



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. 25.

An Act for authorizing the Sale of Portion of the Real Estate devised by the Will of *Richard Fox* of *Foxhall* in the County of *Longford*, Esquire, deceased, and vesting the Residue thereof in *Richard Maxwell Fox* of *Foxhall* aforesaid, Esquire, his Heirs and Assigns, in Fee Simple, and for vesting certain Lands and Hereditaments of the said *Richard Maxwell Fox* in the Right Honourable *Henry Lord Baron Farnham*, in lieu thereof, to the Uses and upon the Trusts of the said Will. [10th August 1843.]

WHEREAS by Indentures of Lease and Release, bearing Date respectively the Twelfth and Thirteenth Days of December One thousand eight hundred and four, the Release made between *Richard Fox* of *Foxhall* in the County of *Longford*, Esquire; deceased, Grandfather of the said *Richard Maxwell Fox*, of the First Part, *Arabella Harman* of the City of *Dublin*, Widow, of the Second Part, *William Wynne* of the same City, and *Richard Lovell Edgeworth* of *Edgeworthstown* in the said County of *Longford*, Esquires, of the Third Part, and *Rawdon Hawtonville* and

Indenture of Settlement, 13th December 1804.

[Private.]

John Kirwan, both of the same City of *Dublin*, Esquires, of the Fourth Part, (being the Settlement made previously to and in contemplation of the Marriage then intended and shortly afterwards had and solemnized between the said *Richard Fox* and *Arabella Harman*,) after reciting, amongst other things, that the said *Arabella Harman* was seised in Fee Simple of and in the several Towns and Lands of *Bawn*, *Carryduff*, *Cartronwogan*, *Brackagh*, *Cartronvalley*, *Gullaghinine*, *Clonfower*, *Clonaragh* alias *Clonagrath*, *Clonsullen*, *Clonfinfee*, *Ballynamore*, *Ballyclara*, *Clowny*, *Ballymahon*, *Clonkeen*, *Gurtinboy*, *Carrowmanagh*, *Torbegkane*, *Glassboone*, *Trillignure* alias *Trilligpatrick*, *Cloncarr* and *Trilligtemple*, *Aghanalasky*, *Turlarkin*, *Corrediven* and *Gortinloe*, *Ballymeagham* and *Dowrybeagan*, *Ballynamore*, *Corrageen*, *Carrymanus*, *Gurteenboy*, *Gowland*, *Clonberlow*, *Derrygroge* and *Clonkeel*, *Gurteenagloone*, *Cordiveen*, *Corrogon* and *Corromanagh*, all situate, lying, and being in the County of *Longford*, and also of the Lands of *Moyle* otherwise *Moyhill*, situate, lying, and being in the County of *Carlow*, and of the Tenement called the *Black Bull*, lying in the County of *Meath*, and was seised, by virtue of a Lease for Lives renewable for ever, of a Dwelling House, with the Appurtenances, situate in *Hume Street* in the County of the City of *Dublin*, and that the said *Richard Fox* stood indebted in the several Sums of Money particularly specified in the Schedule thereunto annexed, and amounting in the whole to Five thousand three hundred and eighty-five Pounds, and had agreed with the said *Arabella* that no Part of the said Debts should at any Time during her Life be levied out of any of her said Real Estates of Inheritance or Freehold, and had further agreed with her that he would out of his own Property effectually pay off and discharge all the said Schedule Debts on or before the First Day of *January* which would be in the Year One thousand eight hundred and ten, and had further agreed with her that until the said First Day of *January* the whole of the Rents, Issues, and Profits of the said Real Estates of Inheritance and Freehold of the said *Arabella* should be paid to and for her own sole and separate Use, unless all the said Schedule Debts, with all Interest and Costs which might happen to be payable, or any of them, should be discharged previous to the said Day, in which Event the said *Richard Fox* and his Assigns should be entitled from the Time of such Payment to receive the Issues and Profits thereof to his and their own Use, in the Manner therein-after mentioned, save and except the annual Sum of Five hundred Pounds, therein-after reserved for the separate Use of the said *Arabella* during the joint Lives of her and of the said *Richard Fox*, it was witnessed, that for and in consideration of the said intended Marriage, and in order to settle the said Estates and Lands of the said *Arabella Harman* in the Manner therein-after mentioned, and to make a Provision thereout, as well for the said *Richard* and *Arabella* as for the Issue of the said then intended Marriage, the said *Arabella Harman* did grant, bargain, sell, release, and confirm unto the said *William Wynne* and *Richard Lovell Edgeworth*, and to their Heirs and Assigns, all that and those the said Lands of *Bawn*, *Carryduffe*, *Cartronwogan*, *Brackagh*, *Cartronvalley*, *Gullaghinine*, *Clonfower*, *Clonaragh* alias *Clonagrath*, *Clonsullen*, *Clonfinfee*, *Ballynamore*, *Ballyclara*, *Clowny*, *Ballymahon*, *Clonkeen*, *Gurtinboy*, *Carrowmonagh*, *Torbegkane*, *Glassboone*, *Trillignure*

lignure alias *Trilligpatrick*, *Cloncarr* and *Trilligtemple*, *Aghanaleisky*, *Turlarkin*, *Corrdiven* and *Gurtinloe*, *Ballymeagham* and *Donnybeagan*, *Ballynamore*, *Carrageen*, *Carrymanus*, *Gurteenboy*, *Gawland*, *Cloonberlow*, *Derrygroge* and *Cloonkell*, *Gurteenagloon*, *Cordiveen*, *Carragon* and *Corramanagh*, situate and lying in the County of *Longford*, and all other the Lands, Tenements, Hereditaments, and Estates of the said *Arabella Harman* of which she was seised in Fee Simple or otherwise in the said County, in whatsoever Barony or Baronies, Manor or Manors, the said Estates of the said *Arabella* were situate, or by whatsoever Name or Denominations the same were usually known, and all that and those the said Lands of *Moyle* otherwise *Moyhill*, situate and lying in the County of *Carlow*, and all that and those the said Messuages or Tenements called the *Black Bull*, lying in the County of *Meath*, and all that and those the said Dwelling House lying in *Hume Street* in the County of the City of *Dublin*, and all the Estate, Right, Title, Property, Trust, Claim, and Demand whatsoever, whether at Law or in Equity, of her the said *Arabella Harman* of, in, to, or out of the same and every Part and Parcel thereof, to have and to hold all and singular the said several Towns, Lands, Tenements, Hereditaments, and Premises, with the Appurtenances, situate and lying in the said Counties of *Longford*, *Carlow*, and *Meath*, to the said *William Wynne* and *Richard Lovell Edgeworth*, and their Heirs and Assigns for ever, and to have and to hold the said House in *Hume Street* in the County of the City of *Dublin*, with the Appurtenances, unto the said *William Wynne* and *Richard Lovell Edgeworth*, and their Heirs, during the Term of the Lives for which the same was then demised, and for and during the Term of such Life and Lives as should thereafter from Time to Time be substituted in the Place of any of the said Lives, from thenceforth for ever, pursuant to the Covenant for perpetual Renewal in the said Lease contained, to and upon the several Uses, Trusts, Intents, and Purposes and subject to the Limitations and Provisoes therein-after expressed and declared of and concerning the same, (that is to say,) to the Use of the said *Arabella Harman*, and her Heirs and Assigns, till the Solemnization of the said intended Marriage, and immediately from and after the Solemnization thereof then as to all that and those the said Lands of *Moyle* otherwise *Moyhill*, situate and lying in the County of *Carlow*, and as to all that and those the said Lands of *Bawn*, situate, lying, and being in the County of *Longford*, to the Use and Behoof of the said *Rawdon Hawtonville* and *John Kirwan*, their Executors, Administrators, and Assigns, for and during and until the full End and Term of One hundred Years from thence next ensuing, and fully to be complete and ended, if they the said *Richard Fox* and the said *Arabella Harman* his intended Wife should both of them jointly so long live, upon the Trusts, and to and for the Uses, Intents, and Purposes therein-after mentioned, expressed, and declared of and concerning the same, for securing the Payment of the said annual Sum of Five hundred Pounds yearly of lawful Money of *Ireland*, clear of all Taxes and Deductions of any Kind whatsoever, unto the said *Arabella Harman*, to and for her sole and separate Use, free from the Control or Interference of and from all Debts and Engagements of the said *Richard Fox* her intended Husband, in manner in the said Indenture mentioned; and

and as to, for, and concerning all and singular the said other Lands, Tenements, and Premises therein-before mentioned, or intended to be thereby granted and released, lying in the said Counties of *Longford*, *Carlow*, and *Meath*, and County of the City of *Dublin*, respectively, with the Appurtenances, from and immediately after the Solemnization of the said intended Marriage, subject to the said Term of One hundred Years so as aforesaid limited to the said *Rawdon Hartonville* and *John Kirwan*, their Executors and Administrators, to the sole and separate Use and Behoof of the said *Arabella Harman* and her Assigns, until the First Day of *January* which should be in the Year One thousand eight hundred and ten, notwithstanding her Coverture, and freed and discharged of all Control of the said *Richard Fox* her intended Husband, and also freed and discharged from all and singular the said Debts of the said *Richard Fox* specified in the Schedule to the said Indenture annexed, and from all Suits, Payments, and Claims on account of the said Debts or any of them, and immediately from and after the said First Day of *January* One thousand eight hundred and ten, and if the said *Richard Fox* before the said Day should have fully and effectually paid off all the said Schedule Debts, with all Interest and Costs which might happen to accrue thereon, then, from and immediately after the Time of such Payment, to the Use and Behoof of the said *Richard Fox* and his Assigns, without Impeachment of Waste, for and during the joint Lives of the said *Richard Fox* and *Arabella Harman*; and in case the said *Richard Fox* should happen to survive the said *Arabella Harman*, then, immediately from and after her Decease, as to the whole of the said Lands, Tenements, Hereditaments, and Premises of every Kind therein-before granted and released to the said *William Wynne* and *Richard Lovell Edgeworth*, or mentioned so to be, to the Use of the said *Richard Fox* and his Assigns for and during the Term of his natural Life, without Impeachment of Waste; but in case the said *Arabella Harman* should happen to survive the said *Richard Fox*, then, as to all the said Lands, Tenements, Hereditaments, and Premises, immediately after the Decease of the said *Richard Fox*, to the Use of the said *Arabella Harman* and her Assigns during the Term of her natural Life, without Impeachment of Waste; and immediately from and after the Determination of such Estates respectively, then to the Use and Behoof of the said *William Wynne* and *Richard Lovell Edgeworth* and their Heirs, during the Life of the Survivor of the said *Arabella Harman* and *Richard Fox*, in Trust to preserve contingent Remainders; with Remainder, after the Decease of the said *Richard Fox* and *Arabella Harman*, and of the Survivor of them, as to all and singular the said several Lands, Tenements, Hereditaments, and Premises thereby granted and released to the said *William Wynne* and *Richard Lovell Edgeworth*, thereby mentioned or intended so to be, to the Use of the said *Rawdon Hartonville* and *John Kirwan*, their Executors, Administrators, and Assigns, for and during the Term of One thousand Years thence next ensuing, upon certain Trusts for the raising of certain Sums of Money for the Benefit of the said *Richard Fox* and *Arabella Harman*, and for the Portions of the younger Children of the said Marriage, but which in the Events which happened did not arise; with Remainder, immediately from and after the Determination of the said Term of One thousand Years, and subject thereto, to the Use

