



ANNO QUINQUAGESIMO PRIMO
GEORGI III. REGIS.

Cap. 180.

An Act for vesting certain Estates in the County of *Tyrone* in *Ireland*, devised by the Will of Sir *George Savile*, Baronet, deceased, in Trustees, to be sold: and for laying out the Purchase-Money, under the Direction of the High Court of Chancery, in other Estates to be settled in lieu thereof, and to the same Uses. [15th June 1811.]

WHEREAS, by an Act passed in the Forty-sixth Year of the Reign of His present Majesty, intituled, *An Act for vesting certain Estates devised by the Will of Sir George Savile, Baronet, in Trustees to be sold, and for laying out the Purchase Money, under the Direction of the High Court of Chancery, in other Estates to be settled in lieu thereof, and to the same Uses*; after reciting that Sir *George Savile*, heretofore of *Rufford*, in the County of *Nottingham*, Baronet, deceased, duly made and published his last Will and Testament in Writing, dated the Eighteenth Day of *August* One thousand seven hundred and eighty-three, and thereby, after directing that his Personal Estate, except such Part thereof as he should specifically or otherwise bequeathe or dispose of by his said Will, or by any Codicil, should be applied towards paying the Expences of his Funeral, his Debts and Legacies, as far as the same would extend, gave and devised all his Freehold Manors, Messuages, Lands, Tenements, Tithes, Woods and Hereditaments whatsoever, within the Counties of *York* and *Nottingham*, and the Bishoprick of *Durham*, and elsewhere, in *Great Britain*, and in the Kingdom of *Ireland*, and also all his

46 Geo. 3.
and the Will
of Sir George
Savile, Bart.
recited.

[Loc. & Per.]

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Copyhold

Copyhold Lands, Tenements and Hereditaments, with their and every of their Rights, Members and Appurtenances, unto Two Persons named, their Heirs and Assigns, to the Use of the said Testator's Brother-in-Law, *John Hewett* Esquire, the Reverend *John Michell* Clerk, and *Gilbert Michell* Esquire, for the Term of Twenty-one Years, to commence from the Day of the said Testator's Decease, without Impeachment of Waste, upon the several Trusts, for the Intents and Purposes, and under and subject to the several Powers, Provisoos, Conditions and Restrictions therein-after expressed and declared, with Remainder as to all the said Testator's Manors, Messuages, Farms, Lands, Tenements, Tithes, Woods and Hereditaments, in the said Connty of *York*, and in the Bishoprick of *Durham*, and in the Kingdom of *Ireland*, to the Use of the Reverend Doctor *Newton Ogle*, then Dean of *Winchester*, and Sir *Chaloner Ogle* Knight, their Executors, Administrators and Assigns, for the Term of Five hundred Years from thenceforth next ensuing, without Impeachment of Waste, upon the Trusts, for the Intents and Purposes, and under and subject to the several Provisoos therein-after expressed, declared and contained, with Remainder as to all his the said Testator's Estates in the several Parishes of *Brierley*, *Shafton*, (therein by Mistake called *Shafton*,) and *Hindley*, in the said County of *York*, and in the Kingdom of *Ireland*, with their respective Appurtenances, to the Use of the said Testator's Nephew-in-law, *Francis Ferrand Foljambe* Esquire, and his Assigns, for his Life; Remainder to the Use of Trustees during his Life, in trust to preserve Contingent Remainders; Remainder to the Use of the said Testator's Niece, *Mary Arabella Foljambe* (since deceased), the then Wife of the said *Francis Ferrand Foljambe*, and her Assigns for her Life; Remainder to the Use of the same Trustees during her Life, in trust to preserve Contingent Remainders; Remainder to the Use of *John Savile Foljambe* since deceased, (therein by Mistake called *John Foljambe*,) the Eldest Son of the said *Francis Ferrand Foljambe* by the said *Mary Arabella Foljambe* his then Wife, and his Assigns for his Life, without Impeachment of Waste; Remainder to the Use of the same Trustees, during the Life of the said *John Savile Foljambe*, in trust to preserve Contingent Remainders; Remainder to the Use of the First and other Sons of the said *John Savile Foljambe*, successively in Tail Male; Remainder to the Use of *Francis Ferrand Foljambe*, (therein by Mistake called *Francis Foljambe*,) Second Son of the said Testator's Niece, *Mary Arabella Foljambe*, and his Assigns for his Life, without Impeachment of Waste; Remainder to the Use of the same Trustees, during the Life of the said *Francis Ferrand Foljambe* the Younger, in trust to preserve Contingent Remainders; Remainder to the Use of the First and other Sons of the said *Francis Ferrand Foljambe* the Younger, successively in Tail Male; Remainder to the Use of the Third, Fourth, Fifth, and all and every other the Son and Sons of the said Testator's Niece *Mary Arabella Foljambe*, successively in Tail Male; and as to all other the said Testator's Manors, Messuages, Lands, Tenements, Tithes and Hereditaments, in or within the said County of *York*, (except the said Premises in the Parishes of *Brierley*, *Shafton*, and *Hindley* aforesaid), and in or within the said County of *Nottingham*, the Bishoprick of *Durham*, and elsewhere in *Great Britain*, from and after the End, Expiration, or other sooner Determination of the said Terms of Twenty-one Years and Five hundred Years, and subject thereto, and to the Trusts therein after declared concerning the said Terms, and as to the said Premises

