



ANNO QUADRAGESIMO SEXTO

GEORGI II. REGIS.

Cap. 64.

An Act for effecting an Exchange between the Right Honourable *William* Viscount *Lowther*, and the Devisees under the Will of the Right Honourable *James* late Earl of *Lonsdale*; and to enable the said *William* Viscount *Lowther* to enfranchise certain Copyhold or Customary Lands, Parcels or holden of certain Manors in the Counties of *Westmorland* and *Cumberland*, devised by the said Will; and for laying out the Money arising therefrom in the Purchase of other Estates to be settled to the same Uses. [9th June 1806.]

WHEREAS the Right Honourable *James* late Earl of *Lonsdale* duly made and published his last Will and Testament in Writing, bearing Date the Thirteenth day of *January* One thousand seven hundred and ninety eight, and thereby gave and devised all his Manors, Messuages, Lands, Tenements, and Hereditaments whatsoever and wheresoever situate, lying, and being, in the Counties of *Westmorland* and *Cumberland*, with their Appurtenances (except as therein mentioned) unto the Reverend *William Lowther* Doctor in Divinity, and *George Wood* Esquire, and their Heirs, to the Use of Sir *William Lowther* Baronet, now *William* Viscount *Lowther*, and his Assigns, for his Life; Remainder to the Use of the same Trustees and their Heirs during his Life, in Trust to preserve contingent Remainders; Remainder to the Use of *William Lowther*, the First Son of the said *William* Viscount *Lowther*, and his Assigns

Will of James Earl of Lonsdale, recited.

[Loc. & Per.]

14 Y

Assigns

Assigns for his Life; Remainder to the Use of the same Trustees and their Heirs during his Life, in Trust to preserve contingent Remainders; Remainder to the Use of the First and other Sons of the said *William Lowther*, successively in Tail Male; Remainder to the Use of *Henry Cecil Lowther*, the Second Son of the said *William Viscount Lowther* and his Assigns for his Life; Remainder to the Use of the same Trustees and their Heirs during his Life, in Trust to preserve contingent Remainders; Remainder to the First and other Sons of the said *Henry Cecil Lowther*, successively in Tail Male; Remainder to the Use of the Third, Fourth, Fifth, and all and every other the Son and Sons of the said *William Viscount Lowther*, successively in Tail Male; Remainder to the Use of *John Lowther*, Esquire, the Brother of the said *William Viscount Lowther*, and his Assigns for Life; Remainder to the Use of the same Trustees and their Heirs during his Life, in Trust to preserve contingent Remainders; Remainder to the Use of *John Henry Lowther*, the First Son of the said *John Lowther*, and his Assigns during his Life; Remainder to the Use of the same Trustees and their Heirs during his Life, in Trust to preserve contingent Remainders; Remainder to the Use of the First and other Sons of the said *John Henry Lowther*, successively in Tail Male; Remainder to the Use of *George William Lowther*, (therein called *George Lowther*) the Second Son of the said *John Lowther* and his Assigns for his Life; Remainder to the Use of the same Trustees and their Heirs during his Life, in Trust to preserve contingent Remainders; Remainder to the Use of the First and other Sons of the said *George William Lowther*, successively in Tail Male; Remainder to the Use of the Third, Fourth, Fifth, and all and every other the Son and Sons of the said *John Lowther*, successively in Tail Male; Remainder to the Use of his the Testator's Sister, the Right Honourable *Margaret Countess Dowager of Darlington*, and her Assigns, for her Life; Remainder to the Use of the Testator's Sister, The most Noble *Katherine Duchess Dowager of Bolton* and her Assigns, during her Life; Remainder to the Use of the Testator's Sister *Barbara Lowther*, and her Assigns during her life; Remainder to his the said Testator's own Right Heirs: And whereas the said *James Earl of Lonsdale* duly made and published Two several Codicils to his said Will, bearing Date the same Thirteenth Day of *January* One thousand seven hundred and ninety-eight, which did not in anywise affect the Devises aforesaid, and departed this Life on or about the Twentieth Day of *May* One thousand eight hundred and two, without revoking or altering his said Will otherwise than by the said Codicils, and without revoking or altering the said Codicils: And whereas the said *William Viscount Lowther* hath issue Two Sons, namely, the said *William* and *Henry Cecil Lowther*, who are Infants under the Age of Twenty-one years, and no other Male Issue: And whereas the said *George William Lowther*, the Second Son of the said *John Lowther*, lately died an Infant; and he the said *John Lowther* hath since the Death of the said *James Earl of Lonsdale* had a Son born, named *Charles Hugh Lowther*, who is the first Tenant in Tail under the Devises aforesaid; and he the said *John Lowther* now hath Two Sons living, namely, the said *John Henry* and *Charles Hugh Lowther*, who are Infants under the Age of Twenty-one Years, and no other Male Issue: And whereas the said *Margaret Countess Dowager of Darlington* died in the Life-time of the said *James Earl of Lonsdale*, leaving the Right Honourable *William Harry Earl of Darlington* her only Son and Heir; and the said

