



ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGI II. REGIS.

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*Cap. 103.*

An Act for enabling the Most Noble *Charles* Duke of *Richmond*, and the Duke of *Richmond* for the Time being, to charge with Jointures the Annuity of Nineteen thousand Pounds (payable out of the Consolidated Fund in lieu of the Coal Duty granted by King *Charles* the Second to *Charles* First Duke of *Richmond*, and the Heirs of his Body) and the Stocks on Transfer of which the said Annuity is made redeemable, and for enabling the Sale of Part of the said Stocks, and investing the Money arising from any such Sale in the Purchase of Manors, Lands, and Hereditaments, and for other Purposes. [2d July 1800.]

[*Loc. & Per.*]

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WHEREAS

Preamble.  
Letters Patent  
dated 18th  
Dec. 29<sup>th</sup> Car.  
II, recited.

WHEREAS by Letters Patent under the Great Seal of *England*, bearing Date the Eighteenth Day of *December*, in the Twenty-ninth Year of the Reign of His late Majesty King *Charles* the Second, after reciting therein (amongst other Things) that the Governors, Stewards, and Brethren of the Fellowship of the Hostmen of the Town of *Newcastle-upon-Tyne*, by their Writing sealed as well with their Common Seal as with the Common Seal of the Mayor and Burgeses of the Town of *Newcastle-upon-Tyne*, bearing Date the Eighth Day of *April*, in the Two and Fortieth Year of the Reign of the late Queen *Elizabeth*, did, for them and their Successors, give and grant unto the said late Queen, Her Heirs and Successors, to the Use of the said late Queen, Her Heirs and Successors for ever, for each and every and for such and so many Chaldron of Sea Coals, Stone Coals, or Pit Coals, of the Water Measure of *Newcastle-upon-Tyne* aforesaid, as at any Time or Times thereafter should be sold, shipped, carried, or vended by any Person or Persons whatsoever, forth or out of the Haven or River of *Tyne*, belonging to the aforesaid Town of *Newcastle*, to be spent within the Realm and not transported beyond the Seas, the several Sums of Twelve-pence of lawful Money of *England*, to be paid by the said Governors, Stewards, and Brethren, and their Successors, unto the said late Queen, Her Heirs and Successors, before any Ship or other Vessel, wherein any such Coals should be laden, should at any Time or Times thereafter be cleared or discharged forth of the Custom House of the said late Queen in the said Town of *Newcastle* (Coals sold and carried from the said Port of *Newcastle* to *Hartlepool*, to be employed and spent in and about such Salt Pans as then were in *Hartlepool* aforesaid, and appertaining to the Lord *Lunley*, his Heirs and Assigns, or any of the Burgeses of the said Town of *Newcastle*, only excepted): And also after reciting that His said late Majesty, by Letters Patent under the Great Seal of *England*, bearing Date at *Westminster* the Sixth Day of *November*, in the Thirteenth Year of His Reign, for the Considerations therein mentioned, did give and grant unto his trusty and well-beloved Servant Sir *Thomas Clarges*, Knight, his Heirs and Assigns for ever, One Annuity or yearly Pension of Five hundred Pounds of lawful Money of *England*, to commence and be accounted and paid from the Feast of Saint *Michael* the Archangel which was in the Twelfth Year of His said Majesty's Reign, and from thenceforth yearly and every Year to be had, received, perceived, and taken by the said Sir *Thomas Clarges*, his Heirs and Assigns for ever, out of the Rents, Issues, and Profits, Sums of Money, Perquisites, Emoluments, Half-yearly and other Payments reserved, arising, or accruing or coming, or that thereafter should or might be reserved, or arise, accrue, or become due or payable to His said late Majesty, His Heirs or Successors, out of or for or in respect of the aforesaid Duty or Composition of Twelve-pence by the Chaldron for Sea Coals, Stone Coals, and Pit Coals, of the Water Measure of *Newcastle-upon-Tyne* aforesaid, at Two usual Feasts in the Year (that is to say) at the Feast of the Birth of our Lord God and Saint *John* the Baptist, by even and equal Portions; His said late Majesty King *Charles* the Second, for the Increase of the Revenue, and better Support of the Honour and Dignity of His right trusty and right entirely beloved Son *Charles* Duke of *Richmond* and *Lennox*, and the Heirs of his Body to be begotten, and for want of such Issue for the better Support of the Honour and Dignity of His right trusty and right entirely beloved Cousin *Louisa*



*Louisa* Duchess of *Portsmouth*, and the Heirs of her Body, and for divers other good Causes and Considerations him thereunto especially moving, and of his especial Grace, certain Knowledge, and mere Motion, did give and grant unto the said *Charles* then Duke of *Richmond* and *Lennox*, all those several Sums of Twelve-pence of lawful Money of *England*, for each and every and for such and so many Chaldrons of Sea Coals, Stone Coals, or Pit Coals, of the Water Measure of *Newcastle-upon-Tyne*, which at any Time thereafter should be sold, shipped, carried, or vended by any Person or Persons whatsoever forth or out of the River or Haven of *Tyne*, belonging to the aforesaid Town of *Newcastle*, to be spent within the Kingdom of *England*, and not transported beyond the Seas (except as before excepted) the said several Sums of Twelve-pence to be paid as therein mentioned, to hold and enjoy the said Duties or Sums of Twelve-pence unto and to the Use of the said *Charles* then Duke of *Richmond* and *Lennox*, and the Heirs of his Body begotten or to be begotten, subject nevertheless and liable unto, and charged and chargeable with the Payment of the said yearly Sum of Five hundred Pounds to the said Sir *Thomas Clarges*, his Heirs or Assigns, according to the Purport and Intent of the said Letters Patent and Grant to him thereof as aforesaid; yielding and paying therefore yearly to His said late Majesty, His Heirs and Successors, the yearly Rent of One Pound Six Shillings and Eight-pence of lawful Money of *England*, at the Feast of Saint *Michael* the Archangel only: And further His said late Majesty King *Charles* the Second did grant the said Duties or Sums of Twelve-pence (except as before excepted) from and after the Death of the said Grantee *Charles* Duke of *Richmond* and *Lennox* without Heirs of his Body, to and to the Use of the said *Louisa* Duchess of *Portsmouth*, and the Heirs of her Body, at the same yearly Rent of One Pound Six Shillings and Eight-pence: And whereas by an Act of Parliament, passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Second, and which was made and passed previous to and in Contemplation of the Marriage of the said *Charles* now Duke of *Richmond*, Grandson and Heir of the Body of the said *Charles* Duke of *Richmond* and *Lennox*, in the said recited Letters Patent named, with Lady *Mary Bruce*, afterwards Duchess of *Richmond*, and since deceased (after reciting as therein recited) it was enacted, (amongst other Things), That from thenceforth the said *Charles* now Duke of *Richmond* should hold, enjoy, and be seised of the said Duty or Sum of Twelve-pence, but charged with the said Annuity of Five hundred Pounds, and the said Rent of One Pound Six Shillings and Eight-pence herein-before mentioned, to the Use of him and the Heirs Male of his Body; with Remainder, in Default of Heirs Male of his Body, to the Use of the Right Honourable Lord *George Henry Lennox*, Brother of the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body; with Remainder, in Default of Heirs Male of the Body of the said Lord *George Henry Lennox*, to the Use of the Heirs of the Body of the said *Charles* Duke of *Richmond*, Grantee in the said recited Letters Patent: And whereas by an Act of Parliament, passed in the Thirty-ninth Year of the Reign of His present Majesty King *George* the Third, intituled,

39 Geo. III,  
Cap. 84.

*An Act to enable the Lords Commissioners of the Treasury to contract with the Most Noble Charles Duke of Richmond, for the absolute Purchase of the Property of the said Duke and all others interested in a certain Duty of Twelve-pence per Chaldron on Coals shipped in the River Tyne to be consumed in England; and to grant a Compensation for the same, by Way of Annuity, payable out of the Consolidated Fund; after reciting as therein is recited,*



Treasury were  
empowered by  
the recited Act  
to purchase by  
an Annuity  
the Duty  
granted by the  
recited Let-  
ters Patent.

cited; and also after reciting that the ultimate Reversion in the said Du-  
ties was vested in His Majesty, His Heirs and Successors; and also after  
reciting that the Commissioners appointed to examine, take, and state  
the Publick Accounts of the Kingdom, in their Report made in the  
Year One thousand seven hundred and eighty-five, stated as their Opi-  
nion, that it would tend to Uniformity in the Collection and Applica-  
tion of the Custom Duties, if the Duties on Coals, holden under ancient  
Grants from the Crown, could be, with the Consent of the Grantees,  
settled in the Crown for the Publick Service; and also after reciting that  
the Select Committee of Finance, appointed by the House of Commons,  
in their Fourth Report made in the Year One thousand seven hundred  
and ninety-seven, having had under their Consideration the before-  
mentioned Report, and also a Report of the Commissioners of the Cus-  
toms, strongly recommended, that the said Duties should be settled in the  
Crown, if the Consent of the Grantees could be obtained, it was enact-  
ed, That it should be lawful for the Commissioners of His Majesty's  
Treasury for the Time being, or any Three or more of them, or the  
Lord High Treasurer for the Time being, on the Behalf of His Majesty,  
His Heirs and Successors, to treat, contract, and agree with the said  
*Charles* now Duke of *Richmond*, for the absolute Purchase or Surrender  
of all the Estate, Right, Title, and Interest of him the said *Charles* now  
Duke of *Richmond*; and the Heirs Male of his Body, and of the said Lord  
*George Lennox*, and the Heirs Male of his Body, and of the Heirs  
of the Body of the said *Charles* first Duke of *Richmond*, and of all other  
Persons, under or by virtue of the said Letters Patent or Act of Parlia-  
ment, or otherwise, of and in the said Duties of Twelve pence per Chal-  
dron, and for all the Rights, Privileges, Profits, and other Advantages  
whatsoever belonging thereto, for such Annuity to be charged upon and  
to be payable out of the Consolidated Fund, as the Commissioners of  
His Majesty's Treasury, then or for the Time being, or any Three or  
more of them, or the Lord High Treasurer for the Time being, should  
think fit, provided that such Annuity should not exceed in Amount the  
annual Produce of the said Duty, on an Average of the Ten Years pre-  
ceding the Twenty-fifth Day of *December* One thousand seven hundred  
and ninety-eight, and such Contract should be effectual against, and bind-  
ing to, all Intents and Purposes upon the said *Charles* now Duke of *Rich-*  
*mond*, and the Heirs Male of his Body, and the said Lord *George Henry*  
*Lennox*, and the Heirs Male of his Body, and the Heirs of the Body of  
the said *Charles* first Duke of *Richmond*, and all other Persons claiming  
under or by virtue of such Letters Patent or Act of Parliament as afore-  
said, or otherwise, the said Duties or Sums aforesaid, or any Right,  
Title, or Interest therein; and it was further enacted, that the Annuity  
so to be agreed upon in lieu of the said Duties, should be issuing and  
payable out of, and charged and chargeable upon the Consolidated Fund,  
(after paying, or reserving sufficient to pay all such Sum or Sums of Mo-  
ney as had been directed by any former Act or Acts of Parliament to be  
paid out of the same, but with Preference to all other Payments which  
should or might thereafter be charged upon or payable out of the said  
Fund), free and clear of all Deductions and Taxes whatsoever to the said  
*Charles* now Duke of *Richmond*, and the Heirs Male of his Body; and  
in Default of Heirs Male of his Body, then unto the said Lord *George*  
*Henry Lennox*, and the Heirs Male of his Body; and in Default of Heirs  
Male of the Body of the said Lord *George Henry Lennox*, then unto the  
Heirs

