



ANNO QUADRAGESIMO OCTAVO

GEORGI II. REGIS.

Cap. 115.

An Act for effecting the Sale of certain Estates devised by the Will of the Right Honourable *Edward* late Lord *Thurlow*, and for laying out the Money to arise by such Sales in the Purchase of other Estates, and for settling the same to the Uses of his Lordship's Will. [18th June 1808.]

WHEREAS the Right Honourable *Edward* late Lord *Thurlow* by his last Will and Testament, in Writing, bearing Date the Twenty-ninth day of *May* One Thousand Eight Hundred and Two, devised all his Estate in the County of *Suffolk* to the Right Honourable *Edward* now Lord *Thurlow* (Son of his the said Testator's late Brother the Right Reverend Father in God *Thomas* then lately Lord Bishop of *Durham*, and then deceased,) for his natural Life, with Liberty to cut down such Timber as should have attained to Perfection, and would become of less Value by standing, with Remainder to the Use of the Right Honourable *John* Lord *Eldon*, then and now Lord High Chancellor of *Great Britain*, his the Testator's Nephew *Edward South Thurlow*, and *John Forster* of *Lincoln's-inn* in the County of *Middlesex* Esquire, and their Heirs during his Life to preserve contingent Remainders, and after his Decease to the First and other Son and Sons successively of the said *Edward* now Lord *Thurlow*, according to their respective Seniorities in Tail Male, and for Default of such Issue to *Thomas Thurlow* Second Son of the said then late Bishop for Life, with the like Liberty of cutting down Timber as abovementioned, with Re-

The Will of
Edward late
Lord *Thur-*
low recited.

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mainder to the said *John Lord Eldon, Edward South Thurlow, and John Forster* and their Heirs, during the Life of the said *Thomas Thurlow*, in Trust to preserve contingent Remainders, Remainder to the First and other Sons of the said *Thomas Thurlow*, severally and successively, according to their respective Seniorities in Tail Male, and for Default of such Issue to his the Testator's Nephew *Edward South Thurlow* for his natural Life, with the like Liberty of cutting down Timber as abovementioned, with Remainder to the said *John Lord Eldon and John Forster*, and their Heirs during his Life, to preserve contingent Remainders; and after the Decease of the said *Edward South Thurlow* to *Edward Thurlow*, Son of the said *Edward South Thurlow*, for and during his natural Life, with such Liberty of cutting down Timber as abovementioned, and with Remainder to the said *John Lord Eldon and John Forster* and their Heirs during his Life to preserve contingent Remainders; and from and after his Decease to the First and every other Son of the said *Edward Thurlow* severally and successively according to their respective Seniorities in Tail Male, and for Default of such Issue to the Second, Third, and other Sons successively of the said *Edward South Thurlow*, according to their respective Seniorities in Tail Male; and for Default of such Issue the said *Edward* late Lord *Thurlow* devised One Moiety of the said Premises to his Daughter *Catherine Thurlow* for her natural Life, with the like Liberty of cutting down Timber as is abovementioned, with Remainder to the said *John Lord Eldon and John Forster*, and their Heirs, during her Life, to preserve contingent Remainders, Remainder to the First and other Sons of the said *Catherine Thurlow* successively according to their respective Seniorities in Tail; and for Want of such Issue to the Daughter or Daughters of the said *Catherine* as Tenants in Tail and in common, with cross Remainders between them, and for Want of such Issue to his the Testator's Daughter *Mary* the Wife of *David Cunynghame* of *Malshanger*, in the County of *Southampton*, Esquire, for her natural Life, with the like Power of cutting Timber, and the like Limitation to the last named Trustees to preserve contingent Remainders, and the like Remainders to be applied to her several Children and their Issue respectively, as were thereinbefore provided respecting the said Moiety for his the Testator's Daughter *Catherine*, her Children and their Issue respectively; and the said *Edward Lord Thurlow*, the Testator, devised the other Moiety of the same Premises to his said Daughter *Mary Cunynghame* for her natural Life, with the like Liberty of cutting down Timber as is abovementioned, with Remainder to the said *John Lord Eldon and John Forster*, and their Heirs, during her Life, to preserve contingent Remainders, and from and after her Decease to the First and every other Son of the said *Mary Cunynghame* successively, according to their respective Seniorities in Tail; and for Want of such Issue to the Daughter and Daughters severally of the said *Mary Cunynghame*, and the Heirs of their Bodies respectively, to hold as Tenants in common, with cross Remainders, as Tenants in common in Tail; and for Want of such Issue to his the said Testator's Daughter *Catherine* for her natural Life, with the like Liberty of cutting Timber, and the like Limitation to the same Trustees to preserve contingent Remainders, and the like Remainders to her several Children and their Issues respectively as were thereinbefore provided with respect to the first-mentioned Moiety; and for Want of such Issue of either of his said Daughters the said Testator declared his Will to be that the Premises should descend to his own right Heirs: And whereas the said *Edward* late Lord *Thurlow*, by a Codicil to his said Will (and which Codicil bears Date the Twenty-first Day of May