Use of the First and other Sons of the Body of the said *Richard Fox* on the Body of the said *Arabella Harman* his intended Wife to be begotten, in Tail Male, with Limitations to the Daughters, as therein mentioned; and for default of such Issue, Male and Female, of which there was not any, then, as to one undivided Moiety of all and singular the said several Lands, Tenements, Hereditaments, and Premises therein-before granted and released to the said *William Wynne* and *Richard Lovell Edgeworth* and their Heirs, or mentioned or intended so to be, to the Use of such Person or Persons, and for such Estate, and subject to such Uses, Limitations, and Trusts, and to and for such Purposes, as the said *Arabella Harman*, at any Time or Times thereafter, and whether married or unmarried, and that notwithstanding any Coverture, should or might, by any Deed or Writing by her to be duly executed, whether during Coverture or otherwise, and attested by Two or more subscribing Witnesses, or by her last Will and Testament, or any Writing importing so to be, whether executed during Coverture or not, and attested by Three or more subscribing Witnesses, direct, limit, or appoint, and in default of any such Direction or Appointment by the said *Arabella Harman*, then to the Use of the said *Arabella Harman*, her Heirs and Assigns for ever; and as to the other equal Moiety of all and singular the said several Lands, Tenements, Hereditaments, and Premises, to the Use of the said *Richard Fox*, his Heirs and Assigns for ever: And whereas the said Marriage between the said *Richard Fox* and *Arabella Harman* took effect and was solemnized shortly after the Date and Execution of the said Indenture, and there was not any Issue thereof: And whereas the said *Richard Fox* duly made his last Will and Testament in Writing, bearing Date the Fourth Day of *May* One thousand eight hundred and twenty-five, which was executed in the Presence of and attested by Three Witnesses, and thereby, after reciting, amongst other things, the said Indenture of Settlement bearing Date the Thirteenth Day of *December* One thousand eight hundred and four, and that there had not been any Issue Male or Female of his Marriage with the said *Arabella Fox*, and that in the Event of his dying without such by the said *Arabella* he would, under the Provisions of the said Settlement, and the Limitations therein contained, be entitled to One undivided Half or Moiety of and in all and singular the said several Towns, Lands, and Premises situate in the Counties of *Carlow*, *Longford*, and *Meath*, and House and Premises in *Hume Street* in the City of *Dublin*, he gave, devised, and bequeathed all such Interest as he then had or might at the Time of his Decease have, whether in Possession, Reversion, Remainder, or Expectancy, of, in, to, or out of the said several Towns, Lands, Tenements, Houses, and Premises granted, limited, and settled by the said Deed of the Thirteenth Day of *December* One thousand eight hundred and four, or intended so to be, and the Moiety thereof so limited to him as aforesaid, and his Heirs, in default of the Issue of the said Marriage, to *Lovell Edgeworth* of *Edgeworthstown* in the County of *Longford*, Esquire, and *Henry Maxwell*, now Lord Baron *Farnham*, eldest Son of the Reverend *Henry Maxwell*, Rector of *Temple Michael* in the County of *Longford*, Esquire, their Heirs and Assigns for ever, subject to the Charge or Sum of Twelve thousand Pounds, therein-after bequeathed, to, for, and upon

Will of
Richard Fox,
4th May
1825.

[Private.]

the several Uses, Trusts, and Purposes therein-after mentioned, expressed, and declared of and concerning the same; (that is to say,) to the Use of his the said Testator's eldest Son *Francis Fox* and his Assigns, for and during the Term of his natural Life, without Impeachment of Waste; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Heirs, during the Life of the said *Francis Fox*, in Trust to preserve contingent Remainders; with Remainder to the Use of his Grandson the said *Richard Maxwell Fox*, in the said Will by Mistake called *Richard Fox*, the First Son of his the said Testator's Son *Francis*, and to his Heirs, for and during the Term of his natural Life, without Impeachment of Waste; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Heirs, during the Life of the said *Richard Maxwell Fox*, upon Trust to preserve contingent Remainders; with Remainder to the Use of the First and other Son of the Body of the said *Richard Maxwell Fox* in Tail Male; with Remainder to the Use of his the said Testator's Grandson *John James Barry Fox*, in the said Will by Mistake called *John Fox*, Second Son of his said Son *Francis*, and his Assigns, for and during the Term of his natural Life, without Impeachment of Waste; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Assigns, during the Life of the said *John James Barry Fox*, in Trust to preserve contingent Remainders; with Remainder, after the Decease of the said *John James Barry Fox*, to the Use and Behoof of the First and other Sons of the Body of the said *John James Barry Fox* in Tail Male; with Remainder to the Use of the Third, Fourth, Fifth, Sixth, and all and every other Son and Sons of the Body of his the said Testator's Son the said *Francis Fox* successively in Tail Male; with Remainder to the Use of his the said Testator's Second Son *Barry Fox*, and his Assigns, for Life; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Heirs, during the Life of the said *Barry Fox*, upon Trust to preserve contingent Remainders; with Remainder to the Use of the First and other Sons of the Body of the said *Barry Fox* successively in Tail Male; with Remainder to the Use of his the said Testator's Third Son *Charles Fox*, and his Assigns, for Life; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Heirs, during the Life of the said *Charles Fox*, upon Trust to preserve contingent Remainders; with Remainder to the First and other Sons of the Body of the said *Charles Fox* successively in Tail Male; with Remainder to the Use of his the said Testator's Fourth Son *John James Fox*, and his Assigns, for Life; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Heirs, during the Life of the said *John James Fox*, upon Trust to preserve contingent Remainders; with Remainder to the Use of the First and other Sons of the Body of the said *John James Fox* successively in Tail Male; with Remainder to the Use of his the said Testator's Fifth Son *Richard Fox*, and his Assigns, for Life; with Remainder to the Use of the said *Lovell Edgeworth* and *Henry Maxwell*, and their Heirs, during the Life of the said *Richard Fox*, upon Trust to preserve contingent Remainders; with Remainder to the Use of the First and other Sons of the Body of the said *Richard Fox* successively in Tail Male; with Remainder to his the said Testator's

tator's own right Heirs for ever; and the said Testator by his said Will charged the said Lands with the Sum of Twelve thousand Pounds, and directed that the same, after his Death, and the Death of his said then Wife *Arabella Fox*, should be raised out of the said Lands, and that the same, when raised, should be paid and applied in the Shares and Proportions following, (that is to say,) the Sum of Two thousand five hundred Pounds to be paid to his said Son *Barry Fox*, the Sum of Four thousand five hundred Pounds to be paid to his said Son *Charles Fox*, the Sum of Two thousand five hundred Pounds to be paid to his said Son *John James Fox*, and the Sum of Two thousand five hundred Pounds to be paid to his said Son *Richard Fox*, and directed that the same should be paid and payable to his said Sons respectively over and above any Sum or Sums of Money that he might owe them or either of them at the Time of his Decease, and provided that after his Decease and the Decease of his said Wife Interest at the Rate of Six Pounds *per Centum per Annum* upon each of the respective Portions of his said younger Sons of and in the said Sum of Twelve thousand Pounds should be raised and paid out of the said Lands and Premises until the said Portions should be paid off and discharged; and the said Testator by his said Will further provided and declared, that it should be lawful for his said Son *Francis Fox*, during his Life, and after his Decease for the several Person or Persons who should respectively under the Limitations in his said Will come to and be in the actual Possession of his said devised Estates, Lands, and Premises, or any Part thereof, or be actually entitled to the Rents and Profits thereof or any Part thereof, by Indenture under their respective Hands and Seals to demise or lease the same or any Part thereof unto any Person or Persons for any Term or Number of Years not exceeding Thirty-one Years, or for any Life or Lives not exceeding Two Lives, which ever should last longest, provided the same should be made in Possession, and not in Reversion, and so as upon every such Lease there should be reserved and made payable during the Continuance thereof respectively the best and most improved yearly or other acreable Rent that could be had or obtained for the same, without taking any Fine or Premium, or any Sum or Sums of Money or other Thing in the Nature of a Fine or Premium, for or in respect of such Lease or Leases, and so as none of the said Lessees should be made dispunishable for Waste by any express Words therein to be contained, and so as that in every Lease or Leases respectively there should be contained a Clause of Re-entry in case of Nonpayment of the Rent or Rents to be thereby respectively reserved, and that such Lessee or Lessees to whom such Lease or Leases should be made should seal and deliver Counterparts of such Lease or Leases; and the said Testator by his said Will further provided and declared, that it should be lawful to and for such Person or Persons as should or might, under the Limitations in his said Will, come to the actual Possession of the Lands and Premises thereby devised, and being in Receipt of the Rents, Issues, and Profits thereof, by any Deed or Deeds, Writing or Writings, under his and their Hand and Seal, to be made by him and them, signed and sealed in the Presence of Two or more credible Witnesses, to grant, limit, or appoint any Rent or annual Sum to be issuing and payable out of the said demised Towns, Lands, and Premises, or any Part thereof, unto or
to

to the Use of any Woman or Women which he or they should marry, and that either before or after any such Marriage, for and during the natural Life or Lives of such Woman or Women respectively, in lieu of Jointure, and in bar of Dower, so as such Annuity or yearly Rent-charge should not exceed in the whole the yearly Sum of Two hundred Pounds, and that it should in like Manner be lawful for his the said Testator's said Son *Francis Fox*, and also for any other of his said Sons, or other Persons for the Time being entitled in Possession to the said Lands and Tenements under that his Will as aforesaid, when of the Age of Twenty-one Years, by any such Deed or Deeds, or Instrument or Instruments in Writing, as aforesaid, to be made upon or previously to his or their Marriage or respective Marriages, to charge the same with the Payment of any Sum or Sums of Money not exceeding Three thousand Pounds, for the Portion or Portions of any younger Son or Sons or Daughter or Daughters of such Marriage, the said Portion or Portions to be paid to such Child or Children respectively at such Age or Time or Ages or Times, and if more than One in such Shares and Proportions, and subject to such Conditions, Limitations, and Restrictions, as they his said Sons, or such other Persons who should become entitled as aforesaid, respectively should think fit, with full Power and Authority for them and each of them to limit and create any Term or Terms of Years of and in the said Hereditaments, or any Part or Parts thereof, for the better raising and securing the Payment of such Portion or Portions; provided nevertheless, that the whole Amount of the said several Sums so charged as such Portions as aforesaid should not at any One Time exceed the Sum of Five thousand Pounds; and the said Testator appointed his Son the said *Charles Fox* Executor of his said Will: And whereas the said Testator *Richard Fox* died on or about the Fourth Day of *May* One thousand eight hundred and thirty-three, without having in any Manner altered or revoked his said Will, leaving his said Wife *Arabella Fox* him surviving, and having had no Issue by her, but leaving by his first Marriage the said *Francis Fox* his eldest Son and Heir at Law: And whereas shortly after the Decease of the said Testator, (that is to say,) on the Twenty-third Day of *November* One thousand eight hundred and thirty-three, the said *Charles Fox*, the Executor of the said Will, duly proved the same in the Prerogative Court of the Archbishop of *Armagh*: And whereas *Arabella Fox* duly made and published her last Will and Testament in Writing, bearing Date on or about the Nineteenth Day of *June* One thousand eight hundred and twenty, which was executed in the Presence of and attested by Three Witnesses, and thereby devised and bequeathed all her Right in the said House and Premises in *Hume Street* in the City of *Dublin* unto the said *Charles Fox*, and devised and bequeathed her Moiety or Half Part of the said settled Lands, Tenements, and Hereditaments in the County of *Longford*, reserved to her by the said Settlement, unto her only Sister *Emelia Evans* for her Life, with Remainder to *Emelia Kirwan*, the Daughter of the said *Emelia Evans*, and the Wife of *Euseby Stratford Kirwan*, for her Life, with Remainder to the said *Euseby Stratford Kirwan* for his Life, with Remainder to the Issue of the said *Euseby Stratford Kirwan* and *Emelia* his Wife, as therein mentioned, and appointed *John Kirwan*, in the said Will
named,