Heirs of the Body of the said *Charles* first Duke of *Richmond*; and in Default of Heirs of the Body of the said *Charles* first Duke of *Richmond*, then the said Annuity should revert to His Majesty, His Heirs and Successors, and which said Annuity or yearly Sum should commence and take Effect at such Day, and should be paid and payable at the Receipt of the Exchequer out of the Consolidated Fund, in such Proportions, and at such Times, and in such Manner, and by such Warrants, as should be agreed upon in and by such Contract, and as the said Commissioners of the Treasury should direct and appoint: And it was further enacted, that the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and the said Lord *George Henry Lennox*, and the Heirs Male of his Body, and the Heirs of the Body of the said *Charles* first Duke of *Richmond* respectively, should have such and the like, and no larger or other Estate, Title, Power of Disposition, or Alienation and Interest of and in the said Annuity, as they respectively had of and in the said Sums or Duties therein before mentioned, and the said Annuity should go and be paid from Time to Time to such Person or Persons as would have been entitled to the said Sums or Duties, in case the said Act had not been made: And it was further enacted, that the said Annuity so to be granted, should be subject to Redemption, upon such Terms, and in such Manner as should be agreed upon between the Commissioners of the Treasury of the Lord High Treasurer for the Time being, and the said *Charles* now Duke of *Richmond*: And it was further enacted, that upon and from and after the Day which should be mentioned in such Contract for that Purpose, the said Duties or Sums of Twelve-pence, in the said Letters Patent intended to be granted for every such Chaldron of Coals as therein is mentioned (except as to any Arrears thereof) should for ever thereafter be, and be deemed and taken to be Duties payable unto and for the Use of His Majesty, His Heirs and Successors, and that there should accordingly from thenceforth for ever be raised, levied, collected, and paid unto and for the Use of His Majesty, His Heirs and Successors, in Ready Money, without any Discount whatever, a Duty of Twelve-pence upon every Chaldron of such Coals of the Water Measure of *Newcastle-upon-Tyne*, as or in respect of which the Sum or Duty of Twelve-pence was payable or intended to be payable, according to the said Letters Patent, which Duty should be payable and paid as the other Duties then payable to His Majesty on Coals had been usually paid: And (after various other enactments) it was further enacted, that out of the said Duties on Coals by the said Act now in Recital, to be granted and confirmed to His Majesty, His Heirs and Successors, there should be paid by the Receiver General of the Customs for the Time being, in case the said Contract should take Effect, to the Person or Persons entitled to the said Annuity of Five hundred Pounds, or any Part thereof, the like Sums as would have been payable to him, her, or them, if the said Act, now in Recital had not been made, which Sums should be payable at such Times, and in such Proportions, and in like Manner as the said Annuity was payable before the passing of the said Act: And whereas by Indenture, bearing Date the Nineteenth Day of *August* in the Year of our Lord One thousand seven hundred and ninety-nine, and made or expressed to be made between the Right Honourable *William Pitt*, the Right Honourable *Sylvester Douglas*, and *Charles Small Pybus* Esquire, Three of the Commissioners of His Majesty's Treasury, of the One Part, and the said *Charles* now Duke of *Richmond*, of the other

[Loc. &amp; Per.]

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Part;

Indenture dated *August* 19, 1799, between the Treasury and the Duke of *Richmond*, by which an Annuity of 19,000 *l.* is



given as the  
Consideration  
of the Duty  
on Coals.

Part; after reciting as herein-before is recited, and also after reciting that it had been made to appear to the said Commissioners of His Majesty's Treasury, from the Accounts of the Receivers of the said Duties regularly transmitted to the said *Charles* now Duke of *Richmond*, and sworn to by the said Receivers, that the Revenue arising from the said Coal Duties, had for upwards of Fifty Years been progressively increasing, and upon an Average of the last Ten Years the same had amounted to the clear yearly Sum of Twenty-one thousand Pounds or thereabouts; it is witnessed, that in pursuance of the Power and Authority, vested in them under and by virtue of the said last-recited Act of Parliament, they the said *William Pitt*, *Sylvester Douglas*, and *Charles Small Pybus*, as such Commissioners as aforesaid, did, on the Behalf of His Majesty, His Heirs and Successors, contract and agree with the said *Charles* now Duke of *Richmond* for the absolute Purchase and Surrender of all the Estate, Right, Title, and Interest, of him the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and of the said Lord *George Henry Lennox*, and the Heirs Male of his Body, and of the Heirs of the Body of the said *Charles* First Duke of *Richmond*, and of all other Persons claiming under or by virtue of the said Letters Patent, or the said Act of Parliament of the Thirtieth Year of the Reign of His said late Majesty King *George* the Second, or otherwise, of and in the said Duties of Twelve-pence *per* Chaldron, and for all the Rights, Privileges, Profits, and other Advantages whatsoever belonging thereto, in consideration of an Annuity in lieu thereof of Nineteen thousand Pounds, to be issuing and payable out of, and charged and chargeable upon the Consolidated Fund, (after paying or reserving sufficient to pay all such Sum and Sums of Money as had been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which should thereafter be charged upon or payable out of the said Fund), free and clear of all Deductions and Taxes whatsoever, to the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body; and in Default of Heirs Male of his Body, then unto the said Lord *George Henry Lennox*, and the Heirs Male of his Body; and in Default of Heirs Male of the Body of the said Lord *George Henry Lennox*, then unto the Heirs of the Body of the said *Charles* Duke of *Richmond*, Grantee in the said recited Letters Patent; and in Default of Heirs of the Body of the same *Charles* Duke of *Richmond*, then the said Annuity should revert to His Majesty, His Heirs and Successors; and it is declared and agreed, that the said Annuity should commence and take Effect from the Fifth Day of *July* then last, the first Payment to be computed from the same Fifth Day of *July* until the Tenth Day of *October* then next, and from thenceforth should be paid and payable Quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each and every Year, by even and equal Portions, and the First of the said Quarterly Payments should be made on the Tenth Day of *October* next ensuing the Date thereof; and that upon and from and after the Twenty-second Day of *August* then instant, the said Duties or Sums of Twelve-pence in the said last-recited Act mentioned (except as to any Arrears thereof until the said Twenty-second Day of *August*) should for ever be, and be deemed and taken to be Duties payable unto and for the Use of His Majesty, His Heirs and Successors: And it is further declared and agreed, that the Commissioners of the Treasury, or the Lord High Treasurer



furer for the Time being, should, by Warrant under their or his Hands or Hand, direct the Auditor of the Receipt of the Exchequer for the Time being, to make forth and pass Debentures from Time to Time for paying the said Annuity of Nineteen thousand Pounds in Manner as aforesaid, and as the same should from Time to Time become due and payable, without any Fees or Charges to be demanded or taken for paying the same or any Part thereof; which said Warrant, and the Debentures to be made forth and passed thereupon, should be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer then and for the Time being, for the Payment of the said Annuity to the said *Charles* now Duke of *Richmond*, and the Person or Persons who should for the Time being be entitled thereto, at the respective Days therein-before appointed for Payment thereof, without any further or other Warrant to be sued for, had, or obtained in that Behalf; and that the said *Charles* now Duke of *Richmond*, or the Person or Persons who might for the Time being be entitled to the said Annuity so to be chargeable on the Consolidated Fund, should have all the like Powers for enforcing the due and regular Payment of the said Annuity, and all the like Remedies for recovering the same, as were granted by any Act of Parliament then in force for enforcing or recovering the Payment of any other Annuity granted, charged, or chargeable on the Consolidated Fund: And it is further declared and agreed, that in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who should for the Time being be entitled to the said Annuity so to be chargeable on the Consolidated Fund, should, at any Time after the Expiration of the Year One thousand eight hundred and eight, be desirous that the said Annuity, or any Part thereof, should be funded or redeemed by the Commissioners of the Treasury or the Lord High Treasurer for the Time being, and should give Six Months Notice in Writing under his or their Hand or Hands of such his or their Desire to the said Commissioners of the Treasury or the Lord High Treasurer for the Time being, then and in such Case the said Commissioners of the Treasury or Lord High Treasurer for the Time being should from Time to Time direct, that by and out of any publick Monies in the Receipt of the Exchequer applicable to the Supplies and Services of the current Year there should accordingly be purchased and invested in the Names of the Lord High Treasurer or the First Commissioner of the Treasury, for the Time being, the Right Honourable *Henry Earl Bathurst*, the Honourable *George Berkeley*, Rear Admiral of His Majesty's Fleet, the Honourable *Cropley Ashley*, and *Robert Steele* of *Lincoln's Inn*, in the County of *Middlesex*, Esquire, or such other Trustee or Trustees as should be appointed in the Manner therein-after directed, so much of the Three Pounds *per Centum* Consolidated Bank Annuities as should produce a clear yearly Annuity equal to the said Annuity of Nineteen thousand Pounds, or to so much thereof as the said *Charles* now Duke of *Richmond*, or the Persons so for the Time being entitled, as aforesaid should require to be redeemed: And it is further declared and agreed, that the said Three Pounds *per Centum* Consolidated Bank Annuities, and all the Dividends to be received thereon, should be vested in the said Lord High Treasurer or First Commissioner of the Treasury, and such other Trustees thereof for the Time being, in Trust for the said *Charles* now Duke of *Richmond*, and such other Person or Persons as would for the Time being have been entitled to the said Annuity of Nineteen thousand Pounds in case the same had not been funded, or re-

Annuity to be funded if the Duke of *Richmond* shall require it to be done.