Codicil of 21
May 1803.

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One Thousand Eight Hundred and Three) reciting therein, that by virtue of his last Will and Testament his Estate in the County of *Suffolk* was devised or limited from and after the Determination of certain antecedent Uses therein expressed, to or to the Use of his Nephew *Edward South Thurlow* for his natural Life with such Liberty of cutting down Timber as is therein mentioned, with Remainder to the Use of the said *John Lord Eldon* and *John Forster* therein named, and their Heirs during his Life, to preserve contingent Remainders, with Remainder to the Use of the said *Edward Thurlow*, Son of the said *Edward South Thurlow* for his Life, with such Liberty of cutting down Timber as therein mentioned, with Remainder to the same Trustees and their Heirs during his Life to preserve contingent Remainders, with Remainder to the Use of his First and other Sons successively in Tail Male, with Remainder to the Use of the Second, Third, and other Sons of the said *Edward South Thurlow* successively in Tail Male, with Remainder, as to One Moiety of the said Estates, to his the Testator's Daughter *Mary Cunynghame*, for her Life, with such Liberty of selling Timber as therein is mentioned, with Remainder to the same Trustees and their Heirs during her Life to preserve contingent Remainders, with Remainder to the Use of her First and other Sons successively in Tail; and that the other Moiety of the same Estates stood limited to the like Uses to or in favour of his said Daughter, *Mary Cunynghame* and her Issue, after the Determination of certain Uses and Limitations thereof, to or in favour of his Daughter *Catherine* and her Sons and Daughters respectively; and reciting that his said Nephew *Edward South Thurlow* had two other Sons, namely, *Frederick Thurlow* and *Charles Thurlow*, and that his the Testator's said Daughter *Mary Cunynghame* had, since the Date and Execution of his said Will, had a Son born named *Thurlow Cunynghame*, he the said *Edward* late Lord *Thurlow* did, by that Writing, which he declared to be a Codicil to his Will, revoke and make void the said Devises or Limitations to or to the Use of the Second or Third Sons of the said *Edward South Thurlow*, and in lieu thereof from and after the Determination of all the Uses and Estates created in and by his said Will antecedently to those Limitations, he the said Testator gave and devised the said Estate unto and to the Use of the said *Frederick Thurlow*, Second Son of the said *Edward South Thurlow*, and his Assigns, for his natural Life, with the like Liberty of cutting down Timber, and with such other Powers as were given by his said Will to the several Tenants for Life therein named, and from and after the Determination of that Estate by Forfeiture or otherwise in his Lifetime, to the said *John Lord Eldon* and *John Forster* and their Heirs, during the Life of the said *Frederick Thurlow*, in Trust, to preserve the contingent Remainders thereafter limited, and from and after his Decease to the First and other Son and Sons successively of the said *Frederick Thurlow* in Tail Male, and for Default of such Issue to the said *Charles Thurlow*, Third Son of the said *Edward South Thurlow*, and his Assigns for his natural Life, with the like Liberty of cutting down Timber and other Powers as aforesaid; and from and after the Determination of that Estate by Forfeiture or otherwise in his Lifetime, to the said *John Lord Eldon* and *John Forster*, and their Heirs, during the Life of the said *Charles Thurlow*, in Trust, to preserve the contingent Remainders thereafter limited, and from and after his Decease to the First and other Sons successively of the said *Charles Thurlow* in Tail Male; and for Default of such Issue he the said Testator declared his Will and Meaning to be that the said Estates should remain and be subject to all and every the Uses and Limitations in his said Will of and concerning the