Barbara Lowther is lately dead, leaving the said *William Harry* Earl of *Darlington* and *Katherine* Duchess Dowager of *Bolton* her Co-heirs at Law, and who are now the Co-heirs at Law of the said *James* late Earl of *Lonsdale*: And whereas the chief Mansion-house, and Parks late of the said *James* late Earl of *Lonsdale* are situate at *Lowther* in the County of *Westmorland* and a principal Part of the Estates devised by his Will are contiguous thereto: And whereas the Manor or Lordship of *Branstey* and divers Messuages, Lands, and Hereditaments, situate at *Branstey* in the Parish of *Saint Bees*, and a Messuage in *Whitehaven*, in the County of *Cumberland*, and a Messuage, Tenement, and Offices in Ruins with a Garden, in *Fisher Street*, in the City of *Carlisle*, and devised by the said Will, are situate at a great Distance from the said Mansion-house, Park, and Estate at *Lowther*, and not intermixed with or adjoining to any other Part of the Estates devised thereby: And whereas the said *William* Viscount *Lowther* is seised in Fee Simple of various Messuages, Lands, and Hereditaments adjoining to the Parks of *Lowther* aforesaid, and contiguous to and intermixed with Parts of the Estates devised by the said Testator's Will, and which are of greater Value than the said Premises at *Branstey*, *Whitehaven*, and in *Fisher Street*, in the City of *Carlisle*: And whereas it would be greatly for the Benefit and Advantage of all Persons claiming under the said Will of the said *James* late Earl of *Lonsdale*, if the said several Estates of which he the said *William* Viscount *Lowther* is now seised in Fee Simple as aforesaid were exchanged for the said Premises at *Branstey*, *Whitehaven*, and in *Fisher Street*, *Carlisle*, devised by the said Testator's Will: And whereas Parts of the Real Estates devised by the said *James* late Earl of *Lonsdale*'s Will consist of several Manors or Lordships in the said Counties of *Westmorland* and *Cumberland*; and divers Messuages, Lands, and Tenements, Parcel of or within the same Manors, are held by the Tenants thereof by Copyhold or Customary Tenure, paying to the Lord Annual Rents and also Fines and Heriots; and it would be manifestly for the Advantage of the several Persons claiming under the said Testator's Will, and also desirable to the said Tenants that the said Copyhold or Customary Estates should be enfranchised and discharged from all Copyhold and Customary Tenure, and from the Payment of all Fines, Rents, Sums of Money, and Heriots, payable for or in respect of the same; and that the Money arising thereby should be invested in the Purchase of Real Estates to be conveyed and settled to the same Uses as the said Testator's Real Estates, in the Counties of *Westmorland* and *Cumberland* now stand limited by his said Will: And whereas although the said Exchange as well as the said Enfranchisements of the said Copyhold and Customary Estates would be very beneficial to all Persons interested in the said several Estates devised by the said Will of the said *James* late Earl of *Lonsdale*; yet by Reason of the Devises and Limitations in strict Settlement contained in the said Will, such Exchange and Enfranchisements cannot now be carried into Execution without the Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects the said *William* Viscount *Lowther*, for himself and for and on the Behalf of the said *William* and *Henry Cecil Lowther*, his Infant Sons; and the said *John Lowther*, for himself, and for and on the Behalf of the said *John Henry* and *Charles Hugh Lowther*, his Infant Sons; and the said *William Harry* Earl of *Darlington*, and the said *Katherine* Duchess Dowager of *Bolton*, do most humbly pray Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by
and

Branstey, &c.
Estates devised
by the Earl
of Lonsdale's
Will, vested
in Viscount
Lowther in
Fee in Ex-
change.

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, from and immediately after the passing of this Act, all and singular the Manor or Lordship of *Branstey* in the Parish of *Saint Bees*, in the County of *Cumberland*, with the Rights, Royalties, Members, Privileges, and Appurtenances, and also all and every the Messuages, Lands, Tenements, and other Hereditaments situate within the same Manor; and also, all that Messuage and Tenement, with the Appurtenances in *Scotch Street Whitehaven*; and also all that Messuage, Coachhouse, and Stables, and the Scite and Ground thereof; and also the Yards, Gardens, Rights, Members, Easements, and Appurtenances thereto belonging, situate in *Fisher Street* in the Parish of *Saint Mary*, in the said City of *Carlisle*, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits of all and singular the same Premises (and which Premises are more particularly specified in the first Schedule to this Act annexed) shall be vested in and settled upon the said *William Viscount Lowther*, his Heirs and Assigns, absolutely freed and discharged of and from the Uses, Trusts, Intents, Purposes, Limitations, Provisoos, and Declarations by the said Will of the said *James Earl of Lonsdale*, limited, declared, expressed, or contained of and concerning the same, in lieu of and in exchange for the Hereditaments mentioned in the Second Schedule to this Act annexed and hereby vested in *James Graham*, of *Portland Place*, in the County of *Middlesex*, Esquire, and his Heirs, to the Uses of or limited by the said Will of the said *James Earl of Lonsdale*, limited of and in his Manors and Hereditaments in the said Counties of *Westmorland* and *Cumberland*.

