



ANNO TRICESIMO NONO

GEORGI II. REGIS.

Cap. 67.

An Act for more easily effectuating the Sale of Part of the Freehold Estates late of *James Duberly* Esquire, deceased; and for applying the clear Monies to arise therefrom upon the Trusts of the Marriage Settlements of his Five Daughters. [1st July 1799.]

WHEREAS by Indenture bearing Date the Fourth Day of *March* One thousand seven hundred and eighty-eight, and made between the Reverend *John Law Willis*, of *Pickwick*, in the County of *Wilts*, Clerk, then *John Law Willis* Esquire, of the First Part; *James Duberly*, late of *Ensham Hall*, in the County of *Oxford*, Esquire, deceased, and *Louisa Maria*, now the Wife of the said *John Law Willis*, (then *Louisa Maria Duberly* Spinster, the eldest Daughter of the said *James Duberly*), of the Second Part; *Charles Tirrel Morgan*, of *Fairford*, in the County of *Gloucester*, Esquire, *James Duberly junior*, of *Soho Square*, in the County of *Middlesex*, Esquire, *Francis Morland*, then of *Cheshunt Park*, in the County of *Herts*, and now of *Clapton Hall*, in the County of *Northampton*, Esquire, and *Sherlock Willis*, then of *Organ Hall*, in the County of *Herts*, and now of *Wellingtonborough*, in the said County of *Northampton*, Esquire, of the Third Part, (being the Marriage Settlement of the said *John Law Willis* and *Louisa Maria* his Wife), it was agreed, that the said *Charles Tirrel Morgan*, *James Duberly junior*, *Francis Morland*, and *Sherlock Willis*, should stand possessed of the Sum

[Loc. & Per.] [11 2 2] of

Preamble.
The Marriage Settlement of *John Law Willis* and *Louisa Maria Duberly* recited.

of Thirteen thousand two hundred and eighty-nine Pounds and Eight-pence, Three Pounds *per Centum* Consolidated Bank Annuities, which had been purchased with the Sums of Five thousand Pounds and Five thousand Pounds (One of which Sums of Five thousand Pounds had been given by the said *James Duberly*, deceased, to the said *Louisa Maria Willis*, as her Marriage Portion) upon and for the several Trusts, Intents, and Purposes, for the Benefit of the said *John Law Willis* and *Louisa Maria* his Wife, and their Issue (if any), therein expressed and declared; and in the said Indenture are contained a Power authorizing the said Trustees to sell and dispose of the said Bank Annuities, and to lay out the Money thence arising in Real or Government Securities, and also a Power to them to invest the said Trust Monies in the Purchase of any Real Estate, and to re-sell such Real Estate; and it is thereby declared, that the Purchasers of such Real Estate, having paid their Purchase Money to, and obtained a Receipt from the said Trustees, should be thereby fully discharged of and from the same, and should not afterwards be liable to see to the Application thereof; and the Estates so purchased were to be considered as Money, and subject to such and the same Trusts, in all Respects, as the Money laid out in the Purchase thereof was subject to; and in the same Indenture is contained the usual Power for appointing new Trustees, who were to be invested with all the Powers and Authorities vested in the original Trustees: And whereas the said *James Duberly*, deceased, by his Will, dated the Fourth Day of *April* One thousand seven hundred and ninety-one, gave several Annuities and Legacies, and subject thereto gave all the Residue of his Estate, Real and Personal; whether Freehold, Leasehold, or Copyhold, to *Michael Jones*, of *Axford Buildings*, in the City of *Bath*, Esquire, and the said *Charles Tirrel Morgan*, and their Heirs, in Trust, in the first Place, to sell, as soon as conveniently might be after his Decease, his Manors, Messuages, Lands, Tenements, and Hereditaments at *Ensham*, and elsewhere, in the said County of *Oxford*, and the said Testator directed that the Monies thereby arising should be equally divided for the Benefit of his Five Daughters, in the Manner therein mentioned; and further, that the Share of the Purchase Money, to which his Daughter the said *Louisa Maria Willis* should be entitled by his said Will, should be paid to the Trustees named in her Marriage Settlement, in Trust for the same Uses and Persons as are declared and expressed in the said Settlement concerning the Sum of Five thousand Pounds, given by him to the said *Louisa Maria Willis* on her Marriage; and the said Testator directed, that when the said Manors, Messuages, Lands, Tenements, and Hereditaments, or any Part or Parts thereof, should be sold, the Receipt or Receipts of his Trustees should be a sufficient Discharge for the Purchase Money to the Purchaser or Purchasers thereof; and as to all other the said Testator's Manors and Hereditaments, therein given as aforesaid to the said *Michael Jones* and *Charles Tirrel Morgan*, and the Survivor of them, and his Heirs, the same were given to them in Trust, that they should convey One Fifth Part of his said Real Estate to the said Trustees, mentioned in the Marriage Settlement of his Daughter the said *Louisa Maria Willis*, their Heirs, Executors, and Administrators, in Trust as aforesaid, to and for the same Uses as are mentioned in the same Marriage Settlement with respect to the said Sum of Five thousand Pounds paid by him on her Marriage; and as to the other Four Fifths as well of the Money arising from the Sale of his *Oxfordshire* Estates, as of the Residue of his

The Will of *James Duberly*, whereby he devised his Estates to Trustees for the Benefit of his Daughters, recited.

