trees to be hewn, converted, and applied accordingly. the Improve-
ments.

VI. And be it further enacted, That it shall and may be lawful to and for the said *George John* Earl *Spencer* and *Wriothesly Digby*, and the Survivor of them, and the Executors or Administrators of such Survivor, at any Time or Times after the passing of this Act, (but subject and without Prejudice to the aforesaid Annuities or Rent Charges, and the several Mortgages and Incumbrances now subsisting on the Hereditaments hereinafter particularly described), pursuant to an Order of the High Court of Chancery, to be made in a summary Way, upon a Petition to be preferred by the Person or Persons for the Time being in Possession or entitled to the Receipt of the Rents and Profits of the same Hereditaments, to convey in Exchange for or in lieu of other Messuages, Farms, Lands, Tenements, or Hereditaments, in the County of *Suffex*, either Freehold or Copyhold, or both, all or any Part or Parts of the Farms, Lands, and other Hereditaments herein-after particularly described, being Parcel of the aforesaid devised Estates; that is to say, All those Farms and Lands called *Lurgarshall Park Farm*, now or late in the Tenure or Occupation of *William Challen*, situate, lying, and being in the Parish of *Lurgarshall* aforesaid; and also all that Farm, and the Lands thereunto belonging, called *The River Park Farm*, now or late in the Tenure or Occupation of *Henry Older*, his Undertenants or Assigns, situate, lying, and being in the Parishes of *Tillington*, *Lodsworth*, and *Lurgarshall* aforesaid, some or one of them; and also all that other Farm, with the Lands thereunto belonging, called *The River Park Lodge Farm*, now or late in the Tenure or Occupation of the Executors of *John Tribe*, their Undertenants or Assigns; and also all that other Farm, with the Lands thereunto belonging, called *Green Gate and Dawbings*, situate in the Parish of *Lurgarshall* aforesaid, and now or late in the Tenure or Occupation of *William Razell*; and all that other Farm, with the Lands thereunto belonging, called *Lurgarshall Mill Farm*, situate in the Parish of *Lurgarshall* aforesaid, and now in the Tenure or Occupation of *Joseph Baigent*, his Undertenants or Assigns, together with *Lurgarshall* Water Corn Mill, and the Appurtenances thereunto belonging, to hold the same Premises so to be conveyed in Exchange to the Person or Persons conveying an Equivalent in lieu thereof, and his or their Heirs and Assigns, or to such Uses, and for such Intents and Purposes, as he or they shall direct or appoint; and when any of the said Premises hereby made exchangeable shall be so disposed of or conveyed in Exchange as aforesaid, and the Fee Simple of the Messuages, Farms, Lands, or Hereditaments received in Exchange, shall appear upon the Face of the Conveyances thereof to be well vested in them the said *George John* Earl *Spencer* and *Wriothesly Digby*, or the Survivor of them, or his Heirs, or to be well conveyed to the Uses, and for the Intents and Purposes herein-after directed of and concerning the same, all and every Person and Persons to whom or to whose Use any Power of Ex-
change.

Conveyance

Conveyance or Exchange shall have been made pursuant to the Power aforesaid in that Behalf, and the respective Heirs and Assigns of such Person and Persons, shall and may have, hold, and enjoy the Manors, Messuages, Farms, Lands, Tenements, and Hereditaments by them respectively had or received in Exchange, freed and absolutely discharged of and from all and every the Devises, Uses, Trusts, Estates, Limitations, Remainders, Powers, Provisoos, and Declarations, in and by the aforesaid recited last Will and Testament of the said *George Samuel* Lord Viscount *Montague*, limited, expressed, and declared, of and concerning the same (but subject nevertheless, and without Prejudice as aforesaid); and all and singular the said Premises so to be had and received in Exchange as aforesaid, shall be settled, conveyed, and assured to, upon, and for such and the same Uses, Trusts, and Estates, Ends, Intents, and Purposes, and under and subject to such and the same Powers, Provisoos, Restrictions, Limitations, and Declarations, as are in and by the same last Will and Testament limited, expressed, and declared, of and concerning the said Premises hereby made exchangeable, or as near thereto, as the Deaths of Parties and other Contingencies will admit of.

Power of
leasing.

