



ANNO QUINQUAGESIMO

GEORGI III. REGIS.

Cap. 138.

An Act to alter and amend an Act passed in the Forty-fifth Year of the Reign of His present Majesty, intituled, *An Act to vest the settled Estates of John Hamilton Fitzmaurice, commonly called Lord Kirkwall, in the Counties of Denbigh and Flint, in Trustees in Trust, to be sold for the Payment of Debts affecting the same, and his other settled Estates; and after Payment thereof, for the Investment of the Residue of the Monies to arise by such Sale, in the Purchase of other Estates, to be conveyed to the Uses of the said settled Estates, and for other Purposes therein mentioned.*

[24th May 1810.]

WHEREAS an Act of Parliament was passed in the Forty-fifth Year of the Reign of His present Majesty, King George the Third, intituled, *An Act to vest the settled Estates of John Hamilton Fitzmaurice, commonly called Lord Kirkwall, in the Counties of Denbigh and Flint, in Trustees in Trust, to be sold for the Payment of Debts affecting the same, and his other settled Estates, and after Payment thereof, for the Investment of the Residue of the Monies to arise by such Sale, in the Purchase of other Estates, to be conveyed to the Uses of the said settled Estates, and for other Purposes therein mentioned: And whereas, by Indentures of Lease and Release, bearing Date respectively, the Ninth and Tenth Days of March in the Year of*

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Indentures
dated March
9 & 10, 1809.
our

our Lord One thousand eight hundred and nine; the Release being Tripartite and made, or expressed to be made, between *Henry Aspinwall* and *John Manley*, Esquires, the Trustees for Sale named in the said Act, of the First Part; the said *John Hamilton Fitzmaurice* Lord *Kirkwall*, of the Second Part; and *Terence O'Loghlin* of the *Grange*, in the Parish of *Chalfont, Saint Peters*, in the County of *Bucks*, Esquire, of the Third Part; which Release, after reciting the said Act, and further reciting (amongst other Things) that by an Order of the High Court of Chancery, the said *Terence O'Loghlin* had been nominated and appointed a Trustee in the Stead of the said *Henry Aspinwall*, it was by the said Indenture of Release, witnessed, that in pursuance of, and obedience to the said recited Order, and for the Considerations therein mentioned, the said *Henry Aspinwall* and *John Manley* did grant, bargain, and sell, alien, release, and confirm unto the said *Terence O'Loghlin* and to his Heirs, all the Manors, Messuages, Lands, Tenements, and Hereditaments in the said Counties of *Denbigh* and *Flint*, which by the said Act of Parliament were vested in the said *Henry Aspinwall* and *John Manley*, and their Heirs, together with the Rights, Members, and Appurtenances, to hold the same unto the said *Terence O'Loghlin* and his Heirs, to the Use of the said *John Manley* and *Terence O'Loghlin*, their Heirs and Assigns, upon the Trusts, and for the Intents and Purposes in the said recited Act of Parliament declared of or concerning the same: And whereas no Part of the said Estates in the said Counties of *Denbigh* and *Flint*, hath hitherto been sold in pursuance of the said Act; but that Measures are now taking, with the Approbation of the said Lord *Kirkwall*, for the immediate Sale of the said Estates, and carrying the Trusts of the said Act into Effect: And whereas, previously to the passing of the said recited Act, the Timber growing on the said Estates in the said Counties of *Denbigh* and *Flint*, and then fit to fell, was by Computation, erroneously estimated at the Sum of Eleven thousand and thirteen Pounds Six Shillings and One Penny only, the same being at that Time worth much more, but on Account of the immediate Sale now contemplated of the said Estates, in the said Counties of *Denbigh* and *Flint*, the Timber thereon, and now fit to fell, hath been accurately surveyed and valued by a skilful Surveyor, and the same hath, on such Survey and Valuation thereof, been found to be worth, and accordingly valued at the Sum of Twenty-seven thousand one hundred and seventy-seven Pounds Ten Shillings and Two-pence: And whereas the Plate in *Lleweny Hall*, which the Testator the Honorable *Thomas Fitzmaurice*, by his Will directed, should descend therewith, and be considered as Heir Looms was old and useless, and Money being wanted for the Payment of the said Testator's Debts, the Executors of the said Will (with the Consent of the said Lord *Kirkwall*, and all other Persons then in being and interested therein), caused the same to be sold by public Auction, in *London*, in the Month of *March* One thousand seven hundred and ninety-five, when the same produced the Sum of Two thousand eight hundred and eighty Pounds Eighteen Shillings and Five Pence, which was received by the Executors on the Twenty-sixth Day of *October* One thousand seven hundred and ninety-five, and duly applied by them in part Payment of the said Testator's Specialty Debts: And whereas the Household Goods and Furniture of *Lleweny Hall*, and which the said Testator also directed should descend therewith as Heir Looms, and be considered as Heir Looms thereto, are old and useful only as annexed to and for the Purpose of being enjoyed with the said House, and that separated therefrom would become useless
and