Real Estate, when his Daughters *Harriet*, *Amelia*, *Caroline*, and *Mary Ann*, should attain their respective Ages of Twenty-three Years, or marry, his said Trustees, and the Survivor of them, and his Heirs, should stand seised of their respective Shares of the said Real Estates, to the Uses of them respectively and their respective Heirs: And whereas the said Testator died some Time since, without having revoked or altered his said Will, leaving his said Five Daughters, *Louisa Maria Willis*; *Harriet*, now the Wife of the Reverend *James Lowry*, of *Somerset*, in the County of *Tyrone*, in the Kingdom of *Ireland*, Clerk; *Amelia*, now the Wife of *Edward Blewitt*, of *Lanternam*, in the County of *Monmouth*, Esquire, Major in the Army; *Caroline*, now the Wife of *Thomas Osborne*, of *Park House*, in the County of *Kent*, Esquire; and *Mary Ann*, now the Wife of *Henry Hanson Simpson*, of *Richardby*, in the County of *Cumberland*, Esquire, his Coheiresses at Law him surviving: And the said *Louisa Maria Willis*, by the said *John Law Willis* her Husband, hath Issue now living Two Sons and Two Daughters, namely *Louisa Mary*, of the Age of Ten Years or thereabouts, *Mary Sarah*, of the Age of Seven Years or thereabouts, *Sherlock*, of the Age of Four Years or thereabouts, *John Edward*, of the Age of One Year or thereabouts; and the said *Harriet Lowry*, by the said *James Lowry* her Husband, hath Issue now living One Daughter, named *Harriet Martha*, of the Age of Three years or thereabouts; and the said *Caroline Osborne*, by the said *Thomas Osborne* her Husband, hath Issue now living Two Sons, namely, *Henry Lowry*, of the Age of One Year or thereabouts, *Thomas Edward*, of the Age of Eight Months or thereabouts; and the said *Amelia Blewitt*, by the said *Edward Blewitt* her Husband, hath Issue now living One Son, named *Edward Francis*, of the Age of One Year or thereabouts; and the said *Mary Ann Simpson*, by the said *Henry Hanson Simpson* her Husband, hath Issue One Daughter, named *Harriet Isabella*, of the Age of Eight Months or thereabouts: And whereas, by Indentures of Lease and Release, and Settlement, bearing Date respectively the Seventeenth and Eighteenth Days of *April* One thousand seven hundred and ninety-five, the Release being of Five Parts, and made or expressed to be made between the Reverend *John Lowry*, of *Tamlagh*, in the County of *Tyrone*, in the Kingdom of *Ireland*, Clerk, of the First Part; the Reverend *James Lowry*, of *Somerset*, in the said County of *Tyrone*, Clerk, eldest Son and Heir Apparent of the said *John Lowry* by *Susannah* his then Wife, of the Second Part; the said *Harriet Lowry* (then *Harriet Duberly*) of the Third Part; the said *Charles Tirrel Morgan* and *Michael Jones* of the Fourth Part; and the said *John Law Willis*, *Abraham Langford* Esquire, the Right Honourable *Armar Lowry Corry* Viscount *Belmore* in the Kingdom of *Ireland*, and the Reverend *John Price*, of *Trinity College*, in the University of *Oxford*, Clerk, of the Fifth Part, (being the Marriage Settlement of the said *James Lowry* and *Harriet* his Wife), the One undivided Fifth Part or Share of the said *Harriet Duberly*, of and in all and singular the Freehold and Copyhold Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, late of the said *James Duberly*, deceased, in the several Counties of *Monmouth*, *Oxford*, and *Middlesex*, and devised by his said Will as aforesaid, was conveyed and assured, and covenanted to be surrendered, (subject to the several Payments, Charges, and Incumbrances then payable out of or affecting the same, under and by virtue of the said Will of the said *James Duberly*, deceased, or otherwise howsoever), to several Uses, and upon and for several Trusts, Ends, Intents, and Purposes, for the Benefit of the said *James Lowry*

James Duberly died leaving Five Daughters, *Louisa Maria*, *Harriet*, *Amelia*, *Caroline*, and *Mary Ann*.

The Marriage Settlement of *James Lowry* and *Harriet Duberly* recited.