Viscount
Lowther's
Estates near
Lowther, &c.
limited to the
Uses in the
Earl of Lons-
dale's Will.

II. And be it further enacted, That from and immediately after the passing of this Act, all and singular the Messuages, Lands, Tenements, and other Hereditaments situate in the Parishes or Townships of *Lowther*, *Clifton*, *Thrimbey*, *Bolton*, *Crackenthorpe*, *Morland*, *Whale*, *Knipe*, *Banton*, *Askham*, *Sleagill*, *Eamont*, *Milkenthorpe*, *Easton*, *Sebergham*, *Penrith*, and *Claythorpe*, in the Counties of *Westmorland* and *Cumberland* aforesaid, of which the said *William Viscount Lowther* is seised in Fee Simple as hereinbefore mentioned, together with all and every the Rights, Members, Easements, and Appurtenances thereto belonging; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits of all and singular the same Premises (and which Premises are more particularly specified in the Second Schedule to this Act annexed) shall absolutely, freed and discharged of and from all the Estate, Right, Title, Interest, Claim, and Demand of him the said *William Viscount Lowther* and his Heirs, be vested in and settled upon the said *James Graham* and his Heirs to the Uses, upon, and for the Trusts, Intents, and Purposes, and with, under, and subject to the Provisoos, Limitations, and Declarations by the said Will of the said *James Earl of Lonsdale* limited, declared, expressed, or contained of and concerning the Manors, Messuages, and other Hereditaments situate in the said Counties of *Westmorland* and *Cumberland*, or such or so many of the same Uses, Trusts, Intents, and Purposes, Provisoos and Limitations as shall be then subsisting, undetermined, or capable of taking effect, in lieu of and in exchange for such of the Hereditaments hereinbefore vested in the said *William Viscount Lowther* and his Heirs as are comprized in the First Schedule to this Act annexed.

III. And

III. And be it further enacted, That if any of the said Messuages, Lands, Tenements, or Hereditaments respectively herein-before vested and settled as aforesaid, or any Part or Parts thereof respectively, shall at any Time or Times hereafter be lawfully evicted or taken away, out of the Possession of the Person or Persons, his or their respective Heirs or Assigns, in or upon whom or to whose Use the same Premises are by this Act respectively vested, settled, and limited by any Right or Title precedent to the passing of this Act, then and from thenceforth it shall and may be lawful to and for all and every the Person and Persons, and his or their Heirs or Assigns out of whose Possession such Premises shall be so lawfully evicted and taken away, from and immediately after such Eviction or taking away of the Possession of the said Premises respectively, or any Part thereof as aforesaid, to enter into the several Messuages, Lands, Tenements, and Hereditaments respectively, hereby vested and settled in lieu of and in Exchange for the said Messuages, Lands, Tenements, and Hereditaments, which shall be so lawfully taken away, and the same to have, hold, and enjoy again as in his, her, or their first and former Estate; any Thing herein contained to the contrary thereof in anywise notwithstanding.

To be re-
fined in case
of Eviction.

IV. And be it further enacted, That it shall and may be lawful to and for the said *William Viscount Lowther* during his Life, and after his Decease, to and for such Person or Persons, as shall for the Time being, by virtue of and according to the Limitations in the said Will of the said *James* late Earl of *Lonsdale* be seised of or entitled to the Freehold of the Manors or Lordships and other Hereditaments in the Counties of *Westmorland* and *Cumberland*, devised, settled, and limited by the same Will, or to receive the Rents, Issues, and Profits thereof, unless such Person or Persons shall be under the Age of Twenty-one Years; and if such Person or Persons shall be under the Age of Twenty-one Years, then to and for his or their Guardian or Guardians respectively, from Time to Time and at any Time, upon such Price and Consideration in Money as he or they shall think reasonable being paid as herein-after is mentioned, by any Deed or Deeds to be sealed and delivered by him or them respectively, in the Presence of and attested by Two or more credible Witnesses, to make any Enfranchisement or Enfranchisements of any Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the several Manors or Lordships mentioned in the Third Schedule to this Act annexed and comprised in, and limited, devised, and settled by the said Will of the said *James* late Earl of *Lonsdale*; and for that Purpose to grant, bargain, and sell unto, or to the Use of or in Trust for any Person or Persons, whomsoever, being Copyhold or Customary Tenant or Tenants, or Holder or Holders of any Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the said several Manors or Lordships or any of them, the Freehold and Inheritance of any Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments by any such Person or Persons holden or reputed to be holden, to him, her, or them, and to his, her, or their Heirs, for any Copyhold or Customary Estate or Interest, as Part or Parcel of the said Manors or Lordships or any of them, or holden or reputed to be holden as or of the said Manors or Lordships

To enfran-
chise Custom-
ary Estates.

