



ANNO QUARTO

GULIELMI IV. REGIS.

Cap. 5.

An Act to effect a Partition of the Advowson of the Vicarage and Parish Church of *Cockerham* in the County Palatine of *Lancaster*, and to confirm the Sale of the next Turn or Right of Presentation thereto. [16th June 1834.]

WHEREAS by Indentures of Lease and Release, bearing Date respectively on or about the Tenth and Eleventh Days of *September* One thousand seven hundred and ninety-two, and made between *Robert Dent* of *Temple Bar, London*, Esquire, of the First Part; *Robert Addison* of *Lancaster* in the County Palatine of *Lancaster*, Esquire, of the Second Part; *Anthony Atkinson* of *Lancaster* aforesaid, Esquire, of the Third Part; *Thomas Greene* of *Slyne* in the said County of *Lancaster*, Esquire, of the Fourth Part; and *John Bowes* of *Lancaster*, Esquire, of the Fifth Part; after reciting that the said *Robert Dent*, *Robert Addison*, *Anthony Atkinson*, and *Thomas Greene* were seised as Joint Tenants (though under mutual Confidence to consider themselves as Tenants in Common) in Fee Simple of and in the Manor, Capital Messuage or Mansion House, Messuages, Farms, Lands, Tenements, Advowson, Tithes, Fishery, and other Hereditaments therein-after described, and thereby released, and that they had agreed to make Partition of the said Hereditaments into Four equal Parts, to be held by them respectively and their respective Heirs in Severalty (except with respect to the said Manor, Advowson, Windmill, Dwelling House, Buildings, Lands, and Appurtenances therewith occupied, Saltmarsh, Waste, Fisheries, Tithes

Indentures of Lease and Release, 10th and 11th September 1792.

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issuing out of Freehold and Leasehold Estates or Tenements belonging to the several Persons therein-after mentioned, Modus Tenements, and Lands granted out on Leases for Lives, and Stone Quarries, therein-after mentioned, Part of the said Hereditaments which they had mutually agreed to hold as Tenants in Common), and that for effecting such Partition they had caused a Valuation to be made of the said Hereditaments, and the same had been divided into Four Lots, and they had proceeded to ballot for the same by casting Lots, and in order that the said Agreement might be effectually carried into execution they had agreed to convey the said Manor, Capital Messuage or Mansion House, Farm, Lands, Tenements, Advowson, Fisheries, Moss Ground, and Hereditaments therein-after described, unto the said *John Bowes* and his Heirs, to the Uses after mentioned; it was witnessed, that the said *Robert Dent*, *Robert Addison*, *Anthony Atkinson*, and *Thomas Greene* did grant, bargain, sell, release, and confirm unto the said *John Bowes* (in his actual Possession then being by virtue of a Bargain and Sale to him thereof made) and to his Heirs the Advowson, Donation, Presentation, Right of Patronage and free Disposition of, in, and to the Parish Church of *Cockerham* aforesaid, together with all Tithes, Oblations, Obventions, Portions, Pensions, Profits, Fruits, Emoluments, Rights, Members, and Appurtenances whatsoever unto the said Advowson belonging, to hold unto the said *John Bowes*, his Heirs and Assigns, to the Uses therein-after declared, that is to say, as to the said Advowson of the Church of *Cockerham*, to the Use of the said *Robert Dent*, *Robert Addison*, *Anthony Atkinson*, and *Thomas Greene* equally in Four undivided Parts or Shares, as Tenants in Common, and not as Joint Tenants, and to their respective Heirs and Assigns for ever: And whereas by Indentures of Lease and Release, bearing Date respectively the Thirteenth and Fourteenth Days of *October* One thousand eight hundred, (being the Settlement made on the Marriage of *John Dent* of *Clapham Common*, Esquire, with *Anne Jane Williamson*, therein described of *Roby Hall* in the County of *Lancaster*, Spinster,) the Release being made or expressed to be made between the said *Robert Dent* of the First Part, the said *John Dent* of the Second Part, the said *Anne Jane Williamson* of the Third Part, *Isaac Gascoyne* and *Thomas Wilkinson*, therein respectively described, of the Fourth Part, and *John Blackburn* and *John Trotter*, therein also respectively described, of the Fifth Part, all that the Interest of the said *John Dent* of, in, and to all that the Advowson, Donation, Right of Patronage and Free Disposition of, in, and to the said Parish Church of *Cockerham* (amongst and together with other Hereditaments) was settled to the Use of the said *Robert Dent* until the said Marriage should take place, and from and after the Solemnization thereof to the Use of the said *John Dent* and his Assigns for Life, without Impeachment of Waste; Remainder to the Use of the said *John Blackburn* and *John Trotter*, and their Heirs, during the Life of the said *John Dent*, in Trust to support contingent Remainders; Remainder to the Use, Intent, and Purpose that the said *Anne Jane Williamson* and her Assigns, in case she should survive the said *John Dent*, should, from and immediately after his Decease, out of all and singular the Hereditaments and Premises thereby granted and released, have, receive, and take during the Term of her natural Life, for her Jointure, and in lieu and bar of Dower, One annual Sum or yearly Rent-charge of One thousand two hundred Pounds, and, subject thereto, to the Use of the said *Isaac Gascoyne* and *Thomas Wilkinson*,

Lease and
Release,
13th and
14th October
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kinson, their Executors, Administrators, and Assigns, for the Term of One thousand Years, to be computed from the Decease of the said *John Dent*, without Impeachment of Waste, upon the Trusts therein-after mentioned; Remainder to the Use of the First Son of the said *John Dent* on the Body of his said then intended Wife *Anne Jane Williamson*, and the Heirs Male of the Body of such First Son; Remainder to the Use of the Second, Third, Fourth, and Fifth and all and every other Son and Sons of the said *John Dent* by the said *Anne Jane Williamson*, severally, successively, and in Remainder One after another in Order and Course as they respectively should be in Priority of Birth, and the Heirs Male of the Body and respective Bodies of all and every such Son and Sons, the elder of such Sons and the Heirs Male of his Body being always to take before and be preferred to the younger of such Sons and the Heirs Male of his and their Body and respective Bodies, with divers Remainders over; and it was thereby declared and agreed between the said Parties thereto, that the said Hereditaments and Premises therein-before mentioned, and intended to be thereby limited to the said *Isaac Gascoyne* and *Thomas Wilkinson*, their Executors, Administrators, and Assigns, for the said Term of One thousand Years, were limited to them in Trust, in the first place, for further securing the said Annuity of One thousand two hundred Pounds to the said *Anne Jane Williamson*, and then upon this further Trust, that if there should be any Child or Children of the Body of the said *John Dent* by the said *Anne Jane Williamson* his intended Wife, other than or besides an eldest or only Son, by virtue of or under the Limitations herein-before contained for the Time being entitled to the said Hereditaments and Premises in Remainder immediately expectant on the Determination of the said Term of One thousand Years, then and in such Case that the said *Isaac Gascoyne* and *Thomas Wilkinson*, and the Survivor of them, and the Executors, Administrators, and Assigns of such Survivor, should, after the Decease of the Survivor of them the said *John Dent* and *Anne Jane Williamson* his intended Wife, or, in the Lifetime of them or the Survivor of them, with their, his, or her Consent, testified by some Writing under their, his, or her Hands or Hand, by demising, assigning, mortgaging, selling, or otherwise disposing of the said Hereditaments and Premises, or Parts or Shares thereof, or any of them, or any Part thereof, for the Whole or any Part of the said Term of One thousand Years, or by, with, or out of the Rents, Issues, and Profits of the same or any of them, or by bringing Actions against the Tenants or Occupiers of the same Hereditaments and Premises for the Rents then in arrear, or by more than One or by all of the aforesaid Ways and Means, or by any other reasonable Ways and Means, levy and raise, for the Portion or Portions of such Child or Children, other than or besides an eldest or only Son, so for the Time being entitled as aforesaid, the Sums of Money herein-after mentioned, that is to say, if there should be but One such Child of the said *John Dent* by the said *Anne Jane Williamson* his intended Wife, other than and besides an eldest or only Son, so for the Time being entitled as aforesaid, the Sum of Ten thousand Pounds of lawful Money of *Great Britain*, for the Portion of such One Child, to become and be an Interest vested in and to be paid to such One Child, whether a Son or Daughter, on or at such Age, Day, or Time as the said *John Dent* and *Anne Jane Williamson* his intended Wife, by any Deed or Writing, with or without Power of Revocation, to be
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by both of them sealed and delivered in the Presence of and attested by Two or more credible Witnesses, should from Time to Time jointly direct or appoint; and for Default of such Direction or Appointment, as the Survivor of them the said *John Dent* and *Anne Jane Williamson* his intended Wife should, by any such Deed or Writing, with or without Power of Revocation, to be by him or her sealed and delivered in the Presence of and attested by the like Number of credible Witnesses, or by his or her last Will and Testament, to be by him or her signed and published in the Presence of and attested by Three or more credible Witnesses, from Time to Time direct or appoint; and for Want of such last-mentioned Direction or Appointment the said Sum of Ten thousand Pounds to be an Interest vested in such a Child, being a Son, at the Age of Twenty-one Years, and, being a Daughter, at her Age of Twenty-one Years or Day of Marriage, which should first happen, after the Decease of the Survivor of them the said *John Dent* and *Anne Jane Williamson* his intended Wife, but if the same should happen in the Lifetime of the said *John Dent* and *Anne Jane Williamson* his intended Wife, or the Survivor of them, then within Six Calendar Months after the Decease of such Survivor, with Interest for the same, from the Day of the Decease of such Survivor, after the Rate of Four Pounds for every One hundred Pounds by the Year; and if there should be Two such Children of the said *John Dent* by the said *Anne Jane Williamson* his intended Wife (and no more), other than and besides an eldest or only Son, so for the Time being entitled as aforesaid, then the Sum of Fifteen thousand Pounds for the Portions of such Two Children; and if there should be Three such Children of the said *John Dent* by the said *Anne Jane Williamson* his intended Wife (and no more), other than and besides an eldest or only Son, so for the Time being entitled as aforesaid, then the Sum of Eighteen thousand Pounds for the Portions of such Three Children; and if there should be Four or more such Children, other than and besides an eldest or only Son, so for the Time being entitled as aforesaid, then the Sum of Twenty thousand Pounds for the Portions of such Four or more Children; the said Sums of Fifteen thousand Pounds, Eighteen thousand Pounds, or Twenty thousand Pounds, as the Case might happen, to be shared and divided between and among the Children respectively entitled thereto in such Parts, Shares, and Proportions, and to vest in and to be paid to them respectively on or at such Ages, Days, or Times, and to be subject to and with such Conditions and Limitations over, such Limitations over being for the Benefit of some One or more such Child or Children, other than and besides an eldest or only Son, so for the Time being entitled as aforesaid, as the said *John Dent* and *Anne Jane Williamson* his intended Wife should, by any Deed or Instrument in Writing, with or without Power of Revocation, to be by them both sealed and delivered in the Presence of and attested by Two or more credible Witnesses, jointly from Time to Time direct or appoint; and for Default of such Direction or Appointment, as the Survivor of them, by any such Deed or Instrument in Writing, to be by him or her sealed and delivered in the Presence of and attested by Three or more credible Witnesses, should from Time to Time direct or appoint; and for Want of such last-mentioned Direction or Appointment the said Sums of Fifteen thousand Pounds, Eighteen thousand Pounds, or Twenty thousand Pounds, as the Event should happen, to be paid, shared, and divided between or among the