Lowry and *Harriet* his Wife, and their Issue (if any), and under and subject to several Powers, Provisoes, Declarations, and Agreements in the same Indenture of Release expressed and declared, and particularly subject to a Proviso, whereby the said *John Law Willis*, *Abraham Langford*, *Armar Lowry Corry* Lord Viscount *Belmore*, and *John Price*, are empowered, with the Consent of the said *James Lowry* and *Harriet* his Wife, and the Survivor of them, to sell or exchange the said undivided Fifth Part, thereby conveyed and assured, and covenanted to be surrendered as aforesaid; and also to join in making Partition of the said Hereditaments in the Manner therein mentioned; and upon Payment of the Money to arise by the Sale of the said undivided Fifth Part and Hereditaments, or any Part thereof, to give Receipts to the Purchaser or Purchasers thereof for such Purchase Money; and it was thereby agreed and declared, that such Purchase Money should be laid out and invested in the Purchase of other Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, and that as well the said Hereditaments so to be purchased, as those to be taken in Exchange, or upon any Partition, should be settled to, upon, and for the same Uses, Trusts, Intents, and Purposes, as were thereby declared concerning the Hereditaments thereby made saleable and exchangeable as aforesaid; and in the same Indenture of Release is contained a Power for the said *James Lowry* and *Harriet* his Wife, by Writing under their Hands, to appoint new Trustees in case any of the said Trustees should die, or desire to be discharged from the Trusts and Powers of the said Settlement: And whereas the said *John Price* having signified to the said *James Lowry* and *Harriet* his Wife, his Desire to be discharged from the Trusts and Powers reposed and vested in him by the said Indenture of Settlement, they the said *James Lowry* and *Harriet* his Wife did, in pursuance of the said last-mentioned Power, by an Instrument in Writing under the Hands of themselves and of the said *John Price*, dated the Fourth Day of *March* One thousand seven hundred and ninety-nine, indorsed upon the same Indenture of Settlement, appoint the Reverend *George Atwick*, of *Sunbury*, in the County of *Middlesex*, Clerk, to be a Trustee for the Purposes in the same Indenture of Settlement mentioned, in the room of him the said *John Price*: And whereas, by an Instrument in Writing, dated the Nineteenth Day of *April* One thousand seven hundred and ninety-nine, executed by the said *Armar Lowry Corry*, (late Viscount and then Earl *Belmore*), and another Instrument in Writing indorsed thereon, under the Hands of the said *James Lowry* and *Harriet* his Wife, dated the Twenty-seventh Day of *April* Onethousand seven hundred and ninety-nine, the said *Charles Tirrel Morgan* hath been appointed a new Trustee for the Purposes in the said recited Indenture of Settlement of the Eighteenth Day of *April* One thousand seven hundred and ninety-five, mentioned in the Place of the said Earl *Belmore*, who desired to be discharged from the Trusts and Powers of that Settlement: And whereas, by Indentures of Lease and Release, and Settlement, bearing Date respectively the Thirteenth and Fourteenth Days of *May* One thousand seven hundred and ninety-six, the Release being of Four Parts, and made, or expressed to be made, between the said *Edward Blewitt* of the First Part; the said *Amelia Blewitt* (then *Amelia Duberly*) of the Second Part; the said *Charles Tirrel Morgan* and *Michael Jones* of the Third Part; and the said *Charles Tirrel Morgan*, *Abraham Langford*, and *Thomas Osborne*, and *William White* of *Mountwace*, in the Parish of *Topsham*, in the County of *Devon*, Esquire, of the

Appointment
of a new
Trustee.

Appointment
of One other
new Trustee.

The Mar-
riage Settle-
ment of *Ed-
ward Blewitt*
and *Amelia*
Duberly
recited.

the Fourth Part, (being the Marriage Settlement of the said *Edward Blewitt* and *Amelia* his Wife), the One undivided Fifth Part or Share of her the said *Amelia Blewitt*, of and in the said Freehold and Copyhold Estates, late of the said *James Duberly*, deceased, in the several Counties of *Oxford*, *Monmouth*, and *Middlesex*, and devised by his said Will, was conveyed and assured, and covenanted to be surrendered, (subject to the several Payments, Charges, and Incumbrances, then payable out of or affecting the same, by virtue of the said Will or otherwise); to several Uses, and upon and for several Trusts, Intents, and Purposes, for the Benefit of the said *Edward Blewitt* and *Amelia* his Wife, and their Issue, (if any), and under and subject to several Powers, Provisoes, Declarations, and Agreements in the same Indenture of Release expressed and declared, and particularly subject to such and the like Powers in the said *Charles Tirrel Morgan*, *Abraham Langford*, *Thomas Osborne*, and *William White*, the Trustees therein named, (with the Consent of the said *Edward Blewitt* and *Amelia* his Wife, and the Survivor of them), of selling and exchanging, and making Partition, with respect to the said One undivided Fifth Part or Share, and Hereditaments thereby conveyed and assured, and covenanted to be surrendered, and of laying out and investing the Monies which shall arise from the Sale thereof, and also such and the like Power of appointing new Trustees, as are contained in the said recited Indenture of Release and Settlement of the Eighteenth Day of *April* One thousand seven hundred and ninety-five, with respect to the One undivided Fifth Part and Hereditaments of the said *Harriet Lowry*: And whereas, by Indentures of Lease and Release, bearing Date respectively the Ninth and Tenth Days of *June* One thousand seven hundred and ninety-six, the Release being of Four Parts, and made or expressed to be made between the said *Thomas Osborne* of the First Part; the said *Caroline Osborne* (then *Caroline Duberly*) of the Second Part; the said *Charles Tirrel Morgan* and *Michael Jones* of the Third Part; and the said *Charles Tirrel Morgan*, *Abraham Langford*, *Samuel Jackson*, of the Parish of *Saint George in the East*, in the County of *Middlesex*, Esquire, and the aforesaid *George Atwick*, of the Fourth Part, (being the Marriage Settlement of the said *Thomas Osborne* and *Caroline* his Wife), the One undivided Fifth Part or Share of her the said *Caroline Osborne* (then *Caroline Duberly*) of and in the said Freehold and Copyhold Estates, late of the said *James Duberly*, deceased, in the Counties of *Oxford*, *Monmouth*, and *Middlesex*, and devised by his said Will, was conveyed and assured, and covenanted to be surrendered, (subject to the several Payments, Charges, and Incumbrances, then payable out of or affecting the same, by virtue of the said Will or otherwise), to several Uses, and upon and for several Trusts, Intents, and Purposes, for the Benefit of the said *Thomas Osborne* and *Caroline* his Wife, and their Issue, (if any), and under and subject to several Powers, Provisoes, Declarations, and Agreements, in the same Indenture of Release expressed and declared, and particularly subject to such and the like Powers in the said *Charles Tirrel Morgan*, *Abraham Langford*, *Samuel Jackson*, and *George Atwick*, the Trustees therein named, (with the Consent of the said *Thomas Osborne* and *Caroline* his Wife, during their joint Lives, or of the said *Thomas Osborne* alone, in case he shall survive the said *Caroline* his Wife), of selling and exchanging, and making Partition, with respect to the said undivided Fifth Part and Hereditaments thereby conveyed and assured, and covenanted to be surrendered as aforesaid, and of laying out and investing the Monies

The Marriage Settlement of *Thomas Osborne* and *Caroline Duberly* recited.