or any of them, or holden or reputed to be holden of, from, or under the Lord or Lords of the said Manors or Lordships or any of them, by Copy of Court Roll, or any Customary Tenure whatsoever, and the Timber, Trees, and Wood thereupon, and all such Common of Pasture, Common of Turbary, Rights of Common, and other Rights, Liberties, and Privileges in and upon all and every or any of the Commons and Waste Grounds, Parcel of the said Manors or Lordships, or any of them by Copy of Court Roll or any Customary Tenure whatsoever; and all such Common of Pasture, Common of Turbary, Rights of Common and other Rights, Liberties, and Privileges in and upon all and every or any of the Commons and Waste Grounds, Parcel of the said Manors or Lordships or any of them, as the Copyhold or Customary Tenant or Tenants, to whom or for whose Benefit such Grants, Bargains, and Sales shall be so respectively made as aforesaid, was or were entitled to, of or in respect of or as appurtenant or appendant to his, her, or their said Copyhold or Customary Messuages, Cottages, or Tenements immediately before the Time of such Enfranchisement thereof, so and in such Manner as that the Person or Persons to whom or to whose Benefit such Grants, Bargains, and Sales, shall be so respectively made, and his, her, and their Heirs and Assigns shall and may respectively hold and enjoy the said Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments so to be enfranchised; and all such Common of Pasture, Common of Turbary, Rights of Common, and other Rights, Liberties, and Privileges as aforesaid, freed and discharged of and from all Fines and all other Payments by way of Fines for Admittance, and of and from all Rents and Heriots, thenceforth to grow due to the Lord or Lords, Lady or Ladies of the said Manors or Lordships, for or in respect of the said Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments which shall be so granted, bargained, and sold as aforesaid; but nevertheless, after any such Enfranchisement or Enfranchisements, the Lands or Tenements to be thereby enfranchised shall be held in Free and Common Socage of the Lord or Lords of whom they shall be held at the Time of such Enfranchisement or Enfranchisements; and in and by every such Grant, Bargain, and Sale as aforesaid, there be excepted and reserved thereout to the Lord for the Time being of the Manors or Lordships wherein or of which the Messuages, Cottages, Lands, Tenements, or Hereditaments which shall be so enfranchised as aforesaid, is or are situate, lying, or being, holden at the Time of such Enfranchisement or Enfranchisements, all such Franchises, Royalties, Rights, Liberties, and Privileges of Chase and Free Warren, Hunting, Hawking, Fowling, and of chasing and killing of Game and Beasts of Chace, and Free Warren; and all such ancient Piscaries, Fishings, and Rights of Fishing, as shall have been then before anciently used, exercised, and enjoyed by the Lord or Lords of the same Manors or Lordships respectively; and also all Mines and Minerals whatsoever within or under the said Premises, exclusive of all other Person and Persons whomsoever, save that the Person or Persons whose Lands shall be so enfranchised, and his, her, and their Heirs and Assigns, Tenants or Undertenants, shall have full Right and Liberty to dig for, raise, and get in or upon his, her, or their own Lands any Stones, Lime, Slate, Clay, Turf, Peat, or Marl, to and for his, her, or their own Use and Benefit, and in every such Grant, Bargain, and Sale as aforesaid, the usual and accustomed Suit of

Court

Court and Services shall be reserved to the Lord or Lords of the said Manors or Lordships respectively.

V. And it is hereby enacted, and declared, That all and every Person and Persons to whom or for whose Benefit any such Enfranchisement or Enfranchisements, or Grant, Bargain, and Sale, Grants, Bargains, and Sales as aforesaid, shall be made by virtue and in pursuance of this Act, of any Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, lying and being within, or holden of the said Manors or Lordships, or any of them as aforesaid, or reputed so to be; and the respective Heirs and Assigns of such Person and Persons shall, upon his, her, or their paying his, her, or their respective Purchase or Consideration Monies in Manner herein-after mentioned, have, hold, and enjoy all and singular the Messuages, Cottages, Lands, Tenements, and Hereditaments whereof the Freehold and Inheritance shall be so granted, bargained, and sold to such Persons respectively as aforesaid, in Fee Simple, and freed and absolutely discharged of and from all Copyhold and Customary Tenures, and the Payment of all such Fines as aforesaid, and all other Payments by way of Fines for Admittance, and of and from all Rents and Heriots to grow due and payable to the Lord or Lords, Lady or Ladies of the said Manor or Manors; for or in respect of such Messuages, Cottages, Lands, Tenements, and Hereditaments; and also freed and discharged of, from, and against all the Trusts, Charges, Uses, Estates, Powers, Provisoos, and Limitations in and by the said Will of the said *James* late Earl of *Lonsdale*, limited, devised, or declared; but subject nevertheless to and with, and under such Exceptions, Powers, and Liberties, and to such Suits and Services as shall be reserved or mentioned in and by the said Deed or Deeds, whereby the said Hereditaments and Premises shall be respectively enfranchised in pursuance of this Act; and also be entitled to and to have, hold, and enjoy all such Common of Pasture, Common of Turbary, Right of Common, and other Rights, Liberties, and Privileges in and upon every or any of the Commons or Waste Grounds, Parcel of or within the said Manors or Lordships, or any of them, and in and upon all other Commons and Waste Grounds whatsoever, and in as full and ample Manner as the Person or Persons to whom or for whose Benefit such Grants, Bargains, and Sales shall be respectively made as aforesaid, was or were entitled to, for or in respect of, or as appendant or appurtenant to his, her, or their Copyhold or Customary Messuage, Cottage, or Tenement, or Messuages, Cottages, or Tenements, immediately before the Enfranchisement thereof.