the Children thereto entitled respectively in equal Shares and Proportions, the Share or Shares of such of them as should be a Son or Sons to be an Interest vested or Interests vested in him or them respectively at his or their Age or respective Ages of Twenty-one Years, and the Share or Shares of such of them as should be a Daughter or Daughters to be an Interest vested or Interests vested in her or them respectively at her or their Age or respective Ages of Twenty-one Years, or Day or respective Days of Marriage, which should first happen, and to be paid to him, her, or them respectively on or at the same Ages, Days, or Times, if the same should respectively happen after the Decease of the Survivor of them the said *John Dent* and *Anne Jane Williamson* his intended Wife, but if the same should happen in the Lifetime of the said *John Dent* and *Anne Jane Williamson* his intended Wife, or the Survivor of them, within Six Months after the Death of such Survivor, with Interest for the same, from the Day of the Decease of such Survivor, after the Rate of Four Pounds for every One hundred Pounds by the Year: And whereas the said intended Marriage between the said *John Dent* and *Anne Jane Williamson* was duly solemnized on the Twenty-ninth Day of *October* One thousand eight hundred, and there were Issue of the said Marriage Ten Children; namely, *Anne Jane Dent*, baptized the Eighth Day of *October* One thousand eight hundred and one, and who was married, on the Seventeenth Day of *July* One thousand eight hundred and twenty-three, to *Daniel Mackinnon*; *Augusta Dent*, baptized the Seventh Day of *October* One thousand eight hundred and two; *Robert Dent*, baptized the Thirty-first Day of *March* One thousand eight hundred and four; *John Villiers Dent*, baptized the Twentieth Day of *January* One thousand eight hundred and six; *Saint John Dent*, baptized the Tenth Day of *January* One thousand eight hundred and seven; *Juliana Dent*, *Emma Dent* (by Mistake in the Register called *Anna Dent*), *Susan Dent*, baptized respectively the Sixteenth Day of *April* One thousand eight hundred and ten; *Hastings Dent*, baptized the Twenty-ninth Day of *May* One thousand eight hundred and twelve; and *Thomas Allen Dent*, baptized the Eighteenth Day of *January* One thousand eight hundred and fifteen: And whereas by Indentures of Lease and Release dated respectively the Eleventh and Twelfth Days of *February* One thousand eight hundred and twenty-five, the Release being made between the said *John Dent* of the First Part, the said *Robert Dent* the Son of the Second Part, *William Cross* of the Third Part, and *Charles Tennant* of the Fourth Part, after reciting the before-recited Indenture of Settlement, it was witnessed, that for the Purposes of docking, barring, destroying, defeating, and extinguishing the Estate Tail of him the said *Robert Dent* the Son, and all Remainders, Limitations, Reversions, Estates, and Contingencies thereupon respectively expectant or depending, of and in the Hereditaments comprised in the said Indentures of the Thirteenth and Fourteenth Days of *October* One thousand eight hundred, as were situate in the said County of *Lancaster*, and therein-after released, for the Considerations therein mentioned, they the said *John Dent* and *Robert Dent* the Son did respectively grant, bargain, sell, alien, release, and confirm unto the said *William Cross* and his Assigns, for and during the joint natural Lives of them the said *John Dent*, *Robert Dent* the Son, and *William Cross*, and the Survivor of them, the said Fourth Part or Share of the said Advowson and Hereditaments, to hold the same, with the Appurtenances, unto the said *William Cross* and his Assigns, during the joint natural Lives

Indentures of
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of them the said *John Dent*, *Robert Dent* the Son, and *William Cross*, and the Survivor of them, to the Intent that the said *William Cross* might become Tenant of the immediate Freehold of the said Hereditaments, so that a good perfect Common Recovery might be duly had and suffered thereof; and it was thereby declared that the Recovery, when so suffered as aforesaid, should enure to the Use of the said *John Dent* and his Assigns for and during the Term of his natural Life; with Remainder, subject to the said Rent-charge of One thousand two hundred Pounds, and also to the said Term of One thousand Years, and the Trusts thereof, to the Use of such Person as the said *John Dent* and *Robert Dent* the Son should by Deed jointly appoint; with Remainder to the Use of such Persons as the said *Robert Dent* the Son, in case he should survive the said *John Dent*, and after the Decease of the said *John Dent*, but not in the Lifetime of the said *John Dent*, by any Deed or Deeds, Instrument or Instruments, in Writing, with or without Power of Revocation and new Appointment, to be sealed and delivered by the said *Robert Dent* the Son in the Presence of and attested by Two or more credible Witnesses, or by his last Will and Testament in Writing, or any Writing purporting to be in the Nature of his last Will and Testament, or any Codicil or Codicils thereto, to be by him signed and published in the Presence of and attested by Three or more credible Witnesses, should direct, limit, and appoint; with Remainder to the Use of the said *Robert Dent* the Son, and the Heirs of his Body; with Remainder to the Use of the Second, Third, Fourth, and Fifth and every other Son and Sons of the Body of the said *John Dent* by the said *Anne Jane Dent* his Wife, successively and in Remainder one after another in Order and Course as they respectively should be in Priority of Birth, and to the Heirs of the Body and respective Bodies of all and every such Son and Sons, the elder of such Sons and the Heirs of his Body always to take before and to be preferred to the younger of such Sons and the Heirs of his and their Body and respective Bodies; or in default of such Issue, to the Use of all and every the Daughter and Daughters of the said *John Dent* by the said *Anne Jane Dent*, to be divided between and among them in equal Shares as Tenants in Common, and the Heirs of the respective Bodies of all and every such Daughter or Daughters, with divers Limitations over: And whereas in the Court of Common Pleas at *Lancaster* at the Session of Assizes there holden on *Saturday* the Fifth Day of *March* in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, a Recovery was suffered accordingly of (among and together with other Hereditaments) One Fourth Part of the Advowson of the Vicarage of the Church of *Cockerham* aforesaid, in which said Recovery the said *Charles Tennant* was Demandant, the said *William Cross* was Tenant, and the said *Robert Dent* the Son was Vouchee: And whereas the said *John Dent* departed this Life on or about the Fourteenth Day of *December* One thousand eight hundred and twenty-six, without making or concurring in any joint Appointment of the said Advowson under the herein-before recited Indentures of the Eleventh and Twelfth Days of *February* One thousand eight hundred and twenty-five, leaving the said *Robert Dent* his eldest Son him surviving, having by his last Will and Testament in Writing, bearing Date the Twenty-fourth Day of *July* One thousand eight hundred and twenty-four, and which was proved in the Prerogative Court of *Canterbury* on the Fifth Day of *March* One thousand eight hundred and twenty-seven, appointed his Wife the said *Anne Jane Dent* the sole

Guardian of his infant Children : And whereas the said *Robert Dent*, on or about the Sixth Day of *January* One thousand eight hundred and thirty, duly made and published his Will, which was executed and attested as by Law is required for passing Real Estates by Devise, and he thereby gave and devised all that his said Freehold Estate, Manor, Advowson, Hereditaments, and Premises at *Cockerham* or elsewhere in the said County of *Lancaster* unto and to the Use of *William Alexander Mackinnon* and *Thomas Walford* the younger, and their Heirs, in Trust for his Brother *Villiers Dent* (meaning *John Villiers Dent*) and his Assigns during his Life, without Impeachment of Waste; and from and immediately after his Decease in Trust for the First and all other the Sons of the said *Villiers Dent* lawfully to be begotten, severally, successively, and in Remainder one after another as they should be in Priority of Birth and Seniority of Age, and the several and respective Heirs of their several and respective Bodies, the elder of such Sons and the Heirs of his Body being always preferred to and to take before the younger of such Sons and the Heirs of his Body; with Remainder in Trust for the First and all and every other the Daughters of the said *Villiers Dent* lawfully to be begotten, severally, successively, and in Remainder one after another as they respectively should be in Priority of Birth and Seniority of Age, and the several and respective Heirs of their several and respective Bodies, the elder of such Daughters and the Heirs of her Body being always preferred to and to take before the younger of such Daughters and the Heirs of her Body; with Remainder in Trust for his Brother *Saint John Dent* and his Assigns for Life, without Impeachment of Waste; with Remainder in Trust for the First and other Sons of the said *Saint John Dent* successively in Tail; with Remainder in Trust for the First and other Daughters of *Saint John Dent* successively in Tail; with Remainder in Trust for his Brother *Hastings Dent* and his Assigns for his Life, without Impeachment of Waste; with Remainder in Trust for the First and other Sons of the said *Hastings Dent* successively in Tail; with Remainder in Trust for the First and other Daughters of the said *Hastings Dent* in Tail; with Remainder in Trust for his Brother *Allen Dent*, meaning *Thomas Allen Dent*, and his Assigns, for Life, without Impeachment of Waste; with Remainder in Trust for the First and other Sons of the said *Thomas Allen Dent* successively in Tail; with Remainder in Trust for the First and other Daughters of the said *Thomas Allen Dent* successively in Tail; with Remainder in Trust for the Testator's own right Heirs for ever; and the said Testator thereby appointed the said *William Alexander Mackinnon* and *Thomas Walford* the younger Executors of his said Will: And whereas the said *Robert Dent* destroyed his said Will on or about the Eighth Day of *August* One thousand eight hundred and thirty, being at that Time in a State of Lunacy: And whereas on the Twelfth Day of *November* One thousand eight hundred and thirty-one a Commission of Lunacy was issued against the said *Robert Dent*, and on an Inquisition taken thereon on the Twenty-eighth Day of the same Month it was found that he was a Person of unsound Mind, and that he had been so from the Third Day of *July* One thousand eight hundred and thirty: And whereas the said *Robert Dent* departed this Life on or about the Seventh Day of *October* One thousand eight hundred and thirty-two: And whereas the said *William Alexander Mackinnon* and *Thomas Walford* the younger having renounced Probate of the said Will of the said *Robert Dent* deceased, a special limited Administration