[*Loc. & Per.*]

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which

The Marriage Settlement of *Henry Hanson Simpson* and *Mary Ann Duberly* recited.

which shall arise by the Sale thereof, and also such and the like Power of appointing new Trustees, as are contained in the said Indenture of Release and Settlement of the Eighteenth Day of *April* One thousand seven hundred and ninety-five, with respect to the One undivided Fifth Part and Hereditaments of the said *Harriet Lowry*: And whereas, by Indentures of Lease and Release, bearing Date respectively the Fourteenth and Fifteenth Days of *June* One thousand seven hundred and ninety-seven, the Release being of Five Parts, and made, or expressed to be made, between the said *Henry Hanson Simpson* of the First Part; the said *Mary Ann Simpson* (then *Mary Ann Duberly*) of the Second Part; the said *Charles Tirrel Morgan* and *Michael Jones* of the Third Part; *William Richardson*, of *Richardby*, in the County of *Cumberland*, Esquire, of the Fourth Part; and the said *Charles Tirrel Morgan*, and *Abraham Langford*, and *James Graham*, of *Barrock Lodge*, in the said County of *Cumberland*, Esquire, and the said *Thomas Osborne* of the Fifth Part, (being the Marriage Settlement of the said *Henry Hanson Simpson* and *Mary Ann* his Wife), the One undivided Fifth Part or Share of her the said *Mary Ann Simpson*, (then *Mary Ann Duberly*), of and in the said Freehold and Copyhold Estates, late of the said *James Duberly*, deceased, in the several Counties of *Oxford*, *Monmouth*, and *Middlesex*, and devised by his said Will, was conveyed and assured, and covenanted to be surrendered, (subject to the several Payments, Charges, and Incumbrances, then payable out of or affecting the same, by virtue of the said Will, or otherwise), to several Uses, and upon and for several Trusts, Intents, and Purposes, for the Benefit of the said *Henry Hanson Simpson* and *Mary Ann* his Wife, and their Issue, (if any), and under and subject to several Powers, Provisoos, Declarations, and Agreements, in the same Indenture of Release expressed and declared, and particularly subject to such and the like Powers in the said *Charles Tirrel Morgan*, *Abraham Langford*, *James Graham*, and *Thomas Osborne*, the said Trustees therein named, (with the Consent of the said *Henry Hanson Simpson* and *Mary Ann* his Wife, during their joint Lives, and of the Survivor of them, during his or her Life), of selling and exchanging, and making Partition, with respect to the said One undivided Fifth Part and Hereditaments thereby conveyed and assured, and covenanted to be surrendered, and of laying out and investing the Monies which shall arise from the Sale thereof, and also such and the like Power of appointing new Trustees, as are contained in the said Indenture of Release and Settlement of the Eighteenth Day of *April* One thousand seven hundred and ninety-five, with respect to the One undivided Fifth Part and Hereditaments of the said *Harriet Lowry*: And whereas the said *James Graham* having signified to the said *Henry Hanson Simpson* and *Mary Ann* his Wife, his Desire to be discharged from the Trusts and Powers reposed and vested in him by the said last-recited Indenture of Settlement, they the said *Henry Hanson Simpson* and *Mary Ann* his Wife did, in pursuance of the said Power for appointing new Trustees, by an Instrument in Writing under the Hands of themselves and of the said *James Graham*, dated the Fourth Day of *March* One thousand seven hundred and ninety-nine, indorsed upon the same Indenture of Settlement, appoint *John Grove*, of *Woodford*, in the County of *Essex*, Esquire, to be a Trustee for the Purposes in the same Indenture of Settlement mentioned, in the room of the said *James Graham*: And whereas, Part of the said devised Estates, late of the said *James Duberly*, deceased, in the County of *Oxford*, have been sold under the Trusts in that

Appointment of a new Trustee.

Part of the devised Estates have been sold.

that Behalf declared by his said Will, for the Sum of Fourteen thousand five hundred Pounds or thereabouts: And whereas, by reason of the Residue of the said Estates lying dispersedly in different and distant Counties, and being held in undivided Shares, and therefore of inconvenient Tenure and Management, it would be greatly for the Benefit and Advantage of the said *John Law Willis* and *Louisa Maria* his Wife, *James Lowry* and *Harriet* his Wife, *Edward Blewitt* and *Amelia* his Wife, *Thomas Osborne* and *Caroline* his Wife, and *Henry Hanson Simpson* and *Mary Ann* his Wife, and of all their respective Issues claiming under the aforesaid Settlements, if the said Freehold and Copyhold Estates late of the said *James Duberly*, deceased, as well those situate in the Counties of *Monmouth* and *Middlesex*, as also the Residue of the said Estates in the County of *Oxford*, remaining unsold, were sold, and if the clear Monies produced by such Sales were paid in equal Fifth Parts to the Trustees of the said respective Marriage Settlements, to be applied and disposed of according to the Trusts of such Settlements: But although such Purposes might be accomplished by the Exercise of the Powers vested in the Trustees of the aforesaid Settlements and Will, yet the Exercise of such Powers, according to the strict Letter of the Terms thereof, would manifestly, from the great Number of necessary Parties in the Conveyances to the several Purchasers, and the distant Residence of the several Trustees, who amount to Twelve in Number, and the Residence of the said *James Lowry* in the Kingdom of *Ireland*, be attended with very great Delay and Expence, inasmuch as the said Estates in the Counties of *Oxford* and *Monmouth* consist of many detached Parcels, which would be sold to the best Advantage if separately disposed of by separate Conveyances; and therefore the said *John Law Willis* and *Louisa Maria* his Wife, *James Lowry* and *Harriet* his Wife, *Edward Blewitt* and *Amelia* his Wife, *Thomas Osborne* and *Caroline* his Wife, and *Henry Hanson Simpson* and *Mary Ann* his Wife, are desirous that the said Estates should be vested in two Trustees, approved of by the said several Parties beneficially interested, and by all the Trustees of the aforesaid Settlements, in Trust to be sold, and the Monies arising by the Sale thereof paid in equal Fifth Parts to the Trustees of the said Settlements, upon the Trusts thereof: 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 *John Law Willis* and *Louisa Maria* his Wife, *James Lowry* and *Harriet* his Wife, *Edward Blewitt* and *Amelia* his Wife, *Thomas Osborne* and *Caroline* his Wife, and *Henry Hanson Simpson* and *Mary Ann* his Wife, 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 all and singular the Freehold Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, late of him the said *James Duberly*, deceased, in the several Counties of *Oxford*, *Monmouth*, and *Middlesex*, which were devised by his said Will as foresaid, (save and except a certain Messuage or Tenement called *Ensham Hall*, with the Messuages, Gardens, Lands, Pleasure Grounds, and Appurtenances thereto belonging, and the Manor or Lordship of *Ensham*, and the Manors, or reputed Manors, of *Newland* and *Tilgarley*, and all and singular other the Clofes, Pieces, or Parcels of Ground, Woods, Rents, Lands, Tenements, and Hereditaments, in the said County of *Oxford*,