the same, or the undivided Moieties thereof, ulterior to the said Limitations, to the Second and Third Sons of his the Testator's said Nephew successively, save and except that he the said Testator revoked and made void the said Devises or Limitations of or concerning both the said Moieties of his said Estate to or to the Use of the First Son of the said *Mary Cunynghame* and the Heirs of his Body, and in lieu thereof, from and immediately after the Determination of all the Uses and Estates created in and by his said Will concerning the said Moieties respectively, antecedently to the said Devises thereof, to the First and other Sons of the said *Mary Cunynghame*, he the said Testator gave and devised the said Moieties respectively unto and to the Use of the said *Thurlow Cunynghame* and his Assigns for his natural Life, with the like Liberty of cutting down Timber, and with the several other Powers as were given by his said Will to the several Tenants for Life therein named; and from and after the Determination of that Estate by Forfeiture or otherwise in his Lifetime, he devised the same to the said *John Lord Eldon* and *John Forster* and their Heirs, during the Life of the said *Thurlow Cunynghame*, in Trust, to preserve the contingent Remainders thereafter limited; and from and after the Decease of the said *Thurlow Cunynghame*, to the First and other Sons successively of the said *Thurlow Cunynghame* in Tail Male; and the said Testator ratified and confirmed his said Will in all Parts and Respects, save and except so far as the same was thereby revoked and varied; and the said *Edward* late Lord *Thurlow* appointed the said *John Lord Eldon*, *Edward South Thurlow*, and *John Forster*, Executors of his said Will: And whereas the said *Edward* late Lord *Thurlow*, by a further Codicil to his said Will, reciting therein, that since making his general Will he had bought some Estates in the County of *Suffolk*, which he intended to the same Uses as he had settled his *Suffolk* Estate, he the said Testator thereby confirmed his said Will, and devised such New Purchases to the said Uses: And whereas the said *Edward* late Lord *Thurlow* departed this Life on the Twelfth Day of *September* One Thousand Eight Hundred and Six, and soon after his Decease the said *John Lord Eldon*, *Edward South Thurlow*, and *John Forster* proved his said Will and Codicils in the Prerogative Court of the Archbishop of *Canterbury*: And whereas the said *Thomas* late Lord Bishop of *Durham*, on or about the First Day of *May* One Thousand Seven Hundred and Seventy-seven, intermarried with *Ann* his late Wife deceased, and hath left Issue by her the said *Edward* now Lord *Thurlow* and the said *Thomas Thurlow*, an Infant: And whereas the said *Thomas* late Lord Bishop of *Durham*, by his last Will and Testament in Writing, bearing Date the Fourteenth Day of *April* One Thousand Seven Hundred and Ninety, appointed his Wife *Ann Thurlow*, Sir *John William Rose*, Knight, and the said *Edward South Thurlow*, and the Survivors and Survivor of them, Guardians of his Children, and departed this Life on or about the Thirtieth Day of *May* One Thousand Seven Hundred and Ninety-one: And whereas the said *Ann Thurlow* and Sir *John William Rose* have both departed this Life: And whereas neither of them the said *Edward* now Lord *Thurlow*, or *Thomas Thurlow*, or *Catharine Thurlow* hath married: And whereas the said *Edward South Thurlow*, on or about the Tenth day of *July* One Thousand Seven Hundred and Eighty-six, intermarried with *Elizabeth Mary Tompson*, and hath Issue by her the said *Edward Thurlow*, *Frederick Charles Thurlow*, *Charles Augustus Thurlow* (which said *Frederick Charles Thurlow* is called *Frederick Thurlow* only, and which *Charles Augustus Thurlow* is called *Charles Thurlow* only, in the said Codicil to the said Will of the said