nistration of the Effects of the said *Robert Dent*, with the original Draft of the said Will annexed, was granted to the said *John Villiers Dent* by the Prerogative Court of the Archbishop of *Canterbury*: And whereas the said *Robert Addison*, by his Will, duly executed and attested as by Law is required for passing Real Estate, dated the Twenty-seventh Day of *December* One thousand eight hundred and fourteen, gave and devised all that his One undivided Fourth Part or Share of, in, and to the Advowson of *Cockerham* aforesaid, and all Rights, Privileges, and Appurtenances thereto belonging, unto *John Dent*, *John Taylor Wilson*, and *James Atkinson*, and their Heirs, to hold the same unto them and their Heirs, to and for the several Uses, Trusts, Intents, and Purposes therein-after mentioned; that is to say, to the Use and Intent that *Ellen Addison* (since deceased) and her Assigns should during her Life receive an Annuity or yearly Rent-charge of One hundred Pounds, and in case *Dorothy Addison* should survive the said *Ellen Addison*, that she should during her Life receive an Annuity or yearly Rent-charge of Fifty Pounds, and that *Jane*, the Wife of *James Clarke* the elder, should, from the Decease of the said Testator, during the then Remainder of the Life of the Testator's Wife *Agnes Addison*, receive for her separate Use an Annuity or yearly Rent-charge of Five hundred Pounds; and, subject to the said several Annuities and yearly Rent-charges, to the Use of the said *Agnes Addison* (since deceased) and her Assigns for her Life; with Remainder to the Use of the said *John Dent*, *John Taylor Wilson*, and *James Atkinson*, and their Heirs, during the Life of the said *Agnes Addison*, in Trust to preserve contingent Remainders; and after her Decease, to the Use and Intent that the said *Jane Clarke* should from the Death of the said *Agnes Addison*, during the Life of her the said *Jane Clarke*, receive an Annuity or yearly Rent-charge of One thousand Pounds for her separate Use; and, subject as aforesaid, to the Use of his Grandson *Robert Addison Clarke* (the eldest Son of his said Daughter *Jane Clarke*) and his Assigns for Life, without Impeachment of Waste; with Remainder to the Use of the said *John Dent*, *John Taylor Wilson*, and *James Atkinson*, and their Heirs, during the Life of the said *Robert Addison Clarke*, in Trust to preserve contingent Remainders; with Remainder to the Use of the First and every other Son of the said *Robert Addison Clarke*, according to their several and respective Seniorities, in Tail Male; with Remainder to the Use of the Testator's Grandson *James Clarke* the younger (the Second Son of the said *Jane Clarke*) and his Assigns for Life, without Impeachment of Waste; with Remainder to the Use of the said *John Dent*, *John Taylor Wilson*, and *James Atkinson*, and their Heirs, during the Life of the said *James Clarke* the younger, in Trust to preserve contingent Remainders; with Remainder to the Use of the First and every other Son of the said *James Clarke* the younger, according to their several and respective Seniorities, in Tail Male; with Remainder to the Use of the Third and every other Son of the said *Jane Clarke*, according to their several and respective Seniorities, in Tail Male; with divers Remainders over: And whereas the said *Robert Addison*, by a Codicil to his said Will, duly executed and attested, dated the Sixth Day of *May* One thousand eight hundred and seventeen, declared that the said *John Taylor Wilson* should not be a Trustee of his Will, and in his Place nominated *Richard Worswick* to be a Trustee thereof, and devised all that his said One undivided Fourth Part of the said Advowson unto the said *John Dent*, *Richard Worswick*
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and *James Atkinson*, and their Heirs, to the Uses declared by his said Will : And whereas the said *Robert Addison* departed this Life on or about the Twenty-fourth Day of *June* One thousand eight hundred and nineteen, without having in any Manner altered or revoked his said Will, save by the said Codicil, and without having altered or revoked the said Codicil, which said Will and Codicil were proved in the Consistory Court of the Archdeaconry of *Richmond* at *Lancaster* on the Ninth Day of *August* One thousand eight hundred and nineteen, by *Agnes Addison*, the Executrix, and *James Atkinson*, One of the surviving Executors therein named : And whereas the said *Robert Addison Clarke* and *James Clarke* the younger have not any Issue Male, and the said *Thomas Clarke* is the Third Son of the said *Jane Clarke* : And whereas the said *Robert Addison Clarke* was, under a Commission De lunatico inquirendo, duly found and declared to be a Lunatic from the Fifth Day of *August* One thousand eight hundred and twenty-five, and he has ever since been and still is a Lunatic, and his Father, the said *James Clarke* the elder, has been duly appointed the Committee of his Estate : And whereas the said *Anthony Atkinson* duly made and published his last Will and Testament, dated the Twenty-second Day of *October* One thousand seven hundred and ninety-five, as by Law is required for passing Real Estates by Devise, whereby, after charging his Real and Personal Estates with his Debts and Legacies, gave and bequeathed all and every his Messuages, Lands, Tenements, Hereditaments, Real and Personal Estate, whatsoever and wheresoever, and of what Nature, Kind, or Quality soever, unto his Sister *Ann Atkinson*, her Heirs, Executors, Administrators, and Assigns, for ever, and for all his Estate and Interest therein respectively, for her to give, devise, and dispose of his said Real and Personal Estate, or any Part or Parts thereof, as his said Sister should think proper ; and in case his said Sister should make no Gift, Devise, or Disposition of his said Messuages, Lands, Tenements, Real and Personal Estate, or so much thereof as might remain undisposed of by his said Sister, the said Testator gave, devised, and bequeathed the same as follows ; (that is to say,) after certain specific Devises not affecting his Share in the said Advowson, and bequeathing certain pecuniary Legacies, and after giving his Cousin *Mary Atkinson* an Annuity of Fifty Pounds during her Life, chargeable upon his Estate in the Parish of *Cockerham*, the said Testator gave and devised the Residue of his Messuages, Lands, Tenements, and Hereditaments whatsoever situate in the County of *Lancaster* unto *John Bowes*, therein described, to hold to him, his Heirs and Assigns for ever, in Trust for his Cousin *Richard Atkinson*, since deceased, and his Assigns, for the Term of his natural Life, without Impeachment of Waste ; with Remainder in Trust for *Francis Atkinson* (since deceased), the eldest Son of the said *Richard Atkinson*, and the Heirs Male of his Body lawfully issuing ; with Remainder in Trust for the Second, Third, Fourth, Fifth, and Sixth, and all and every Son and Sons of the said *Richard Atkinson* lawfully begotten or to be begotten, severally, successively, and in Remainder one after another in Order and Course as they should respectively be in Priority of Birth, and the several and respective Heirs Male of the Body and Bodies of all and every such Son and Sons of his said Cousin *Richard Atkinson* deceased lawfully issuing, every elder of such Sons and the Heirs Male of his Body being always preferred and to take before the younger of them and the Heirs Male of his Body ; and in default of such Issue he gave and devised all the said Residue of his said Messuages, Lands, Tene-