Premises in the said several Parishes of *Brierley, Shafton and Hindley*, and in the said Kingdom of *Ireland*, from and after the Determination of the several Uses and Estates therein-before limited and declared, of and concerning the same, to the Use of the said Testator's Nephew, the Honourable *Richard Lumley*, then called the Honourable *Richard Lumley Savile* (the Second Son of the said Testator's Sister, *Barbara* Countess of *Scarborough*, by the Right Honourable *Richard* late Earl of *Scarborough*) and his Assigns, for his Life, without Impeachment of Waste (except voluntary Waste in the said Testator's Mansion House at *Rufford* aforesaid); Remainder to the Use of Trustees during the Life of the said *Richard Lumley Savile*, in trust to preserve Contingent Remainders; Remainder to the Use of the First and other Sons of the said *Richard Lumley Savile* successively, in Tail Male, with divers Remainders over; and it was thereby declared, that the said Term of Twenty-one Years therein-before limited to the said *John Hewett, John Michell and Gilbert Michell*, their Executors, Administrators and Assigns, was so limited, upon trust that they should from time to time, during the said Term of Twenty-one Years, receive the Rents, Issues and Profits of the said Premises, and should yearly and every Year, until the several Debts, Charges and Incumbrances, which at the Time of the said Testator's Decease should affect his Real Estates, or any of them, and all other his Debts, and the Legacies, by him to be given by any Codicil or Codicils to be by him added thereto, should be reduced to the Sum of Thirty-five thousand Pounds, pay thereout to the said Testator's Nephew, *Richard Lumley Savile* and his Assigns, (if he should so long live,) and in case of his Death then to such other Person or Persons as for the time being should, by virtue of the said Testator's Will, be entitled to his capital Messuage called *Rufford*, and his said Real Estates situate in the said County of *Nottingham*, in Remainder or Reversion expectant on the Determination of the said Term of Twenty-one Years, One full Annual Sum or Yearly Rent Charge of One thousand two hundred Pounds of lawful Money of *Great Britain*, clear of all Deductions; and upon further Trust that the same Trustees respectively should, from time to time, by, with, and out of the Rents, Issues and Profits of such of the Premises comprized in the said Term of Twenty-one Years, as were Copyhold, pay and retain all Costs, Charges, and Expences, which they or any of them should suffer, sustain, or be put unto in the Execution of the said Trust thereby reposed in them, and should pay the Fines and Rents, and perform the Services, Covenants, and Agreements, to be paid and performed in respect of the same, and discharge all incidental Charges relating thereto; and should from time to time, in the next Place, by, with and out of the Rents, Issues and Profits of the several Freehold and Copyhold Premises comprized in the said Term of Twenty-one Years, maintain and keep the said Testator's said several Estates, and the Houses, Edifices, Buildings, Yards, Gardens, Walls, Pales and Fences thereto belonging, in good and proper Order, Repair and Condition, and from and after Payment and Performance of the said Costs, Charges, Expences, Fines, Rents and Services, should pay the Residue of the Rents, Issues and Profits of the said Premises, in or towards Payment, Satisfaction and Discharge of his Funeral Expences, the Debts, Charges and Incumbrances, that should at the Time of his Decease affect his Real Estates, or any of them, and the Interest of such of them as should carry or bear Interest, and all other the said