The Residue of the Estates lying dispersedly in different and distant Counties, and being held in undivided Shares, it would be greatly beneficial if the Freehold and Copyhold Estates were vested in Two Trustees to be sold, and the clear Monies paid to the Trustees of the respective Marriage Settlements upon the Trusts thereof.

Freehold Estates to be sold.

Oxford, which have been sold or are contracted to be sold to the Reverend *John Robinson*, late Archdeacon of *Armagh* in the Kingdom of *Ireland*, and now of *Ensham Hall* aforesaid, for the above Sum of Fourteen thousand five hundred Pounds or thereabouts, which Premises, by this Act intended to be vested in Trustees, are particularly mentioned in the Schedule hereto annexed, marked A. and which said excepted Messuage or Tenement, Manors or reputed Manors, Closes, Pieces, or Parcels of Ground, Woods, Rents, Lands, Tenements, and Hereditaments, are particularly specified in the Schedule to this Act annexed, marked B.) together with all and singular the Rights, Members, and Appurtenances, whatsoever to the said Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, (other than such excepted Hereditaments as aforesaid, or any of them, belonging or appertaining), and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, and of every Part thereof, shall, from and after the passing of this Act, be vested in and settled upon, and the same are hereby from thenceforth vested in and settled upon the said *Charles Tirrel Morgan*, and *Evan Foulkes* of *Southampton Street, Covent Garden*, in the County of *Middlesex*, Gentleman, their Heirs and Assigns, to the Use of them the said *Charles Tirrel Morgan* and *Evan Foulkes*, their Heirs and Assigns, for ever, freed and discharged, and absolutely acquitted, exempted, and exonerated of, and from, and against all and every the Uses, Estates, Limitations, Trusts, Powers, Provisoos, and Declarations, in and by the said Will of the said *James Duberly*, deceased, and also in and by the said several recited Marriage Settlements, or any of them, expressed and declared of and concerning the same; but nevertheless upon the Trusts, and for the Intents and Purposes herein-after expressed and declared of and concerning the same; (that is to say), upon Trust, that they the said *Charles Tirrel Morgan* and *Evan Foulkes*, or the Survivor of them, or the Heirs or Assigns of such Survivor, do and shall, as soon as conveniently may be, (by and with the Consent and Approbation in Writing of the said *John Law Willis* and *Louisa Maria* his Wife, *James Lowry* and *Harriet* his Wife, *Edward Blewitt* and *Amelia* his Wife, *Thomas Osborne* and *Caroline* his Wife, and *Henry Hanson Simpson* and *Mary Ann* his Wife, or the Survivors or Survivor of them), absolutely make Sale and dispose of the said Manors, Messuages, Farms, Lands, Tenements, and Hereditaments, hereby vested in them the said *Charles Tirrel Morgan* and *Evan Foulkes*, their Heirs and Assigns as aforesaid, either together or in Parcels, and by publick Auction or private Contract, unto any Person or Persons who may be willing to become the Purchaser or Purchasers thereof, and his, her, or their Heirs or Assigns, or as he or they shall direct or appoint, at such Price or Prices in Money as at the Time of such Sale or Sales shall appear to the said Trustees to be the best that can be reasonably had and obtained for the same.

Trustees appointed to sell the Freehold Estates:

And also the Copyhold Estates.

II. And be it further enacted, That it shall be lawful for the said *Charles Tirrel Morgan* and *Evan Foulkes*, and the Survivor of them, his Heirs or Assigns, at any Time or Times after the passing of this Act, absolutely to sell and dispose of all or any Part or Parts of the said Copyhold Estates, late of the said *James Duberly*, deceased, which were devised by his said Will, or intended so to be, or which, for the Want of surrendering to the Uses thereof, may have descended on his said Five Daughters, as his Coheiresses at Law, with the Appurtenances in like
Manner

Manner as is herein-before directed with respect to his said Freehold Estates hereby vested in the same Trustees in Trust to be sold, and that freed and discharged, and absolutely acquitted, exempted; and exonerated as aforesaid.