deemed: Provided also, and it is thereby further declared and agreed, that in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who should for the Time being be so entitled as aforesaid, should, at any Time before the Expiration of the Year One thousand eight hundred and eight, be desirous that any Part of the said Annuity so to be charged on the Consolidated Fund, not exceeding One Third Part thereof, should be funded or redeemed as aforesaid, and should give such Notice of his or their Desire to the said Commissioners or Lord High Treasurer for the Time being, then and in such Case they the said Commissioners or Lord High Treasurer should direct, that by and out of such Publick Monies as aforesaid, there should accordingly be purchased and invested in the Names of the First Commissioner of the Treasury or the Lord High Treasurer for the Time being, and such other Trustees as are therein before mentioned, so much of the Three Pounds *per Centum* Consolidated Bank Annuities, as should be sufficient to produce an Annuity equal to so much of the said Annuity of Nineteen thousand Pounds, as the said Duke, or such Person or Persons entitled as aforesaid, should require to be funded or redeemed, such Annuity from the said Three Pounds *per Centum* Consolidated Bank Annuities to be in Trust as aforesaid: Provided always and it is thereby further declared and agreed, that notwithstanding any Thing therein before contained, it should be lawful for the Commissioners of His Majesty's Treasury, or the Lord High Treasurer for the Time being, at any Time either before or after the Expiration of the Year One thousand eight hundred and eight, if they should deem it expedient, to fund or redeem the Whole or any Part of the said Annuity thereby charged upon the Consolidated Fund, upon the same Terms and in the same Manner as they are thereby required to fund or redeem the same, upon the Application of the said Duke of *Richmond*, or the Person or Persons so for the Time being entitled as aforesaid, at any Time after the Expiration of the Year One thousand eight hundred and eight: And it is thereby further declared and agreed, that in case and when the said Commissioners of the Treasury or Lord High Treasurer for the Time being, should have made any such Investment as therein before is mentioned, then and immediately thereupon the said Annuity of Nineteen thousand Pounds so to be charged upon the Consolidated Fund, or so much thereof as should have been funded or redeemed by such Investment, should cease and determine, and be no longer payable: Provided always, and it is thereby further declared and agreed, that upon the Death of any of them the said *Henry Earl Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Robert Steele*, or in case they or any of them should desire to be discharged from or decline to act in the Trusts aforesaid, it should be lawful for the said *Charles* now Duke of *Richmond*, or the Person or Persons who should for the Time being be entitled to the said Annuity of Nineteen thousand Pounds out of the said Consolidated Fund, or the Dividends of the said Three Pounds *per Centum* Consolidated Bank Annuities (with the Consent in Writing of the First Commissioner of the Treasury or the Lord High Treasurer for the Time being) by any Deed or Instrument in Writing under the Hand and Seal of the said *Charles* now Duke of *Richmond*, or the Person or Persons for the Time being so entitled as aforesaid, to nominate and appoint any other Person or Persons to be a Trustee or Trustees for the Purposes aforesaid, in the Room of the Trustee or Trustees so dying or desiring to be discharged or declining to act as aforesaid, and such new Trustee or Trustees should have and be invested with such and the same Powers in all Respects as if he or they had been originally nomi-

Power of appointing new Trustees.



nated a Trustee or Trustees in and by those Presents; and upon the Death or Removal of the Lord High Treasurer or First Commissioner of the Treasury for the Time being as aforesaid, and the Appointment thereupon of another Person to be Lord High Treasurer or First Commissioner of the Treasury, and also upon the Appointment of any such new Trustee or Trustees by the said *Charles* now Duke of *Richmond*, or the Person or Persons for the Time being so entitled as aforesaid, the Trust Funds aforesaid should from Time to Time be transferred into the Names of such Lord High Treasurer or First Commissioner of the Treasury, and such new Trustee or Trustees, together with the continuing Trustee or Trustees (if any) upon the Trusts aforesaid, so that, at all Times, as soon as might be, the Trust Funds aforesaid might stand and be vested in the Names of the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and Four other Trustees nominated or to be nominated as aforesaid, upon Trust for the Purposes aforesaid: And whereas by an Act of the present Session of Parliament, intituled, *An Act to confirm an Agreement entered into between the Commissioners of His Majesty's Treasury and the Most Noble Charles Duke of Richmond, in pursuance of an Act passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled, 'An Act to enable the Commissioners of the Treasury to contract with the Most Noble Charles Duke of Richmond, for the absolute Purchase of the Property of the said Duke and of all others interested in a certain Duty of Twelve Pence per Chaldron on Coals shipped, in the River Tyne, to be consumed in England; and to grant a Compensation for the same by Way of Annuity, payable out of the Consolidated Fund;*' after reciting as herein-before is recited; and also after reciting that it was expedient that the Contract and Agreement so entered into between the said Commissioners of His Majesty's Treasury and the said *Charles* now Duke of *Richmond*, in pursuance of the Act last therein-before recited, should be confirmed and established, it is enacted, that the said therein-before recited Contract and Agreement, so made and entered into by and between the said Right Honourable *William Pitt*, *Sylvester Douglas*, and *Charles Small Pybus*, as such Commissioners as aforesaid, with the said *Charles* now Duke of *Richmond*, for the absolute Purchase or Surrender of all the Estate, Right, Title, and Interest of him the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and of the said Lord *George Henry Lennox*, and the Heirs Male of his Body, and of the Heirs of the Body of the said *Charles* first Duke of *Richmond*, and of all other Persons, under or by virtue of the said Letters Patent, or Act of Parliament or otherwise, of and in the said Duties of Twelve-pence upon every Chaldron of such Coals of the Water Measure of *Newcastle-upon-Tyne* as aforesaid, and for all the Rights, Privileges, Profits, and other Advantages whatsoever belonging thereto; and every Clause, Article, and Thing in the said Contract and Agreement contained should be, and the same are thereby fully and absolutely ratified, confirmed, and established; and it is thereby further enacted, That the said Annuity of Nineteen thousand Pounds, so agreed upon as the Consideration for such Purchase or Surrender of the said Coal Duty as aforesaid, should be issuing out of, and charged and chargeable upon the Consolidated Fund, after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, (but with such Preference to all other Payments out of the said Fund, as in the said Contract or Agreement therein-before recited and confirmed

39 & 40 Geo.  
III. Cap. 67.  
confirming  
the aforesaid  
Agreement.

is mentioned); and be payable free and clear from all Deductions and Taxes whatsoever Quarterly, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in every Year, by equal Portions; and be accordingly paid to the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body; and in Default of Heirs Male of his Body, then unto the said Lord *George Henry Lennox*, and the Heirs Male of his Body; and in Default of Heirs Male of his Body, then unto the Heirs of the Body of the said *Charles* first Duke of *Richmond*; and in Default of Heirs of the Body of the said *Charles* first Duke of *Richmond*, the said Annuity should belong to and revert, or be considered as reverting to His Majesty, His Heirs and Successors; and the said Annuity having, by the Terms of the Contract thereby confirmed, taken Effect from the Fifth Day of *July*, in the Year of our Lord One thousand seven hundred and ninety-nine, and the First Quarterly Payment of the said Annuity having, according to the Terms of the said Contract, been computed from the said Fifth Day of *July* One thousand seven hundred and ninety-nine, until the ensuing Tenth Day of *October*, such Commencement and Computation are thereby ratified and confirmed: And it is enacted, that the said Annuity, as from the said Tenth Day of *October*, should be paid and payable Quarterly in every Year on the Days and in Manner thereby directed: And after various other Enactments, enforcing the Payment of the said Annuity, and regulating the Acquittance for the same, it was further enacted, that in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who should for the Time being be entitled to the said Annuity of Nineteen thousand Pounds, so to be chargeable on the Consolidated Fund, or if such Person or Persons should be under the Age of Twenty-one Years, then his, her, or their Guardian or Guardians for the Time being should at any Time after the Expiration of the Year One thousand eight hundred and eight, be desirous that the said Annuity, or any Part thereof, should be funded or redeemed by the Commissioners of the Treasury or the Lord High Treasurer for the Time being, and should give Six Months Notice in Writing under his or their Hand or Hands, of such his or their Desire, to the said Commissioners of the Treasury, or any Three or more of them, or to the Lord High Treasurer for the Time being, then and in such Case the said Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, should from Time to Time direct, that by and out of any Publick Monies in the Receipt of the Exchequer, applicable to the Supplies and Services of the then current Year, there should accordingly be purchased and invested in the Names of the Lord High Treasurer or the First Commissioner of the Treasury for the Time being, and of the said *Henry Earl Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Robert Steele*, or such other Trustee or Trustees as should be appointed in the Manner therein mention'd; so much of the Three Pounds *per Centum* Consolidated Bank Annuities, as should produce a clear yearly Annuity equal to the said Annuity of Nineteen thousand Pounds, or to so much thereof as the said *Charles* now Duke of *Richmond*, or the Person or Persons so for the Time being, entitled as aforesaid, should require to be redeemed; and the said Three Pounds *per Centum* Consolidated Bank Annuities so to be purchased and invested as aforesaid, should be vested in, and the Dividends to be received thereon should be payable to the said Lord High Treasurer or First Commissioner of the Treasury, and the aforesaid other Trustees thereof



for the Time being, in Trust for the said *Charles* now Duke of *Richmond*, and such other Person or Persons as (exclusively of His Majesty, His Heirs and Successors) would for the Time being have been entitled to the said Annuity of Nineteen thousand Pounds, in case the same had not been funded or redeemed; and in Default of Heirs of the Body of the said *Charles* first Duke of *Richmond*, in Trust for His Majesty, His Heirs and Successors: And it is thereby further enacted, that in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who should for the Time being be so entitled as aforesaid, should, at any Time before the Expiration of the Year One thousand eight hundred and eight, be desirous that any Part of the said Annuity thereby charged on the Consolidated Fund, not exceeding One-third Part thereof, should be funded or redeemed, and should give such Notice as aforesaid of such his or their Desire to the said Commissioners or Lord High Treasurer for the Time being, then and in such Case the said Commissioners or any Three or more of them, or the Lord High Treasurer for the Time being should direct, that, by and out of such Publick Monies as aforesaid, there should accordingly, on the Expiration of such Notice, be purchased and invested in the Names of the First Commissioner of the Treasury or the Lord High Treasurer for the Time being, and such other Trustees as are therein-before mentioned, so much of the Three Pounds *per Centum* Consolidated Bank Annuities, as should be sufficient to produce an Annuity equal to so much of the said Annuity of Nineteen thousand Pounds, as the said *Charles* now Duke of *Richmond*, or the Person or Persons entitled as aforesaid should require to be funded or redeemed, and the Annuity so to be produced from the said Three Pounds *per Centum* Consolidated Bank Annuities should be in Trust as aforesaid: And it is thereby further enacted, that notwithstanding any Thing therein-before contained, it should be lawful for the Commissioners of His Majesty's Treasury or the Lord High Treasurer for the Time being, at any Time either before or after the Expiration of the Year One thousand eight hundred and eight, if they should deem it expedient, to fund or redeem the Whole or any Part of the said Annuity of Nineteen thousand Pounds thereby charged upon the Consolidated Fund, upon the same Terms and in the same Manner as they are thereby required to fund or redeem the same, upon the Application of the said *Charles* Duke of *Richmond*, or the Person or Persons so for the Time being entitled as aforesaid, at any Time after the Expiration of the Year One thousand eight hundred and eight: And it is thereby further enacted, that in case and when the said Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, should have made any such Investment as therein-before is mentioned, then and immediately thereupon the said Annuity of Nineteen thousand Pounds thereby charged upon the Consolidated Fund, or so much thereof as should have been funded or redeemed by such Investment, should cease and determine and be no longer payable: And whereas the said *Robert Steele* being desirous of being discharged from the Trusts reposed in him under and by virtue of the said recited Indenture of the Nineteenth Day of *August* last, the said *Charles* Duke of *Richmond*, by a Deed under his Hand and Seal, bearing Date the Twenty-sixth Day of *May* in this present Year One thousand eight hundred, hath (in pursuance of the Powers and Authorities thereby vested in him, and with the Consent of the said *William Pitt* as such First Commissioner of the Treasury as aforesaid), nominated  
and