and inconvenient: And whereas many of the Pictures in *Lleweny Hall*, and directed to descend therewith as Heir Looms, are not Pictures of Lord *Kirkwall's* Family or worth Preservation: And that many of the Books in *Lleweny Hall* and directed to descend therewith, as Heir Looms, are Duplicates, and as such useless, and would occasion much additional Expence and Inconvenience by Removal: And whereas the said Lord *Kirkwall* is entitled to the Use or Enjoyment of the said Heir Looms for his Life, and that *Thomas John Hamilton Fitzmaurice*, as his eldest Son, and immediate Tenant in Tail in Remainder, expectant on the Life Estate of the said Lord *Kirkwall*, is absolutely entitled thereto after the decease of the said Lord *Kirkwall*: And whereas it is just and reasonable that the said Lord *Kirkwall* being dispunishable for Waste under the Will of his Father the Honourable *Thomas Fitzmaurice* deceased, as in the said recited Act mentioned, should be allowed out of the Monies to arise from the Sale of the said Estates, in the said Counties of *Denbigh* and *Flint*, the Sum of Twenty-seven thousand one hundred and seventy-seven Pounds Ten Shillings and Two-pence, as a fair Compensation for such Timber now growing thereon, as is in a State fit to be felled, the Particulars whereof are mentioned and contained in the Schedule hereunto annexed, in lieu of the Sum of Eleven thousand Pounds, in and by the said recited Act directed to be paid to him as therein is mentioned: And whereas it is also just and reasonable that the Sum of Two thousand eight hundred and eighty Pounds Eighteen Shillings and Five Pence, the amount of the Money produced by the Sale of the said Plate, and applied in part Payment of the Testators specialty Debts as aforesaid, should be paid out of the Money to arise from the Sale of the said Estates in the said Counties of *Denbigh* and *Flint*, and laid out in the Purchase of a competent Share of the Three *per Centum* Consolidated Bank Annuities, in Trust, for the Persons who would have been entitled to the Plate under the Will of the said Testator: And whereas it is expedient and desirable that *Francis Bushell Reauston*, *William Manley*, and *William Jones*, Esquires, Trustees, appointed by Indenture bearing Date the Twenty-first Day of *September* One thousand seven hundred and ninety-seven, as in the said recited Act mentioned, in the Place of *Thomas Coutts*, *Edmund Antrobus*, and the said *John Manley*, who were named Trustees in the said Will of the said *Thomas Fitzmaurice* for the Purposes therein declared, should have Power, after the Sale of *Lleweny*, to sell and dispose of all the said Household Goods and Furniture, and such of the said Pictures and Books so directed to descend as Heir Looms as aforesaid, as they or the Survivors or Survivor of them, with the Consent of the said Lord *Kirkwall*, should think proper; and that the same Trustees, after paying the Expences of selling the same, should lay out the Money arising from such Sale in the Purchase of Stock in the Three *per Cent.* Consolidated Bank Annuities, and stand possessed of the Dividends thereof, in Trust, for the said Lord *Kirkwall* for his Life, and after his Death to stand possessed of the same Stock, in Trust for the said *John Hamilton Fitzmaurice*, his Executors and Administrators; but as the Purposes aforesaid cannot be effected without the Authority of Parliament, Therefore Your Majesty's most dutiful and loyal Subject, the said Lord *Kirkwall*, on Behalf of himself and his infant Sons, doth 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

Recited Act amended in the Particulars herein mentioned.