Persons enfranchised to hold their Lands discharged from Customary Tenure.

VI. And be it further enacted, That all and every the Sum and Sums of Money which shall arise from or be paid as Consideration for any Enfranchisement or Enfranchisements made in pursuance of this Act, shall be paid by the Person or Persons to whom such Enfranchisement or Enfranchisements shall be made, into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Purchasers of the settled Estates of the Right Honourable *James* late Earl of *Lonsdale*, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Cap. Thirtysecond and the General Orders of the said Court; and without Fee or Reward, according to the Act of the Twelfth Year of

Purchase Money to be paid into the Bank in the Name of the Accountant General of the Court of Chancery.

King

King *George* the Second, Chap. Twenty fourth ; and so soon as conveniently may be after such Sum and Sums of Money shall have been so paid into the Bank as aforesaid, the same shall upon a Petition to be preferred to the said Court of Chancery in a summary Way by the said *William* Viscount *Lowther*, during his Life, and after his Decease by the Person or Persons who shall, according to the Uses limited by the said Will of the said *James* late Earl of *Lonsdale*, be for the Time being beneficially entitled in Possession to the Rents, Issues, and Profits of the Manors, Messuages, Lands, Tenements, and Hereditaments to be purchased, if such Person shall be of full Age ; but if such Person or Persons shall be under the Age of Twenty-one Years, then by his or their Guardian or Guardians respectively, be laid out and invested in the Purchase or Purchases of the Fee Simple of Freehold Manors, Messuages, Lands, Tenements, and Hereditaments, as shall be approved of by the said Court of Chancery, to be situate in the Counties of *Westmorland* and *Cumberland*, or one of them ; and from and immediately after the making such Purchase or Purchases, the Manors, Messuages, Lands, Tenements, or Hereditaments, so to be purchased shall be conveyed, settled, and assured to the Uses, upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Limitations, and Restrictions, which by the said Will of the said *James* late Earl of *Lonsdale* were devised, limited, or declared of or concerning the same several Manors and Estates in the Counties of *Westmorland* and *Cumberland*, thereby settled, or such of the said Uses, Trusts, Intents, Purposes, Powers, Provisoos, Limitations, or Restrictions as shall be then subsisting and capable of taking effect.

To be laid
out in Ex-
chequer or
other Go-
vernment
Bills.

VII. And be it further enacted, That all Sums of Money which shall be paid into the Bank in the Name of the said Accountant General, in Manner herein-before directed, or so much thereof as shall not be ordered by the said Court of Chancery to be applied in Payment of Costs and Expences, according to the Direction herein-after contained, shall in the mean Time, and until the same Monies shall be invested in the Purchase of Lands, Tenements, and Hereditaments as aforesaid, be from Time to Time laid out, under the Direction of the said Court of Chancery in the Purchase of Navy or Victualling Bills, or Exchequer Bills ; and the Interest of the Money so laid out in the said Navy or Victualling Bills or Exchequer Bills, and the Interest arising from the Money so laid out in the said Navy or Victualling Bills or Exchequer Bills, and the Money received for the same, as they shall respectively be paid off by Government, shall be laid out in the Name of the said Accountant General in the Purchase of other Navy or Victualling Bills or Exchequer Bills ; and all the said Navy and Victualling Bills and Exchequer Bills, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until proper Purchases shall be found and approved as herein-before directed, and until the same shall, upon a Petition setting forth such Approbation, to be preferred to the Court of Chancery in a summary way by the said *William* Viscount *Lowther*, or the Person who for the Time being shall be beneficially entitled in Possession to the Rents and Profits of the Hereditaments to be purchased as aforesaid ; or if such Person shall be under Age, then of his Guardian or Guardians, be ordered to be sold by the Accountant General for the completing such Purchase or Purchases in such Manner as the said Court shall think just and direct ; and if the Money arising by Sale of such Navy, Victualling, or Exchequer

chequer Bills shall exceed the Amount of the original Purchase Money when laid out as aforesaid, then and in such Case only the Surplus which shall remain shall be paid to such Person or Persons respectively as would have been entitled to receive the Rents and Profits of the Lands directed to be purchased pursuant to this Act, or to the Representative or Representatives of such Person or Persons.