and appointed the Right Honourable *Thomas Steele*, Joint Paymaster of the Forces, to be a Trustee for all and every the Purposes in the same Indenture of the Nineteenth Day of *August* last-mentioned, in the Room of the said *Robert Steele*; and the said *Thomas Steele* hath accepted of the said Trust: And whereas the said *Charles* now Duke of *Richmond* hath no Issue; and the said Lord *George Henry Lennox* hath Issue by the Right Honourable Lady *Louisa Lennox* his Wife, one Son, namely, *Charles Lennox*, a Major General of His Majesty's Forces, and Three Daughters; and the said *Charles Lennox* hath Issue by the Right Honourable Lady *Charlotte Lennox* his Wife, four Sons, all of whom are Infants under the Age of Twenty-one Years; and Four Daughters: And whereas, in order to prevent any Questions from arising hereafter respecting the Right or Title of Dower of any Wife of the said *Charles* now Duke of *Richmond*, or of the said Lady *Louisa Lennox* and Lady *Charlotte Lennox*, or any future Wives of the said Lord *George Henry Lennox* and *Charles Lennox* or of the Wife of the Person for the Time being entitled to the said Annuity of Nineteen thousand Pounds; or the Dividends or annual Proceeds of the Three Pounds *per Centum* Consolidated Bank Annuities, which may be purchased and invested in pursuance of the said Agreement and of the said last recited Act, the said *Charles* now Duke of *Richmond*, Lord *George Henry Lennox*, and *Charles Lennox*, are desirous that Power should be vested in the said *Charles* now Duke of *Richmond*, and Lord *George Henry Lennox* and *Charles Lennox*, and the Person for the Time being entitled as aforesaid, to charge the said Annuity and Dividends with an annual Sum by Way of Jointure, and in Bar of Dower to or for the Benefit of their Wives respectively: And whereas the said *Charles* now Duke of *Richmond*, and Lord *George Henry Lennox*, and *Charles Lennox*, are desirous that some certain Provision should be made for the said Lady *Louisa Lennox* and Lady *Charlotte Lennox*, to take Effect in case and after the Death of the said *Charles* now Duke of *Richmond* without Issue Male, and in the Event of the said Lord *George Henry Lennox* and *Charles Lennox* respectively dying in the Lifetime of the said Duke, and in consideration thereof, and of the Powers hereby given to the said Lord *George Henry Lennox* and *Charles Lennox* respectively, for enabling them respectively, in case and when they shall respectively be entitled in Possession to the said Annuity of Nineteen thousand Pounds, or the Dividends or annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, to be purchased and invested as aforesaid, to make a Provision for them the said Lady *Louisa Lennox* and Lady *Charlotte Lennox* respectively, out of the said Annuity or Dividends by Way of Jointure, they the said Lady *Louisa Lennox* and Lady *Charlotte Lennox* have respectively consented and agreed to waive and relinquish all Claims which they might otherwise respectively have to Dower in or out of the said Annuity or Dividends: And whereas the said *Charles* now Duke of *Richmond*, and Lord *George Henry Lennox*, and *Charles Lennox*, are also desirous that Powers may be given to the Trustees for the Time being of the Three Pounds *per Centum* Consolidated Bank Annuities, to be purchased and invested in pursuance of the said Agreement and the last recited Act, to apply a Part of the said Bank Annuities in the Purchase of any Manors, Lands, or other Hereditaments in *Great Britain*; and if an Union between *Great Britain* and *Ireland* shall take place, some Proportion of the same Annuities in the Purchase of any Manors, Lands, or other Hereditaments in *Ireland*, and that certain



certain other Arrangements should be made respecting the same: But in regard that the same cannot be effected without the Aid and Authority of Parliament; therefore Your Majesty's most dutiful and loyal Subjects the said *Charles* now Duke of *Richmond*, Lord *George Henry Lennox*, and *Charles Lennox*, 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 it shall be lawful for the said *Charles* now Duke of *Richmond*, either before or after his Marriage with any Woman or Women, by any Deed or Deeds, or Writing or Writings, with or without Power of Revocation, to be by him sealed and delivered in the Presence of Two or more credible Witnesses, to grant, limit, and appoint unto such Woman or Women whom he shall so marry, for her or their Life or Lives, and for her or their Jointure or Jointures, and in Bar of Dower as herein-after is provided, any Annuity or yearly Sum, not exceeding the Sum of Two thousand Pounds of lawful Money of *Great Britain*, clear of all Taxes, Charges, and Deductions whatsoever, by Act of Parliament or otherwise however, to commence and take Effect immediately after the Decease of the said *Charles* now Duke of *Richmond*, and to be issuing and payable out of the said Annuity of Nineteen thousand Pounds, or so much thereof as shall not have been funded or redeemed, and also out of the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, which shall have been purchased and invested as aforesaid, and to be paid and payable by equal Half-yearly Payments, on the Fifth Day of *January* and the Fifth Day of *July* in every Year, and the First of the said Half-yearly Payments to be made on such of the said Days as shall next happen after the Decease of the said *Charles* now Duke of *Richmond*.

The Duke of *Richmond* empowered to grant a Jointure of 2,000 l. *per Annum* to any Woman he may marry.

II. And be it further enacted, That it shall be lawful for the said Lord *George Henry Lennox* and *Charles Lennox* respectively, in case and when they shall respectively be entitled in Possession to the said Annuity of Nineteen thousand Pounds, or to the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities so to be purchased and invested as aforesaid, but subject and without Prejudice to the Annuity or Annuities, yearly Sum or Sums (if any) which shall be then subsisting and payable by way of Jointure, out of the said Annuity of Nineteen thousand Pounds, or such Dividends and annual Proceeds, under any Grant, Limitation, or Appointment to be made in pursuance of any Power in this Act contained, by any Deed or Deeds, or Writing or Writings, with or without Power of Revocation, to be by the said Lord *George Henry Lennox* and the said *Charles Lennox* respectively, sealed and delivered in the Presence of Two or more credible Witnesses, to grant, limit, and appoint unto their said present Wives Lady *Louisa Lennox* and Lady *Charlotte Lennox* respectively, or before or after any future Marriages of them the said Lord *George Henry Lennox* and *Charles Lennox* respectively, to any other Woman or Women whom they respectively may marry and take to Wife after the Deaths of their said present Wives, for and during the Lives of their said present or such future Wives respectively, (as the Case may happen); and for their respective Jointures in Bar of Dower as herein-after is provided, any Annuity or yearly Sum, not exceeding the Sum of Two thousand Pounds,

Lord *G. H. Lennox* and *C. Lennox* empowered to grant a like Jointure of 2,000 l. to their present and future Wives respectively.



of like lawful Money, clear of all Taxes, Charges, and Deductions whatsoever, whether by Act of Parliament or otherwise howsoever, to commence and take Effect immediately after the Decease of such of them the said Lord *George Henry Lennox* and *Charles Lennox*, as shall grant, limit, or appoint the same, and to be issuing and payable out of the said Annuity of Nineteen thousand Pounds, or so much thereof as shall not have been funded or redeemed, and also out of the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, which shall be or have been purchased and invested as aforesaid, and to be paid and payable by equal Half-yearly Payments, on the Fifth Day of *January* and the Fifth Day of *July* in every Year, and the First of the said Half-yearly Payments to be made on such of the said Days as shall next happen after the Decease of the said Lord *George Henry Lennox* and *Charles Lennox* respectively.

Any future Duke of Richmond empowered to grant a like Jointure.

III. And be it further enacted, That it shall be lawful for the Person who for the Time being, after the Death of the Survivor of them the said *Charles* now Duke of *Richmond*, and Lord *George Henry Lennox*, and *Charles Lennox*, shall be entitled in Possession to the said Annuity of Nineteen thousand Pounds, or to the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities so to be purchased and invested as aforesaid, and shall be Duke of *Richmond*, either before or after his Marriage with any Woman or Women, by any Deed or Deeds, or Writing or Writings, with or without Power of Revocation, to be by him sealed and delivered in the Presence of Two or more credible Witnesses, (but subject and without Prejudice to the Annuity or Annuities, yearly Sum or Sums, if any, which shall be then subsisting and payable by way of Jointure or Jointures, out of the said Annuity of Nineteen thousand Pounds, or such Dividends and annual Proceeds, by virtue of any Grant, Limitation, or Appointment to be made in pursuance of the Powers herein-before contained, and also subject to the annual Sums herein-after charged or made chargeable upon the said Annuity or Dividends respectively, to or for the Benefit of the said Lady *Louisa Lennox* and Lady *Charlotte Lennox* respectively, in case of the Death of the said Lord *George Henry Lennox* and *Charles Lennox* respectively, in the Lifetime of the said *Charles* now Duke of *Richmond*, and of the said Duke's dying without leaving any Issue Male), to grant, limit, and appoint unto such Woman or Women whom he shall so marry, for her or their Life or Lives, and for her or their Jointure or Jointures, in bar of Dower as herein-after is expressed, any Annuity or yearly Sum, not exceeding the Sum of Two thousand Pounds of like lawful Money, clear of all Taxes, Charges, and Deductions whatsoever, by Act of Parliament or otherwise howsoever, to commence and take Effect immediately after the Decease of the Person granting, limiting, or appointing the same, and to be issuing and payable out of the said Annuity of Nineteen thousand Pounds, or so much thereof as shall not have been funded and redeemed, and also out of the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities so to be purchased and invested as aforesaid, and to be paid and payable by equal Half-yearly Payments, on the Fifth Day of *January* and the Fifth Day of *July* in every Year, and the First of the said Half-yearly Payments to be made on such of the said Days as shall first happen



happen after the Decease of the Person who shall have appointed the Annuity or yearly Sum last herein-before authorized.