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ments, and Hereditaments unto the right Heirs of his said Cousin *Richard Atkinson* deceased, for ever, or for all the said Testator's Estate, Right, Title, and Interest therein respectively: And whereas the said *Anthony Atkinson* duly made and published a Codicil to his said Will, dated the Twenty-ninth Day of *February* One thousand seven hundred and ninety-six, and executed and attested as by Law is required to pass Freehold Estates, and thereby, subject as in the said Will mentioned, gave and devised unto *John Park* (in case the said *John Bowes* should die in the Lifetime of him the said Testator or his said Sister, and that the Devise made to him in Trust as aforesaid should thereby become void, and not otherwise) the Residue of the Hereditaments by his said Will devised to the said *John Bowes*, to hold unto the said *John Park*, his Heirs and Assigns for ever, upon the same Trusts as were declared thereof by his said Will: And whereas the said *Anthony Atkinson* departed this Life on or about the Sixth Day of *July* One thousand seven hundred and ninety-six, without having revoked or altered his said Will or Codicil save as aforesaid, which said Will and Codicil were proved in the Prerogative Court of *York* by *Ann Atkinson* and *Richard Atkinson* on the Twenty-seventh Day of *September* One thousand seven hundred and ninety-six: And whereas the said *Ann Atkinson* duly made and published her last Will and Testament in Writing, dated the Twenty-third Day of *November* One thousand seven hundred and ninety-seven, duly executed and attested as by Law is required for passing Freehold Estates, and thereby declared, that as to all the Real Estates of her then late Brother the said *Anthony Atkinson*, devised to her in and by his said Will, her Intentions were that the same should go unto and for the Benefit of the said *Richard Atkinson* deceased, his First and other Sons, with such Remainders over as her said Brother had in and by his said Will directed; and the said Testatrix afterwards made Four several Codicils to her said Will, which did not alter the Disposition made by her Will: And whereas the said *Ann Atkinson* departed this Life on or about the Thirty-first Day of *October* One thousand eight hundred and six, without having altered or revoked her said Will, save by the said Codicils; which said Will and Codicils were proved in the Consistory Court of the Archdeaconry of *Richmond* at *Lancaster* by *Richard Atkinson* and *John Park* on the Twenty-eighth Day of *April* One thousand eight hundred and seven: And whereas the said *Francis Atkinson* departed this Life on or about the Tenth Day of *October* One thousand eight hundred and fourteen, without Issue, in the Lifetime of his said Father the said *Richard Atkinson*, the Cousin and Devisee for Life under the Wills of the said Testator and Testatrix *Anthony Atkinson* and *Ann Atkinson*: And whereas the said *Richard Atkinson* on or about the Fifteenth Day of *July* One thousand seven hundred and eighty-eight intermarried with *Dorothy Simpson*: And whereas the said *Richard Atkinson* departed this Life on or about the Thirtieth Day of *May* One thousand eight hundred and twenty-one, leaving *Richard Atkinson*, his Second and only Son, his Heir at Law him surviving: And whereas by Indentures of Lease and Release, bearing Date respectively the Twelfth and Thirteenth Days of *August* One thousand eight hundred and twenty-two, the Release being made between the said *Richard Atkinson* the Son and *Frances* his Wife of the First Part, *John Gardner* of the Second Part, and *Thomas Batty Addison* of the Third Part, and by a Common Recovery suffered in His Majesty's Court of Common Pleas for the County of *Lancaster* at

Indentures of
Lease and
Release,
12th and
13th August
1822.

the *August* Assizes held for the said County in the Third Year of the Reign of King *George* the Fourth, and in the Year One thousand eight hundred and twenty-two, in pursuance of an Agreement in the said Indentures of Release for that Purpose contained, and in which Recovery the said *John Gardner* was Tenant, the said *Thomas Batty Addison* was Demandant, and the said *Richard Atkinson* and *Frances* his Wife Vouchees, the undivided Fourth Part of and in the said Advowson was, together with divers other Hereditaments, discharged from the Estate in Tail Male to which the same was subject under or by virtue of the respective Wills of the said *Anthony Atkinson* and *Ann Atkinson*, or One of them, and all Remainders thereupon expectant or depending, and was limited and assured to such Uses and in such Manner as the said *Richard Atkinson* should by Deed appoint; and in default thereof to the Use of the said *Richard Atkinson* and his Assigns for his Life, without Impeachment of Waste; with a Limitation to the Use of the said *John Gardner*, his Heirs and Assigns, for the Life of the said *Richard Atkinson*; with Remainder to the Use of the said *Richard Atkinson*, his Heirs and Assigns for ever: And whereas the said *Thomas Greene* made and published his last Will and Testament in Writing, executed by him and attested as by Law is required for passing Real Estates by Devise, bearing Date the Third Day of *September* One thousand seven hundred and ninety-six, whereby, after reciting that by virtue of the Settlement made previous to his Marriage with his Wife *Martha Greene* he covenanted to pay unto her the clear Annuity of One thousand Pounds a Year during her Life out of his Freehold Estates within *Cockerham* and *Skerton* in the County of *Lancaster*, the said Testator, for the more effectually securing to her the said Annuity, gave and devised his said Estates unto *John Legh*, *Charles Clowes*, and *William Long*, their Executors and Administrators, for the Term of Sixty Years, upon Trust by Distress or Sale or by any other Means to recover the said Annuity according to the said Covenant; and subject thereto the said Testator devised the said Estates unto and to the Use of *Henry Wiglesworth*, *Robert Bradley*, and *George Tennant*, and their Heirs, upon Trust to pay the said Annuity, and upon other the Trusts therein mentioned, until his Son *Thomas Greene* should attain the Age of Twenty-one Years, and so soon as his said Son should have attained his Age of Twenty-one Years then upon Trust to settle and assure the same Estates, subject to the said Annuity, to the Use of his said Son and his Assigns for his Life, without Impeachment of Waste; with Remainder to Trustees to preserve the contingent Remainders; with Remainder to the Use of the First and other Sons of his said Son *Thomas Greene* successively in Tail Male; with Remainder to the Daughters of the said *Thomas Greene*, as Tenants in Common in Tail, with cross Remainders; Remainder to the Second and other Sons of the said *Thomas Greene* (the Testator) successively in Tail Male; with Remainder to his the said Testator's Daughters in Tail General, with cross Remainders; with Remainder to his the said Testator's Wife the said *Martha Greene* for Life; with Remainder to his the said Testator's Sister *Margaret Bradley* for Life; with Remainder to his the said Testator's Nephew *Robert Greene Bradley* for Life; with Remainder to Trustees to preserve contingent Remainders; with Remainder to the First and other Sons of the said *Robert Greene Bradley* successively in Tail Male; with Remainder to the Daughters of the said *Robert Greene Bradley*, as Tenants in Common in Tail, with cross Remainders;

Indentures of
Lease and
Release,
3d and 4th
August 1831.

Remainders; with Remainder to the right Heirs of the said *Thomas Greene* the Testator; and the said Testator thereby provided that in such Settlement should be contained a Power to enable his Son to charge the said Premises with such annual Sum as might be thought reasonable as a Jointure on any Woman he might marry: And whereas the said *Thomas Greene* the Father departed this Life on or about the Sixth Day of *December* One thousand eight hundred and ten, without having revoked the aforesaid Devise of his One undivided Fourth Part of the said Advowson, leaving the said *Thomas Greene* his only Child and Heir at Law, and his Widow *Martha Greene*, him surviving: And whereas the said recited Will of the said *Thomas Greene* the Father was duly proved in the Prerogative Court of *Canterbury* on the Sixteenth Day of *January* One thousand eight hundred and eleven, by the Executors in the said Will named: And whereas on the Thirty-first Day of *August* One thousand eight hundred and twenty the said *Thomas Greene* the Son intermarried with *Henrietta Russell*, and in *July* One thousand eight hundred and twenty-two the eldest Son of the Marriage, *Dawson Cornelius Greene*, was born, and he is now an Infant of the Age of Eleven Years or thereabouts, and there are Four other Children of the said Marriage, namely, *Henrietta Greene*, *Thomas Huntley Greene*, *Rose Alice Clotilde Greene*, and *Henry Aylmer Greene*, all of whom are Infants: And whereas the said *Robert Bradley* departed this Life on or about the Twentieth Day of *June* One thousand eight hundred and twenty-five, leaving the said *Henry Wiglesworth* and *George Tennant*, his Co-trustees, him surviving: And whereas by Indentures of Lease and Release, bearing Date respectively the Third and Fourth Days of *August* One thousand eight hundred and thirty-one, the Release being made between the said *Henry Wiglesworth* and *George Tennant* of the First Part, the said *Thomas Greene* of the Second Part, *John Ellis Clowes* of the Third Part, the said *Henrietta Greene* of the Fourth Part, *Charles Russell*, *Whitworth Russell*, *Alexander Adair*, and *Richard Webster Huntley* of the Fifth Part, and the said *Henry Wiglesworth*, *George Tennant*, and *John Ellis Clowes* of the Sixth Part, being the Settlement made in pursuance of the said Will of the said *Thomas Greene* the Father, after reciting the said Will, and an Indenture dated the Thirtieth Day of *August* One thousand eight hundred and twenty, and made between the said *Thomas Greene* the Son of the First Part, the Right Honourable Sir *Henry Russell* Baronet of the Second Part, the said *Henrietta Greene*, by her then Name of *Henrietta Russell* Spinster, of the Third Part, and the said *Charles Russell*, *Whitworth Russell*, *Alexander Adair*, and *Richard Webster Huntley* of the Fourth Part, whereby the said *Thomas Greene* covenanted and agreed with the said *Charles Russell*, *Whitworth Russell*, *Alexander Adair*, and *Richard Webster Huntley*, that he would, with all convenient Speed after the Solemnization of the Marriage then intended between himself and the said *Henrietta Russell*, in pursuance and execution of the Power for that Purpose to be inserted in the Settlement to be made in pursuance of the said Will, well and effectually charge all the said Hereditaments within *Cockerham* aforesaid with the Payment to the said *Henrietta Greene* during her Life if she should survive him (but subject to the said Annuity of One thousand Pounds, and to the Powers and Remedies for securing the same) of a yearly Rent-charge of Five hundred Pounds from the Time of his Death for her Jointure, with the usual Powers of Distress and Entry on the same