Will of
Arabella
Fox, 19th
June 1820.

named, sole Executor thereof: And whereas the said *Arabella Fox* departed this Life in or about the Month of *July* One thousand eight hundred and thirty-four, without having in any Manner altered or revoked her said Will, and without having made any Appointment, Demise, or other Disposition of her Moiety or Half Part of and in the said settled Lands, Hereditaments, and Premises in the said Counties of *Carlow* and *Meath*, leaving the said *Emelia Evans* her only Sister and Heiress at Law, and without having had any Issue by her Husband the said *Richard Fox*: And whereas the said *Emelia Kirwan* died in the Lifetime of the said *Arabella Fox* without Issue: And whereas shortly after the Decease of the said *Arabella Fox*, (that is to say,) on or about the Twenty-fifth Day of *September* One thousand eight hundred and thirty-four, her said Will was duly proved in the Prerogative Court of the Archbishop of *Armagh* in *Dublin*, by the said *Emelia Evans*, the said *John Kirwan* having departed this Life without having proved the same: And whereas by an Indenture bearing Date the Nineteenth Day of *September* One thousand eight hundred and thirty-four, and made between the said *Emelia Evans* of the one Part, and the said *Euseby Stratford Kirwan* of the other Part, the said *Emelia Evans* did grant and convey unto the said *Euseby Stratford Kirwan*, his Heirs and Assigns, all that One undivided Moiety or equal Half Part or Share of and in all that and those the aforesaid Lands, Hereditaments, and Premises situate, lying, and being in the said Counties of *Longford*, *Carlow*, and *Meath*, and all and singular other the Towns, Lands, Messuages, Tenements, Hereditaments, and Premises whatsoever situate, lying, and being in the said Counties of *Longford*, *Carlow*, and *Meath*, which the said *Emelia Evans*, under the said Will of the said *Arabella Fox*, or as her Heiress at Law, was then seised of or entitled unto in Reversion or Remainder, to hold the said Lands, Hereditaments, and Premises situate in the said Counties of *Longford* and *Carlow*, with their and every of their Appurtenances, unto the said *Euseby Stratford Kirwan*, his Heirs and Assigns for ever, and to have and to hold the said Hereditaments and Premises in the said County of *Meath* unto the said *Euseby Stratford Kirwan*, his Heirs and Assigns, for and during all the Estate and Interest then subsisting or thereafter to be acquired under or by virtue of the original Indenture or Indentures or otherwise of the same Hereditaments and Premises: And whereas the said *Francis Fox*, the eldest Son of the said Testator *Richard Fox*, departed this Life on or about the First Day of *September* One thousand eight hundred and thirty-four, without having exercised the Powers of jointuring and charging Portions in him vested by the said Will of the said *Richard Fox* as aforesaid, leaving the said *Richard Maxwell Fox*, his eldest Son and Heir at Law, and Two younger Sons, namely, the said *John James Barry Fox*, who attained his Age, and died unmarried and without Issue, and *Jemmett George Fox*, him surviving: And whereas the said *Richard Maxwell Fox*, in or about the Month of *September* One thousand eight hundred and thirty-five, intermarried with *Susanna Amelia Halstead*, but did not previous to such Marriage and has never since exercised the Powers of jointuring and charging Portions given to him by the said Will of the said *Richard Fox* deceased: And whereas the said

Indenture,
19th Sept.
1834.

[Private.]

8 a

Richard

Original Bill
in Chancery,
18th May
1839.

Richard Maxwell Fox has several Children, of whom *Francis Fox* is the only Son, and as such entitled to the First Estate in Tail Male in the said Lands, Hereditaments, and Premises so devised by the said Will of his Great Grandfather the said *Richard Fox* as aforesaid, in Remainder after the Decease of the said *Richard Maxwell Fox*: And whereas on or about the Eighteenth Day of *May* One thousand eight hundred and thirty-nine the said *Euseby Stratford Kirwan* filed his Original Bill of Complaint in the High Court of Chancery in *Ireland* against the said *Richard Maxwell Fox*, the said *Lovell Edgeworth*, the Right Honourable *Henry Lord Baron Farnham*, *Barry Fox*, *Charles Fox*, *John James Fox*, *Richard Fox*, and the said *Francis Fox*, the eldest Son of the said *Richard Maxwell Fox*, stating to the Effect herein-before mentioned, and thereby claiming to be entitled to an Estate in Fee of and in the undivided Moiety of the Lands and Premises aforesaid so devised by the Will of the said *Arabella Fox*, and so conveyed to him by the said Indenture of the Nineteenth Day of *September* One thousand eight hundred and thirty-four; herein-before stated, and praying that the said Parts and Shares of the said *Euseby Stratford Kirwan* and of the said *Richard Maxwell Fox*, and of the other Defendants, of and in the said several Lands, Tenements, and Hereditaments in the said Indenture of Settlement of the Thirteenth Day of *December* One thousand eight hundred and four comprised and mentioned, might be settled and ascertained, and that a fair Partition and Division might be made of all the said Lands, Tenements, and Hereditaments between the said *Euseby Stratford Kirwan* and the said *Richard Maxwell Fox*, and the said other Defendants, according to their Rights, and that a Commission or Commission might issue therein to Commissioners to be named for that Purpose, and that the particular Part or Parts of the said Lands and Hereditaments which should be allotted to said *Euseby Stratford Kirwan* as his Share might thenceforth be held and enjoyed by him and his Heirs for ever in Severalty, free from all Incumbrances created by the said *Richard Fox* deceased, or by any of the Persons claiming under him, and that the said several Defendants and all other necessary Parties might be directed to execute all such Deeds, Conveyances, and Assurances as should be proper for effecting such Partition and Division as aforesaid, and for conveying the said Lands and Hereditaments as the same should be allotted, and that all the Title Deeds, Writings, and Evidences relating to the said Lands and Hereditaments then in the Custody or Power of the said Defendants or any of them might be brought into Court, and disposed of according to the Rights of the Parties, and as the said Court should direct, and that all other necessary and proper Directions might be given for making a complete and effectual Partition of the said Lands and Hereditaments, and for further Relief: And whereas all the Defendants to the said Bill appeared and put in their Answers thereto: And whereas, the said Cause being at Issue, the same came on to be heard before the Lord High Chancellor of *Ireland* on the Seventh Day of *May* One thousand eight hundred and forty, when it was ordered and decreed that there should be a Partition of the several Lands, Tenements, and Hereditaments comprised in the said Indenture of Settlement of the Thirteenth Day of *December* One thousand eight hundred and four, and for that Purpose that a Writ of

Decree,
7th May
1840.

of Partition and Commission of Perambulation should forthwith issue under the Great Seal of *Ireland* in the usual Manner: And whereas a Commission was accordingly issued in the said Cause, bearing Date the Fifteenth Day of *September* One thousand eight hundred and forty, and in pursuance thereof *James Browne*, *Matthew Shaw*, and *James Power*, Three of the Commissioners in the said Commission named, on the Twenty-eighth Day of *June* One thousand eight hundred and forty-one duly made their Return thereon, and which said Commission and Return, with the Map or Survey annexed thereto, were duly filed in the proper Office of the said Court of Chancery: And whereas, it having been ascertained in the Progress of the said Cause that several Denominations of Land situate in the County of *Longford* had been erroneously included or inserted in the said Settlement of the Thirteenth *December* One thousand eight hundred and four, and which were not the Property of the said *Arabella Fox*, a Consent was entered into by the Plaintiff and Defendants in the said Cause, bearing Date the Thirty-first Day of *May* One thousand eight hundred and forty-one, whereby it was consented and agreed that the Plaintiff's Bill in the said Cause, and the said Decree bearing Date the Thirty-first Day of *May* One thousand eight hundred and forty, and the said Commission of Perambulation and Partition, should be respectively amended by striking out of the same respectively the following Denominations, which are situate in the County of *Longford*, that is to say, *Grillighinine*, *Clonflower*, *Clonaragh* alias *Clonagrah*, *Clonsullen*, *Clonfinfee*, *Cluowney*, *Clonkeen*, *Glasboone*, *Trillignure* alias *Trilligpatrick*, *Cloncarr*, and *Trilligtemple*, and that such Amendments should be made without Prejudice to the Proceedings already had under the said Decree and Commission, and that the said Consent should be made a Rule of Court: And whereas by an Order made in the said Cause, and bearing Date the Fourth Day of *June* One thousand eight hundred and forty-one, it was ordered that the said Consent should be and the same was thereby received; and it was referred to *John Sealy Townsend* Esquire, the Master in the said Cause, to inquire and report whether it would be for the Benefit of the minor Defendant, *Francis Fox*, that the said Consent should be made a Rule of Court; and it was further ordered, that in case the Master should so find the said Consent should be made a Rule of Court pursuant to the Master's Report, without further Order: And whereas Evidence was laid before the said Master that the said several Denominations of Land had been previously disposed of, and never came to the Possession of the said *Arabella Harman*, the said Master made his Report, bearing Date the _____ Day of *June* One thousand eight hundred and forty-one, and found that it would be for the Benefit of the said minor Defendant that the said Consent should be made a Rule of Court, and the said Denominations were accordingly struck out of the said Bill, Decree, and Commission: And whereas by a further Decree, made in the said Cause, bearing Date the Twelfth Day of *July* One thousand eight hundred and forty-one, it was ordered and decreed that the Return to the said Commission so made therein by the said Commissioners should be established and confirmed, and that pursuant thereto the several Lands and Premises set forth and delineated in the Map or Survey to the said Commission and Return annexed, and therein marked and distinguished

Commission
of Peram-
bulation,
15th Sept.
1840.

Order,
4th June
1841.

Master's
Report,
24th June
1841.