VIII. Provided always, and be it enacted, That it shall be lawful for the Court of Chancery, if that Court shall so think fit, from Time to Time to make an Order for taxing or settling all Costs, Charges, and Expences which have been or shall be incurred in obtaining and passing this Act, and in making of the several Applications to the said Court in pursuance thereof, and in making and completing the Enfranchisements and Grants hereby directed, and in investing all or any of the Monies which under this Act shall be paid into the Bank of *England*, in the Purchase of Lands and Hereditaments according to the Directions herein contained, or otherwise in carrying the Trusts and Purposes of this Act into Execution; and also from Time to Time to make such Order and Orders as the said Court shall think fit for Payment of such Costs, Charges, and Expences as aforesaid, out of the Monies which shall arise from any Enfranchisement or Enfranchisements under this Act, and shall be so paid into the Bank as aforesaid, or out of the Monies arising by Sale of the Navy, Victualling, or Exchequer Bills, to be purchased as aforesaid.

Payment of
Cost and
Expences.

IX. And be it further enacted, That the Certificate or Certificates of the said Accountant General, together with the Receipt or Receipts of one of the Cashiers of the Bank to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by the Person or Persons in whose Favour such Enfranchisement or Enfranchisements shall be made, of his, her, or their Purchase Monies, shall from Time to Time be and be deemed to be a good and effectual Discharge to such Person or Persons, and to his or their respective Heirs, Executors, Administrators, and Assigns for the said Purchase Monies, or so much thereof for which such Certificates and Receipts shall be respectively given; and after filing such Certificates and Receipts as aforesaid, such Person and Persons shall be absolutely acquitted and discharged of and from the said Monies, and shall not be answerable or accountable for any Loss, Mis-application, or Non-application thereof.

Accountant
General's
Certificate,
and Receipt
of the Cashier
of the Bank,
to be good
Discharges to
Purchasers

X. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Persons and Person, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, Administrators, and Assigns (other than and except the said *William Viscount Lowther*, and the said *William Lowther* and *Henry Cecil Lowther*, and all and every the Sons and Son hereafter to be born to the said *William Viscount Lowther*, and the Heirs Male of the respective Bodies of such last-mentioned Sons and Son; and all and every the respective First and other Son and Sons of the said *William Lowther* and *Henry Cecil Lowther*, and the Heirs Male of the respective Bodies of such last-mentioned First and other Sons; and other than and except the said *John Lowther*, *John Henry Lowther*, and *Charles Hugh Lowther*, and the Heirs Male of the

Saving
Clause.

[Loc. & Per.]

15 A

Body

Body of the said *Charles Hugh Lowther*; and all and every the Sons and Son hereafter to be born to the said *John Lowther*, and the Heirs Male of the respective Bodies of the said last-mentioned Sons and Son; and all and every the First and other Sons of the said *John Henry Lowther*, and the Heirs Male of the respective Bodies of such First and other Sons; and the Heirs and Assigns of the said *James* late Earl of *Lonsdale*, and the said *Kathrine* Duchefs Dowager of *Bolton*, and *William Harry* Earl of *Darlington*, and their respective Heirs and Assigns; and the Trustees under the Will of the said Earl of *Lonsdale*, for preserving contingent Remainders, their or his Heirs and Assigns; and all and every other Person and Persons whomsoever having or claiming, or who shall hereafter have or claim any Estate, Right, Title, or Interest in the Hereditaments hereby vested and settled to the Uses and in the Manner herein-before mentioned, or in any Part thereof, under the said Will or Codicils of the said *James* Earl of *Lonsdale*, all such Estate, Right, Title, Interest, Claim, and Demand of, in, to, or out of the said Messuages and other Hereditaments hereby respectively vested and settled to the Uses and in the Manner herein-before mentioned, as they, every, or any of them had before the passing of this Act, or could or might have had, held, or enjoyed in case this Act had not been made.

Publick Act.

XI. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof so printed shall be admitted as Evidence thereof by all Judges, Justices, and others.

The FIRST SCHEDULE referred to by this Act.