III. And be it further enacted, That the Money to arise from such Sale or Sales as aforesaid, shall be paid to the said *Charles Tirrel Morgan* and *Evan Foulkes*, or the Survivor of them, his Executors, Administrators, or Assigns; and that the Receipt or Receipts of them, or the Survivor of them, his Executors, Administrators, or Assigns, shall at all Times be a good and effectual Release and Discharge to the Purchaser or Purchasers of all or any Part or Parts of the said Freehold and Copyhold Estates, hereby directed and authorized to be sold, for so much of the Purchase Money as in such Receipt or Receipts shall be expressed or acknowledged to be received; and that after such Receipt or Receipts shall be given, such Purchaser or Purchasers, or his, her, or their respective Heirs or Assigns, shall not be liable to see to the Application, or be answerable for the Loss, Misapplication, or Non-application of such Money, or any Part thereof.

Receipts of Trustees to be good Discharges to Purchasers.

IV. And be it further enacted, That, by and out of the Monies arising by such Sales, it shall and may be lawful to and for the said *Charles Tirrel Morgan* and *Evan Foulkes*, and the Survivor of them, and his Executors or Administrators, and they and he are and is hereby required, by and out of the Monies arising by such Sales, to pay and discharge all the Costs and Expences attending the applying for, and obtaining and passing this Act, and of making and completing the said Sales.

For paying the Expences of the Act.

V. And be it further enacted, That the clear Monies to arise from such Sales as aforesaid, shall from Time to Time be paid, in equal Fifth Parts or Shares, to the respective Trustees of the said recited Settlements, to be by them respectively applied and disposed of, upon and for the Trusts, Intents, and Purposes, of the same Settlements respectively; and their Receipts shall be sufficient Discharges to the said *Charles Tirrel Morgan* and *Evan Foulkes*, or the Survivor of them, or his Executors or Administrators, for the same.

Application of Money arising from the Sales.

VI. And be it further enacted, That in the mean Time, and until such Sale or Sales shall be made in pursuance of this Act, they the said *Charles Tirrel Morgan* and *Evan Foulkes*, and the Survivor of them, and his Heirs, shall permit and suffer the said Freehold and Copyhold Estates hereby authorized to be sold as aforesaid, to be held and enjoyed, and the Rents, Issues, and Profits thereof to be received and taken, by and for the Benefit of the respective Persons who would have been respectively entitled to have held and enjoyed, and received and taken the same, in case this Act had not been made.

Application of the Rents and Profits in the mean Time.

VII. And be it further enacted, That if the said *Charles Tirrel Morgan* and *Evan Foulkes*, or either of them, or any future Trustee or Trustees to be appointed in their or either of their Place and Stead, as herein-after is mentioned, shall die, or be desirous to be discharged from, or refuse or become incapable to act in the Trusts, Powers, and Authorities in them reposed or vested by this Act, at any Time before the same shall have

Power of appointing new Trustees.

[Loc. & Per.]

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been

been fully performed and executed, then and in such Case, and so often as the same shall happen, it shall be lawful for the said *John Law Willis* and *Louisa Maria* his Wife, *James Lowry* and *Harriet* his Wife, *Edward Blewitt* and *Amelia* his Wife, *Thomas Osborne* and *Caroline* his Wife, and *Henry Hanson Simpson* and *Mary Ann* his Wife, and the Survivors and Survivor of them, with the Approbation of the Court of Chancery, signified by an Order upon a Petition in a summary Way, to appoint any other Person or Persons to be a Trustee or Trustees in the Place and Stead of the Trustee or Trustees so dying, or desiring to be discharged from, or refusing or becoming incapable to act in the said Trusts, Powers, and Authorities; and that when and so often as any new Trustee or Trustees shall be appointed as aforesaid, all and singular the said Freehold Estates hereby made saleable as aforesaid, or so much thereof as shall then remain unfold, shall thereupon, with all convenient Speed, be conveyed and assured so and in such Sort, Manner, and Form, as that the same shall be legally and effectually vested in the surviving or continuing Trustee or Trustees and such new Trustee or Trustees jointly, or wholly in such new Trustees, as the Case may require, upon the Trusts, and for the Intents and Purposes, and with, under, and subject to the Powers and Authorities in and by this Act expressed, declared, and contained of and concerning the same, or such of them as shall be then subsisting and capable of taking Effect; and that all and every such new Trustee and Trustees shall and may, in all Respects, act in the Execution of the Trusts, Powers, and Authorities, so far as the same relates as well to the said Copyhold as also to the said Freehold Estates, in Conjunction with the then continuing Trustee or Trustees thereof, or alone, in case the others shall be dead, as the Case may be, as fully and effectually as if he and they had been by this Act originally appointed a Trustee or Trustees for that Purpose; any Thing herein-before, or in the said Will or Settlements, contained to the contrary thereof in anywise notwithstanding.

Trustees not to be accountable for more Money than they actually receive; and to reimburse themselves Expences.

VIII. Provided always, and it is hereby further enacted, That the said *Charles Tirrel Morgan* and *Evan Foulkes*, or either of them, or their respective Heirs, Executors, or Administrators, shall not be accountable for any more Monies than they shall respectively actually receive by virtue of this Act, nor for any Loss of such Monies or any Part thereof, so as such Loss happen without their wilful Neglect or Default respectively, nor either of them for the other of them, but each of them only for his own Acts, Receipts, Disbursements, Neglects, and Defaults; and that they respectively shall and may, out of the Monies which shall come to their Hands by virtue of this Act, deduct, retain to, and reimburse themselves respectively all Costs, Charges, Damages, and Expences which they shall respectively pay, sustain, or be put unto, in or about the Execution of the Trusts, Powers, and Authorities hereby in them reposed or vested as aforesaid, or any of them.