Further
Decree,
12th July
1841.

distinguished by the Figures or Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, should be and the same were thereby allotted to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, as Trustees named in the Will of the said *Richard Fox* deceased, as one Moiety or Half Part of the Lands and Premises in the said Writ and Commission mentioned, and that the several Lands and Premises set forth and delineated in the Map or Survey to the said Commission and Return and annexed, and therein marked and distinguished by the Figures or Numbers 11, 12, 13, 14, 15, 16, 17, 18, and 19, should be and the same were thereby allotted to the said *Euseby Stratford Kirwan*, as the other Moiety or Half Part of the said Lands and Premises in the said Writ and Commission mentioned; and it was thereby further ordered and decreed, that the said *Euseby Stratford Kirwan* and the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, as Trustees named in the Will of *Richard Fox* deceased, should hold and enjoy the said Lands in Severalty, as set out and allotted to them as aforesaid, according to the respective Estates and Interests of the said *Euseby Stratford Kirwan* and of the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, as such Trustees as aforesaid; and for Equality of Partition it was further ordered and decreed, that the said Lands and Premises allotted and set out to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham* should thenceforth be held and enjoyed by them as such Trustees as aforesaid freed and discharged from all Quit Rent, and that the said Lands and Premises so allotted and set out to the said *Euseby Stratford Kirwan* should thenceforth stand and be charged with the Quit Rent payable as well out of the said Lands and Premises so allotted as aforesaid to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham* as out of the Lands and Premises allotted as aforesaid to the said *Euseby Stratford Kirwan*, the whole of the said Quit Rent amounting to the annual Sum of Forty Pounds Four Shillings and Sixpence, besides Collectors or Receivers Fees; and it was thereby further ordered, that the said *Euseby Stratford Kirwan*, and the said *Richard Maxwell Fox*, *Lovell Edgeworth*, *Henry Lord Baron Farnham*, *Barry Fox*, *Charles Fox*, *John James Fox*, *Richard Fox*, and also the said *Francis Fox*, the eldest Son of the said *Richard Maxwell Fox*, when he should attain the Age of Twenty-one Years, should execute unto each other all and every such proper Deed and Deeds of Conveyance as might be necessary for assuring and conveying the said Lands and Premises unto the said *Euseby Stratford Kirwan* and to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham* respectively, according to their said respective Rights and Proportions of the said several Lands and Premises divided, and for giving Effect to the said Decree; and it was thereby further ordered and declared, that the Lands and Premises so allotted to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham* in Severalty as aforesaid should be held by them and their Heirs to the Uses, upon the Trusts, and for the Intents and Purposes, and subject to the Charges expressed, mentioned, and contained in the Will of the said *Richard Fox* deceased, bearing Date the Fourth Day of *May* One thousand eight hundred and twenty-five: And whereas by an Indenture bearing Date on or about the Twenty-fifth Day of *October* One thousand eight hundred and forty-one, and made or expressed to be made between the said *Euseby*
Stratford

Indenture,
 25th October
 1841.

Stratford Kirwan of the First Part, the said *Richard Maxwell Fox* of the Second Part, the said *Francis Fox* his eldest Son of the Third Part, the said *Lovell Edgeworth* and The Right Honourable *Henry Lord Baron Farnham* of the Fourth Part, the said *Barry Fox*, *Charles Fox*, *John James Fox*, and *Richard Fox* of the Fifth Part, and *Francis Beaufort Edgeworth* of the Sixth Part, after reciting as or to the Effect aforesaid, and that the said *Henry Maxwell*, One of the Trustees named in the said Will of the said *Richard Fox* deceased, had succeeded to the Title of Lord Baron *Farnham*, and then was the said *Henry Lord Baron Farnham*, Party thereto, and that the said *John Kirwan*, who was One of the Trustees of the said Term of One thousand Years created by the said Indenture of Release and Settlement of the Thirteenth Day of *December* One thousand eight hundred and four, survived his Co-trustee the said *Rawdon Hawtonville*, and afterwards died without making any Assignment or Distribution of the said Trust Term, or the Premises therein comprised, or any Appointment of a new Trustee or Trustees thereof, having by his last Will and Testament appointed the said *Euseby Stratford Kirwan* his sole Executor, who, on or about the

Day of
 duly proved the said Will in the Court of Prerogative in *Ireland*, and that the Particulars of all the said Lands so allotted as aforesaid were mentioned and described in the Schedule to the said Indenture and in the Map or Plan thereunto annexed, and that such of the Lands and Hereditaments as were mentioned and described in the First Part of the said Schedule, and were in the said Map coloured Red, and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, were the Hereditaments allotted as aforesaid to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, and that such of the said Hereditaments as were mentioned and comprised in the Second Part of the said Schedule, and were in the said Map coloured Yellow, and numbered 11, 12, 13, 14, 15, 16, 17, 18, and 19, were the Hereditaments allotted as aforesaid to the said *Euseby Stratford Kirwan*, and that the said *Francis Fox*, the eldest Son of the said *Richard Maxwell Fox*, then an Infant, had been made a Party to the said Indenture, to the Intent that he should execute the same when he should attain the Age of Twenty-one Years, it was witnessed that the said *Euseby Stratford Kirwan*, the said *Richard Maxwell Fox*, and *Francis Fox* his eldest Son, and the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, according to their respective Estates and Interests in the Premises, and with the Privity of Consent and Approbation of the said *Barry Fox*, *Charles Fox*, *John James Fox*, and *Richard Fox*, testified by their being Parties respectively to and executing the said Indenture, did grant, release, and confirm unto the said *Francis Beaufort Edgeworth*, his Heirs and Assigns, the several Lands, Tenements, and Hereditaments mentioned and described in the Schedule to the said Indenture, (that is to say,) all that and those the Lands of *Derrygroge* alias *Derrygrange*, *Clonkeel* alias *Clonkel*, *Gowland*, *Ballyclara* alias *Aughantragh*, *Gurtinboy* alias *Gurteenboy*, *Carrowmonagh* alias *Carramanagh* alias *Carromanus*, *Carra-geen* alias *Carrogon*, *Ballynamore* alias *Ballinamore*, *Torbegkane* alias *Tonbeaghan* alias *Donnybeaghan* alias *Dunbeggan*, and also the Lands of *Bawn*, *Carryduffe*, *Cartronwogan*, and *Brackagh*, all which said Lands of *Bawn*, *Carryduffe*, *Cartronwogan*, and *Brackagh* were then commonly

[Private.]

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called

called or known by the Name of *Bawn*, and also the Lands of *Cartronally*, *Aughandlaskey*, and *Turlarkin* alias *Turlaskin*, *Gurtinlaw* alias *Gurteenagloon*, Part of the Lands of *Corrediven* alias *Cordween*, *Ballymahon* alias *Ballymaghan* alias *Ballymichael*, and *Cloonberlow*, all situate, lying, and being in the Barony of *Moydow* and County of *Longford*, and also the Lands of *Little Moyle* otherwise *Moyhill*, situate and being in the Barony of *Carlow* and County of *Carlow*, and also the Lands or Tenements and Premises called *Black Bull* otherwise *Priortown*, situate, lying, and being in the Barony of *Dunboyne* and County of *Meath*, and all which Lands, Tenements, and Hereditaments were particularly delineated in the Map or Plan annexed to the said Indenture, or howsoever otherwise the said several Lands, Tenements, and Hereditaments, or any of them, or any Part thereof, then were or was, or theretofore were or was, described, called, known, or distinguished, to have and to hold the same unto the said *Francis Beaufort Edgeworth* and his Heirs, to the Uses, upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Provisoos, Agreements, and Declarations therein-after expressed and contained or referred to of or concerning the same; and it was by the said Indenture further witnessed, that in further Pursuance and Performance of the said Decree of the Twelfth Day of *July* One thousand eight hundred and forty-one, and to the Intent that the Residue then to come and unexpired of the said Term of One thousand Years created by the said Indenture of Settlement of the Thirteenth Day of *December* One thousand eight hundred and four, and then vested in the said *Euseby Stratford Kirwan* as Executor of the said *John Kirwan* deceased, might merge in and be consolidated with the Freehold and Inheritance of the Lands, Tenements, and Hereditaments therein comprised, the said *Euseby Stratford Kirwan* did release, surrender, and yield up, bargain, sell, assign, transfer, and set over, unto the said *Francis Beaufort Edgeworth*, his Heirs and Assigns, all and singular the Lands, Tenements, Hereditaments, and Premises by the said Indenture granted and released, or expressed and intended so to be, or such and so many or such Part or Parts of the same as were comprised in the said Term of One thousand Years, with their and every of their Rights, Members, and Appurtenances, to the End and Intent that the Residue and Remainder then to come and unexpired of the said Term of One thousand Years might merge in and be consolidated with the Freehold and Inheritance of the same Premises; and it was by the same Indenture agreed and declared between and by the several Parties thereto, that the Grant, Release, Confirmation, and Surrender therein-before contained should operate and enure to the Uses and in the Manner therein-after expressed; (that is to say,) as to, for, and concerning all such and so many and such Part and Parts of the said Lands, Tenements, and Hereditaments as were mentioned and comprised in the First Part of the said Schedule thereto, and were in the said Map to the said Indenture annexed coloured Red, and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, (that is to say,) the Lands of *Derrygroge* alias *Derrygraigne*, *Cloonkeel* alias *Clonkeel*, *Gowland*, *Ballyclara* alias *Aughantragh*, *Gurtinboy* alias *Gurteenboy*, *Carrowmonagh* alias *Carramanagh* alias *Carromanus*, *Carrageen* alias *Carragon*, *Ballynamore* alias

alias *Ballinamore*, *Torbegkane* alias *Tonbeaghan* alias *Donnybeaghan* alias *Dunbeggan*, situate in the said Barony of *Moydow* and County of *Longford*, and the said Lands of *Little Moyle* otherwise *Moyhill*, situate in the Barony of *Carlow* and County of *Carlow*, with their Appurtenances, save and except that Part of the Bog of *Gowland* marked and distinguished in the said Map with the Number 18, to the Use of the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, their Heirs and Assigns, freed and discharged of and from the Payment of all Quit Rent; and as to, for, and concerning all such and so many and such Part and Parts of the said Lands, Tenements, and Hereditaments as were mentioned and comprised in the Second Part of the said Schedule to the said Indenture, and were in the said Map thereto annexed coloured Yellow, and numbered 11, 12, 13, 14, 15, 16, 17, 18, and 19, (that is to say,) the Lands of *Bawn*, *Carryduffe*, *Cartronwogan*, and *Brackagh*, all then commonly called or known by the Name of *Bawn*, *Cartronvalley*, *Aughanalasky*, and *Turlarkin* alias *Truelaskin*, *Gurtinloe* alias *Gurteenagloon*, Part of *Corrediven* alias *Cordween*, *Ballymahon* alias *Ballymeaghan* alias *Ballymichael*, *Cloonberlow*, and Part of the Bog of *Gowland*, all situate in the said Barony of *Moydow* and County of *Longford*, and the Lands or Tenements and Premises called *Black Bull* alias *Priortown*, situate in the Barony of *Dunboyne* and County of *Meath*, with their Appurtenances, to the Use of the said *Euseby Stratford Kirwan*, his Heirs and Assigns, freed, released, and discharged of and from all Powers and Authorities of the said *Richard Maxwell Fox* under or by virtue of the said in part recited Will of the said *Richard Fox* deceased, and also freed and discharged of and from the Estate Tail of the said *Francis Fox*, eldest Son of the said *Richard Maxwell Fox*, under and by virtue of the said in part recited Will, and from all Remainders and Reversions thereupon expectant, and all Estates, Rights, Titles, Interests, and Powers to take effect after the Determination or in Defeasance of such Estate Tail, but nevertheless subject to and charged and chargeable with the Quit Rent, payable as well for or out of the said Lands and Premises limited to the Use of the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, and their Heirs and Assigns, as aforesaid, as out of the said Lands and Premises limited to the Use of the said *Euseby Stratford Kirwan*, and his Heirs and Assigns, as aforesaid, the whole of such Quit Rent amounting to the annual Sum of Forty Pounds Four Shillings and Sixpence, besides Collectors or Receivers Fees; and it was thereby further agreed and declared, between and by the several Parties thereto, that the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, and their Heirs, should stand and be seised and possessed of the said Lands, Tenements, and Hereditaments so allotted and limited to them as aforesaid upon and for such of the Trusts, Intents, and Purposes, and with, under, and subject to such of the Powers, Provisoos, Agreements, and Declarations, expressed, declared, and contained in and by the said Will of the said *Richard Fox* deceased, bearing Date the Fourth Day of *May* One thousand eight hundred and twenty-five, as immediately before the sealing and Delivery of the said Indenture were subsisting or capable of taking effect; and by the same Indenture it was provided and declared, that if at any Time or Times thereafter any Claim