Description of Premises.	Tenants Names.	Admeasurement.			Present Rents.			Estimated annual Value.		
		A.	R.	P.	£.	s.	d.	£.	s.	d.
House and Land	- Joseph Brooke	22	2	21	67	5	0	83	0	0
Ditto	- Isaac Nicholson	34	1	16	111	8	0	102	1	0
Ditto	- Joseph Pailey	14	1	33	63	15	0	65	10	0
Ditto	- Mary Brown	28	3	30	111	0	0	115	2	0
Ditto	- Margaret Burton	5	3	30	26	0	0	26	18	0
Ditto	- John Green	1	0	36	5	5	0	5	10	0
Ditto	- Ann Rookin	4	3	17	22	0	0	23	0	0
Ditto	- Jane Smith	3	1	10	18	0	0	18	11	0
Land	- In Hand	39	0	35	-	-	-	131	3	0
	Ground, Yards, &c. partly let to the under mentioned Tenants, with their Buildings	13	0	16	-	-	-	-	-	-
	And other Part estimated at	-	-	-	Not let.			32	18	0
Ropery and Buildings	- Messrs. Brocklebank and Co.	On long Lease			45	0	0	45	0	0
Yard N° 3.	- Ditto	Rent not fixed			-	-	-	21	0	0
Yard and Sheds	- Samuel Nicholson	No Rent fixed			-	-	-	12	12	0
Ditto	- Messrs. Still and Wilson	No Rent fixed			-	-	-	12	12	0
Ditto	- Tho ^s Cowman	No Rent fixed			5	5	0	5	5	0
Snuff Mill	- Messrs. Wilkinson and Co.	Long Lease.			26	5	0	26	5	0
Stamp Mill	- Henry Richardson	-	-	-	1	0	0	1	0	0
Fish Yard	- John Barker	-	-	-	5	5	0	5	5	0
Smithy	- Tho ^s Heslop	-	-	-	5	5	0	5	5	0
Quarries	- Trustees of Whitehaven Harbour	-	-	-	50	0	0	50	0	0
Cottage	- W ^m Carmont	-	-	-	1	15	0	1	15	0
Garden	- Henry Thompson	-	-	-	1	1	0	1	1	0
The Manor of Branstey, with the Rights, Royalties, and Appurtenances	-	-	-	-	-	-	-	-	-	-
A Dwelling House and Out Offices, situate in Scotch Street Whitehaven, 10½ Yards in Front, and 42 Yards in Depth	-	0	0	14	-	-	-	25	0	0
A Messuage, Tenement, Offices, Yards, and Gardens, in Ruins, situate in Fisher Street Carlisle; in Front 24 Yards 1 Foot	- Unlet	1	1	10	-	-	-	57	10	0
		169	1	28	565	9	0	873	3	0

There is no Timber whatever on any Part of the above Estates.

ROB^t LUMB.

The SECOND SCHEDULE referred to by this Act.

Description of Premises.	Present Tenants.	Admeasurement.			Present clear annual Rents.			Estimated annual Value.		
		A.	R.	P.	£.	s.	d.	£.	s.	d.
In WESTMORLAND.										
Houses and Land at Clifton	John Noble	1	1	11	5	0	0	5	0	0
Ditto at Thrimbey	John Abbott	12	0	25	11	11	0	11	11	0
Land at Bolton	William Corry	1	1	36	1	18	6	1	18	6
Houses and Land at Cracken- thorpe	Thomas Harrifon	9	3	32	12	3	0	12	3	0
An Allotment on Morland Common	Samuel Watfon	20	1	38	18	0	0	18	0	0
Lands in Clifton	Jarret Furnace	19	0	38	22	0	0	21	19	6
	James Thompson	7	2	22	6	16	6	6	19	0
	Not let	20	0	25	-	-	-	17	17	0
	Thomas Jackson	7	2	10	17	0	0	17	15	6
Low Moor Close at Bolton	William Corry	5	1	0	8	8	0	7	17	6
Tarn Flatt	Richard Longmire	2	0	20	3	0	0	2	12	6
Houses and Lands at Whale, adjoining Lowther Parks	John Robinson	1	3	36	2	7	0	47	7	6
	John Jackson	36	3	30	50	6	0			
	Anthony Hobfon	7	2	29	13	13	0	13	15	0
	John Robinson	25	0	24	41	0	0	40	16	0
	John Jackson	1	2	0	2	5	0	2	5	0
	Thomas Walker	3	2	10	6	6	0	6	4	0
	Edmond Tinkler	3	2	11	6	6	0	6	5	0
Thomas Yarker	1	2	12	2	10	0	2	7	0	
Knipe Hall and Demefne, with the Tythes of Knipe	Jonathan Farrar	128	3	33	147	15	0	169	6	0
Houses and Land at ditto	John Burn	40	1	27	35	0	0	42	0	0
Land at ditto	Anthony Hobfon	17	1	31	22	0	0	22	7	6
Thornthwaite Hall and De- mefne, in the Parish of Banton	John Abbott	695	2	38	205	0	0	217	18	0
Allotments on Sleag Com- mon	Thomas Holme	23	2	6	23	16	0	23	16	0
	Not let	7	1	32	Not let.			6	7	6
	Not let	31	2	28				19	0	0
	Not let	29	3	37				19	6	0
Lands near Hughs Cragg, in the Parish of Askham	Thomas Lamb	4	2	32	5	6	0	5	0	0
Lands and Buildings at Eamont Bridge, in the Pa- rish of	Daniel Bloom and John Boak	2	1	29	7	5	0	7	5	6
Houses and Lands at Askham and Melkinthorpe	Reed	4	3	18	12	0	0	13	2	6
	John Bateman, and J. Laycock	9	0	36	22	10	0	26	3	0