Saving of Rights.

IX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, Administrators, and Assigns, (other than and except the said *John Law Willis* and *Louisa Maria* his Wife, and their Issue; the said *James Lowry* and *Harriet* his Wife, and their Issue; the said *Edward Blewitt* and *Amelia* his Wife, and their Issue; the said *Thomas Osborne* and *Caroline* his

his Wife, and their Issue; the said *Henry Hanson Simpson* and *Mary Ann* his Wife, and their Issue; and the Trustees of all the aforesaid respective Marriage Settlements and Will, and all other Persons claiming under the same Settlements and Will, or any of them), all such Estate, Right, Interest, Claim, and Demand whatsoever; of, in, to, or out of the said Freehold and Copyhold Estates hereby vested in Trust, and authorized to be sold as aforesaid, as they, every; or any of them, had before the passing of this Act, or could or might have had, held, or enjoyed in case the same had not been made.

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

SCHEDULE

SCHEDULE (A.) to which this Act refers.

ESTATES in the County of OXFORD.

PARISHES and PLACES.	FARMS and LANDS.	RENT per Annum.		
		£.	s.	d.
Ensham . . .	A Messuage and Farm, called Twelve Acre Farm	230	—	—
	A Messuage and Farm	212	2	—
	- - - D°	60	—	—
	Several inclosed Grounds, in the Occupation of Edward Kimbell, with other Lands.			
	Two Messuages, Gardens, and Close	21	12	—
	Two inclosed Grounds	7	10	—
	A Cottage and Close	2	10	—
	An Orchard, called Cuckoo Orchard	1	1	—
	Pasture Land, in the Occupation of Mary Collier, with other Lands.			
	A Cottage and Close, in the Occupation of John Enston, Devisee for Life.			
Coppices and Wood Ground in Hand.				
Hayley	A Messuage and Farm, called Swanhill	90	—	—

ESTATES

ESTATES in the County of MONMOUTH.

PARISHES and PLACES.	FARMS and LANDS.	RENTS per Annum.
		£. s. d.
Dingestow - -	A capital Messuage, (called Dingestow Court), Gardens and Land thereto belonging, in Hand.	
	A Messuage and Farm, called Dingestow Court Farm - - - - -	180 — —
	A Meadow - - - - -	3 10 —
	A Messuage and Farm, called Old House Farm - - - - -	16 — —
Dingestow - - } Pennyclawd - - } Langoven - - } Lanishen - - }	Several Messuages and Farms, called Coedy- vedow, Tom George, Tyrharry, and Penny- clawd, with Cottages thereto belonging -	122 10 —
Pennyclawd } and Dingestow }	A Messuage and Farm, called Lower Tally- van - - - - -	70 — —
	A Messuage and Farm, called Upper Tally- van - - - - -	30 — —
Cumcarvon - - } Pennyclawd - - }	A Messuage and Farm, called Trevaldee -	50 — —
Mitchell Troy } Cumcarvon - - }	A Messuage and Farm called, The Bourn Farm	41 10 —
Langoven - -	A Farm, called Poolymishkin Farm, and Two Fields - - - - -	11 15 —
Llanvaply - -	A Messuage and Farm, called the Tonn Farm - - - - -	45 — —
	Coppices and Woodland in the aforesaid Pa- rishes and Places in the said County of Mon- mouth, in Hand.	
County of MIDDLESEX.		
PARISH of Ileworth - -	A Messuage or Tenement, Offices, Buildings, and Gardens - - - - -	55 — —
At Pinner - -	A Messuage or Tenement and Garden - -	5 5 —
	Total - - - - -	£. 1,255 5 —
	Exclusive of the Estates in Hand, and other Estates before named.	

SCHEDULE (B.) to which this Act refers.

ALL that new-built Messuage or Tenement called *Ensham Hall*, and all and every the Messuages, Lands, Tenements, and Hereditaments, Yards, Gardens, Pleasure Grounds, and Appurtenances to the same new-built Messuage, Tenement, and Manor House, and Offices, Hereditaments, and Premises belonging, or in anywise appertaining, and comprising together, by Estimation, Seven Acres and Ten Perches, be the same more or less, Statute Measure; and also all the Manor or Lordship of *Ensham*, otherwise *Eynsham*, otherwise *Ensheam*, in the said County of *Oxford*, with its Rights, Royalties, Members, and Appurtenances; and also all those the Manors or Lordships, or reputed Manors or Lordships, of *Newland* and *Tilgarstey*, in the said County of *Oxford*, with their Rights, Members, and Appurtenances; and also all that Wood Ground or Coppice, commonly called *Woodley's Coppice*, otherwise *Freebury Coppice*, or, by whatsoever other Name or Names, the same is called or known, formerly containing, by Estimation, One hundred and twelve Acres or thereabouts, but now containing, by Estimation, Two hundred and five Acres One Rood and Thirty Perches, be the same more or less, Statute Measure; and also all that remaining Part of another Coppice or Wood Ground, anciently called or known by the Name of *Blindwell Coppice*, and which formerly contained Seventy-eight Acres or thereabouts, be the same more or less, but since entirely grubbed up, and otherwise converted, and containing as Wood Land or Coppice Ground, Three Roods and Twenty-four Perches only, be the same more or less, Statute Measure; and also all those inclosed Grounds and Plantations bordering on *Ensham Heath*, and comprising Part of the Home Grounds in hand, containing by Estimation, Seventeen Acres One Rood and Seventeen Perches, be the same more or less, Statute Measure; and also all that Close, now called and known by the Name of *Spring Close*, and containing by Estimation Fifteen Acres and Two Roods, be the same more or less, Statute Measure; and also all that Coppice, Piece, or Parcel of Wood Ground, called and known by the Name of *The Plantation Coppice*, containing by Estimation Two Acres and One Rood, be the same more or less, Statute Measure, and lying at the West End of the Piece or Parcel of Land or Ground called *Further Rumor*, herein-after mentioned; and also all those Grounds and Lands, called and known by the Name or Names of *The Furze Park*, containing by Estimation Two hundred and four Acres One Rood and Twenty Perches, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land, covered with Water, called by the Name of *The Fish Pond*, containing by Estimation Three Roods and Three Perches, be the same more or less, Statute Measure; all which said last-mentioned Five Pieces or Parcels of Land, containing in the Whole Two hundred and forty Acres and One Rood, are Part and Parcel of the said Wood Ground or Coppice, called *Blindwell Coppice*, so converted as aforesaid, and of a Piece or Parcel of Land or Ground, containing Four hundred and seventy-two Acres, Statute Measure, be the same more or less, with the Appurtenances, some Time since allotted to *Robert Langford Esquire*, the former Owner of the said Manor or Lordship, or Estate, called *Ensham Hall*, under and by virtue of a certain Act of Parliament, passed in the Twenty-first Year of the Reign of His present Majesty, in lieu and in full Satisfaction of his then Estate, Right, and Interest of, in, and to certain