IV. And be it further enacted, That the Woman or Women to whom such Annuity or Annuities, or yearly Sum or Sums, shall be so limited or appointed by the said *Charles* now Duke of *Richmond*, Lord *George Henry Lennox* and *Charles Lennox*, or the Person for the Time being entitled in Possession as aforesaid, being Duke of *Richmond*, shall and may, in case and so long as the same shall be issuing and payable out of the said Annuity of Nineteen thousand Pounds, have, use, and exercise the same Remedies, Powers, and Provisions, for the better and more effectually securing, recovering, and enforcing the Payment of such last-mentioned Annuity or Annuities, or yearly Sum or Sums, when the same shall be in Arrear after or beyond the Times hereby appointed for the Payment thereof, as the Person or Persons granting, limiting, or appointing the same could or might have used or exercised for the Recovery of the said Annuity of Nineteen thousand Pounds, or of the said Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities so to be purchased and invested as aforesaid.

Power of enforcing Payment of such Jointure when in Arrear.

V. And be it further enacted, That every Annuity or yearly Sum which shall be so granted, limited, or appointed by way of Jointure by the said *Charles* now Duke of *Richmond*, or the said Lord *George Henry Lennox*, or the said *Charles Lennox*, or the Person for the Time being entitled in Possession, as aforesaid, (being Duke of *Richmond*), in pursuance of the Powers in this Act contained, whether granted before or after Marriage, shall be taken to be in full for the Jointure or Jointures of the Woman or Women to whom the same shall be so granted or limited, and in Recompence, Satisfaction, and Bar of all Dower, Title of Dower, and Thirds, which she or they respectively shall or may at any Time claim, demand, or might otherwise be entitled to, of, in, to, or out of the said Annuity of Nineteen thousand Pounds, or the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, or of, in, to, or out of the Manors, Messuages, Lands, Tenements, or Hereditaments, which shall or may be purchased in pursuance of the Powers herein-after contained, or any Part thereof respectively, provided that such Annuity shall, at the Time of the granting thereof, be declared by the Woman and her Trustees to whom any such Annuity shall be granted, to be and be accepted, and taken to be in Bar of such Dower or Thirds, and that such Acceptance shall be testified by such Woman's and her Trustees sealing and delivering of the Grant of such Annuity.

Jointure to be in Bar of all Dower and Thirds.

VI. And be it further enacted, That if the said *Charles* now Duke of *Richmond*, or the said Lord *George Henry Lennox*, or the said *Charles Lennox*, or any other Person for the Time being entitled in Possession as aforesaid, and being Duke of *Richmond*, shall die, leaving a Widow not provided for with a Jointure made before Marriage, and in Bar of Dower under the Power of jointuring herein contained, then and in every such Case the Widow of the Duke of *Richmond* for the Time being so dying, shall, by virtue of this Act, (in case there shall be no Contract or Agreement binding upon such Widow to the contrary), have the same Annuity by way of Jointure for her Life, as if the said Power of jointuring had been

The same Annuity by way of Jointure payable to the Widow, although no Settlement made.



been exercised in her Favour in its fullest Extent, and such Annuity shall commence at the same Time, and be payable Half-yearly, and accordingly recoverable in the same Manner; but such Annuity shall be in Bar of all Dower and Thirds, as if it had been granted before Marriage under the Power of jointuring herein-before contained, and shall in every Respect be in full of all Provision for such Widow out of the said Annuity of Nineteen thousand Pounds, and the Dividends and Proceeds of the Three Pounds *per Centum* Consolidated Bank Annuities, in which any Part of the said Annuity of Nineteen thousand Pounds shall have been funded as aforesaid.

Provision made to Lady Louisa Lennox of 1,000l. per Ann. in case of the Death of Lord G. H. Lennox, &c.

VII. And, in order to make a Provision for the said Lady *Louisa Lennox*, in the Event of the Death of the said Lord *George Henry Lennox* in the Lifetime of the said *Charles* now Duke of *Richmond*, and of a Failure of Issue Male of the Body of the said Duke, be it further enacted, That in case the said Lord *George Henry Lennox* shall die in the Lifetime of the said *Charles* now Duke of *Richmond*, leaving the said Lady *Louisa Lennox* his Wife him surviving, and the said *Charles* now Duke of *Richmond* shall afterwards die in the Lifetime of the said Lady *Louisa Lennox*, without leaving Issue Male of his Body begotten, then and in such Case the said Annuity of Nineteen thousand Pounds, or so much thereof as shall not have been funded or redeemed, and also the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities which shall from Time to Time be purchased and invested as aforesaid, shall, immediately after the Death of the said *Charles* now Duke of *Richmond*, and such Failure of Issue Male of his Body as aforesaid, be and become charged and chargeable for and during the natural Life of the said Lady *Louisa Lennox*, with the Payment of an Annuity or yearly Sum of One thousand Pounds of lawful Money of *Great Britain*, clear of all Taxes, Charges, and Deductions whatsoever, by Act of Parliament or otherwise howsoever, unto her the said Lady *Louisa Lennox*, for her sole and separate Use, notwithstanding any Coverture, or to such Person or Persons as she, notwithstanding any Coverture, by any Writing, Deed or Deeds, with or without Power of Revocation, to be by her sealed and delivered in the Presence of Two or more credible Witnesses, shall at any Time or Times limit, direct, or appoint, the said last-mentioned Annuity to be paid and payable by equal Half-yearly Payments, on the Fifth Day of *January* and the Fifth Day of *July* in every Year; and the First of the said Half-yearly Payments to be made on such of the said Days as shall first happen after the Decease of the said *Charles* now Duke of *Richmond*, with such and the same Powers and Provisions for the better and more effectually securing, recovering, and enforcing the Payment of the said Annuity or yearly Sum of One thousand Pounds, as by virtue of this Act she would have had for the Recovery of any Annuity or annual Sum granted and limited to her by way of Jointure by the said Lord *George Henry Lennox* under the Powers herein contained, in case he had become entitled in Possession to the said Annuity of Nineteen thousand Pounds, or to the Dividends or annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities.

A like Provision of 1,000l. per

VIII. And, in order to make a Provision for the said Lady *Charlotte Lennox*, in the Event of the Death of the said *Charles Lennox* in the Lifetime



Lifetime of the said *Charles* now Duke of *Richmond*, or of the said Lord *George Henry Lennox*, be it further enacted, That in case the said *Charles Lennox* shall die in the Lifetime of the said *Charles* now Duke of *Richmond*, or of the said Lord *George Henry Lennox*, leaving the said Lady *Charlotte Lennox* his Wife him surviving, then, from and immediately after the Decease of the said *Charles* now Duke of *Richmond*, and Failure of Issue Male of his Body in the Lifetime of the said Lady *Charlotte Lennox*, the said Annuity of Nineteen Thousand Pounds, or so much thereof as shall not have been funded or redeemed as aforesaid, and also the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, which shall be so from Time to Time purchased and invested as aforesaid, shall be and become charged and chargeable with the Payment of an Annuity or yearly Sum of One thousand Pounds of lawful Money of *Great Britain*, clear of all Taxes, Charges, and Deductions whatsoever, by Act of Parliament or otherwise howsoever, unto the said Lady *Charlotte Lennox* and her Assigns, for her natural Life, the same last-mentioned Annuity of One thousand Pounds to be for her sole and separate Use, notwithstanding any Coverture, and to be paid and payable by equal Half-yearly Payments, on the Fifth Day of *January* and the Fifth Day of *July* in every Year, the First of the said Half-yearly Payments to be made on such of the said Days as shall next happen after the Decease of the said *Charles* now Duke of *Richmond*, and such Failure of Issue Male of his Body as aforesaid, with such and the same Remedies, Powers, and Provisions for the better and more effectually securing, recovering, and enforcing the Payment thereof, (as by virtue of this Act she would have had for the Recovery of any Annuity or annual Sum limited or granted to her by way of Jointure by the said *Charles Lennox* under the Powers herein contained, in case he had become entitled in Possession to the said Annuity of Nineteen thousand Pounds, or the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities.

Ann. made to  
Lady *Charlotte*  
*Lennox*.

IX. Provided always, and be it further enacted, That the said Annuity of Nineteen thousand Pounds, or the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, shall not at one and the same Time be subject to the Payment of more than the yearly Sum of Four thousand Pounds, for or in respect of any Jointure or Jointures which shall be made in pursuance of the Powers herein-before contained, or which, under the Provision herein-before also contained for the Case of a Widow not provided for with a Jointure before Marriage as aforesaid, shall accrue and become payable, or for or in respect of the said annual Sums so limited to the said Lady *Louisa Lennox* and Lady *Charlotte Lennox*.

Annuity of  
£. 19,000 not  
to be subject  
to the Payment  
of more than  
£. 4000 for  
Jointures.

X. And be it further enacted, That it shall be lawful for the said Lord High Treasurer or the First Commissioner of the Treasury for the Time being, and for the said *Henry Earl Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Thomas Steele*, or such other Persons as by virtue of the said thirdly-recited Act and of this Act shall for the Time being be the other Trustees of the aforesaid Three Pounds *per Centum* Consolidated Bank Annuities, with the Consent and Approbation of the Person or Persons for the Time being entitled in Possession to the Dividends and annual Proceeds thereof, (subject to any such Annuity or Annuities as shall become

Trustees may  
sell Stock and  
purchase Pre-  
mises, with  
Consent of the  
Duke of  
*Richmond*.

chargeable thereon under any Power herein-before contained), such Consent and Approbation to be testified by Writing under his, her, or their Hand and Seal or Hands and Seals, and attested by Two or more credible Witnesses, to sell and dispose of the said Three Pounds *per Centum* Consolidated Bank Annuities, or any Part thereof, and to lay out and invest the Money to arise and be produced therefrom in or upon any other Government Stocks or Funds in *Great Britain*, or at Interest on any Real Securities in *Great Britain*; or if an Union shall take place between *Great Britain* and *Ireland*, then and from thenceforth, as to any Part of such Money not exceeding One-fourth Part thereof, on any Real Securities in *Ireland*, in the Names of the said Trustees respectively, and from Time to Time (with the like Consent and Approbation as aforesaid) to alter, vary, and change all or any of such other Government Stocks or Funds, or of such Real Securities, for any other such Stocks, Funds, or Securities, and so from Time to Time as often as shall be thought expedient, and for that Purpose to receive Money and to give Receipts for the same, and to do all other Acts which shall be requisite; and all such other Stocks, Funds, and Securities, shall be subject always to the Trusts in and by this Act declared concerning the said Three Pounds *per Centum* Consolidated Bank Annuities.