Testator's

Testator's Debts, and the Annuities and Legacies which he should give or bequeath by any Codicil or Codicils, or so much thereof as his Personal Estate not specifically disposed of by his Will should not extend to pay at such Times, in such Manner, Order and Course, and according to such Priority, as they the same Trustees respectively should think proper; and from and after such Time as the Debts, Charges and Incumbrances, which at the Time of the said Testator's Decease should affect his Real Estates, or any of them, and the Legacies to be given by any Codicil or Codicils, to be by him added to his said Will, and all other his Debts should be reduced to the Sum of Thirty-five thousand Pounds, upon trust to permit the said Testator's Nephew, the said *Richard Lumley Savile*, or the Person who, for the time being, by virtue of the said Testator's Will, should be entitled to the Reversion or Remainder expectant or to take effect upon the Determination of the said Term of Twenty-one Years, during the Remainder of the same Term, to enter upon, have, hold, occupy, possess and enjoy the said Testator's capital Messuage called *Rufford*, with the Out-houses, Edifices, Buildings, Yards, Gardens, Lands and Appurtenances thereto belonging, or therewith usually held or enjoyed, and all the said Testator's Manors or Lordships, Messuages, Lands, Tenements and Hereditaments in the said County of *Nottingham*, and to have, receive, take and enjoy the Rents, Issues and Profits thereof, to and for his own Use and Benefit, and upon further Trust during the Remainder of the said Term of Twenty-one Years, which should be then to come and unexpired, to pay, apply and dispose of the Residue and Remainder of the Rents, Issues and Profits of the said Premises comprized in the said Term of Twenty-one Years, (except the said Hereditaments situate in the said County of *Nottingham*,) upon such of the Trusts, and for such of the Intents and Purposes therein-before declared concerning the said Term of Twenty-one Years, as should then remain to be performed; and it was thereby provided, that after Payment of all Arrears of the said yearly Sum of One thousand two hundred Pounds, thereby directed to be paid to the said *Richard Lumley Savile* as aforesaid, and after Payment of such of the said Testator's Funeral Expences, Debts and Legacies as the Rents, Issues and Profits of the said Premises comprized in the said Term of Twenty-one Years should extend to pay, and after the Trusts should be performed, and the Trustees' Charges in the Execution thereof should be reimbursed and satisfied, the said Term of Twenty-one Years in the said Premises therein comprized should cease and determine; and the said Testator directed that the Surplus of the Rents, Issues and Profits of the Hereditaments and Premises comprized in the said Term of Twenty-one Years, (if any such should be,) after Payment of the Annuities aforesaid, and of the Legacies to such of the Legatees as should have attained the Age of Twenty-one Years, should from time to time be laid out and invested by the Trustees or Trustee of the said Term, in their or his Names or Name at Interest in Parliamentary Stocks, Publick Funds or Government Securities, the Interest or Dividends of which should, from time to time, be in like Manner laid out and invested, until such of the said Legatees as should then be Minors should respectively attain their Ages of Twenty-one Years; to the End and Intent that the same might accumulate, and that thereby, as well as by such Rents and Profits, a Fund might be the sooner and better provided for answering and paying all the said Legacies; and it was thereby declared, that the said Term of Five hundred Years therein-before limited to the said *Newton Ogle* and Sir