or

or Demand should be made upon the said Hereditaments and Premises mentioned or comprised in the First Part of the said Schedule thereto, or any of them, or any Part thereof, or upon the Owner or Owners, Occupier or Occupiers of the same Premises, for or in respect of the said Quit Rent or any Part thereof, and the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, their Heirs or Assigns, should in consequence of any such Claim or Demand pay any Sum or Sums of Money, or be put unto or sustain any Loss or Damage, Costs, Charges, or Expences whatsoever, then and in every or any such Case it should be lawful for the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, their Heirs and Assigns, to enter into and upon the Hereditaments and Premises mentioned and comprised in the Second Part of the said Schedule to the said Indenture, or any Part or Parts thereof, and to distrain thereupon for all such Sum or Sums of Money, Losses, Damages, Costs, Charges, or Expences which the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, their Heirs and Assigns, should so pay, or be put unto, pay, or sustain as aforesaid, and also the Costs, Charges, and Expences of or relating to such Distress or Distresses, in such and the same Manner as Landlords may distrain for Rent reserved by Lease or common Demise: And whereas the said *Richard Maxwell Fox* is now seised in Fee Simple of and in all that and those the Castle, Mansion House, Town, and Lands of *Foxhall* otherwise *Rathereogh* otherwise *Rathreagh*, *Corsebullaghs* otherwise the *Corsebullaghs* otherwise *Correbullaghs*, *Rossart*, *Aughadrissagh* otherwise *Carrickstrannell*, *Aghaneskeoge* otherwise *Anoghanlishoge*, *Claghamore* otherwise *Cloghnamore* otherwise *Clognamore* otherwise *Cloghamore*, *Aghnakelly* otherwise *Aghanakelly*, *Aghanregly* otherwise *Aghnereeloge*, *Aghanderry*, *Cloghare*, *Rath*, *Cardaragh* and *Corduff*, the Towns and Lands of *Cloghiggin* otherwise *Cloghen* otherwise *Aghaneaslau* otherwise *Anghoislane*, otherwise *Sillinreagh* otherwise *Skillianreagh*, *Ballymaclifford* and *Killglass*, *Treel* otherwise *Treely*, and the Mill thereon, *Clontemullen* and *Clonbegg*, the Town and Lands of *Aghavanagher* otherwise *Portmahon* otherwise *Newport*, *Aghnaveloge*, *Carigin*, *Killincrobagh* otherwise *Killinkinnard*, *Largie* otherwise *Lurgee*, *Tonebegg* otherwise *Scarvan*, *Slyan* otherwise *Sillanmogg*, *Clonfenock*, *Slyan Sankey*, and the Rectorial Tithes of the Parish of *Foxhall* otherwise *Rathreagh*, all situate, lying, and being in the Barony of *Ardagh* and County of *Longford*, and also the Town and Lands of *Clonard* otherwise *Cloonard*, situate in the Barony of *Rathcline* and County of *Longford*, with all and singular the Profits and Commodities thereunto belonging, subject to a certain Term of Two hundred Years created by an Indenture bearing Date on or about the Fifteenth Day of *December* One thousand seven hundred and eighty-seven, and made between the said *Richard Fox* (the Grandfather of the said *Richard Maxwell Fox*) of the First Part, the Right Honourable *Barry Maxwell* then Earl of *Farnham* and the Honourable Lady *Anne Maxwell* of the Second Part, the Honourable *John James Maxwell* commonly called Lord *Maxwell* and *Richard Lovell Edgeworth* of the Third Part, and *Owen Wynne* and *John Ruxton* of the Fourth Part, which said Term was vested in the said *Owen Wynne* and *John Ruxton*, their Executors, Administrators, and Assigns, and is now vested in the Executors of the said *Owen Wynne*, who died,

died, having survived the said *John Ruxton*, for the Purpose of raising a Sum of Six thousand Pounds then Currency of *Ireland*, and which is still due and subsisting, and also subject to a Term of Five hundred Years created by another Indenture bearing Date on or about the Second Day of *December* One thousand eight hundred and thirteen, and made between the said *Richard Fox* and *Francis Fox* (the said Grandfather and Father of the said *Richard Maxwell Fox*) of the First Part, *Frances Browne* the elder and *Frances Browne* the younger of the Second Part, the Right Honourable *John James* Earl of *Farnham* and *Jemmett Browne* of the Third Part, *Richard Ruxton* and *Alexander Hamilton* of the Fourth Part, and the said *Charles Fox* and *John Browne* of the Fifth Part, and which said Term of Five hundred Years was vested in the said *Charles Fox* and *John Browne* upon Trust, in the first place, to secure to the said *Frances Fox*, in case she should survive her Husband the said *Francis Fox*, Father of the said *Richard Maxwell Fox*, the yearly Sum of Seven hundred Pounds then Currency of *Ireland* for her Life, and then to raise a Sum of Three thousand Pounds like Currency for the younger Children of the said Marriage, and which said Trusts are still subsisting, the said Term of Ninety-nine Years created by said Indenture, and vested in the said *Richard Ruxton* and *Alexander Hamilton*, having ceased, pursuant to a Proviso to that Effect in said Indenture contained, and also subject to a Mortgage Debt of Five thousand two hundred Pounds, with Interest thereon after the Rate of Five Pounds *per Centum per Annum*, secured to be paid to *Mary Henrietta Hawkins* Spinster, *Anne Hawkins* Spinster, the Reverend *John Gregg*, and the Reverend *Alexander Montgomery*, in certain definite Proportions, by an Indenture bearing Date the Eighteenth Day of *January* One thousand eight hundred and thirty-nine, and made between the said *Richard Maxwell Fox* of the First Part, *James Hawkins* of the Second Part, the said *Mary Henrietta Hawkins* of the Third Part, the said *Anne Hawkins* of the Fourth Part, the said *John Gregg* of the Fifth Part, and the said *Alexander Montgomery* of the Sixth Part, and also subject to a Charge thereon created by the said *Richard Maxwell Fox* in favour of his Brother and Sisters, amounting to Five thousand Pounds, by an Indenture bearing Date the Twenty-seventh Day of *February* One thousand eight hundred and forty, and made between the said *Richard Maxwell Fox* of the First Part, *John James Barry Fox*, *Grace Margaret Fox*, *Selina Mary Fox*, *Jemmett George Fox*, and *Henrietta Elizabeth Fox*, of the Second Part, and the said *Charles Fox* and the Reverend *John Browne* of the Third Part, and also subject to an Annuity of One hundred Pounds charged thereon payable to *James Geoffroy* for his Life, and to several Judgments collectively amounting to the Sum of Six thousand seven hundred and twenty-eight Pounds Seventeen Shillings and One Penny, or thereabouts: And whereas the said Lands and Hereditaments of or to which the said *Richard Maxwell Fox* is so seised or entitled as aforesaid form Part of the Lands immediately adjacent to the Mansion House of *Foxhall* in the County of *Longford*, which for many Years has been the principal Residence of his Family, and are of greater Value over and above the said Charges and Incumbrances thereon than the Moiety of the said Lands comprised in the said Settlement of the Thirteenth Day of *December*

[Private.]

One thousand eight hundred and four, and by the said Indenture of the said Twenty-fifth Day of *October* One thousand eight hundred and forty-one vested in the said *Lovell Edgeworth* and the Right Honourable *Henry* Lord Baron *Farnham*, their Heirs and Assigns, upon and for the Trusts declared by and contained in the said Will of the said *Richard Fox* deceased, and which last-mentioned Lands and Hereditaments lie at a Distance and detached from the said Mansion House and Residence of the said *Richard Maxwell Fox* and his Family: And whereas it would be for the Advantage and Benefit of the said *Francis Fox*, and the infant Son of the said *Richard Maxwell Fox*, and the other Persons entitled in Remainder to the said Lands, Hereditaments, and Premises so devised to them by the Will of the said *Richard Fox* as aforesaid, if the said Lands, Tenements, and Hereditaments of which the said *Richard Maxwell Fox* is so seised in Fee Simple as aforesaid were to be settled to the Uses, upon the Trusts, and to the Ends, Intents, and Purposes declared by the said Will of the said *Richard Fox* respecting the said Lands, Tenements, and Premises thereby devised as aforesaid, in lieu of the said last-mentioned Lands, Hereditaments, and Premises, and that the said Sum of Six thousand Pounds, being the first Charge upon the said Fee Simple Estate, with Interest thereon, as well as the said Sum of Twelve thousand Pounds so charged on the said Moiety of the said settled Estates by the Will of the said *Richard Fox* deceased, as aforesaid, should be paid and satisfied by the Means of the Sale of the said Lands, Hereditaments, and Premises comprised in the said Will of the said *Richard Fox*, and it is desirable, and for the Benefit of all Parties interested therein, that a Power should be given of Sale and Exchange extending over a small Portion of the said Estate so to be settled of which the said *Richard Maxwell Fox* is so seised in Fee Simple, subject as aforesaid, known and described as the Lands of *Clonard* otherwise *Cloonard*, in the Barony of *Rathcline*, which are somewhat detached, and which it is probable may be exchanged for other Lands more convenient to the said Family Estates, or may be advantageously sold, and the Monies to be produced by such Sale invested in the Purchase of Lands more convenient, to be held with the Remainder of the Lands so proposed to be settled as aforesaid: And whereas the said *Lovell Edgeworth*, One of the Trustees named in the said Will of the said Testator, departed this Life in the Month of *December* One thousand eight hundred and forty-two, leaving the said *Henry* Lord Baron *Farnham* him surviving: And whereas the said *John James Barry Fox*, the Second Son of the said *Francis Fox*, and a Devisee in Remainder named in the Will of the said *Richard Fox*, having attained his Age of Twenty-one Years, lately died unmarried and without Issue, and the said *Jemmett George Fox*, the Third Son of the said *Francis Fox*, is an Infant under the Age of Twenty-one Years, and is unmarried: And whereas the said *Barry Fox*, *Charles Fox*, the Reverend *John James Fox*, and *Richard Fox* are entitled to successive Estates for Life in Remainder in the said Lands, Hereditaments, and Premises, with Remainder successively to their respective First and other Sons in Tail Male of and in the same: And whereas the said *Barry Fox* has attained his full Age, and has Issue Male Two Sons, namely, *Maxwell Fox* and *William Waller Fox*, both Infants under the Age of Twenty-one