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Hereditaments, and a Grant of the same Hereditaments to Trustees for a Term of Years for better securing the Payment of the said Jointure, it was witnessed, that the said *Henry Wiglesworth* and *George Tennant*, by the Direction of the said *Thomas Greene* and *Henrietta* his Wife, *Charles Russell*, *Whitworth Russell*, *Alexander Adair*, and *Richard Webster Huntley*, did bargain, sell, alien, and release, and the said *Thomas Greene* did direct, limit, appoint, and confirm unto the said *John Ellis Clowes* (in his actual Possession then being by virtue of a Bargain and Sale to him thereof made) and to his Heirs, all that One undivided Fourth Part or Share late of the said Testator *Thomas Greene* of and in the said Advowson, Donation, Presentation, Right of Patronage and Free Disposition of, in, and to the Parish Church of *Cockerham* aforesaid, together with all Tithes, Oblations, Obventions, Portions, Pensions, Profits, Fruits, Emoluments, Rights, Members, and Appurtenances whatsoever to the said Advowson belonging, to hold unto the said *John Ellis Clowes* and his Heirs (subject and without Prejudice to the said Term of Sixty Years therein limited to the said *John Legh*, *Charles Clowes*, and *William Long*, their Executors, Administrators, and Assigns, in and by the said Will of the said *Thomas Greene* deceased,) to the Use of the said *Thomas Greene* and his Assigns for his Life, without Impeachment of Waste; with Remainder to the Use of the said *Henry Wiglesworth*, *George Tennant*, and *John Ellis Clowes*, and their Heirs, during the Life of the said *Thomas Greene*, upon Trust to preserve the contingent Remainders therein-after limited; with Remainder to the Intent that the said *Henrietta Greene* may, after the Decease of the said *Thomas Greene*, yearly have during her Life a yearly Rent-charge of Five hundred Pounds, payable as therein mentioned, for her Jointure, with the usual Powers of enforcing the Payment thereof by Distress or Entry, and Perception of Rents and Profits; and, subject thereto, to the Use of *Charles Russell*, *Whitworth Russell*, *Alexander Adair*, and *Richard Webster Huntley*, their Executors, Administrators, and Assigns, for One hundred Years, upon the Trusts therein mentioned for the better securing the Payment of the said Jointure Rent-charge of Five hundred Pounds by and out of the annual Rents Issues, and Profits of the same Hereditaments, or by Demise, Mortgage, or Sale thereof; with Remainder to the Use of the First Son of the said *Thomas Greene*, and the Heirs Male of the Body of such First Son; with divers Remainders over, as in the said recited Will of the said *Thomas Greene* is mentioned: And whereas the said *William Long* departed this Life in the Month of *March* One thousand eight hundred and eighteen: And whereas the said *Charles Clowes* departed this Life on the Eighteenth Day of *October* One thousand eight hundred and eighteen: And whereas the said *John Legh* departed this Life in the Month of *March* One thousand eight hundred and twenty-six, having duly made and published his last Will and Testament, and thereby appointed *Edmund Clowes* and *Thomas Greene*, together with *Edmund Antrobus*, since deceased, and Sir *Edmund Antrobus* Baronet (who died in the Lifetime of the said *John Legh*), his Executors, which Will was duly proved by the said *Edmund Clowes* and *Thomas Greene*, together with the said *Edmund Antrobus* (since deceased), in the Prerogative Court of the Archbishop of *Canterbury* on the Twenty-fourth Day of *May* One thousand eight hundred and twenty-six: And whereas the said *Thomas Greene* and *Henrietta* his Wife, *Martha Greene*, *Edmund Clowes*,

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Charles Russell, Whitworth Russell, Alexander Adair, Richard Webster Huntley, and Dawson Cornelius Greene by the said *Thomas Greene* his Father and next Friend, filed their Bill in the High Court of Chancery in *Trinity Term* One thousand eight hundred and thirty-two against the said *John Villiers Dent, Isaac Gascoyne, Thomas Wilkinson, Daniel Mackinnon* and *Anne Jane* his Wife, *Augusta Dent, Saint John Dent, Juliana Dent, Emma Dent, Susan Dent, Hastings Dent, and Thomas Allen Dent, Robert Addison Clarke, James Clarke the elder, James Clarke the younger, Thomas Clarke, and Richard Atkinson*, praying that Partition might under the Decree of the Court be had and made of the said Advowson between the Plaintiffs and several Defendants according to their respective Estates and Interests therein, to present by Turns, and that all proper and necessary Directions might be given for that Purpose: And whereas by a Decree of the High Court of Chancery bearing Date the Fifteenth Day of *February* One thousand eight hundred and thirty-three it was referred to the Master in rotation to inquire and state to the Court in what Parts or Shares and for what Interests the several Parties, Plaintiffs and Defendants in the Cause, were respectively entitled to the Advowson of the Vicarage and Parish Church of *Cockerham* in the County of *Lancaster* in the Pleadings mentioned, reserving further Directions until after the Master should have made his Report: And whereas Master *Roupell*, the Master to whom the said Cause stood referred, made his Report in Writing bearing Date the Nineteenth Day of *June* One thousand eight hundred and thirty-three, and after stating that it had been contended before him, that the said *Thomas Greene* was seised of or entitled to One undivided Fourth Part or Share of the said Advowson for his Life, subject to the said Annuity of One thousand Pounds charged thereon, together with other Hereditaments, in favour of the said *Martha Greene*, and the said Term of Sixty Years vested in the said *Edmund Clowes* and *Thomas Greene*, as Executors of the said *John Legh* deceased, for securing the said Annuity, and that the said *Dawson Cornelius Greene* was seised of or entitled to the same One undivided Fourth Part of the said Advowson in Tail Male expectant on the Decease of the said *Thomas Greene*, and subject to the said Annuity of One thousand Pounds, and also subject to the said Rent-charge of Five hundred Pounds charged thereon, together with other Hereditaments, in favour of the said *Henrietta Greene* if she should survive the said *Thomas Greene*, and the said Term of One hundred Years vested in the said *Charles Russell, Whitworth Russell, Alexander Adair, and Richard Webster Huntley* for securing the same; and that it had also been contended before him, that the said *John Villiers Dent* was, under the Will of the said *Robert Dent*, his late Brother, bearing Date the Sixth Day of *January* One thousand eight hundred and thirty; equitably entitled for his Life to One undivided Fourth Part or Share of the said Advowson, subject to the said Rent-charge of One thousand two hundred Pounds in favour of the said *Anne Jane Dent* charged thereon, together with other Hereditaments, and to the said Term of One thousand Years created by the said Indentures of Lease and Release of the Thirteenth and Fourteenth Days of *October* One thousand eight hundred for securing the same, and also for securing the Sum of Twenty thousand Pounds in favour of the said *Anne Jane Mackinnon, Augusta Dent, Saint John Dent, Juliana Dent, Emma Dent, Susan Dent, Hastings Dent, and Thomas Allen Dent*, with Remainder, subject

Decree,
15th February 1833.

Report,
19th June 1833.

subject as aforesaid, to the First and other Sons of the said *John Villiers Dent* successively in Tail, with Remainder to the First and other Daughters of the said *John Villiers Dent* successively in Tail, with Remainder to the said *Saint John Dent* for Life, with Remainder to the First and other Sons of the said *Saint John Dent* successively in Tail, with Remainder to the First and other Daughters of the said *Saint John Dent* successively in Tail, with Remainder to the said *Hastings Dent* for Life, with Remainder to the First and other Sons of the said *Hastings Dent* successively in Tail, with Remainder to the First and other Daughters of the said *Hastings Dent* successively in Tail, with Remainder to the said *Thomas Allen Dent* for Life, with Remainder to the First and other Sons of the said *Thomas Allen Dent* successively in Tail, with Remainder to the First and other Daughters of the said *Thomas Allen Dent* successively in Tail, with Remainder to the right Heirs of the said Testator *Robert Dent*; and after stating that he found that the said *Robert Addison Clarke* became and was, under a Commission *De lunatico inquirendo*; duly found and declared to be a Lunatic, and that his Father, the said *James Clarke* the elder, had been duly appointed the Committee of his Estate, and that it had been contended before him that the said *Robert Addison Clarke* was seised of an undivided Fourth Part or Share of the said Advowson as Tenant for Life in Possession, with Remainder to Trustees to preserve contingent Remainders, with Remainder to his First and other Sons successively in Tail Male, with Remainder to the said *James Clarke* the younger for his Life, with Remainder to Trustees to preserve contingent Remainders, with Remainder to his First and other Sons successively in Tail Male, with Remainder to the said *Thomas Clarke* in Tail Male, with certain Remainders over; and that it had also been contended before him, that the said *Richard Atkinson* was seised in Fee Simple in Possession of One undivided Fourth Part or Share of the said Advowson; the said Master found that the several Parties, Plaintiffs and Defendants, together with the said *Anne Jane Dent*, were entitled to the several Parts and Shares and for the Interests therein-before stated to be claimed by them respectively to the Advowson of the Vicarage of the Parish Church of *Cockerham* aforesaid, and that the legal Estate in Fee Simple of and in the undivided Fourth Part of the said Advowson devised by the said Will of the said *Robert Dent* was by virtue of the said Will vested in the said *William Alexander Mackinnon* and *Thomas Walford* the younger: And whereas by an Order of the High Court of Chancery bearing Date the Twentieth Day of *June* One thousand eight hundred and thirty-three the said Report was confirmed: And whereas by an Order of the High Court of Chancery made upon the Hearing of the said Cause for further Directions, and bearing Date the Twenty-second Day of *June* One thousand eight hundred and thirty-three, it was declared that the Plaintiffs in the said Cause were entitled to a Partition of the said Advowson, and it was ordered that a Partition thereof should be made between the Plaintiffs and the Defendants, and the said *Anne Jane Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, according to their respective Shares, as stated in the said Report, to present by Turns, and that it should be referred back to the said Master to decide by Lot the Turns in which the said several Plaintiffs and Defendants, and the said *Anne Jane Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, should present, and that the said Parties should present accordingly;

Order, 20th
June 1833.

Order, 22d
June 1833.

Report, 29th
June 1833.