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Edward late Lord *Thurlow*) and *Henry Robert Thurlow*, all of them Infants of tender Years, and no other Child: And whereas the said *David Cunynghame*, on or about the Twenty-fifth Day of May One Thousand Eight Hundred and One, intermarried with the said *Mary Thurlow*, and hath Issue by her the said *Edward Thurlow Cunynghame* (called in the said Codicil to the said Will of the said *Edward* late Lord *Thurlow*, *Thurlow Cunynghame* only) *David Thurlow Cunynghame*, *Mary Frances Thurlow Cunynghame*, and *Robert South Thurlow Cunynghame*, all of them Infants of tender Years, and no other Child: And whereas the Principal of the said Estates devised by the Will of the said *Edward* late Lord *Thurlow* are situate at *Thurlow*, *Wrating*, and *Ashfield*, in the said County of *Suffolk*: And whereas Parts of the said devised Estates consist of certain Farms at *Thorpe*, *Morieux*, *Norton*, *Wickham*, *Skeith*, and *Stow Upland*, and are at a Distance and lie detached from the said principal Estates: And whereas it would be for the Benefit of the several Persons beneficially interested in the Estates devised by the Will of the said *Edward* late Lord *Thurlow*, if the said detached Estates were vested in Trustees in Trust, under the Direction of the Court of Chancery, to sell the same, and to invest the Money arising from the Sale thereof in the Purchase of other Estates more convenient to be held with the said Principal Estates, and to settle the several Estates so to be purchased to the Uses and upon the Trusts now subsisting under the said Will and Codicils of the said *Edward* late Lord *Thurlow*: But by reason of the Limitations in strict Settlement contained in the said Will and Codicils of the said *Edward* late Lord *Thurlow*, the same cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subject the said *Edward* now Lord *Thurlow*, doth beseech Your Majesty, and Your Majesty's most dutiful and loyal Subjects the said *Edward South Thurlow*, for himself and for the said *Thomas Thurlow*, the Son of the said *Thomas* late Lord Bishop of *Durham*, and also for the said *Edward Thurlow*, *Frederick Charles Thurlow*, *Charles Augustus Thurlow*, and the said *Henry Robert Thurlow*, his the said *Edward South Thurlow*'s Infant Children, and the said *David Cunynghame* and the said *Mary* his Wife on Behalf of themselves, and *Edward Thurlow Cunynghame*, *David Thurlow Cunynghame*, *Mary Frances Thurlow Cunynghame*, and *Robert South Thurlow Cunynghame*, their Infant Children, and she the said *Catherine Thurlow*, 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 Manor, Messuages, Farms, Lands, Tenements, Vicarage Tythes and Hereditaments at *Thorpe*, *Morieux*, *Norton*, *Wickham*, *Skeith*, and *Stow Upland* aforesaid, which were devised by the said Will and Codicils of the said *Edward* late Lord *Thurlow*, and which are particularly mentioned in the Schedule to this Act, and also all and singular Houses, Out-houses, Edifices, Buildings, Gardens, Timber, and other Trees, Ways, Paths, Passages, Easements, Waters, Watercourses, Liberties, Privileges, Hereditaments, Rights, Members, and Appurtenances whatsoever, to the same Manor, Messuages, Farms, Lands, Tenements, Vicarage Tythes, and Hereditaments, or to any of them, or any Part thereof belonging or in anywise appertaining, or with the same, or any of them, or any Part thereof, now or at any Time heretofore, held, used, occupied, or enjoyed, or accepted, reputed, deemed, taken, or known as Part, Parcel, or Member thereof, or of any Part thereof, shall immediately from

The Premises in the Schedule to the Act shall be vested in Trustees to be sold.