Limitation  
as to the Pur-  
chase of Pre-  
mises

XI. And be it further enacted, That it shall be lawful for the said Lord High Treasurer or First Commissioner of the Treasury for the Time being, and such other Trustees as aforesaid (with such Consent and Approbation as aforesaid) at any Time or Times to sell and dispose of the said Three Pounds *per Centum* Consolidated Bank Annuities, or any Part thereof; or of all or any of the Stocks, Funds, or Securities, which under this Act shall be substituted for the said Three Pounds *per Centum* Consolidated Bank Annuities, but nevertheless so that there shall always be and remain either One-fourth Part of the said Annuity of Nineteen Thousand Pounds, or so much thereof, or of the said Three Pounds *per Centum* Consolidated Bank Annuities, or of the said other Stocks, Funds, or Securities, or partly of the said Annuity of Nineteen thousand Pounds, and partly of the said Bank Annuities, or the said other Stocks, Funds, or Securities, as shall secure a clear yearly Income equal to One-fourth Part of the said Annuity of Nineteen thousand Pounds, and to lay out and invest the Monies from Time to Time to arise and be produced from any such Sale or Disposition in the Purchase of any Freehold Manors, Lands, Tenements, and Hereditaments, of a good Estate of Inheritance in Fee Simple in Possession, whether belonging to the Duke of *Richmond* for the Time being, or any other Person or Persons, to be free from Incumbrances, (except Fee Farm and Quit Rents, and other Rents Service), and to be situate in any Part of *Great Britain*; or if an Union between *Great Britain* and *Ireland* shall take place, then and from thenceforth for and in respect of any Part of such Money, not exceeding One-fourth Part thereof, to be situate in *Ireland*, and the said Freehold Manors, Lands, Tenements, and Hereditaments shall, when so purchased, be forthwith settled, conveyed, and assured to the Use of such Persons and for such Estates as the said Annuity of Nineteen thousand Pounds would, by virtue of the Limitations in this Act contained, have stood limited in case the same had not been funded and redeemed.

XII. Provided



XII. Provided always, and be it further enacted, That the Manors, Lands, Tenements, and Hereditaments so to be purchased as aforesaid, shall not be subject to Dower of the Wife or Wives of the said *Charles Duke of Richmond*, or of any of the Persons who may successively be seised thereof, under the Limitations aforesaid, or subject to or charged or chargeable with any of the Annuities or yearly Sums which by virtue of this Act, or by an Exercise of any of the Powers herein contained, shall be charged and chargeable upon, and issuing and payable out of the said Annuity of Nineteen thousand Pounds, or the Dividends and annual Proceeds of the said Three Pounds *per Centum* Consolidated Bank Annuities, and other Stocks, Funds, and Securities, or any Part thereof; but the said Annuities or yearly Sums shall respectively remain and continue charged and chargeable upon, and issuing and payable out of such Parts only of the said Annuity of Nineteen thousand Pounds as shall not have been funded and redeemed, and the Dividends and Proceeds of such of the said Bank Annuities, and other Stocks, Funds, and Securities as shall not have been sold or disposed of for making such Purchase or Purchases as aforesaid.

Such Purchases not to be subject to Payment of Dowers.

XIII. And be it further enacted, That it shall be lawful for the said *Charles* now Duke of *Richmond*, and Lord *George Henry Lennox* and *Charles Lennox*, and such other Person or Persons as shall for the Time being be in the Possession of, or entitled to the Rents and Profits of the said Manors, Lands, Tenements, and Hereditaments, so from Time to Time to be purchased as aforesaid, as and when they shall respectively be so in the Possession or entitled as aforesaid, to grant, demise, and lease all or any of such Manors, Lands, Tenements, and Hereditaments which shall be so purchased as aforesaid; (except such of them as shall consist of a capital Mansion House, Gardens, and Park, and as in the Conveyance or Conveyances on the Purchase thereof shall be declared by the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and his Co-trustees under this Act, and also by the Person or Persons who at the Time of making such Conveyance or Conveyances shall be entitled to the Rents and Profits of the said purchased Estates under this Act to be intended for the actual Residence and Occupation of those who for the Time being shall be entitled in Possession to the Rents and Profits of the said purchased Estates), to any Person or Persons, for any Term or Number of Years not exceeding Fifteen Years, in Possession but not in Reversion, Remainder, or Expectancy, or by way of future Interest; so as upon every of such Leases there be reserved and made payable, during the Continuance thereof respectively, the best and most improved yearly Rent or Rents that can be reasonably had or obtained for the same, without taking any Sum or Sums of Money by way of Fine or Income, for or in respect of such Lease or Leases; and so as the Lessees to be therein respectively named, and their respective Executors, Administrators, or Assigns, be not made dispunishable of or for Waste by any express Words therein; and so as in every such Lease there be contained a Condition or Clause of Re-entry for Non-payment of the Rent or Rents to be thereby respectively reserved; and so as such respective Lessees duly seal and deliver Counterparts of such Leases respectively.

Premises so purchased may be leased, except the Mansion House, &c.

XIV. And be it further enacted, That it shall not be lawful for the said *Charles* now Duke of *Richmond*, or the Person or Persons who for the Time being shall be entitled in Possession to the Rents, Issues, and

The Persons intitled in Possession of the Premises answerable for Waste.

Profits



Profits of the Manors, Lands, Tenements, and Hereditaments, so to be purchased and settled as aforesaid, to commit or permit any Kind of Waste in or upon such Manors, Lands, Tenements, or Hereditaments, or in or upon any Part thereof; and if the said *Charles* now Duke of *Richmond*, or any such other Person or Persons as aforesaid, shall at any Time or Times commit or permit any such Waste, then and in every such Case the said Duke, or any other such Person or Persons as aforesaid so committing or permitting any such Waste, and his or their Heirs, Executors, and Administrators, shall be responsible in Damages to the Trustees for the Purposes of this Act for the Time being, exclusive of the said Lord High Treasurer or First Commissioner of the Treasury for the Time being; and shall accordingly, by virtue of this Act, be suable at Law by the said Trustees (exclusive as aforesaid) in an Action upon the Case for such Damages; and in every such Action in which Judgement shall be given for the Plaintiffs, Costs shall be awarded against the Defendant or Defendants; and all such Monies as shall be so recovered for Damages and Costs shall, after Payment of all Expences and Charges which shall be incurred or shall arise in Execution of this Part of the Trusts of this Act, be applied by the said Trustees for the Time being (exclusive as aforesaid) in Improvement of any of the Manors, Lands, Tenements, and Hereditaments, so to be purchased and settled as aforesaid, by Repairs, Buildings, Planting, Inclosure, draining or otherwise, in the same Manner as is herein-after directed concerning the Application of the Residuary Surplus Money from Sale of Timber under the Provisions herein-after contained.

No Timber to be cut down but in Manner herein-after mentioned.

XV. And be it further enacted, That it shall not be lawful at any Time or Times to cut down or fell, or to cause to be cut down or felled, any Timber which shall be growing or standing in or upon the Manors, Lands, and Hereditaments, so to be purchased and settled as aforesaid, or any Part thereof, otherwise than in Manner herein-after authorized; and if any such Timber shall be felled or cut down in any other Manner than is herein-after authorized, the Person or Persons so felling or cutting down such Timber, or causing the same to be felled or cut down, shall be responsible to the Trustees for the Purposes of this Act for the Time being, exclusive of the Lord High Treasurer or First Commissioner of the Treasury, for the Value of the Timber so felled and cut down, and shall accordingly, by virtue of this Act, be suable by the said Trustees for the Time being (exclusive as aforesaid) in an Action upon the Case for the said Damages; and in every such Action in which Judgement shall be given for the Plaintiffs, Treble Costs shall be awarded against the Defendant or Defendants; and all such Sums of Money as shall be so recovered for such Damages and Costs shall, after Payment of all Charges and Expences which shall be incurred or arise in the Execution of this Branch of the Trusts of this Act, be applied by the said Trustees for the Time being (exclusive as aforesaid) in the same Manner as herein-after is directed in respect of the Residuary Surplus Monies from the Sale of Timber under the Provisions for that Purpose herein-after mentioned.

Timber to be marked by a Surveyor before cut down.

XVI. And be it further enacted, That some Time in the Month of *November* in every Year, a Survey and Valuation shall be made by some fit and proper Person or Persons to be appointed by the Trustees for the Purposes



Purposes of this Act for the Time being, exclusive of the First Commissioner of the Treasury or Lord High Treasurer for the Time being, of all such Timber standing, growing, and being in or upon the said Manors, Lands, and Hereditaments, so to be purchased and settled as aforesaid, as it shall be the Wish of the said *Charles* now Duke of *Richmond*, or the Person for the Time being in Possession or entitled as aforesaid, to have cut down in the Course of the ensuing Year, and as shall be fit and in proper Course, or be otherwise advantageous or proper to be cut down, and such Survey and Valuation shall be reduced into Writing, and being so written shall be signed by the Person or Persons appointed to make the same, and be verified by his or their Oath or Oaths, (to be administered to him or them by any Justice of the Peace, any such Justice being hereby authorized to administer the same accordingly); and after such Survey and Valuation shall be made and sworn to as aforesaid, it shall be lawful for the said Trustees respectively, exclusive of the First Commissioner of the Treasury or Lord High Treasurer for the Time being, with the Consent and Approbation of the said *Charles* now Duke of *Richmond*, or the Person for the Time being in Possession or entitled to the Rents and Profits of the Manors, Lands, Tenements, and Hereditaments so to be purchased as aforesaid, and also with the Consent and Approbation of the First Commissioner of the Treasury or Lord High Treasurer for the Time being, (such Consents respectively to be testified by Writing under the Hands of the Persons giving the same), to order and direct that so much of the said Timber as shall have been selected and marked for cutting, by the Person or Persons making such Survey and Valuation, shall be forthwith cut down and felled, and sold and disposed of with all convenient Speed, for such Sum or Sums as to the said Trustees (exclusive as aforesaid) shall appear to be the best Price or Prices that can reasonably be had and obtained for the same.