one Years: And whereas the said *Charles Fox*, who is of full Age and unmarried, and the Reverend *John James Fox*, who is also of full Age, and has Issue Male *Willoughby Fox*, his eldest Son, *Charles Fox*, *Arthur Fox*, *Henry Fox*, *Francis Fox*, *Barry Fox*, and *Frederick Fox*, his younger Sons, who are all Infants under the Age of Twenty-one Years: And whereas the said *Richard Fox* is also of full Age, and has Issue Male *Maxwell Fox*, his eldest Son, *Charles De Bassan Fox*, *Henry Fox*, *Eric Fox*, and *Cecil Fox*, his younger Sons, who are all Infants under the Age of Twenty-one Years: And whereas the said *Richard Maxwell Fox* is now the right Heir of the said Testator *Richard Fox*: And whereas the said Purposes cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subject, *Richard Maxwell Fox*, on behalf of himself and his infant Son the said *Francis Fox*, doth most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen'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 from and immediately after the passing of this Act the Castle, Mansion House, and Demesne, and the Towns, Lands, Tenements, and other Hereditaments in the said County of *Longford*, particularly mentioned and described in the Schedule marked No. I., to this Act annexed, with their and every of their respective Rights, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, yearly and other Rents, Issues, and Profits of all and singular the same Castle, Mansion House, and Demesne, and the same Towns, Lands, Hereditaments, and Premises shall be and the same are hereby respectively vested in and settled upon the said *Henry Lord Baron Farnham* (the surviving Trustee of the Will of the said *Richard Fox* deceased), his Heirs and Assigns for ever, but subject nevertheless as herein-before and herein-after mentioned and particularly set forth in the Schedule marked No. III. to this Act annexed; (that is to say,) to the said Term of Two hundred Years created by the said Indenture bearing Date on or about the Fifteenth Day of *December* One thousand seven hundred and eighty-seven, and the Charge of Six thousand Pounds of the late Currency of *Ireland* secured thereby, until paid off and discharged in the Manner herein-after mentioned, and to the Term of Five hundred Years created by the said other Indenture bearing Date on or about the Second Day of *December* One thousand eight hundred and thirteen, and to the said Jointure of Seven hundred Pounds yearly of the like late Currency payable to the said *Frances Fox* during her Life, and to the said Charge of Three thousand Pounds of the like late Currency respectively secured thereby, and to the said Mortgage Debt of Five thousand two hundred Pounds of the present Currency, secured by the said Indenture bearing Date the Eighteenth Day of *January* One thousand eight hundred and thirty-nine, and to the said Charge of Five thousand Pounds of the like present Currency created by the said *Richard Maxwell Fox* by the said Indenture bearing Date the Twenty-seventh Day of *February* One thousand eight hundred and forty, and the said Term of Five hundred Years for securing the same, and to the said Annuity of One hundred Pounds yearly during the Life of the said *James Geoffroy*, and

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The Castle, Mansion House, and Demesne, &c. in the County of Longford, vested in Henry Lord Baron Farnham.

to the other Debts in the said Third Schedule mentioned, and subject also to the existing Tenants Leases thereof, and as to the Lands of *Clonard*, to the Power of Sale and Exchange herein-after mentioned; upon upon and for such and the same Uses, Trusts, Ends, Intents, and Purposes, and with, under, and subject to the Powers, Provisoos, Conditions, and Limitations, (save and except to the said Charge of Twelve thousand Pounds,) or to such and so many thereof as now remain subsisting undetermined and capable of taking effect, as are expressed, declared, and contained in and by the said Will of the said *Richard Fox* deceased of and concerning the said Towns, Lands, and Hereditaments mentioned and described in and by the Schedule marked No. II. to this Act annexed, being the Towns, Lands, and Hereditaments so devised to the said *Lovell Edgeworth*, since deceased, and to the said *Henry Lord Farnham*, and to their Heirs, by the said Will; and so conveyed and assured to them by the said Deed of Partition of the Twenty-fifth Day of *October* One thousand eight hundred and forty-one, as aforesaid, and which are made saleable by this Act, and to which (if this Act had not been made) the said Towns, Lands, and Hereditaments would by the said Will stand limited and subject.

Power of
making
Sales and
Exchanges.

II. Provided always, and be it hereby enacted and declared, That it shall be lawful for the said *Henry Lord Baron Farnham*, and his Heirs and Assigns, at any Time or Times, with the Consent and by the Direction of the said *Richard Maxwell Fox*, and after his Decease with the Consent and by the Direction of the Person or Persons who shall be in Possession of and entitled to the said Castle, Mansion House, Towns, Lands, Hereditaments, and Premises mentioned in the said First Schedule to this Act annexed, under and by virtue of the said Limitations herein-before by reference contained, if such Person or Persons shall be of full Age, but if such Person or Persons be under Age then with the Consent and by the Direction of his, her, or their Guardian or respective Guardians, during his, her, or their respective Minority or Minorities, such Consent and Direction respectively to be testified by any Writing or Writings under his, her, or their Hand and Seal or Hands and Seals respectively, attested by One or more Witness or Witnesses, to make sale, alien, and dispose of or to convey in exchange for or in lieu of other Towns and Lands lying more convenient to the said Castle, Mansion House, and the other Towns and Lands in the said First Schedule to this Act annexed mentioned, and by this Act settled as aforesaid, all those Lands in the said First Schedule mentioned, known, and described as the Lands of *Clonard* otherwise *Cloonard*, in the Barony of *Rathcline* in the said County of *Longford*, with the Appurtenances, and the Inheritance thereof in Fee Simple, to any Person or Persons whomsoever, either together or in Parcels, and for such Price or Prices in Money, or for such Equivalent or Recompence in Lands or Hereditaments, as to the said *Henry Lord Baron Farnham*, his Heirs or Assigns, shall seem reasonable, either with or without Conditions of Sale; and for the Intents and Purposes aforesaid it shall and may be lawful to and for the said *Henry Lord Baron Farnham*, his Heirs or Assigns, at such Request and by such Direction, and so testified as aforesaid, by any Deed or Deeds, Writing or Writings, to be by him
or

or them sealed and delivered in the Presence of and attested by Two or more credible Witnesses, to revoke, determine, and make void all and every the Uses, Estates, Trusts, Limitations, Powers, Provisoos, and Conditions by this Act by Reference as aforesaid limited, expressed, and declared of and concerning the said Lands of *Clonard* otherwise *Cloonard*, so to be sold or exchanged, or any Part thereof, and by the same or any other Deed or Deeds, Writing or Writings, to be by him the said *Henry Lord Baron Farnham*, his Heirs and Assigns, sealed and delivered and attested as aforesaid, to limit, declare, or appoint such Use or Uses, Estate or Estates, Trust or Trusts of the said Lands of *Clonard* otherwise *Cloonard*, the Uses whereof shall be so revoked, which it shall be thought necessary or expedient to limit, declare, or appoint, in order to effect such Sale or Exchange as aforesaid, and that upon any such Exchange as aforesaid it shall and may be lawful for the said *Henry Lord Baron Farnham*, his Heirs or Assigns, to give, receive, or take any Sum or Sums of Money by way of Equality of Exchange; and that all and every the Sum and Sums of Money which shall arise from any Sale or Sales of or upon any Exchange or Exchanges of the said Lands of *Clonard* otherwise *Cloonard*, which shall be made in pursuance of the said Power in this Act, shall be paid by the Person or Persons to or with whom such Sale or Sales, Exchange or Exchanges, shall be made, without any Fee or Reward, into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to the Account there, “*Ex parte* the Purchaser or Purchasers of the Lands of *Clonard* otherwise *Cloonard*, Part of the Estates of *Richard Maxwell Fox Esquire*,” pursuant to the Method prescribed by the *Irish Statute of the Twenty-third and Twenty-fourth George the Third*, Chapter Twenty-two, and the General Orders of the said Court, and that the Certificate or Certificates of the said Accountant General, together with the Receipt or Receipts of the Cashier of the Bank of *Ireland*, to be thereunto annexed or therewith filed in the Register’s Office of the Court of Chancery, of the Payment into the said Bank of *Ireland* by such Purchaser or Purchasers of his, her, or their Purchase Money or Monies respectively so to be paid, or of any Part of such Purchase Monies, or by any Party or Parties to or with whom any Exchange or Exchanges shall have been made of his, her, or their Monies so to be paid for Equality of Exchange, or an Office Copy or Copies thereof, shall be and be deemed to be a good and effectual Discharge or good and effectual Discharges to such Purchaser or Purchasers, Party or Parties, with whom any such Exchange or Exchanges shall have been made, and to his, her, or their respective Heirs, Executors, Administrators, and Assigns, for so much of the Purchase Money or Monies, and so much Money paid for Equality of Exchange as shall in such Certificate or Certificates and Receipt or Receipts be certified or acknowledged to be received, and that after the filing of such Certificate or Certificates, and Receipt or Receipts, such Purchaser or Purchasers, or such Party or Parties, his, her, or their Heirs, Executors, Administrators, or Assigns, shall not afterwards be liable to see to the Application of such Monies, nor be answerable or accountable for any Loss, Misapplication, or Non-application of the same, and that the Monies to be paid into

Purchase and other Monies arising from Lands of *Clonard* to be paid into the Bank.

[*Private.*]

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the Bank of *Ireland* as aforesaid which shall remain after Payment of the Costs, Charges, and Expences attending such Sale or Exchange (as the Case may be), shall with all convenient Speed, upon a Petition to be preferred to the said Court of Chancery in a summary Way by the said *Richard Maxwell Fox* during his Lifetime, and after his Decease by the said *Francis Fox* his Son, or the Person or Persons who under or by virtue of the Limitations herein-before by reference contained shall for the Time being be entitled in Possession to the Rents and Profits of the said Castle, Mansion House, Towns, Lands, Hereditaments, and Premises by this Act limited and settled by reference as aforesaid, if such Person or Persons respectively shall be of full Age, but if such Person or Persons respectively shall be under Age, then by his, her, or their Guardian or respective Guardians during his, her, or their respective Minority or Minorities, be laid out and invested, under the Direction of the said Court, in the Purchase of the Fee and Inheritance of Towns and Lands lying more convenient to the said Castle, Mansion House, and the other Towns and Lands comprised in the said First Schedule to this Act annexed, and from and immediately after the making of such Purchase or Purchases, or from and immediately after the making of such Exchange or Exchanges as aforesaid, as well the said Lands so to be purchased, as all and every the Lands so to be received in Exchange as aforesaid, shall stand limited and assured to, upon, and for such Uses, Trusts, Intents, and Purposes, and with, under, and subject to such Powers, Provisoes, Conditions, and Agreements, as are in and by this Act by reference limited, expressed, and declared of and concerning the said Castle, Mansion House, Towns, Lands, and Hereditaments in the said First Schedule to this Act annexed mentioned, including the said Lands of *Clonard* otherwise *Cloonard*, so to be sold or exchanged, or as near thereto as the Deaths of Parties and other Contingencies, or the Circumstances of the Case, will permit.

Monies paid into Bank, not ordered by Court of Chancery to be applied in Payment of Costs, shall, until the same be invested in the Purchase of Lands, be laid out according to Regulations of Court of Chancery.