and after the passing of this Act be vested in and settled upon, and the same are hereby vested in and settled upon the said *Edward South Thurlow* and *John Forster*, their Heirs and Assigns, to the Use of them the said *Edward South Thurlow* and *John Forster*, their Heirs and Assigns for ever, freed and absolutely acquitted, exempted, and exonerated of, from, and against all and singular the Uses, Estates, Intails, Remainders, Limitations, Charges, Trusts, Powers, Provisoos, and Declarations in and by the said Will and Codicils of the said *Edward* late Lord *Thurlow* respectively limited, expressed, or declared of and concerning the same; but nevertheless upon the Trusts and to and for the Ends, Intents, and Purposes hereinafter expressed or declared, (that is to say) upon Trust, that they the said *Edward South Thurlow* and *John Forster*, and the Survivor of them, and the Heirs and Assigns of such Survivor, do and shall, as soon as conveniently may be, with the Approbation of the Person or Persons who, according to the Uses limited or declared by the said Will and Codicils of the said *Edward* late Lord *Thurlow* for the Time being would have been beneficially entitled to the Rents and Profits of the Hereditaments and Premises hereby vested and settled as aforesaid, if this Act had not been made; or if any such Person or Persons shall be an Infant or Infants, then, with the Approbation of his, her, or their Guardian or Guardians, to be testified by Writing under his, her, or their Hand and Seal or Hands and Seals, make Sale and dispose of the said Manor, Messuages, Lands, Tenements, Vicarage, Tythes, and Hereditaments, hereby vested and settled as aforesaid, or any Part thereof, either together or in Parcels, and by Public Auction or Private Contract, unto any Person or Persons, at the best Price or Prices in Money that can at the Time of such Sale or Sales be reasonably obtained for the same; and upon Payment into the Bank, or otherwise in Manner hereinafter mentioned, of the Purchase Money for which the same Hereditaments and Premises, or any Part thereof, shall be so sold, do and shall convey and assure the same Hereditaments so to be sold and disposed of unto and to the Use of the Purchaser or Purchasers of such Hereditaments, his, her, or their Heirs and Assigns, or as he or they shall direct or appoint.

The Money to arise from the Sales to be paid into the Bank, pursuant to the Act of Geo. 1st.

II. And be it further enacted, That all and every the Sum and Sums of Money which shall arise from the Sales made in pursuance of this Act, shall be paid by the Person or Persons to or with whom such Sales 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 Estates of *Edward* Lord *Thurlow*, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, there to remain until the same shall, upon a Petition to be preferred to the High Court of Chancery in a Summary Way, by the Person or Persons who shall, according to the Uses limited by the said Will and Codicils of the said *Edward* late Lord *Thurlow*, be for the Time being beneficially entitled in Possession as aforesaid, if such Person or Persons 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, be laid out in the Purchase or Purchases of Freehold Manors, Lands, Tenements or Hereditaments, or of Copyhold Lands, Tenements or Hereditaments, which may respectively be approved of by the said Court of

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Chancery as being convenient to be holden or enjoyed with the Bulk of the said Manor and Hereditaments devised by the said Will and Codicils of the said *Edward* late Lord *Thurlow*; and upon or from and immediately after the making such Purchase or Purchases, the Manors, Messuages, Lands, Tenements, and Hereditaments so to be purchased shall be conveyed, settled, and assured to, for, and upon such and so many of the Uses, Trusts, Intents and Purposes, and under and subject to such and so many of the Powers, Provisoos, Limitations, and Restrictions in and by the said Will and Codicils of the said *Edward* late Lord *Thurlow* limited, expressed and declared of or concerning the Manor and other Hereditaments in the said County of *Suffolk*, devised by the said Will and Codicils, as shall be then subsisting and capable of taking Effect, or as near thereto as Circumstances will admit.

III. 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 hereinbefore directed, or so much thereof as shall not be ordered by the said Court of Chancery to be applied in the Payment of Costs and Expences, according to the Direction hereinafter contained, shall in the meantime, and until the same Monies shall be invested in the Purchase of Lands, Tenements and Hereditaments, be from Time to Time laid out in the Purchase of Navy, Victualling, or Transport Bills, or Exchequer Bills, and the Interest arising from the Money so laid out in the said Navy, or Victualling, or Transport Bills, or Exchequer Bills, and the Money received from 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, or Transport, or Exchequer Bills, all which said Navy, or Victualling, or Transport, or Exchequer Bills, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until the same shall, upon Petition to be preferred to the High Court of Chancery in a Summary Way, by or on Behalf of the Person or Persons for the Time being, entitled to the Rents and Profits of the Hereditaments so to be purchased, be ordered to be sold by the said Accountant General for the completing any Purchase hereby authorized to be made as aforesaid, in such Manner as the said Court shall think just and direct; and if the Money arising by the Sale of any such Navy, Victualling, Transport, or Exchequer Bills which shall have been purchased as aforesaid, shall exceed the Amount of the original Purchase-Money so laid out as aforesaid, then and in that 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, in case the same had been purchased pursuant to this Act, or to the Representative of such Person or Persons, as Part of his or their personal Estate.