XVII. And be it further enacted, That the Monies from Time to Time to arise and be produced by every Sale of Timber as aforesaid, shall be paid to and received by the said Trustees for the Time being, exclusive of the First Commissioner of the Treasury or Lord High Treasurer for the Time being as aforesaid, and the said Trustees (exclusive as aforesaid) after Payment of all Expences attending any such Valuation and Sale, shall from Time to Time in the first place set apart and appropriate so much of the Surplus Monies as at the Time when such Sale shall be ordered as aforesaid, shall be equal in amount to One-Fourth Part of the then gross yearly Rental of the said Manors, Lands, Tenements, and Hereditaments, which shall be so purchased and settled as aforesaid, if the Produce of such Timber shall amount to so much; and do and shall from Time to Time, by and out of the Monies which shall be so set apart and appropriated, or by and out of the Monies produced by the Sale of such Timber, pay to the Person who at the Time of such Order as aforesaid shall be in the Possession or entitled to the Rents, Issues, and Profits of the said Manors, Lands, Tenements, and Hereditaments so to be purchased and settled as aforesaid, or to his Executors or Administrators, Ten Pounds *per Centum* on the Amount of such gross yearly Rental for the Purpose of paying and reimbursing to such Person the Charges and Expences which may have been incurred by him in the necessary and incidental Repairs of the said Estates, and do and shall lay out and invest the Residue of the Monies (which shall be so set apart and appro-

Application of  
the Purchase  
Money of  
Timber.



priated as aforesaid); in or upon any such Government Stocks, or Funds, as aforesaid, or at Interest on any such Real Securities, as aforesaid, in the Names of the said Trustees for the Time being, exclusive of the First Commissioner of the Treasury or the Lord High Treasurer for the Time being; and the said Trustees in whose Names the same shall be so invested, and the Trustees of the said thirdly-recited Act and of this Act, for the Time being (exclusive as aforesaid) shall stand and be possessed of, and interested in the said Stocks, Funds, and Securities, upon the Trusts following, (that is to say), upon Trust from Time to Time during the Life of the Person who shall for the Time being be so in Possession or entitled to the said Manors, Lands, Tenements, and Hereditaments as aforesaid, at the Time such Timber shall in Manner aforesaid be ordered to be felled and cut down, to receive the Dividends and Interest, and annual Proceeds of the said Stocks, Funds, and Securities, and to lay out and invest the same Dividends, Interest, and annual Proceeds in or upon any other such Stocks, Funds, and Securities as aforesaid, in the Way of Accumulation, and so from Time to Time during the Whole of the said Life, as to the Interest, Dividends, and annual Proceeds of such other Stocks, Funds, and Securities, or of any such Stocks, Funds, or Securities, in or upon which any like Accumulations shall afterwards during such Life be invested or placed out; and from and immediately after the Death of the Person so having been in the Possession or entitled as last aforesaid, then as to all the said original Stocks, Funds, and Securities, and also as to all those from such Accumulations as aforesaid; in Trust for all and every, or such One or more of the Children of the Person so having been in Possession or entitled as last aforesaid (other than and except his eldest or only Son) at such Age or Ages, Day or Days, and Times, and in such Parts, Shares, and Proportions, and with such Maintenance in the mean Time until the Assignment or Transfer of their respective Shares, and subject to such Provisoes and Limitations over (such Provisoes and Limitations nevertheless to be for the Benefit of some or one of the same Children, except as aforesaid) and in such Manner and Form as the Parent so for the Time being in Possession or entitled as aforesaid, by any Deed or Deeds, Writing or Writings, with or without Power of Revocation or new Appointment, 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 or Codicils thereto, to be by him or her signed and published in the Presence of the like Number of credible Witnesses, shall direct or appoint, the Intent hereof being that if such Parent shall be a Female, her Coverture shall not obstruct or affect the Execution of such Power of Appointment; and in Default of, and subject to such Direction or Appointment, then in Trust for all and every the Child and Children of the Person so having been in Possession or entitled as last aforesaid (other than and except his or her eldest or only Son) in equal Shares and Proportions, (if more than One), and if there shall be but One such Child, then in Trust for such one Child, and to assign, transfer, and make over the Share or Shares of such of them as shall be a Son or Sons to him or them, at his or their Age or respective Ages of Twenty-one Years, and the Share or Shares of such of them as shall be a Daughter or Daughters, to her or them at her or their Age or respective Ages of Twenty-one Years, or Day or respective Days of Marriage, which shall first happen, after the Decease of the Person so having been in Possession or entitled as last aforesaid.



XVIII. Provided always, and be it further enacted, That in Default of such Direction or Appointment as aforesaid, and in case any such Child or Children, being a Son or Sons, (other than and except as aforesaid), shall attain the Age of Twenty-one Years, or being a Daughter shall attain the like Age, or be married in the Lifetime of the Person so having been in Possession or entitled as last aforesaid, then and from thenceforth the Share or Shares of such Son or Sons so attaining the Age of Twenty-one Years, (other than and except as aforesaid), and of such Daughter or Daughters so attaining the like Age, or being married before such Age, of, in, and to the said Trust Stocks, Funds, and Securities last-mentioned, or such Parts of the said Stocks, Funds, and Securities as shall not have been so directed or appointed as aforesaid, shall respectively be and be considered as a vested Interest or vested Interests in the same Child or Children; and shall be transmissible as such to his, her, or their Executors, Administrators, or Assigns, notwithstanding the Death of such Child or Children afterwards in the Lifetime of the Person so in the Possession or entitled as last aforesaid.

Interest of Children in the Purchase Money arising from the Sale of Trees.

XIX. Provided also, and be it further enacted, That if any such Child being a Son, shall die under the Age of Twenty-one Years, or become an eldest or only Son, or being a Daughter shall die under that Age without having been married, then and in such Case, and in Default of and subject to such Direction or Appointment as aforesaid, the Share of each such Son so dying or becoming an eldest or only Son, and of each such Daughter so dying without having been married as aforesaid, of and in the said Trust Stocks, Funds, and Securities, (other than what shall have been actually applied for the Advancement of such Son or Sons as herein-after mentioned), shall from Time to Time go and accrue to the Survivors or Survivor, and others or other of the same Children, and the respective Executors, Administrators, and Assigns of such of them as shall be dead, having first acquired a vested Interest in their respective original Shares, and be equally divided between or amongst such Survivors and others of them and the said Representatives of those who shall be dead (if more than One) in equal Shares and Proportions, and shall be transferrable and payable at the same Ages, Days, and Times respectively, as his, her, or their original Share or Shares, and such Benefit of Survivorship or Accruer shall extend as well to the surviving or accruing as to the original Shares.

Further Directions therein.

XX. And be it further enacted, That in the mean Time after the Death of the Person so having been entitled or in Possession as last aforesaid, and until the said Trust Stocks, Funds, and Securities shall become assignable or transferrable by virtue of the Trusts aforesaid, the Dividends, Interest, and annual Proceeds thereof, or of so much thereof whereof no such Direction or Appointment shall have been made as aforesaid, shall be paid to the Guardian or Guardians for the Time being of such Child or Children, whose Share or respective Shares of the said Trust Stocks, Funds, and Securities, shall not then have become assignable or transferrable as aforesaid, to be applied for and towards the Maintenance and Education, and for the Benefit of the same Child or Children (if more than One), according and in Proportion to their several apparent or presumptive Rights and Shares in the said Trust Stocks, Funds, and Securities.

Annual Proceeds of Funds created by such Sale of Timber, until they become assignable, to be applied in Maintenance of Children.

XXI. Pro.



Children's Share of Trust Funds may be applied for their Advancement.

XXI. Provided always, and be it further enacted, That in Default of such Direction or Appointment as aforesaid, it shall be lawful for the said Trustees for the Time being of the said last-mentioned Trust Stocks, Funds, and Securities, after the Decease of the Person so having been in Possession or entitled as last aforesaid, to sell and dispose of, or call in and receive any Part of the Share or Shares of such Child or Children being a Son or Sons, of, and in the said Trust Stocks, Funds, and Securities; so as the Sum or Sums to be raised or called in do not exceed the Sum of Five thousand Pounds in the Whole for any One such Son, and to apply the same Sum or Sums for placing out such Son or Sons in any Profession or Employment, or for his or their Instruction therein, or for purchasing him or them a Commission in the Army, or otherwise for his or their Advancement or Benefit; notwithstanding such his or their Share or Shares shall not then have become vested, due, and payable.

Funds, in case of the Death of Person in Possession dying without Issue to vest in Trustees.

XXII. And be it further enacted, That in case the Person so in Possession or entitled to the said Manors, Lands, Tenements, and Hereditaments as last aforesaid, shall die without having any Child or Children who shall live to become entitled to the said last-mentioned Trust Stocks, Funds, and Securities; then and in such Case the Trustees thereof for the Time being shall stand possessed of, and interested in the same Trust Stocks, Funds, and Securities, in Trust for the Executors or Administrators of the Person so dying, having been in Possession and entitled as last aforesaid, and to assign, transfer, and make over the same accordingly.

Trust Funds may be varied.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees for the Purposes of this Act for the Time being, exclusive of the Lord High Treasurer or First Commissioner of the Treasury for the Time being respectively, with the Consent and Approbation in Writing of the Person so in Possession or entitled to the Rents, Issues, and Profits of the said Manors, Lands, Tenements, and Hereditaments for the Time being, to sell and dispose of all or any Part of the said last-mentioned Trust Stocks, Funds, and Securities, and to lay out and invest the Monies thereon arising, in or upon any other such Government or Real Securities as aforesaid, and in like Manner to alter, vary, and change such other Government Stocks, Funds, and Real Securities for others of the same or the like Nature, and so from Time to Time as often as shall be deemed expedient, subject always nevertheless to the Trusts thereof herein before declared.

Residuary Money arising from the Sale of Timber, how to be applied.

XXIV. And, as to, for, and concerning the Residue of the Surplus of the Monies which shall from Time to Time arise and be produced by every such Sale of Timber so to be cut down and felled as aforesaid, after setting apart and appropriating so much thereof as is herein directed to be set apart and appropriated for the Purposes aforesaid; be it further enacted, That the said Trustees of this Act for the Time being, exclusive of the Lord High Treasurer or First Commissioner of the Treasury for the Time being, shall apply all such Residuary Monies in such Improvement and Melioration of the said Manors, Lands, Tenements, and Hereditaments so to be purchased and settled as aforesaid, or of some Part thereof, by Buildings, Reparation, Planting, Inclosure, Draining, or otherwise, as the Trustees of this Act for the Time being, exclusive



of the Lord High Treasurer or First Commissioner of the Treasury, with the Consent of the said *Charles* now Duke of *Richmond*, or the Person or Persons seised of or entitled to the said Manors, Lands, Tenements, and Hereditaments in Possession for the Time being, or in case of Infancy, his or their Guardian or Guardians for the Time being shall think most proper; or if the said Trustees for the Time being, exclusive as aforesaid, or a Majority of them, shall disagree with the said *Charles* now Duke of *Richmond*, or the Person or Persons so seised or entitled as aforesaid, or his or their Guardian or Guardians, about the Manner of such Application, then as the Lord High Treasurer or First Commissioner of the Treasury for the Time being shall, on a Reference to him by any of the Parties who shall so differ, by any Writing or Writings to be sealed and delivered by him, direct and appoint.