VII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said *William Stephen Poyntz* and *Elizabeth Mary* his Wife, during their joint Lives, and to and for the said *Elizabeth Mary Poyntz* alone in case she shall survive her said Husband, and after her Decease, to and for the Guardian or Guardians of any Infant Issue of her Body for the Time being, entitled to the Rents and Profits of the aforesaid devised Estates in the County of *Suffex*, or of the Premises taken in Exchange as aforesaid, and after the Death and Failure of Issue as aforesaid of the said *Elizabeth Mary Poyntz*, then to and for the said *Sir Richard Bedingsfeld* during his Life, and after his Death to and for the Guardian or Guardians of any Infant Issue of his Body for the Time being entitled to such Rents and Profits as aforesaid, by Indenture or Indentures by them respectively duly executed in the Presence of and attested by Two or more credible Witnesses, to demise or lease all or any Part of the said Manors, Messuages, Farms, Lands, and other Hereditaments, devised by the said recited Will, or which shall be had or received in Exchange as aforesaid, 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 such Leases respectively there be reserved and made payable, Half-yearly or Quarterly during the Continuance thereof, the best and most improved Yearly Rent that can reasonably be had, without taking any Fine or Income for the same; and so as none of such Leases be made dispunishable of Waste by any express Words therein; and so as in every of such Leases there be contained a Clause of Re-entry for Nonpayment of the Rent thereby to be reserved; and so as the several Lessees in such Leases to be named execute and deliver a Counterpart thereof respectively.

General Sa-
ving Clause.

VIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and all and every other Person and Persons, Bodies Politick and Corporate, his, her, or their Heirs, Successors, Executors, and Administrators, (other than and except the said *William Stephen Poyntz* and *Elizabeth Mary* his Wife, and all and every the Sons and Daughters of

of the Body of the said *Elizabeth Mary* begotten or to be begotten, and the several and respective Heirs of their Bodies, and the said Sir *Richard Bedingfeld*, and all and every the Sons and Daughters of his Body begotten, and the Heirs of the Bodies of all and every such Sons and Daughters respectively, and the right Heirs of the said *George Samuel* Lord Viscount *Mountague*), all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, either at Law or in Equity, of, in, to, or out of the same respective Hereditaments and Premises so to be charged and mortgaged as aforesaid, and every or any Part thereof, as they, every, or any of them had before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

IX. And be it further enacted, That this Act shall be deemed, ad- Publick Act.
 judged, and taken to be a Publick Act, and shall be judicially taken
 Notice of as such, by all Judges, Justices, and other Persons whomsoever,
 without specially pleading the same.

The SCHEDULE (A.) above referred to.

SHORT STATEMENT of IMPROVEMENTS intended to be made on the SUSSEX ESTATES, with the computed Expence thereof.

| | £. | s. | d. |
|--|-------|--------|----|
| Drainage of sundry Parts of the Estate situate in the Parishes of <i>Lurgarshall</i> and <i>Tillington</i> - - } | 1,600 | — | — |
| Drainage of sundry Parts of the Estate situate in the Parishes of <i>Farnburst</i> , <i>Linchmere</i> , and <i>Linch</i> } | 1,350 | — | — |
| Drainage of sundry Parts of the Estate situate in the Parishes of <i>Bepton</i> , <i>Cocking</i> , <i>Easebourne</i> , <i>Midhurst</i> , <i>Lodsworth</i> , <i>Sulham</i> , <i>Wool Lavington</i> , <i>Leominster</i> , <i>Warning Camp</i> , <i>Poynings</i> , <i>Clayton</i> , and <i>Edburton</i> - - - - } | 1,417 | — | — |
| Drains in the Coppices and planting in void and uncultivated Spots of Ground, and plashing down } | 1,000 | — | — |
| Planting on different Parts of the Estate - - - | 1,620 | — | — |
| Roads on different Parts of the Farms - - - | 1,000 | — | — |
| Buildings and Repairs on different Parts of the Estate | 5,155 | — | — |
| | £. | 13,142 | — |

A RENTAL of the ESTATE of *William Stephen Poyntz* Esquire, and *Elizabeth Mary* his Wife, in the County of *Suffex*, including a very small Part of Tythe Property in the County of *Hants*, which lies intermixed therewith.