Till the Money is laid out in the Purchase of Lands to be invested in Navy Bills, &c.

IV. Provided always, and be it further enacted, That it shall and may be lawful for the said Court of Chancery from Time to Time, if to the said Court it shall seem meet, to make an Order for taxing or settling all Costs, Charges and Expences which shall have been incurred preparatory to and in applying for and obtaining and passing this Act, and in making the several Applications to the said Court in pursuance hereof, and in making and completing the Sales hereby authorized, and in investing all or any of the Monies which under this Act shall be paid into the Bank in the Purchase

The Court of Chancery to make an Order for taxing the Costs.

chafe 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, if to the said Court it shall seem fit, for Payment of all such Costs, Charges, and Expences as aforesaid out of the Monies which shall be so paid into the Bank as aforesaid, or out of the Monies arising by Sale of the Navy, Victualling, Transport, or Exchequer Bills to be purchased as aforesaid.

Receipt of
Cashier to be
a good Dis-
charge to
Purchasers.

V. 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 Purchaser or Purchasers of the Hereditaments hereby authorized to be sold of his or their Purchase Monies respectively, shall from Time to Time be and be deemed to be good and effectual Discharges to such Purchaser or Purchasers, or other Person or Persons, or to his or their respective Heirs, Executors, Administrators, or 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 Purchaser or Purchasers, or other Person or Persons, shall be absolutely acquitted and discharged of and from the same Monies, and shall not be answerable or accountable for any Loss, Misapplication, or Non-application thereof.

Until Sales,
the Rents and
Profits to be
received
by the Per-
sons for the
Time being
entitled to
the same.

VI. And be it further enacted, That in the meantime and until such Sales shall be made as aforesaid, of the Hereditaments hereby authorized to be sold, they the said *Edward South Thurlow* and *John Forster*, and the Survivor of them and his Heirs, shall permit and suffer the Rents and Profits of the said Hereditaments to be had and received and taken by such Person or Persons as would respectively have been entitled, and ought to have held, received and enjoyed the same, in case this Act had not been made.

Power of ap-
pointing new
Trustees.

VII. Provided always, and be it further enacted, That if both or either of them, the said *Edward South Thurlow* and *John Forster*, or any future Trustee or Trustees who shall succeed to or shall be appointed in the stead or place of them or either of them as hereinafter mentioned, shall die or shall desire to relinquish, or shall refuse or decline to act or become incapable to act in the Trusts or Powers hereby reposed in them or him, or shall go out of *Great Britain* before the said Trusts shall be fully performed and executed, then and so often as any such Case shall happen, it shall be lawful for the High Court of Chancery in a summary Way, upon the Petition of such Person or Persons as for the Time being would be beneficially entitled to the Rents and Profits of the Hereditaments hereby made saleable, or if such Person or Persons shall be an Infant or Infants, then upon the Petition of his, her, or their Guardian or Guardians, from Time to Time to nominate and appoint any Person or Persons to be a Trustee or Trustees in the stead or place of the Trustee or Trustees so dying or desiring to be discharged, or going out of *Great Britain*, or refusing, declining, or becoming incapable to act as aforesaid; and when and so soon and as often as any such Person or Persons shall be so nominated and appointed, all the Estates and Powers which shall be then vested in the
Trustee

Trustee or Trustees so dying or desirous of being discharged, or refusing, declining, or becoming incapable to act, or going out of *Great Britain* as aforesaid, either solely or jointly with other Trustees, shall thereupon with all convenient Speed be conveyed and transferred in such Sort and Manner, and so that the same Estates and Powers shall and may be legally and effectually vested in the surviving or continuing Trustee thereof, and such new and other Trustee or Trustees, or in such new Trustees only, as the Case may require, upon the same Trusts and for the same Intents and Purposes, and subject to the same Powers as are hereinbefore declared of and concerning the same Estates, or such and so many of the same Trusts and Powers as shall or may be then subsisting or capable of taking Effect; and that such new Trustee or Trustees shall and may in all Things act in the Management, carrying on, and Execution of the Trusts hereby created, as fully and effectually, and with all the same Powers and Authorities to all Intents, Effects, Constructions, and Purposes, as if he or they had been originally by this Act nominated a Trustee or Trustees for the Purposes aforesaid.