XXV. Provided always, and be it further enacted, That it shall be lawful for the said Lord High Treasurer or First Commissioner of the Treasury for the Time being, and for the said *Henry* Earl of *Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Thomas Steele*, or such other Persons as by virtue of the said thirdly recited Act and of this Act shall for the Time being be the other Trustees of the aforesaid Three Pounds *per Centum* Consolidated Bank Annuities, with the Consent and Approbation of the Person or Persons for the Time being entitled in Possession to the Dividends and annual Proceeds thereof, subject to any such Annuity or Annuities as shall hereby become chargeable thereon, and to the Rents and Profits of the said Freehold Manors, Lands, Tenements, and Hereditaments so to be purchased as aforesaid, such Consent and Approbation to be testified by Writing, under his, her, or their Hand, and Seal, or Hands and Seals, and attested by Two or more credible Witnesses, to convey in Exchange for or in lieu of any other Freehold Manors, Lands, Tenements, or Hereditaments, of a good Estate of Inheritance in Fee Simple in Possession, whether belonging to the said Duke of *Richmond* for the Time being, or any other Person or Persons, and to be free from Incumbrances, and situate as aforesaid, all or any of such Manors, Lands, Tenements, and Hereditaments so to be purchased as aforesaid, (except such of them as shall consist of a Capital Mansion House, Gardens, and Park, and as in the Conveyance or Conveyances on the Purchase thereof shall be declared by the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and his said Co-trustees under this Act, and also by the Person or Persons who at the Time of making such Conveyance or Conveyances shall be entitled to the Rents and Profits of such purchased Estates under this Act, to be intended for the actual Residence and Occupation of those who for the Time being shall be entitled in Possession to the Rents and Profits of the said purchased Estates), unto any Person or Persons, and his or their Heirs or Assigns respectively, either together or in Parcels, for such Equivalent in Freehold Manors, Lands, Tenements, or Hereditaments, as to them the said Lord High Treasurer or First Commissioner of the Treasury for the Time being and his said Co-trustees shall seem meet; and when all or any of the said Manors, Lands, Tenements, and Hereditaments hereby made exchangeable as aforesaid, shall be so disposed of and conveyed in Exchange for or in lieu of any other such Manors, Lands, Tenements, or Hereditaments as aforesaid, and the Fee Simple and Inheritance of such last-mentioned Manors, Lands, Tenements, and

Premises may  
be exchanged  
for others.



Hereditaments shall be well settled, conveyed, and assured to the Use of such Persons, and for such Estates, and under and subject to such Powers and Provisions as the said Manors, Lands, Tenements, or Hereditaments which shall by virtue of this Act be so disposed of in Exchange would, under the Limitations in this Act contained, have stood limited, if the same had not been exchanged, all and every Person and Persons to whom any such Conveyance of all or any of the said Manors, Lands, Tenements, and Hereditaments hereby made exchangeable as aforesaid shall have been made in Exchange, and the respective Heirs and Assigns of such Person and Persons shall and may have, hold, and enjoy the Hereditaments which shall by them respectively be taken in Exchange, freed and absolutely discharged, of and from all the Uses, Estates, Charges, Powers, and Provisions hereby limited, expressed, and declared of and concerning the same Hereditaments (other than and except such Demises or Leases as shall have been previously made in pursuance of the Powers in that Behalf herein contained).

Power of appointing new Trustees.

XXVI. Provided also, and it is hereby further enacted, That upon the Death of any of them the said *Henry Earl Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Thomas Steele*, or of any Person or Persons who shall become a Trustee or Trustees under the Power of Appointment herein contained, and also in case they the said *Henry Earl Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Thomas Steele*, and such new Trustee or Trustees who shall be appointed as herein mentioned, or any or either of them, shall desire to be discharged from or decline to act in the Trusts in and by this Act and the said thirdly recited Act declared, then and in every such Case, and with all convenient Speed after the happening of every such Case, the said *Charles* now Duke of *Richmond*, or the Person or Persons who shall for the Time being be entitled in Possession to the said Annuity of Nineteen thousand Pounds hereby charged upon the said Consolidated Fund, or to the Dividends of the said Three Pounds *per Centum* Consolidated Bank Annuities so be purchased as aforesaid, or of the Stocks, Funds, and Securities thence arising under the Exercise of any Power by virtue of this Act, or of the said Thirdly-recited Act, or to the said Manors, Lands, Tenements, or Hereditaments so to be purchased as aforesaid, or if such Person or Persons shall be under the Age of Twenty-one Years, then his, her, or their Guardian or Guardians (with the Consent in Writing, of the First Commissioner of the Treasury or the Lord High Treasurer, for the Time being), shall by some Deed or Instrument in Writing, under the Hand and Seal of the said *Charles* now Duke of *Richmond*, or the Person or Persons, for the Time being so entitled, as aforesaid, or such his, her, or their Guardian or Guardians as aforesaid, nominate any other Person or Persons to be a Trustee or Trustees for the Purposes of this Act and of the said thirdly-recited Act, and of the said Contract or Agreement so confirmed thereby as aforesaid, in the Room of the Trustee or Trustees so dying, or desiring to be discharged, or declining to act as aforesaid; and such new Trustee and Trustees shall have and be invested with such and the same Powers in all Respects as if he or they had been originally nominated a Trustee or Trustees in and by the said thirdly-recited Act, and the said Contract or Agreement thereby confirmed, and this Act; and after every such Appointment of a new Trustee or Trustees, such Conveyances and Acts shall be executed and done as shall be requisite for vesting the Estate



Estate and Interest of and in all and singular the Trust Premises either in the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and the other continuing Trustees or Trustee; (if any such there shall be), and such new Trustees or Trustee conjunctly, to and for all Intents and Purposes whatsoever, or in such Lord High Treasurer or First Commissioner of the Treasury, and such new Trustees or Trustee conjunctly, or in such new Trustees or such new Trustee only, according to the Nature of the Case; and in the mean Time the Trust Premises shall be and remain in the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and the other remaining Trustees thereof for the Time being, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, or his Heirs, according to the Nature of the Trust Premises, or if the Trust Premises shall be such as by this Act shall vest in the Trustees hereof for the Time being, exclusive of the Lord High Treasurer or First Commissioner of the Treasury for the Time being; then in the other remaining Trustees of the said thirdly-recited Act and of this Act for the Time being, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, or his Heirs, as the Nature of the Trust Premises may require; and the Intent of this Provision for new Trustees is, that the same shall be substituted for and operate in the Place of the Provision for new Trustees herein before recited, from the said Contract or Agreement so confirmed by the said thirdly-recited Act as aforesaid.

XXVII. And be it further enacted, That the said Bank Annuities which shall be so purchased and invested for the Funding and Redemption of the said Annuity of Nineteen thousand Pounds, shall stand invested in the Books of the Governor and Company of the Bank of England to the Account of the First Commissioner of the Treasury or Lord High Treasurer for the Time being and such other Trustees thereof as aforesaid; and in every Case, of a new First Commissioner or Lord High Treasurer, the Estate and Interest of his Predecessor in Office, in the said Bank Annuities as One of the Trustees thereof, shall become vested in every such new First Commissioner of the Treasury or Lord High Treasurer for the Time being, without any actual Transfer of the said Bank Annuities.

Funds to stand in the Names of the Trustees in the Books of the Bank.

XXVIII. And be it further enacted, That it shall be lawful for any Three of the Trustees for the Purposes of this Act and of the said thirdly-recited Act for the Time being, to do and execute all such Acts, Matters, and Things, in Execution of the Trust, as all the said Trustees respectively are hereby authorized and empowered to do, and the same shall be as valid and effectual as if the same had been done and executed by all the said Trustees respectively; provided that the Lord High Treasurer or First Commissioner of the Treasury for the Time being shall be One of such Three Trustees, except where the Act to be done relates to any Trust Estate of which he is not hereby made a Co-trustee.

Quorum of Trustees to act.

XXIX. And be it further enacted, That it shall and may be lawful for the Lord High Treasurer or First Commissioner of the Treasury for the Time being, from Time to Time, by Writing under his Hand and Seal, to appoint a Person to act for him in all or any of the Trusts of this

The First Commissioner of the Treasury as Trustee may appoint a Substitute.

this Act or of the said thirdly-recited Act, and either under such Exceptions and Restrictions as to such Lord High Treasurer or First Commissioner of the Treasury for the Time being shall seem meet, or without any Exception or Restriction; and also from Time to Time to remove such Substitute, and to appoint any other Person for the same Purpose; and all Things which shall be done by any Person so appointed as aforesaid, within the Compass and during the Continuance of such his Appointment, shall be as valid and effectual for the Purposes of this Act and of the said thirdly-recited Act, as if such Things had been done by the Lord High Treasurer or First Commissioner of the Treasury who shall make such Appointment.

Trustees answerable only for such Monies as they shall receive, &c.

XXX. And be it further enacted, That the said Trustees for the Time being of the said thirdly-recited Act and of this Act, or any of them, shall not be charged or chargeable with or accountable for any more of the Trust Monies and Premises than they shall respectively actually receive, or shall come to their respective Hands by virtue of the Trusts therein and herein declared; nor with or for any Loss which shall or may happen of the same Trust Monies and Premises, or any Part thereof, so as such Loss happen without their wilful Neglect or Default; and that it shall be lawful for the same Trustees for the Time being, and every of them, in the first place, by and out of the Monies which shall come to their Hands by virtue of the said Trusts, to deduct, retain to, and reimburse themselves respectively all such Costs, Charges, Damages, and Expences, as they shall respectively pay, bear, sustain, expend, or be put unto, for or by reason or means of all or any of the said Trusts, Powers, and Authorities, or the Management or Execution thereof, or any Act, Transaction, Matter, or Thing whatsoever, in anywise howsoever relating thereto.

Publick Act.

XXXI. And be it further enacted, That this Act shall be and be deemed and taken to be a Publick Act, and shall be judicially allowed and taken Notice of as such, without specially pleading the same.

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