Chaloner Ogle, their Executors, Administrators and Assigns as aforesaid, was so limited to them, upon trust that they, or the Survivor of them, or the Executors, Administrators or Assigns of such Survivor should at any Time or Times, after the End or Expiration of the aforesaid Term of Twenty-one Years, by Mortgage, Sale, Demise, or other the Ways and Means therein mentioned, levy and raise out of the said Testator's Estates, in the following Proportions, such Sum and Sums of Money as should be necessary or requisite for the Payment and Discharge of such of the aforesaid Debts, Legacies or Annuities as should then remain unsatisfied; and also of such Mortgages and other Charges and Incumbrances as should then affect his said Estates, or any Part thereof, and the Interest of the same; (that is to say,) out of the Messuages, Lands, Tenements and Hereditaments, therein-before mentioned to be situate in the Parishes of *Brierley, Shafton and Hindley* in the County of *York*, and in *Ireland*, One-fourth Part of the said Debts and Legacies remaining unsatisfied at the Expiration of the said Term of Twenty-one Years, and out of the Remainder of the Hereditaments and Premises comprized in the said Term of Five hundred Years, Three-fourth Parts of the said Debts and Legacies remaining unpaid at the Expiration of the said Term of Twenty-one Years; and the said Testator directed, that the Annuities which should be payable at the Expiration of the said Term of Twenty-one Years should be paid in the same or like Proportion, out of the Rents and Profits of the said Estates, and should apply and dispose of such Sum and Sums of Money accordingly; and it was thereby provided, that when and as soon as the said Debts, Annuities and Legacies, and all Interest to accrue in respect of any of the said Debts and Legacies, together with the Costs and Charges of the Trustees in the Execution of the Trusts of the said Term of Five hundred Years should be fully paid and discharged, and the Trusts of the said Term should be performed or satisfied, then the said Term of Five hundred Years in the said Premises therein comprized, or so much thereof as should not have been sold or disposed of for the Purposes aforesaid, should cease and determine; and the said Testator appointed the said *John Hewett, Francis Ferrand Foljambe* the Elder, *John Michell* and *Gilbert Michell*, Executors of his said Will: And reciting, that the said *Sir George Savile* duly made and published a Codicil to his said Will, dated the Nineteenth Day of the said Month of *August* One thousand seven hundred and eighty-three, whereby he gave and bequeathed divers Legacies and Annuities to the several Persons therein named, and particularly an Annuity or Yearly Sum of Two hundred Pounds to *Ely Bates*, who then lived with him, until he should obtain some Office or Employment of the Value of Two hundred Pounds a Year, clear of all Deductions, but did not in any other Respect alter his said Will: And reciting, that the said *Sir George Savile* died in the Year One thousand seven hundred and eighty-four, a Bachelor, without revoking or altering his said Will, otherwise than by the said Codicil, leaving his Sister the said *Barbara Countess Dowager of Scarborough*, and the said *Mary Arabella Foljambe* and *Frances Thornbagh*, his Nieces, his Co-heiresses at Law him surviving: And reciting that the said *Francis Ferrand Foljambe* the Elder alone duly proved the said Will and Codicil in the Prerogative Court of the Archbishop of *Canterbury*, Power being reserved for the said *John Hewett, John Michell*, and *Gilbert Michell* the other Executors, at any Time thereafter to prove the same: And reciting, that the said *Mary Arabella Foljambe* died in the Year One thousand seven hundred and ninety, leaving the said *John*