Indenture,
3d July 1833.

ingly; but forasmuch as, from the Infancy of Parties, and other Circumstances appearing on the said Report, mutual Conveyances could not be executed to effect the said Partition, it was ordered that it should be referred to the Master to inquire and state to the Court whether it would be for the Benefit of the several Parties interested that Application should be made to Parliament for an Act for effecting the said Partition, and to inquire also and to state to the Court whether it would be for the Benefit of the Parties that such Act should direct the Sale of the next Presentation, in order to raise a Fund for the Payment of the Costs of the said Act and the Costs of the said Suit, and incident thereto or occasioned thereby, but the said Court did not think fit to make any Order as to the Parties by whom or the Shares or Proportions in which the said Costs or any of them should be borne or paid; and the said Court did continue the Reservation of all further Directions and of the Costs of the said Suit; and the said Order was to be binding on the said Plaintiff *Dawson Cornelius Greene*, and the Defendant *Thomas Allen Dent*, unless they, on attaining their Age of Twenty-one Years, being served with a Subpœna to shew Cause against the same, should, within Six Months after they should respectively attain the Age of Twenty-one Years, shew unto the Court good Cause to the contrary: And whereas the said Master made his Report, bearing Date the Twenty-ninth Day of *June* One thousand eight hundred and thirty-three, in pursuance of the said last-mentioned Order, and thereby certified that he had proceeded to decide the Turns therein mentioned by Lot; and he found that the Turns in which the said several Plaintiffs and Defendants, and the said *Anne Jane Dent*, *William Alexander Mackinnon* and *Thomas Walford* the younger should present were as follows; namely, the First Turn to the Defendants *John Villiers Dent*, *Isaac Gascoyne*, *Thomas Wilkinson*, *Daniel Mackinnon* and *Anne Jane* his Wife, *Augusta Dent*, *Saint John Dent*, *Juliana Dent*, *Emma Dent*, *Susan Dent*, *Hastings Dent*, and *Thomas Allen Dent*, and the said *Anne Jane Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger; the Second Turn to the Defendant *Richard Atkinson*, the Third Turn to the Defendants *Robert Addison Clarke*, *James Clarke* the younger, and *Thomas Clarke*, and the Fourth Turn to the said Plaintiffs; and he also certified that he was of opinion that it would be for the Benefit of the several Parties interested in the said Advowson that an Application should be made to Parliament for an Act for effecting the said Partition: And whereas by an Indenture bearing Date on or about the Third Day of *July* in the Year One thousand eight hundred and thirty-three, and made between the said *John Villiers Dent* of the First Part, the said *William Alexander Mackinnon* and *Thomas Walford* the younger of the Second Part, and *John Dodson* of the Town of *Lancaster*, Esquire, of the Third Part, after reciting that the said *John Villiers Dent* was seised or possessed or otherwise well and rightfully or beneficially entitled to the next Turn or Right of Presentation to the Vicarage of the Parish and Parish Church of *Cockerham* in the said County Palatine of *Lancaster*, of which the Reverend *Richard Hudson* was the then present Incumbent, and that the said *William Alexander Mackinnon* and *Thomas Walford* the younger were Trustees for the said *John Villiers Dent* during his Life, and that the said *John Villiers Dent* had contracted with the said *John Dodson* for the absolute Sale to him of the next Turn or Right of Presentation upon the Decease, Resignation, Cession, or Deprivation of the said *Richard Hudson*, or other Avoidance of the said Church,

for the Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings, it was witnessed, that in pursuance of the said Agreement, and in consideration of the said Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings of lawful current Money to the said *John Villiers Dent* in hand paid by the said *John Dodson* at or immediately before the sealing and Delivery of the said Indenture (the Receipt whereof the said *John Villiers Dent* did thereby acknowledge), he the said *John Villiers Dent* did, by the said Indenture now in recital, give, grant, bargain, sell, and confirm, and the said *William Alexander Mackinnon* and *Thomas Walford* the younger, so far only as respected their Estate and Interest in the said Advowson and Right of Presentation thereto during the Life of the said *John Villiers Dent*, but not further or otherwise, and at the Request and by the Direction of the said *John Villiers Dent*, testified as therein mentioned, did (by way of Conveyance only, and not for or by way of Warranty of Title,) give, grant, bargain, and sell unto the said *John Dodson*, his Executors, Administrators, and Assigns, all that the First and next Turn, Avoidance, or Right of Presentation, Nomination, and free Disposition of and to the Vicarage of the Parish and Parish Church of *Cockerham* in the said County Palatine of *Lancaster*, whenever the same should first after the Date of the said Indenture now in recital happen to become void by the Death, Resignation, or Deprivation of the said *Richard Hudson*, or other the then present Incumbent thereof, or by any other Ways or Means whatsoever, to have and to hold the said First and next Turn, Avoidance, and Right of Presentation, Nomination, and free Disposition of and to the said Vicarage and Parish Church of *Cockerham* aforesaid, when the said Church should first and next after the Date of the said Indenture now in recital happen to become void by any Ways or Means whatsoever, unto the said *John Dodson*, his Executors, Administrators, and Assigns, so and in such Manner and to the End and Intent that the said *John Dodson*, his Executors, Administrators, and Assigns, might be able to present such qualified Person as he or they might think fit to the said Vicarage and Parish Church of *Cockerham* aforesaid whenever the same should so next happen to be void, and to cause the Person so presented to be admitted, instituted, and inducted in and to the full and peaceable Possession and Enjoyment thereof, and of the Profits, Benefits, and Advantages belonging or appertaining to the same: And whereas by Articles of Agreement entered into the Fourth Day of *July* in the Year One thousand eight hundred and thirty-three between the said *John Villiers Dent* of the First Part, the said *Richard Atkinson* of the Second Part, the said *James Clarke* the elder (the Committee of the said *Robert Addison Clarke*, a Lunatic,) of the Third Part, and the said *Thomas Greene* of the Fourth Part, after reciting the various Proceedings and Orders of the Court of Chancery in the said Cause of *Greene versus Dent*, and the Sale by the said *John Villiers Dent* of the First Turn or Right of Presentation to the said Vicarage, and the Conveyance thereof by him to the said *John Dodson* by the said in part recited Indenture of the Third Day of *July* One thousand eight hundred and thirty-three, as herein-before is mentioned, and that the said *John Dent* had proposed, in order to raise a Fund for the Payment of the Costs of the said intended Application to Parliament and of the said Suit, and of all other incidental Expences, that the next Turn or Right of Presentation to the said Vicarage

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Agreement,
4th July
1833.

so sold by him to the said *John Dodson* should be considered as sold for the Benefit of all Parties interested in the said Advowson, and that the said *John Villiers Dent* had agreed to waive the sole and exclusive Right to the said next Turn or Right of Presentation, and to divide the said Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings so received by him from the said *John Dodson* for the Sale thereof as aforesaid, after Payment thereof of the Costs and Expences aforesaid, equally between himself and the other Persons entitled to the Three remaining Fourth Parts or Shares of the said Advowson, provided that the Turns in which the said several Parties had been decreed to present were postponed, and the Turn or Right of Presentation next succeeding that so sold to the said *John Dodson* as aforesaid was secured to the said *John Villiers Dent*, and that the said *Richard Atkinson*, *James Clarke* the elder, as Committee as aforesaid, and *Thomas Greene*, so far as they were respectively capable of consenting to the said Proposition, had agreed thereto, it was witnessed, and the said several Persons, Parties thereto, did thereby, for themselves severally and respectively, and for their several and respective Executors and Administrators, agree with the others of them, their respective Executors, Administrators, and Assigns, in the Manner following, that is to say, that an Application by Petition, or otherwise, as Counsel should advise, should be forthwith made to the said High Court of Chancery by all necessary and proper Parties, praying that the next Turn or Right of Presentation to the said Vicarage or Parish Church of *Cockerham* aforesaid, which by the said recited Decree was then vested in the said *John Villiers Dent*, and which had been so sold by him to the said *John Dodson* for the Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings, might be considered as sold by him, not on his own Account, but for the Benefit of all Parties interested in the said Advowson, and that the said Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings so received by the said *John Villiers Dent* from the said *John Dodson* for the Sale to him of the said next Presentation might be applied, under the Direction of the Court, in Payment of the Expences of the Suit, and of obtaining an Act of Parliament for carrying the Decree of the said Court into effect, and of making the said Application to the said Court, and of all other Expences which might be incurred or occasioned thereby or be incident thereto; and that the Residue of such Money, after Payment of the Costs and Expences aforesaid, might be divided between the said several Persons interested in or entitled to the said Advowson, or that such other Application might be made thereof as the said Court should think fit to direct; and that the Turns in which the said several Persons, Parties to the said Suit, had been decreed to present might be postponed so and in such Manner as to secure to the said *John Villiers Dent*, or to the other Persons interested in or entitled to the One Fourth Part of the said Advowson under the said Will of the said *Robert Dent*, the Turn or Right of Presentation next immediately succeeding that so sold to the said *John Dodson* as aforesaid, and to the said *Richard Atkinson* the then next succeeding Turn, and to the said *Robert Addison Clarke*, *James Clarke* the younger, and *Thomas Clarke* the then succeeding Turn, and to the said Plaintiffs the last Turn; and that if the Court of Chancery should refuse the Prayer of the said Petition, or if the Master should report against the Measure, or if, in the