| PARISHES. | FARMS. | Annual Rents. | | |
|---|--|---------------|----|----|
| | | £. | s. | d. |
| In the Parish of <i>Easebourn</i> - - | { Sundry Farms let at several yearly Rents, amounting together to the Sum of } | 618 | 12 | — |
| In the Parish of <i>Midhurst</i> - - | Ditto - - - - | 357 | 19 | — |
| In the Parish of <i>Lodsworth</i> , including Tythes and Quit Rents } | Ditto - - - - | 305 | — | — |
| In the Parish of <i>Lurgarshall</i> , including Quit Rents - - } | Ditto - - - - | 242 | 10 | 10 |
| In the Parish of <i>Tillington</i> - - | Ditto - - - - | 255 | — | — |
| In the Parish of <i>Selham</i> - - | Ditto - - - - | 83 | 2 | 10 |
| In the Parish of <i>Wool Lavington</i> - - | Ditto - - - - | 163 | — | — |
| In the Parish of <i>Cocking</i> - - | Ditto - - - - | 225 | — | — |
| In the Parish of <i>Bepton</i> and <i>Linch</i> - - | Ditto - - - - | 603 | 10 | — |
| In the Parish of <i>Farnburst</i> - - | Ditto - - - - | 282 | — | — |
| In the Parish of <i>Linchmere</i> - - | Ditto - - - - | 113 | — | — |
| In the Parish of <i>Poynings</i> and <i>New Timber</i> - - - - } | Ditto - - - - | 360 | — | — |
| In the Parish of <i>Edburton</i> - - | Ditto - - - - | 152 | — | — |
| | Carry forward - - | 3,760 | 14 | 8 |

| PARISHES. | FARMS. | Annual Rents. |
|--|--|---------------|
| | | £. s. d. |
| | Brought forward - | 3,760 14 8 |
| In the Parish of <i>Pycomb</i> and <i>Clayton</i> , including Tythes | Sundry Farms let at several yearly Rents, amounting together to the Sum of | 248 3 — |
| Park and Lands in Hand in the Pa- rishes of <i>Easebourn</i> and <i>Midhurst</i> | | 655 — — |
| In the Parishes of <i>Leominster</i> , <i>Warn- ing Camp</i> , <i>Little Hampton</i> , <i>Rust- ington</i> , and <i>Patching</i> | Calceto Farm - - | 300 — — |
| In the Parish of <i>Billinghurst</i> | Woodfoms Farm - - | 18 — — |
| | Total Rents £. | 4,981 17 8 |
| Clear Average Produce of Underwood and Lop of Timber for Four Years, from <i>September</i> One thousand seven hundred and ninety-five, to <i>September</i> One thousand seven hundred and ninety-eight, after Pay- ment of Workmen | | |
| | | 574 3 7 |
| Ditto of Timber for the same Time | | 3,181 10 7 |
| Ditto of Fines, Heriots, and Quit Rents of Copyhold Estates | | 723 11 1 |
| Ditto of Tythes | | 541 0 6 |
| | Total Income of the Estate £. | 10,002 3 5 |

PRESENT CHARGES ON THE ESTATE.

| | | |
|--|------------------|------------|
| The Interest payable to <i>Sir Richard Beding- feld</i> and <i>Mr. Serjeant Le Blanc</i> , in respect of their Mortgages | 750 — — | |
| Lady <i>Montague's</i> Rent Charges | 1,000 — — | |
| Annuity payable to <i>Mrs. Smith</i> | 50 — — | |
| Rent Charges payable to <i>Simmons</i> and <i>Napper</i> | 10 1 — | |
| To Three Fourths of the Annual Land Tax, payable for Farms at Rack Rents | 404 2 1 | |
| To Land Tax of Lands in Hand, and Woods, and all other Parochial Taxes on the Lands in Hand, and Woods, on an Ave- rage of Four Years | 955 1 3 | |
| Reserved Rents of Houses in the Borough | 48 — — | |
| Mistress <i>Poyntz's</i> Pin Money | 1,200 — — | |
| | | 4,417 4 4 |
| | Clear Produce £. | 5,584 19 1 |

Note. Although the above One thousand Pounds is slated to be a Charge on the *Suffex* Estates, yet, in point of Fact, they are only liable to the raising Five hundred Pounds of that Sum, being exonerated from the remaining Five hundred Pounds by the Allotment made to Lady *Montague* of her Dower out of the Crown Lands.