certain Lands called *Ensham Heath*, and another Coppice in the said last-recited Act mentioned and expressed, (other than and except such Right of Common as was and is thereby reserved to the Owners of the same Estate called *Ensham Hall*, in common with others, upon the Residue of the Lands in the said last-recited Act mentioned, and which by the said Act is allotted as Common Pasture); and also all such Right of Common, so in and by the said Act reserved as aforesaid, in and over such Residue of the said Lands, now Commonable Lands, in respect of the said excepted Lands, Hereditaments, and Premises; and also all that Piece or Parcel of Land or Ground, called or known by the Name of *The North Lawn*, containing by Estimation Thirty-six Acres One Rood and Eight Perches, be the same more or less, Statute Measure; and also all that other Piece or Parcel of Land or Ground, called and known by the Name of *The South Lawn*, containing by Estimation Fifty-six Acres Three Roods and Thirty Perches, be the same more or less, Statute Measure; also all that Piece or Parcel of Land or Ground, known and called by the Name of *The Rick Yard and Orchard*, containing by Estimation Four Acres and Three Roods, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land or Ground, called and known by the Name of *Lodge Hill*, containing by Estimation Fifty-five Acres and Two Roods, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land or Ground, called and known by the Name of *Valentine's Meadow*, containing by Estimation Eleven Acres One Rood and Twenty Perches, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land or Ground, called and known by the Name of *Black Pitts Vale or Bottom*, containing by Estimation Twenty-two Acres Two Roods and Twenty Perches, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land or Ground, called or known by the Name of *Upper Pebbly Hill*, containing by Estimation Eighteen Acres One Rood and Sixteen Perches, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land or Ground, called or known by the Name of *Lower Pebbly Hill*, containing by Estimation Twenty-two Acres and Twenty Perches, be the same more or less, Statute Measure; and also all that Piece or Parcel of Land or Ground, called or known by the Name of *Long Meadow*, containing by Estimation Twelve Acres and Twenty Perches, be the same more or less, Statute Measure; and also all that other Piece or Parcel of Land or Ground, called and known by the Name of *Lodge Hill Ground*, next the *South Lawn*, containing by Estimation Fourteen Acres One Rood and Sixteen Perches, be the same more or less, Statute Measure; also all those Three several Pieces or Parcels of Land or Ground, adjoining in part to the said Coppice called *Woodley's Coppice*, and called or known by the several Names of *Blindwell Meadow*, containing by Estimation Ten Acres and Sixteen Perches, be the same more or less, *Middle Rumor*, containing by Estimation Twenty Acres Three Roods and Twenty Perches, be the same more or less, and *Further Rumor*, containing by Estimation Twenty Acres and Three Perches, be the same more or less, all Statute Measure; and also all that Piece or Parcel of Land or Ground, called *Lodge Hill Ground*, next *South Lodge*, containing by Estimation Twenty-one Acres Three Roods and Twenty Perches, be the same more or less, Statute Measure, and now or late in the several Tenures or Occupations of the said *John Robinson*, *William Bolton*, *John Smith*, and *Edward Kimbell*, and which do contain in the Whole Seven hundred and eighty Acres Three Roods

Roods and Thirty-three Perches, or thereabouts; and also all that Messuage or Tenement, Brick Kiln, Pottery, and other the Buildings and Erections erected and built and thereto belonging, with the Appurtenances, now in the Tenure or Occupation of one *Richard Stiles*, and containing by Estimation Three Acres One Rood and Twenty Perches, be the same more or less, Statute Measure; and also all those Five Cottages, with the Appurtenances, situate and being on or about the Heath, and in the Parish of *Ensham* aforesaid, now on Lease, and in the several Occupations of *William Salter*, *John Buckingham*, *Thomas Dipper*, *John Taylor*, and *Daniel Sanders*, together with all and singular the Rights, Members, and Appurtenances to the said excepted Hereditaments and Premises belonging or appertaining; and also all those Annual Chief Rents, Quit Rents, Reserved Rents, and other Rents, issuing, growing due, and payable, out of divers Freehold, Copyhold, Leasehold, and other Messuages, Lands, and Tenements within the said Manor of *Ensham*, amounting together in the Whole to the yearly Sum of One hundred and three Pounds One Shilling and Nine-pence at the least.

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