Opinion

Opinion of the Chairman for the Time being of the Lords Committees, an Act of Parliament could not be obtained, or if from any other Cause the Intention of the Parties thereto could not be carried into effect, then the next immediate Turn which had so devolved upon the said *John Villiers Dent* as aforesaid should be adopted by him, and the Sale thereof so made by him to the said *John Dodson* should be considered as made for the sole and exclusive Benefit of the said *John Villiers Dent*, and he should be entitled to the full Sum for which the same had been so sold; that the said *John Villiers Dent* should, in the Event of the next immediate Turn or Right of Presentation being adopted by him, pay and discharge all the Costs of the said Suit, and of the several Parties thereto, such Costs being taxed as between Solicitor and Client, and also the Costs of the Application to Parliament, and the Costs of preparing and executing the said Indenture now in recital, and all other incidental Expences whatsoever which had been already incurred or occasioned or which might thereafter be incurred or occasioned in carrying or in attempting to carry the said Agreement into effect, up to and until the Time of the Adoption of the said next immediate Turn or Right of Presentation to the said Vicarage, and that the Death of the then present Incumbent of the said Vicarage should not in any Manner affect or vary that Agreement; and that, in order the more effectually to provide for carrying the said Agreement into effect, and to secure the due Appropriation of the Proceeds of the said Sale of the next Presentation, in case the Court of Chancery should accede to the Prayer of the said Petition, the said Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings so paid by the said *John Dodson* to the said *John Villiers Dent* for the Purchase of the said next Turn or Right of Presentation should be paid over by the said *John Villiers Dent* into the Hands of *Daniel Mackinnon* of *Hertford Street, May Fair*, in the County of *Middlesex*, Colonel of His Majesty's Regiment of Coldstream Guards, *William Alexander Mackinnon* of *Hyde Park Place, Cumberland Gate*, in the said County of *Middlesex*, Esquire, and *Thomas Walford junior*, of *Southampton Street, Covent Garden*, in the said County of *Middlesex*, Esquire, to be by them laid out in the Purchase of Exchequer Bills or Government or Parliamentary Securities, or on Real Security at Interest, upon Trust, in case the Application so intended to be made to the Court should be made, and the Court should accede thereto, to sell and dispose of the same, and to pay the Proceeds of such Sale, and also all Dividends and Interest which might have accrued thereon in the meantime, into the Bank of *England*, to the Credit of the Accountant General of the High Court of Chancery, to be dealt with as the said Court should order or direct, and upon further Trust, in case the said Application to the Court should be made, and the Court should not accede thereto, and the said *John Villiers Dent* should adopt the next immediate Turn or Right of Presentation to the said Vicarage, then to sell and dispose of the said Exchequer Bills, Government, Parliamentary, or Real Securities, and by and out of the Proceeds thereof to pay all the Costs and Expences therein-before agreed to be paid by the said *John Villiers Dent*, and after full Payment and Satisfaction thereof to pay the Residue or Surplus of such Monies unto the said *John Villiers Dent* for his own absolute Use, Behoof, and Benefit, or in such Manner as he should direct: And whereas the said Sum of Six thousand two hundred and ninety-

Order, 11th
July 1833.

ninety-four Pounds Twelve Shillings so received by the said *John Villiers Dent* from the said *John Dodson* for the Sale of the next Turn or Right of Presentation to the said Vicarage was accordingly paid over by him to the said *Daniel Mackinnon*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, and was by them laid out and invested in the Purchase of the Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence Three Pounds *per Centum* Consolidated Bank Annuities: And whereas by an Order of the said High Court of Chancery, dated the Eleventh Day of *July* One thousand eight hundred and thirty-three, and made in the said Cause on the Petition of the said Plaintiffs, it was ordered that it should be referred to the said Master *Roupell* to inquire and state to the Court whether it would be for the Benefit of the several Parties interested in the said Advowson that the next Turn or Right of Presentation to the said Vicarage and Parish Church of *Cockerham*, and which by the several Proceedings in the said Petition mentioned became vested in the said *John Villiers Dent*, and which had been sold and conveyed by him to the said *John Dodson* for the Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings, as therein and herein-before mentioned, should be considered as sold by him, not on his own Account, but for the Benefit of all Parties interested in the said Advowson, and that the said Sum of Six thousand two hundred and ninety-four Pounds Twelve Shillings, so received by the said *John Villiers Dent* of the said *John Dodson* for the Sale to him of the next Presentation, should be applied, under the Direction of the said Court, in Payment of the Expences of the said Suit, and of obtaining an Act of Parliament for carrying the said Partition into effect, and of making the then present Application, and of all other Expences which might be incurred or occasioned thereby or be incident thereto, and that the Residue of such Money, after Payment of the Costs and Expences aforesaid, should be divided between the several Parties interested in or entitled to the said Advowson, or such other Application should be made thereof as the said Court should direct, and that the Turns in which the said several Persons, Parties to the said Suit, and the said *Anne Jane Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, had been decreed to present to the said Vicarage and Parish Church might be postponed so and in such Manner as to secure to the said Defendants *John Villiers Dent* and the other Parties interested in or entitled to the One Fourth Part of the said Advowson under the Will of the said *Robert Dent* the Turn or Right of Presentation next immediately succeeding that so sold to the said *John Dodson* as aforesaid, and to the said *Richard Atkinson* the then next succeeding Turn, and to the said *Robert Addison Clarke*, *James Clarke* the younger, and *Thomas Clarke* the then next succeeding Turn, and to the said Plaintiffs the last Turn: And whereas the said Master, by his Report dated the Twenty-fifth Day of *July* One thousand eight hundred and thirty-three, made in pursuance of the said Order, certified that he was of opinion that it would be for the Benefit of the several Parties interested in the said Advowson that the next Turn or Right of Presentation to the said Vicarage and Parish Church of *Cockerham* aforesaid, which by the several Proceedings herein-before mentioned had become vested in the said *John Villiers Dent*, and which had been so sold and conveyed by the said *John Villiers Dent* to the said *John Dodson* as aforesaid, should be considered

Report, 25th
July 1833.

as sold by him, not on his own Account, but for the Benefit of all Parties interested in the said Advowson; and he was of opinion that it would be fit and proper that the said Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence Consolidated Three Pounds *per Centum* Bank Annuities, purchased by the said *John Villiers Dent* with the Money received of the said *John Dodson* for the Sale to him of the next Presentation, should be applied, under the Direction of the said Court, in the Payment of the Expences of the said Suit, and of obtaining an Act of Parliament for carrying the said Partition into effect, and of the said Order of the Eleventh Day of *July* One thousand eight hundred and thirty-three, and of that Reference, and of all other Expences which might be incurred or occasioned thereby or be incident thereto; and he was also of opinion that it would be proper that the Residue of such Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence Three Pounds *per Centum* Consolidated Bank Annuities, after Payment of the Costs and Expences aforesaid, should be divided between the several Parties interested in or entitled to the said Advowson, and that the Turns in which the said several Persons, Parties to the said Suit, and the said *Anne Jane Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, had been decreed to present to the said Vicarage and Parish Church, should be postponed so and in such Manner as to secure to the said Defendant *John Villiers Dent*, and the said Defendants *Isaac Gascoyne*, *Thomas Wilkinson*, *Daniel Mackinnon* and *Anne Jane* his Wife, *Augusta Dent*, *Saint John Dent*, *Juliana Dent*, *Emma Dent*, *Susan Dent*, *Hastings Dent*, and *Thomas Allen Dent*, and the said *Anne Jane Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, being the other Parties interested in or entitled to the One Fourth Part of the said Advowson under the Will of the said *Robert Dent*, the Turn or Right of Presentation next immediately succeeding that so sold to the said *John Dodson* as aforesaid, and to the said Defendant *Richard Atkinson* the then next succeeding Turn, and to the said Defendants *Robert Addison Clarke*, *James Clarke* the younger, and *Thomas Clarke* the then next succeeding Turn, and to the said Plaintiffs the last Turn: And whereas by an Order of the said High Court of Chancery dated the Twenty-ninth Day of *July* One thousand eight hundred and thirty-three, made on the Petition of the said Plaintiffs, it was ordered that the Master's Report dated the Twenty-fifth Day of *July* then instant should be confirmed, and it was further ordered that the said *William Alexander Mackinnon*, *Daniel Mackinnon*, and *Thomas Walford* the younger should transfer the said Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence Bank Three Pounds *per Centum* Annuities, then standing in their Names in the Books of the Governor and Company of the Bank of *England*, being the Sum produced by the Investment of the net Purchase Money received by the Defendant *John Villiers Dent* of the said *John Dodson*, as mentioned in the said Master's Report, into the Name and with the Privity of the Accountant General of the Court of Chancery, in Trust in the said Cause, and the said Accountant General was to declare the Trust thereof accordingly, subject to the further Order of the said Court: And whereas in pursuance of and in obedience to the said last-mentioned Order the said Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence Bank Three Pounds

[Private.]

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Order, 29th
July 1833.

Order, 5th
August 1833,
re Clarke.

Report, 8th
August 1833,
re Clarke.

Order, 16th
August 1833,
re Clarke.

per Centum Annuities was, on or about the Sixteenth Day of *August* One thousand eight hundred and thirty-three, transferred by the said *William Alexander Mackinnon, Daniel Mackinnon, and Thomas Walford* the younger into the Name of the Accountant General of the High Court of Chancery, in Trust in the said Cause: And whereas by an Order of the Lord High Chancellor dated the Fifth Day of *August* One thousand eight hundred and thirty-three, and made in the Matter of *Robert Addison Clarke*, a Lunatic, upon the Petition of *James Clarke* the elder, the Committee of the Estate and Effects of the said Lunatic, his Lordship ordered that it should be referred to *George Boone Roupell* Esquire, one of the Masters of the High Court of Chancery, to inquire and certify whether it would be fit and proper, and for the Benefit of the said Lunatic and his Estate, that the Petitioner, as the Committee thereof, should be at liberty to concur with the other Parties interested in the Advowson of the Vicarage and Parish Church of *Cockerham* in the County of *Lancaster* in applying for and obtaining an Act of Parliament for effectuating the Partition of the said Advowson among the Parties interested therein, according to their respective Rights and Interests therein, and according to the Arrangements mentioned in the said several Orders and Reports made in the said Cause *Greene* and others *versus Dent* and others: And whereas the said Master, by his Report dated the Eighth Day of *August* One thousand eight hundred and thirty-three, and made in pursuance of the said last-mentioned Order, certified that he was of opinion that it would be fit and proper, and for the Benefit of the said *Robert Addison Clarke*, the Lunatic, and his Estate, that the said *James Clarke* the elder should be at liberty to concur with the other Parties interested in the said Advowson of *Cockerham* aforesaid in applying for and obtaining an Act of Parliament for effectuating the Partition of the said Advowson amongst the several Parties interested therein, according to their respective Rights and Interests therein, and according to the Arrangements mentioned in the said several Orders and Reports made in the said Cause of *Greene* and others *versus Dent* and others: And whereas by another Order of the Lord High Chancellor dated the Sixteenth Day of *August* One thousand eight hundred and thirty-three, made in the said Matter, it was ordered that the said Report dated the Eighth Day of *August* One thousand eight hundred and thirty-three be confirmed, and that the said *James Clarke* the elder, as Committee of the Estate of the said *Robert Addison Clarke* the Lunatic, be at liberty to concur with the other Parties interested in the said Advowson of the Vicarage and Parish Church of *Cockerham* aforesaid in applying for and obtaining an Act of Parliament for effectuating the Partition of the said Advowson among the several Parties interested therein, according to their respective Rights and Interests therein, and according to the Arrangements mentioned in the several Orders and Reports made in the said Cause *Greene* and others *versus Dent* and others: And whereas, for the Reasons and under the Circumstances aforesaid, it will be for the Benefit of all Parties interested in the said Advowson of the Vicarage and Parish Church of *Cockerham* aforesaid that the Sale of the next Turn or Right of Presentation thereto, so made to the said *John Dodson*, as herein-before mentioned, should be confirmed, and that the Partition of the said Advowson so decreed by the said High Court of Chancery, and the Turns or Order in which the several Parties interested shall present thereto, should