III. Provided always, and be it enacted, That all Sums of Money which shall be so paid into the Bank of *Ireland* in manner herein-before directed, or so much as shall not be ordered by the said Court of Chancery to be applied in Payment of such Costs, Charges, and Expences, as herein-before directed, shall, in the meantime and until the same shall be invested in the Purchase of Lands as aforesaid, be from Time to Time laid out, according to the Regulations of the said Court of Chancery in reference to the Investment of Purchase Monies arising from Sales had under Decrees of the said Court of Chancery, in the Name of the said Accountant General, in the Purchase of such Government Funds or Stock as the said Court may direct, and that the Dividends and Interest thereof, and the Monies to be received for the same as they shall respectively be paid off by Government, shall from Time to Time be laid out in the Purchase of other the like Government Funds or Stock, and shall remain so invested until such proper Purchase or Purchases shall be found and approved of as herein-before directed, and until the same Government Funds or Stock shall, upon a Petition setting forth such Approbation, to be preferred to the said Court of Chancery in a summary Way by the said *Richard Maxwell Fox*, or such other Person or Persons who for the Time being shall be beneficially entitled in Possession to the

the Rents and Profits of the Lands to be purchased as aforesaid, or if such Person or Persons shall be under Age then by his, her, or their Guardian or Guardians, be respectively ordered to be sold by the said Accountant General for completing such Purchase or Purchases respectively, in such Manner as the said Court shall think just; and that if the Money arising by the Sale of such Government Stocks or Funds 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 after discharging the Expence of the Applications to the Court shall be paid to the Person or Persons respectively who 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 Representatives of such Person or Persons.

IV. And be it further enacted, That the Towns, Lands, Tenements, and Hereditaments so devised by the Will of the said *Richard Fox* deceased, and conveyed to the said *Lovell Edgeworth* and *Henry Lord Baron Farnham*, their Heirs and Assigns, by the said Deed of Partition as aforesaid, and more particularly described in the said Second Schedule to this Act annexed, with their and every of their Rights, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, yearly and other the Rents, Issues, and Profits of all and singular the same Lands and Hereditaments, shall be vested in and settled upon the said *Henry Lord Baron Farnham*, his Heirs and Assigns for ever, freed and absolutely acquitted, exonerated, and discharged of and from all and every the Uses, Estates, Trusts, Entails, Remainders, Limitations, and Conditions, Powers, Charges, Provisoos, and Declarations, in and by the said Will of the said *Richard Fox* deceased, and by the said Deed of Partition, limited and declared of and concerning the same respectively, (but subject, until such Sale, and the Payment thereof, to the said Sum of Twelve thousand Pounds so charged by the said Will, and subject also to the existing Tenants Leases thereof,) upon the Trusts and to and for the Intents and Purposes herein-after expressed and declared of and concerning the same respectively, that is to say, upon Trust that he the said *Henry Lord Baron Farnham*, his Heirs or Assigns, do and shall, as soon as conveniently may be after the passing of this Act, with the Consent in Writing of the said *Richard Maxwell Fox* during his Life, and after his Decease with the Consent in Writing of his eldest Son, if of full Age, or of his Guardian if a Minor, absolutely sell and dispose of all or any of the said Lands and Hereditaments and Premises so lastly hereby vested in and settled upon the said *Henry Lord Baron Farnham* as aforesaid, with their and every of their Appurtenances, and the Fee Simple and Inheritance thereof respectively, either by public Sale or private Contract, or partly by public Sale or partly by private Contract, either with or without special Conditions of Sale relating to the Title of the said Lands and Hereditaments so to be sold, and either altogether in one Lot or in several Lots and Parcels, as may be deemed expedient, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof or of any Part thereof respectively, and with full Power and Authority for the said *Henry Lord Baron Farnham*, his Heirs and Assigns,

The Towns, Lands, and Hereditaments devised by the Will of *Richard Fox* vested in *Henry Lord Baron Farnham*, freed and discharged from the Uses in the Will of said *Richard Fox*, subject as therein mentioned.

Assigns, with such Consent as aforesaid, to buy in the same Lands and Premises or any Part thereof at any Sale or Sales by public Auction, and to rescind, alter, or vary any Contract or Contracts which may be entered into for the Sale of the said Lands and Premises or any Part or Parts thereof, and to resell the same, either with or without such special Conditions of Sale, in or by all or any of the Modes or Means aforesaid, without being answerable for any Loss to be occasioned thereby, and upon Receipt of the Money to arise by such Sale or Sales do and shall convey and assure the said Lands, Hereditaments, and Premises so to be respectively sold as aforesaid, with their Appurtenances, unto and to the Use of such Purchaser or Purchasers thereof respectively, and his, her, or their Heirs or Assigns, or as he, she, or they respectively shall direct or appoint, freed, acquitted, exempted, exonerated, and discharged as aforesaid (save and except as aforesaid); and that every Receipt which shall be given by the said *Henry Lord Baron Farnham*, his Heirs or Assigns, to such Purchaser or Purchasers respectively, for his, her, or their Purchase Money or any Part thereof, shall be and shall be deemed and taken to be a good and sufficient Discharge or good and sufficient Discharges to such Purchaser or Purchasers for so much Money as therein shall be expressed and acknowledged to have been received respectively; and such Purchaser or Purchasers, his, her, or their Heirs, Appointees, Executors, Administrators, or Assigns, shall not afterwards be liable to see to the Application of such Monies, or be accountable or answerable for any Loss, Misapplication, or Nonapplication of the same or any Part thereof.

Application
of Monies
arising by
Sales.

V. And be it further enacted, That the said *Henry Lord Baron Farnham*, his Heirs or Assigns, do and shall pay and apply the Monies to arise by such Sale or Sales in manner following; that is to say, in the first place, in paying and defraying the Costs, Charges, and Expences of and attending the passing and obtaining this Act, and incident thereto, and the Execution of the Trusts hereby reposed in him or them; and, in the next place, in the Payment of the said Charge or Sum of Twelve thousand Pounds of the late Currency of *Ireland* so charged by the said Will of the said *Richard Fox* to the Parties entitled thereto, and all Interest on the said Charge, and all Costs and Expences due to the said Parties in relation thereto; and, in the next place, in the Payment of the said Charge or Sum of Six thousand Pounds of the said late Currency so charged upon certain Parts of the said Lands and Hereditaments mentioned in the said First Schedule to this Act annexed by the said Deed of the Fifteenth *December* One thousand seven hundred and eighty-seven, and all Interest on the said Charge of Six thousand Pounds, and all Costs and Expences in relation thereto due to the Party or Parties entitled thereto, or in Payment of so much of the said Charge as the Monies to arise from the said Sales shall extend to or be sufficient to pay; and in case there shall remain any Residue or Surplus of such Monies after such Payments as aforesaid, and after fully paying and satisfying the Purposes aforesaid, then that the said *Henry Lord Baron Farnham* do and shall pay the same to and for the Use of the said *Richard Maxwell Fox*, his Executors, Administrators, and Assigns, and until such Sale or Sales do take place do and shall pay and apply the
Rents,

Rents, Issues, and Profits of the said Lands and Premises (after defraying the Expence of the Collection thereof) in the Payment of the Interest due and to accrue due upon the said Charges of Twelve thousand Pounds and Six thousand Pounds of the said late Currency respectively, and do and shall pay the Residue of the said Rents and Profits after such Payment as aforesaid to the said *Richard Maxwell Fox*, his Heirs and Assigns, for his and their own Use: Provided always, that if any Part of the said Lands, Hereditaments, and Premises so made saleable by this Act shall remain unsold, after fully satisfying the several Purposes aforesaid, the same shall be and are hereby vested in the said *Henry Lord Baron Farnham*, his Heirs and Assigns, upon Trust to the Use of the said *Richard Maxwell Fox*, his Heirs and Assigns for ever.

VI. Provided always, and be it enacted, That in case the said Right Honourable *Henry Lord Baron Farnham*, or any Trustee who shall be appointed as herein-after mentioned, or his, their, or any of their Heirs or Assigns, shall die, or be desirous to be discharged from or shall refuse or decline or become incapable to act in the Trusts hereby created in relation to the Lands and Premises comprised in the said Schedule hereunto annexed marked No. II., or shall go to reside out of *Great Britain and Ireland* at any Time before the said Trusts shall be fully performed and executed, then and in every such Case it shall and may be lawful to and for Her Majesty's Court of Chancery in *Ireland*, in a summary Way, upon a Petition to be preferred by the said *Henry Lord Baron Farnham*, or any Person or Persons who shall be a Trustee or Trustees for carrying this Act into execution in relation to the said Lands and Premises comprised in the said Schedule marked No. II., or by the said *Richard Maxwell Fox* during his Lifetime, and after his Decease for the said *Francis Fox* his Son, or other the Person and Persons for the Time being entitled to the said Lands and Premises, if such Person or Persons shall be of full Age, but if such Person or Persons be under Age, then by his, her, or their Guardian or respective Guardians during his, her, or their respective Minority or Minorities, to appoint any Person or Persons named by the said Court to be a Trustee or Trustees in the Room or Stead of the Trustee or Trustees so dying, or desiring to be discharged, or refusing or declining or becoming incapable to act, or going to reside out of *Great Britain or Ireland* as aforesaid; and thereupon all the said Lands and Premises hereby made saleable, or such of them as shall remain unsold, shall forthwith on the Appointment of such new Trustee or Trustees become legally and effectually vested in such new Trustee or Trustees as aforesaid, solely, or jointly with the continuing Trustee or Trustees, as the Circumstances shall require, upon the same Trusts, and for the same Uses, Intents, and Purposes, as are herein-before enacted and declared of and concerning the said Lands and Premises hereby made saleable, or such of them as shall be then subsisting or capable of taking effect, and such new Trustee or Trustees shall to all Intents and Purposes whatsoever have all the Powers and Authorities of the Trustee or Trustees in whose Room or Stead he or they shall be so substituted or appointed.

Power for
Appoint-
ment of new
Trustees.

Act not to take effect as against Barry Fox and his Issue Male, or as against Jemmett George Fox or his Issue Male, without Consent in Writing, to be enrolled in Her Majesty's Court of Chancery in Ireland.

VII. And whereas the said *Barry Fox*, the Second Son of the said Testator *Richard Fox*, is now at *Halifax, Nova Scotia*, in *North America*, and his Consent, on behalf of himself and the said *Maxwell Fox* and *William Waller Fox* his infant Sons, to this Act, has not been proved, and the said *Jemmett George Fox*, the other surviving Son of the said Reverend *Francis Fox*, is an Infant under the Age of Twenty-one Years, and his Consent to this Act by his Guardian has not been proved; be it therefore enacted, That this Act shall not, nor shall any of the Provisions herein contained, operate or be of any Effect as against the said *Barry Fox*, or *Maxwell Fox* and *William Waller Fox*, his said infant Sons, or against any other Son or Sons of the Body of the said *Barry Fox*, or the Issue Male of any such Son or Sons, or any Person or Persons claiming or to claim by, from, or under him, them, or any of them, until the said *Barry Fox* (or in case of the Death of the said *Barry Fox*, the Guardian or Guardians of his said infant Sons,) shall signify his or their Consent to this Act, on behalf of himself and the said *Maxwell Fox* and *William Waller Fox*, Infants, by Writing under his Hand, or the Hand or Hands of such Guardian or Guardians, attested by One or more Witness or Witnesses, or, as against the said *Jemmett George Fox* or his Issue Male, or any Person or Persons claiming or to claim by, from, or under him, them, or any of them, until the said *Jemmett George Fox*, by himself, if he shall have attained Age, or by his Guardian, shall consent to this Act, and such Consents in Writing shall be enrolled in Her Majesty's Court of Chancery in *Ireland* within Three Years after the passing of this Act; and from and after the Enrolment of such Consents respectively the same shall be deemed and taken as Part and Parcel of this Act, and shall be as binding and conclusive upon the said *Barry Fox*, and the said *Maxwell Fox* and *William Waller Fox*, his infant Sons, and any other Son of the Body of the said *Barry Fox*, and the Issue Male of every such Son respectively, and against the said *Jemmett George Fox* and his Issue Male, and every Person or Persons claiming or to claim by, from, or under them or either or any of them, as if such Consents respectively had been obtained and proved before the passing of this Act; and such Consent by the said *Barry Fox* may be given in the Form or to the Effect following; (that is to say,)

‘ I *Barry Fox* of _____ on behalf of myself and
 ‘ *Maxwell Fox* and *William Waller Fox*, my infant Sons, do hereby
 ‘ consent to an Act of Parliament made and passed in the Session
 ‘ of Parliament holden in the Sixth and Seventh Years of the Reign
 ‘ of Queen *Victoria*, intituled *An Act* [*here setting out the Title*
 ‘ *of this Act*], so far as the same can or may affect or concern me,
 ‘ or the said *Maxwell Fox* and *William Waller Fox* my infant
 ‘ Sons, or any other Son of my Body, or the Issue Male of any
 ‘ such Son or Sons respectively, or any Person or Persons claiming
 ‘ or to claim by, from, or under me, them, or any of them.
 ‘ Given under my Hand this _____ Day of _____
 ‘ One thousand eight hundred and _____ .’