Parliament assembled, and by the Authority of the same, That the said in Part recited Act may be altered and amended in the following Particulars, (that is to say), That after the Money to arise from the Sale or Sales by the said Act directed to be made, shall have been paid into the Bank pursuant to the Directions of the said recited Act, and after Payment thereof of the said Testator's Debts, and the Costs of the said recited Act, and of the present Act, and of the Valuation of the Timber, and other Costs, Charges, and Expences, incurred, or to be incurred in or about, or in any Manner relating to the said Acts respectively, and after Payment to the said Lord *Kirkwall*, of Three thousand Pounds and Interest, as in the said recited Act is mentioned or directed; then, that the Residue shall be applied in the First Place, in Payment to the said Lord *Kirkwall*, his Executors, Administrators, or Assigns, of the further Sum of Twenty-seven thousand one hundred and seventy-seven Pounds Ten Shillings and Two Pence, as a Compensation for such Timber now growing on the said Lands and Hereditaments, to be sold in pursuance of the said recited Act, as is in a fit State to be felled, in lieu of the said Sum of Eleven thousand Pounds, in and by the said recited Act, directed to be paid to him or them, as therein is mentioned; And in the next Place, in Payment to the said *Francis Busbell Reaston*, *William Manley*, and *William Jones*, or the Survivors or Survivor of them, his Executors, Administrators, or Assigns, of the Sum of Two thousand eight hundred and eighty Pounds Eighteen Shillings and Five Pence, in Satisfaction of the said Sum of Two thousand eight hundred and eighty Pounds Eighteen Shillings and Five-pence, the Produce arising from the Sale of the said Plate, and paid in part Satisfaction of the said Testator's Specialty Debts, as aforesaid, and that the said Sum of Two thousand eight hundred and eighty Pounds Eighteen Shillings and Five-pence, shall be applied in the Manner herein-after mentioned; and that the Residue of the Money to arise from such Sale or Sales as aforesaid, shall be applied in the Manner and for the Purposes in and by the said recited Act directed.

2,880l. 18s. 5d. Produce of Plate to be vested in the Three per Cents. &c.

II. And be it further enacted and declared, That the said *Francis Busbell Reaston*, *William Manley*, and *William Jones*, or the Survivors or Survivor of them, or the Executors or Administrators of such Survivor, shall lay out the said Sum of Two thousand eight hundred and eighty Pounds Eighteen Shillings and Five-pence, so to be paid to them or him as aforesaid, in their or his Names or Name, in the Purchase of a competent Share of the Three per Cent. Consolidated Bank Annuities, and shall pay the Dividends or annual Produce thereof to the said Lord *Kirkwall*, or his Assigns, for his Life, for his and their own Use and Benefit, and after his Decease shall transfer and pay the said Stock or Fund, and the Dividends or annual Produce thereof, unto the said *Thomas John Hamilton Fitzmaurice*, his Executors, Administrators, and Assigns absolutely, and for his and their own Use and Benefit.

Household Goods, &c. to be sold, and the Produce invested.

III. And be it further enacted and declared, That after the Sale of *Lleweny Hall* under the Trusts of the said recited Act, it shall be lawful for the said *Francis Busbell Reaston*, *William Manley*, and *William Jones*, or the Survivors or Survivor of them, his Executors or Administrators, and they and he are and is hereby empowered and directed to sell and dispose of all the said Household Goods and Furniture so directed to descend as Heir Looms as aforesaid, either together or in Parcels, and by public Sale

Sale or private Contract, or partly by public Sale and partly by private Contract; and in the like Manner, with the Consent of the said Lord *Kirkwall*, but not otherwise, to sell and dispose of such and so many of the said Pictures and Books in *Lleweny Hall*, and so directed to descend therewith as Heir Looms, the Pictures, not being the Pictures of the Family of the said Lord *Kirkwall*, and the Books, being Duplicates, as the said Trustees or the Survivors or Survivor of them, his Executors or Administrators shall think proper; and that the same Trustees or the Survivors or Survivor of them, his Executors or Administrators shall lay out the Money arising from such last mentioned Sale or Sales, (after paying all the Costs, Charges, and Expences, to be incurred in or about, or relating to the same), in their or his Names or Name, in the Purchase of a Share or Shares of Stock in the *Three per Cent.* Consolidated Bank Annuities, and pay the Dividends or annual Produce thereof, to the said Lord *Kirkwall*, or his Assigns, for his Life, to and for his and their own Use and Benefit; and, after the Decease of the said Lord *Kirkwall*, shall transfer and pay the same Stock or Funds, and the Dividends or annual Produce thereof, unto the said *Thomas John Hamilton Fitzmaurice*, his Executors, Administrators, and Assigns, absolutely, to and for his and their own Use and Benefit.