should be established and settled; but by reason of the Infancy of the said *Dawson Cornelius Greene* and *Thomas Allen Dent*, and the Lunacy of the said *Robert Addison Clarke*, the same cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects the said *John Villiers Dent*, *Saint John Dent*, *Hastings Dent*, *William Alexander Mackinnon*, and *Thomas Walford* the younger, *James Clarke* the elder, as the Committee of the Person and Estate of the said *Robert Addison Clarke* the Lunatic, *James Clarke* the younger, *Thomas Clarke*, *Thomas Greene*, on behalf of himself and of his infant Son the said *Dawson Cornelius Greene*, *Anne Jane Dent*, as well on behalf of herself as of her infant Son the said *Thomas Allen Dent*, and *Richard Atkinson*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Sale so made to the said *John Dodson*, his Executors, Administrators, and Assigns, of the next Turn or Right of Presentation to the Vicarage or Parish Church of *Cockerham* aforesaid, and the Conveyance and Assurance purposed to be made to him and them thereof by the said herein-before in part recited Indenture of the Third Day of *July* One thousand eight hundred and thirty-three, shall be and the same are hereby respectively ratified, confirmed, and established, and shall be binding and conclusive upon all Persons interested in or entitled to the said Advowson.

Sale to John Dodson, of next Right of Presentation to the Vicarage of Cockerham, confirmed.

II. And be it further enacted, That the Partition of the said Advowson or perpetual Right of Presentation to the said Vicarage and Parish Church of *Cockerham* aforesaid, so decreed to be made by the said High Court of Chancery between the several Parties interested therein or entitled thereto, in the Manner herein-before mentioned, shall be and the same is hereby confirmed and established; and the several Parties so respectively entitled to the said Advowson or perpetual Right of Presentation to the said Vicarage or Parish Church shall have the exclusive Right of Presentation thereto by alternate Turns in the Order following; that is to say, that the Person or Persons for the Time being entitled under or by virtue of the Limitations contained in the herein-before in part recited Will of the said *Robert Dent* deceased to One undivided Fourth Part of the said Advowson shall present to the said Vicarage or Parish Church upon the First Avoidance or Vacancy which shall happen next immediately after the Avoidance or Vacancy to which the said *John Dodson*, his Executors, Administrators, or Assigns, is or are entitled to present, and in like Manner shall present to the said Vicarage or Parish Church upon every Fourth succeeding Avoidance or Vacancy which shall happen next after the Vacancy to which he or they is or are hereby entitled to present; that the said *Richard Atkinson*, his Heirs and Assigns, or other the Person or Persons for the Time being entitled under or by virtue of the Limitations contained in the said herein-before in part recited Indenture of Release of the Thirteenth Day of *August* One thousand eight hundred and twenty-two to One undivided Fourth Part of the said Advowson, shall present to the said Vicarage or Parish Church of *Cockerham* aforesaid upon the First Avoidance or Vacancy which shall happen next

Partition made by the Court of Chancery confirmed.

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immediately after the Avoidance or Vacancy to which the Person or Persons claiming under or by virtue of the Limitations contained in the Will of the said *Robert Dent* deceased is or are entitled to present, and so in like Manner upon every Fourth succeeding Avoidance or Vacancy; that the Person or Persons for the Time being entitled under or by virtue of the Limitations contained in the said herein-before in part recited Will and Codicil of *Robert Addison* deceased to One undivided Fourth Part of the said Advowson shall present to the said Vicarage or Parish Church upon the First Avoidance or Vacancy which shall happen next immediately after the Avoidance or Vacancy to which the said *Richard Atkinson*, his Heirs and Assigns, is or are entitled to present, and so in like Manner upon every Fourth succeeding Avoidance or Vacancy; that the Person or Persons for the Time being entitled under or by virtue of the Limitations contained in the said herein-before in part recited Indenture of the Fourth Day of *August* One thousand eight hundred and thirty-one, being the Settlement made in pursuance of the Will of the said *Thomas Greene* the Father, deceased, to One undivided Fourth Part of the said Advowson, shall present to the said Vicarage or Parish Church upon the First Avoidance or Vacancy which shall happen next immediately after the Avoidance or Vacancy to which the Person or Persons entitled under or by virtue of the Limitations contained in the said Will of the said *Robert Addison* deceased is or are entitled to present, and so in like Manner upon every Fourth succeeding Avoidance or Vacancy.

Expences of Act to be defrayed out of Money arising from the Sale to John Dodson.

Application of Residue of such Money.

III. And be it further enacted, That the Costs, Charges, and Expences of and attending the Preparation of and Application for and obtaining and passing this Act, and of the Steps preparatory thereto, and also the Costs, Charges, and Expences of prosecuting and defending the Suit instituted for the Purpose of obtaining a Partition of the said Advowson, and of all Parties thereto, and of all Applications to the said Court of Chancery, and all other Costs, Charges, and Expences incident to or occasioned by the Partition of the said Advowson, or in anywise relating thereto, shall be paid out of the said Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence Three Pounds *per Centum* Consolidated Bank Annuities so now standing in the Name of the Accountant General of the High Court of Chancery, in Trust in the said Cause; and One Fourth Part of the Residue or Surplus of the said Sum of Seven thousand and forty-two Pounds Thirteen Shillings and Seven-pence, which shall remain after Payment of all such Costs, Charges, and Expences, shall be paid to the said *Richard Atkinson*, his Executors, Administrators, and Assigns, and the Remainder thereof shall remain in the Name of the said Accountant General, in Trust in the said Cause, until the next Avoidance or Vacancy of the said Vicarage or Parish Church, and shall then be divided into Three equal Parts or Shares, and one of such Third Parts shall be paid to the said *John Villiers Dent*, his Executors, Administrators, and Assigns, or other the Person who shall then be entitled under the Will of the said *Robert Dent*, one other of such Third Parts to the said *James Clarke* the elder, or other the Committee for the Time being of the said *Robert Addison Clarke*, in Trust for the said *Robert Addison Clarke*, his Executors, Administrators, and Assigns, or other the Person who shall then be entitled under the Will of the said *Robert Addison*, and the remaining

remaining Third Part unto the said *Thomas Greene*, his Executors, Administrators, and Assigns, or other the Person who shall then be entitled under the said recited Indentures of the Fourth Day of *August* One thousand eight hundred and thirty-one.

IV. Provided always, and be it further enacted, That it shall and may be lawful for the said High Court of Chancery from Time to Time, upon the Petition of any Party or Parties, to be preferred in a summary Way, to make such Order or Orders as to the said Court shall seem meet for ascertaining, taxing, and settling the Costs, Charges, and Expences herein-before directed to be paid, and for taxing the Costs, Charges, and Expences of or relating to such Applications to be made to the said Court, or incidental thereto, and also from Time to Time to make such Order or Orders as to the said Court shall seem meet for the Payment of all such Costs, Charges, and Expences as aforesaid out of the Fund herein-before authorized to be applied for that Purpose, and for distributing the Remainder of such Fund amongst the Persons entitled thereto.

Court of
Chancery
may tax the
Costs.

V. Saving always to the King's most Excellent Majesty, and His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his and their Heirs, Successors, Executors, and Administrators, (other than and except the said *John Villiers Dent* and the Heirs Male of his Body, and all and every the Son and Sons and Daughter and Daughters of the said *John Villiers Dent*, and the Heirs of their respective Bodies lawfully issuing; *Saint John Dent* and the Heirs Male of his Body, and all and every the Son and Sons and Daughter and Daughters of the said *Saint John Dent*, and the Heirs of their respective Bodies lawfully issuing; *Hastings Dent*, and the Heirs Male of his Body, and all and every the Son and Sons and Daughter and Daughters of the said *Hastings Dent*, and the Heirs of their respective Bodies lawfully issuing; and also other than and except the said *Richard Atkinson* and his Heirs, and all and every other Person and Persons claiming under or by virtue of the Limitations contained in the said herein-before in part recited Indenture of the Thirteenth Day of *August* One thousand eight hundred and twenty-two; and also other than and except the said *Robert Addison Clarke*, and all and every the Son and Sons of the said *Robert Addison Clarke*, and the Heirs Male of their respective Bodies lawfully issuing; *James Clarke* the younger, and all and every the Son and Sons of the said *James Clarke* the younger, and the Heirs Male of their respective Bodies lawfully issuing; *Thomas Clarke*, and the Heirs Male of his Body; *James Clarke* the elder and *Jane Clarke* his Wife; and also other than and except the said *Thomas Greene*, *Dawson Cornelius Greene*, and the Heirs Male of his Body, and all other the Issue of the said *Thomas Greene* and the said *Robert Greene Bradley*;) all such Estate, Right, Title, and Interest of, in, to, or out of the said Advowson, or any Part thereof, as he, she, or they, every or any of them, had before the passing of this Act, or could or might have had or enjoyed in case this Act had not been passed.

General
Saving.

[Private.]

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VI. And

Act to be
printed by
the King's
Printers.

VI. And be it further enacted, That this Act shall be printed by the several Printers to the King'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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1834.