And in case of the Death of the said *Barry Fox* before his Consent shall be so given, then the Consent of such Guardian or Guardians, by or on behalf of his said infant Sons, may be given in the like Form, with

with such Changes therein as the Death of the said *Barry Fox* may render necessary; and such Consent, by or on behalf of the said *Jemmett George Fox* as aforesaid, may be given in the Form or to the Effect following; (that is to say,)

‘ I *Jemmett George Fox* [or _____], Guardian of
 ‘ the said *Jemmett George Fox* [as the Case may be], do hereby
 ‘ consent to an Act of Parliament holden in the Sixth and Seventh
 ‘ Years of the Reign of Queen *Victoria*, intituled *An Act* [here setting
 ‘ out the Title of this Act], so far as the same can or may affect
 ‘ me or my Issue Male, or any Person or Persons claiming or to
 ‘ claim by, from, or under me, them, or any of them [or, in case
 ‘ such Consent shall be given by such Guardian as aforesaid, then
 ‘ so far as the same can or may affect the said *Jemmett George*
 ‘ *Fox* or his Issue Male, or any Person or Persons claiming or to
 ‘ claim by, from, or under him, them, or any of them]. Given under
 ‘ my Hand this _____ Day of _____ One thousand
 ‘ eight hundred and _____.’

VIII. Saving always to the Queen’s most Excellent Majesty, her Heirs and Successors, and to all and every Person or Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than and except the said *Richard Maxwell Fox*, and the said *Francis Fox* his infant Son, and the several other Persons entitled under the Limitations in the Will of the said *Richard Fox* deceased, and the right Heirs of the said *Richard Fox*, and all Persons having or claiming or who may have or claim any Estate, Right, Title, Interest, Use, Trust, Charge, or Incumbrance whatsoever, save and except the Parties herein-before mentioned, who have not yet consented to this Act, until they shall consent as herein-before set forth, and save and except the Parties entitled to the said Sum or Charge of Twelve thousand Pounds, until the same shall be raised and paid as herein-before mentioned, of, in, to, or out of the said Lands and Premises so devised by the Will of the said *Richard Fox*, and mentioned in the said Second Schedule to this Act annexed, or any Part thereof, under and by virtue of the said Will,) all such Estate, Right, Title, Interest, Use, Property, Claim, and Demand whatsoever of, in, to, or out of the said Lands and Premises by this Act made saleable as aforesaid, and every or any Part thereof, as they, every or any of them, had at any Time before the passing of this Act, or would or might have had, held, or enjoyed in case this Act had not been passed. General Saving.

IX. And be it further enacted, That this Act shall be printed by the several Printers to the Queen’s most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others. Act as printed by Queen’s Printers to be given in Evidence.

SCHEDULE marked No. 1., to which this Act refers, containing the Rents and Value of the Foxhall Estate by this Act settled, in lieu of the Lands and Premises devised by the Will of Richard Fox, Esquire, deceased.

Denomination.	Yearly Rent.	Statute Acres, Arable and Pasture.	Observations.
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County of Longford, Barony of Ardagh.

	£	s.	d.	A.	R.	P.	
Corrabola -	34	0	0	32	3	37	
Rosart, Part of -	6	2	0	1	1	32	
Clygeen or Cloghgen	57	9	10	59	3	30	
Smithfield a Subden ⁿ .	108	18	4	72	3	17	
Ballymaclifford -	172	15	2	304	2	4	Rise of 98 <i>l.</i> 16 <i>s.</i> 10 <i>d.</i> yearly on Fall of Three young Lives.
Killglass -	26	5	0	20	1	0	
Treel and Mill -	21	0	0	33	0	22	
Clontimullen -	204	14	7	248	2	35	Rise of 4 <i>l.</i> yearly on Fall of One young Life or Ten Years concurrent.
Clonbeg -	31	17	0	35	2	38	
Newport -	220	0	0	178	0	28	Rise of 10 <i>l.</i> yearly on Fall of Two Lives aged 50 Years and upwards.
Aghnaveloge -	147	8	5½	153	3	29	Rise of 31 <i>l.</i> 15 <i>s.</i> 10 <i>d.</i> A Mesne Profit Rent falls in at the Expiration of Two Lives aged 75 Years and upwards.
Newtown, a Subden ⁿ .	82	13	0	76	3	30	
Carrageen -	194	14	7	180	0	4	
Killeen -	367	7	9	347	2	1	
Kinnard -	271	4	1	251	2	18	
Lurgan -	107	18	6	77	2	25	
Furze, a Subden ⁿ .	71	11	9½	85	1	13	Rise of 10 <i>l.</i> yearly on Fall of a Life aged 65, and of 10 <i>l.</i> yearly on Fall of a Life aged 64.
Slyan and Clonfenock -	18	9	3	254	1	9	
Slyan Sankey -	81	11	3	88	2	36	
Bog Rents -	14	0	0	-	-	-	Very large Tracts of Bog adjoining the different Farms, Quantities unascertained.

Denomination.	Yearly Rent.	Statute Acres, Arable and Pasture.	Observations.
<i>Demesne of Foxhall otherwise Rathreagh, comprising the following Denominations of Land.</i>			
	£ s. d.	A. R. P.	
Aghadrissagh Aghaneskeoge Cloghanmore Aghanakilly Aghanregly, Aghan- derry Cloghare, Ruth Cor- darragh Corduff and Part of Rosart Ditto, under Wood, &c. Mansion House and Offices. Value 4000%. Timber, Value 800%. Rectorial Tithes -	252 0 0 27 5 10	194 1 20 78 1 7	
Barony of Rathcline Clonard.	2540 11 1 294 4 9	2818 1 38 328 2 6	74A. 1R. 2P. Bog.
	2834 15 10	3147 0 4	These Lands are let at their Value, except as herein-before stated.

John Fleming.

SCHEDULE marked No. 2., to which this Act refers, containing the Rents and Value of the Lands and Premises devised by the Will of the late Richard Fox, Esquire, deceased, and by this Act vested in the Right Honourable Henry Lord Baron Farnham, his Heirs and Assigns.

Denominations.	Yearly Rent.	Statute Acres, Arable and Pasture.	Statute Acres of Bog.	Observations.
<i>County of Longford.</i>				
	£ s. d.	A. R. P.	A. R. P.	
Derrygroge	- 16 9 8	40 0 35	461 3 35	
Clonkeel	- 83 15 11	155 0 20	72 0 5	
Gowland	- 175 8 4	284 0 37	125 2 25	Rise of 14 <i>l.</i> 18 <i>s.</i> 5 <i>d.</i> on Fall of a Life aged 52, and of 11 <i>l.</i> 1 <i>s.</i> 8 <i>d.</i> on Fall of Life aged 72.
Ballyclara	- 138 4 6	189 0 20		
Gurteenboy	- 101 16 6	151 0 6	11 0 4	
Carramanagh	- 59 11 1	145 1 28	22 1 22	Rise of 9 <i>l.</i> 1 <i>s.</i> 5 <i>d.</i> on Fall of a Life aged 72.
Carrageen	- 40 2 3	93 0 5		
Ballinamore	- 188 10 0	285 2 34	18 1 3	Rise of 4 <i>l.</i> 10 <i>s.</i> on Fall of a Life aged 77.
Dunbeggan	- 93 16 0	249 0 13	28 2 12	
Bog Rents	- 14 0 0			
	911 14 3	1592 3 38	739 3 16	
<i>City of Dublin.</i>				
Moiety of a Profit Rent in House No. 11, Hume Street,	17 6 2			
<i>County of Carlow.</i>				
Little Moyle	- 129 4 7	149 0 4	- -	54 <i>l.</i> 15 <i>s.</i> 5 <i>d.</i> on Fall of Three Lives, aged respectively about 45, 52, and 57 or 59 Years. These Lands are let at their Value, except as herein-before stated.
	1058 5 0	1742 0 2		

John Fleming.

SCHEDULE marked No. 3., to which this Act refers, containing the several Charges, Incumbrances, and Debts therein referred to, as affecting the Foxhall Estate, comprised and described in Schedule No. 1., and subject to which the said Estate is by this Act settled.

	Amount of Charges, &c.		Nature of Charges, when and how created.	Portions of the Estate subject.
	Principal Sums.	Annual Sums.		
	£ s. d.	£ s. d.		
1	5538 9 3	- - -	Portions charged by Deed of Settlement of the 15th December 1787, and secured by a Term of 200 Years thereby created, and now vested in the Executors of Owen Wynne, Esq.	All the said Lands, Hereditaments, and Premises, except the Mansion House and Lands of Foxhall, and 100 Acres of the same.
2	- - -	646 3 1	Jointure during the Life of Mrs. Frances Fox, charged by Deed of Settlement of the 2d December 1813, and secured by a Term of 500 Years thereby created, and now vested in Charles Fox, Esq., and Rev. John Browne.	All the said Lands, Hereditaments, and Premises, except the Lands of Clonard otherwise Clonard, in the Barony of Rathcline.
3	2769 4 7	- - -	Portions charged by the said Deed of Settlement of 2d December 1813, and secured by the said Term of 500 Years.	Ditto - Ditto.
4	- - -	100 0 0	Annuity during the Life of James Geoffroy, charged by Deed of 22d February 1838, and secured by a Term of 99 Years, vested in Thomas Bond.	The Lands of Slyan, Sankey, and Killeen.
5	5200 0 0	5200 0 0	Mortgage created by Deed, bearing Date 18th January 1839, secured by a Conveyance of the said Lands, Hereditaments, and Premises, and by a Judgment collateral therewith.	All the said Lands, Hereditaments, and Premises.
6	5000 0 0	- - -	Charge created by Deed of the 27th February 1840, for the younger Brothers and Sisters of R. M. Fox, Esquire, and secured by a Term of 500 Years, vested in Charles Fox and Rev. John Browne.	All the said Lands, Hereditaments, and Premises, except the said Lands of Clonard otherwise Clonard.
	6728 17 1	- - -	By Judgments.	