VIII. Saving always to the King's Most Excellent Majesty, and to His Heirs and Successors, and to all and every other Persons and Person, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the said now Lord *Thurlow*, and all and every the Son and Sons of the said *Edward* now Lord *Thurlow*, and the Heirs Male of the Body and Bodies of such Son and Sons respectively; and the said *Thomas Thurlow*, and all and every the Son and Sons of the said *Thomas Thurlow*, and the Heirs Male of the Body and Bodies of such Son and Sons respectively, and the said *Edward South Thurlow* and the said *Edward Thurlow*; and all and every the Son and Sons of the said *Edward Thurlow*, and the Heirs Male of the Body and Bodies of such Son and Sons respectively; and the said *Frederick Charles Thurlow*, and all and every the Son and Sons of the said *Frederick Charles Thurlow*, and the Heirs Male of the Body and Bodies of such Son and Sons respectively; and the said *Charles Augustus Thurlow*, and all and every the Son and Sons of the said *Charles Augustus Thurlow*, and the Heirs Male of the Body and Bodies of such Son and Sons respectively; and the said *Henry Robert Thurlow*, and the Heirs Male of his Body, and all and every the Son and Sons hereafter to be born to the said *Edward South Thurlow*, and the Heirs of his and their Body and respective Bodies; and the said *Catherine Thurlow*, and all and every the Son and Sons and Daughter and Daughters of the said *Catherine Thurlow*, and the Heirs of the Body and Bodies of all and every such Son and Sons and Daughter and Daughters respectively; and the said *David Cunynghame* and *Mary* his Wife, and the said *Edward Thurlow Cunynghame*, and all and every Son and Sons of the said *Edward Thurlow Cunynghame*, and the Heirs Male of the Body and Bodies of such Son and Sons respectively, and all and every other the Son and Sons of the said *Mary Cunynghame*, and the Heirs of the Body and Bodies of such Son and Sons respectively, and all and every the Daughter and Daughters of the said *Mary Cunynghame*, and the Heirs of the Body and Bodies of such Daughter and Daughters respectively, and the right Heirs of the said *Edward* late Lord *Thurlow*, and all and every other Persons and Person claiming or to claim any Estate, Right, Title, or Interest of, in, and to the said Manor, Messuages, Farms, Lands, Tenements, Vicarage, Tythes, and Hereditaments hereby vested and settled as

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aforesaid under or by virtue of the said Will and Codicils of the said *Edward* late Lord *Thurlow*) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of the same Manor, Messuages, Farms, Lands, Tenements, Vicarage Tythes, Hereditaments, and Premises, and every or any Part thereof, as they, every or any of them, had before the passing of this Act, or could or might have had, held or enjoyed in case this Act had not been made.

Public Act.

IX. 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 SCHEDULE referred to by the foregoing ACT.

PREMISES.	Quantities, little more or less.	Annual Rents.	Names of Tenants.	Where situate.
House, Buildings, Yard, Garden and Orchard, and several Fields, Closes or Parcels of Land, Arable Meadow and Pasture - - -	A. R. P. 111 1 38	£. 100	William Ruffel	Thorpe Morieux.
House, Out-buildings, Garden and Orchard, and several Fields, Closes or Parcels of Land, Arable Meadow and Pasture	87 2 23	100	Charles Rogers	Norton.
House, Offices and Home Ground and several Fields, Closes or Parcels of Land, Arable Mea- dow and Pasture - - -	238 1 34	460 including the Corn- Tythes of the Parish of Wickham.	Thomas Bond	Wickham.
House, Yards, &c. and several Fields, Closes or Parcels of Land, Arable Meadow and Pasture - - -	71 3 38	100	Henry Whiteman	Wickham.*
The Manor or Lordship of Wick- ham Skeith, with the Quit Rents, Rights, Royalties, Members and Appurtenances thereunto belonging; the Vi- carge of Wickham Skeith, with all the Great and Small Tythes belonging thereto, and arising within the Parish of Wickham - - -				
House, Yards, &c. and the seve- ral Fields, Closes or Parcels of Land, Arable Meadow and Pasture - - -	164 1 22	200 £.960	Thomas Posford	Stow Upland and Norton.

A. P. Driver.

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