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

The SCHDEULE to which this Act refers,

Containing an Abstract of the Valuation of the Whole of the Timber now growing on the Lleweny Estate; distinguishing under Class 1, such Part thereof as is now in a State fit to be felled; and under Class 2, such Part as is now growing and not fit to be felled.

On Lands	CLASS 1. Amount and Value of Timber now in a State fit to be felled.			CLASS 2. Amount and Value of young Timber Trees in an improving State.			Total Amount of the whole.		
	£	s.	d.	£	s.	d.	£	s.	d.
In Lord Kirkwall's holding	10,280	8	9	2,603	3	4	12,883	12	1
Robert Griffiths's	1,536	7	1½	30	10	9	1,566	17	10½
Moffen Edwards's, Esq.	66	0	0	19	15	6	85	15	6
Richard Owens's, - Ginas	3,169	15	9	58	18	11	3,228	14	8
John Roberts's, - Potfarry	380	0	0	9	4	0	389	4	0
Mr. Eaton's, - Potfarry	1,334	5	10	20	10	0	1,354	15	10
Mrs. Hodges's, - Pandy	82	3	2	4	7	6	86	10	8
John Covell's, Jun.	653	11	10	27	10	0	681	1	10
Benjamin Salisbury's	168	14	10½	15	0	0	183	14	10½
John Jones's, - Upper Vron	89	8	5	0	10	9	89	18	5
Thomas Challoner's, - Warren	87	17	10½	25	0	0	112	17	10½
John Jones's, - Pen Ucha	135	15	10	7	0	0	142	15	10
John Evans's, - Warren	31	17	6	—	—	—	31	17	6
Widow Pownal's	10	6	7½	10	5	0	20	11	7½
Widow Jones's - Pen Ucha	988	9	1½	25	17	6	1,014	6	7½
Rev. Mr. Chambers's - Aberwheeler	843	0	8½	40	0	0	883	0	8½
Robert Roberts's - Warren	—	—	—	2	11	6	2	11	6
John Jones's, - Adwygwint	2	10	4	2	9	0	4	19	4
John Jones's, - Lower Vron	624	17	11	21	7	6	646	5	5
Widow Williams's - Bwlch	—	—	—	4	19	0	4	19	0
Widow Parry's - Tyn Twlth	670	9	1	—	—	—	670	9	1
Edward Jones's, - Ty iffa	1,811	17	1	194	15	6	2,006	12	7
William Jones's, - Pren Yew	203	8	11	8	15	0	212	3	11
John Covell's - Glanclwydd	356	8	11	19	9	6	375	18	5
John Williams's - Glanclwydd	164	9	3	30	16	8	195	5	11
John Roberts's - Tynforth	18	14	9	4	6	0	23	0	9
Mr. Bradish's - - - -	104	5	3	11	0	0	115	5	3
Thomas Lloyd's - Castle	39	10	9	2	17	8	42	8	5
Edward Parry's - Tregoch	146	10	10½	23	13	0	170	3	10½
Mr. Jones's - Pontriffith	985	8	3½	30	15	0	1,016	3	3½
Robert Jones's - Blewhand	26	3	1½	—	—	—	26	3	1½
Robert Roberts's, - Bwlch	10	14	0	0	16	0	11	10	0
David Lewis's - Tyn y lon	20	13	4	7	7	0	28	0	4
Mr. Evans's, - Cotton Hall	689	4	7½	116	13	11	805	18	6½
Widow Lloyd's - Kilford	218	14	10	10	15	0	229	9	10
Mr. Jones's, - Brook House	234	16	4	20	10	0	255	6	4
David Simon's, - Whitchurch	436	15	1	25	10	0	462	5	1
Mr. David Mason's - - - -	32	8	6	—	—	—	32	8	6
Richard Williams's - Llanrhaidder	520	18	6	32	0	0	552	18	6
	£	27,177	10 2	3,468	12 9		30,646	2 11	
Young Timber omitted in the foregoing Valuation.									
In Plantation, adjoining the Rev. Mr. Chambers's Farm, part of Aberwheeler	—	—	—	57	0	0	57	0	0
In a young Coppice on John Covell's Farm, Glanclwyd	—	—	—	226	19	6	226	19	6
On Mr. Jones's Farm, of Pontriffith, on a small Island	—	—	—	9	2	6	9	2	6
	£	27,177	10 2	3,761	14 9		30,939	4 11	

Valued by me, THO^o VAUGHAN.