Description of Premises.	Present Tenants.	Admeasurement.	Present clear annual Rents.	Estimated annual Value.
		A. R. P.	£. s. d.	£. s. d.
In CUMBERLAND.				
A small Garth at Easton	William Wood	0 1 5	0 10 0	0 10 0
A small Parcel of Ground near Sebergham Bridge in the Parish of Sebergham, purchased for a Road	Thomas Nicholson	0 2 24	1 10 0	1 10 0
Two small Parcels of Land in Onion Flatt	John Elwood	0 3 2	0 19 0	0 19 0
The Beacon Hill Allotment, Part of Inglewood Forest, in the Parish of Penrith	Not let Expended in fencing and planting £1,500	349 0 2 Interest.	Not let.	118 11 0 75 0 0
Dwelling House, Out Houses, and Garden, with Two Clofes in Penryth, called the Friarage	John de Whelpdale, Mrs. Harrison; and Walter Macintyre	8 0 27	52 12 6	64 0 0
In WESTMORLAND.				
One-Sixtieth Share of Claythorpe Demefne	John Cragg	2 2 21	2 13 4	2 13 4
One ditto	Ditto	2 2 21	2 13 4	2 13 4
One ditto	Ditto	2 2 21	2 13 4	2 13 4
One ditto	Ditto	2 2 21	2 13 4	2 13 4
One ditto	Ditto	2 2 21	2 13 4	2 13 4
		1,557 3 1	779 9 2	1,088 2 2

The Value of the Timber on the above Estates is £1,180.

ROB. LUMB.

The THIRD SCHEDULE referred to by this Act.

NAMES OF MANORS.	Annual Amount of Customary, Copyhold, and Free Rents.			Yearly Average of Fines for the last Fourteen Years.		
	£.	s.	d.	£.	s.	d.
In the County of WESTMORLAND.						
Alkham	21	10	4	45	7	2
Bampton Cundal and Knipe	19	3	10	69	5	6
Bampton Carhullan	4	15	9 $\frac{1}{2}$	1	3	4
Bolton	1	4	11	0	7	4
Bretherdale	12	11	4 $\frac{1}{4}$	5	16	5
Brough	7	3	10	20	14	4
Burnefide	29	17	11 $\frac{1}{2}$	2	9	4
Cliburn	5	13	0 $\frac{1}{2}$	18	18	11
Clifton	15	3	11 $\frac{1}{2}$	None due.		
Crosbyravenfworth	15	9	4	2	13	2
Crackenthorpe	1	8	4	None due.		
Docker	8	18	6 $\frac{1}{2}$	10	10	0
Great Strickland and Melkinthorpe	33	14	3	49	7	9
Greyrigg and Lambrigg	75	19	7 $\frac{1}{4}$	11	1	5
Helton Flecket	31	16	8	73	4	2
Hilton and Murton	0	12	6	0	2	10
Kirkby Lonfdale	37	5	6 $\frac{3}{4}$	93	13	6
Kirkby Stephen	16	12	1 $\frac{1}{2}$	12	15	2
Langdale	16	0	7	9	4	5
Longmarton	21	4	0	13	9	2
Lowther Hackthorpe and Whale	8	12	1 $\frac{1}{4}$	31	10	1
Meaburn	31	18	2	None due.		
Nateby	15	2	8 $\frac{1}{2}$	5	19	3
Preston Patrick	20	0	2 $\frac{1}{2}$	52	1	1
Preston Richard	19	3	0	18	9	6
Ravenstonedale	114	17	0 $\frac{1}{2}$	31	15	0
Reagill	18	1	6	10	9	6
Rofgill and Wet Sleddale	25	5	4	27	4	11
Shap	54	15	3 $\frac{3}{4}$	34	4	7
Sleagill	17	10	1	23	6	0
Stavely	11	18	5 $\frac{1}{2}$	7	2	11
Tebay	50	11	4 $\frac{3}{4}$	25	6	10
Thornthwaite alias Bampton Patrick	49	14	1 $\frac{1}{2}$	23	12	4
Thrimby and Little Strickland	7	9	1	8	3	11
Wharton	11	2	10	6	12	5
Yanwath and Eamont Bridge, in the Counties of Cumberland and Westmorland	13	6	0	55	16	5
	845	13	10 $\frac{3}{4}$	801	18	8

ROB^t LUMB.

NAMES OF MANORS.	Annual Amount of Customary, Copyhold, and Free Rents.			Yearly Average of Fines for the last Fourteen Years.		
	£.	s.	d.	£.	s.	d.
In the County of CUMBERLAND.						
Burgh Barony (with Parton and Micklethwaite and Stainton)	376	12	10	467	6	10
Calder	16	14	3	3	7	3
Clifton, Great and Little	6	4	7	10	5	0
Kirkbride	5	18	0½	4	16	1
Millom Seignior, Liberty and Manor, with Thwaites and Whicham	14	2	9	5	6	3
Newton Rainey	19	19	0	15	15	8
Oughterside	1	8	4	1	9	0
Penrith	18	3	7	7	3	7
Plumpton	139	11	6	17	17	6
Rottington	1	18	11	2	14	9
Seaton	9	3	3	9	9	2
Stainburn	7	8	7	8	2	0
Threlkeld	30	16	4	6	8	0
Warnell	2	1	1	13	7	9
	650	3	0½	573	8	10

ROBT LUMB.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1806.