Savile Foljambe (since deceased), and the said *Francis Ferrand Foljambe* the Younger, her Two eldest Sons, and *George Foljambe* Esquire, her Third Son, her surviving, which said *Francis Ferrand Foljambe* the Younger, and *George Foljambe* had attained the Age of Twenty-one Years: And reciting, that the said *John Savile Foljambe* died in the Year One thousand eight hundred and five, leaving Two Sons, videlicet, *George Savile Foljambe* and *Francis Thornbagh Foljambe*, both then Infants under the Age of Six Years him surviving, but having by his Will, dated the Twenty-fourth Day of *May* One thousand eight hundred and four, appointed the said *Francis Ferrand Foljambe* the Younger, and also *Henry Willoughby* Esquire Guardians of his said Two Infant Children, *George Savile Foljambe* and *Francis Thornbagh Foljambe*: And reciting, that the said *Francis Ferrand Foljambe* the Younger was a Bachelor: And reciting, that the said *Richard Lumley Savile* in the Year One thousand seven hundred and eighty-eight, filed his Bill in the High Court of Chancery against the said *Francis Ferrand Foljambe* the Elder as Acting Executor under the Will of the said *Sir George Savile* and others, Defendants, stating, amongst others Things, the before-stated Will and Codicil of the said *Sir George Savile*, and that all the Debts and Legacies of the said Testator were then reduced to a Sum not exceeding Thirty-five thousand Pounds, and that he the said *Richard Lumley Savile* was become entitled to be let into Possession of the said capital Messuage called *Rufford*, and all the said Testator's Manors and Real Estates in the said County of *Nottingham*, and into the immediate Receipt of the Rents and Profits thereof; and praying, amongst other Things, that Possession thereof might be thereupon delivered to him: And reciting, that by a Decree of the said Court of Chancery, made in the said Cause upon the Twenty-fourth Day of *February* One thousand seven hundred and eighty-nine, it was declared that the Will and Codicil of the said Testator were well proved, and that the same ought to be established, and the Trusts thereof performed and carried into Execution, and the same was ordered and decreed accordingly; and it was thereby referred to *Mr. Hett*, one of the Masters of the said Court, to take an Account of the Debts and Legacies of the said Testator, and also of the Incumbrances on his Real Estate then remaining due and unsatisfied, and to compute Interest on such Debts, Incumbrances and Legacies; and it was further ordered, that the said Master should state to the Court the whole Amount of the said Testator's Debts, Legacies and Incumbrances on his Real Estate then remaining due and unsatisfied; and that in pursuance of the said Decree the said Master made his Report, bearing Date the Fourteenth Day of *July* One thousand seven hundred and eighty-nine, and which was afterwards confirmed; whereby he certified that the several Debts and Legacies of the said Testator, and also the Incumbrances on his Real Estate, with the Interest then due thereon, amounted to the Sum of Thirty-four thousand four hundred and sixty-seven Pounds One Shilling and Ten-pence; and that such Sum was the whole Amount of the said Testator's Debts, Legacies and Incumbrances on his Real Estate then remaining unsatisfied, except an Annuity of Two hundred Pounds (being an Incumbrance at the said Testator's Death) therein mentioned to be payable to *Mr. Peter Grandey*, and which said Annuity had been paid by the said *Francis Ferrand Foljambe* the Elder, up to the Twenty-fourth Day of *June* One thousand seven hundred and eighty-nine: And reciting, that the said *Richard Lumley Savile*, on or about the Fifth Day of *January* One thousand seven hundred and ninety-three, filed his Supplemental Bill

in the said Court against the said *Francis Ferrand Foljambe* the Elder and others, Defendants, praying, amongst other Things, that he might have the Benefit of the original Suit and the Proceedings therein, and that an Account might be taken of all such Sums of Money (if any), as then remained due or owing on account of the said Testator *Sir George Savile's* Debts and Funeral Expences, or of the Arrears (if any) of the Annuities given by the said Testator's Will, or the Codicil thereto, and also an Account of the several Legacies given by the said Codicil then remaining unsatisfied, and that the Possession might be delivered to the said *Richard Lumley Savile* of all the said Testator's said Estates in the County of *York* (except the said Estates in the several Parishes of *Brierley, Shafton* and *Hindley*), and in the said Bishoprick of *Durham*, or elsewhere in *Great Britain*, and comprized in the said Term of Twenty one Years, of which Possession had not been delivered to the said *Richard Lumley Savile* as aforesaid: And reciting, that by a Decretal Order of the said Court of Chancery made in the said Supplemental Cause, bearing Date on or about the Twenty-first Day of *January* One thousand seven hundred and ninety-three, it was (amongst other Things) ordered, that it should be referred to *Mr. Spranger*, to whom the said Cause then stood referred, to inquire and state to the Court whether any of the Debts of the said Testator *Sir George Savile* deceased, or the Legacies given by his said Will, or the Codicil thereto, then remained due and unsatisfied, and to whom and to what Amount, and the Ages of such Legatees whose Legacies were unpaid, and when the same were payable; and it was ordered, that the said Master should also inquire and state to the Court whether any of the Annuities given by the said Testator's said Will and Codicil were subsisting, and to whom and whether any Thing and what was due to any and which of the Annuitants in respect of their said Annuities, with the usual Directions for Advertisements for Creditors pursuant to the said Order: And reciting, that the said Master, by his Report made in the said Cause, dated the Twenty-sixth Day of *February* One thousand seven hundred and ninety-three, pursuant to the said Order, and which was afterwards confirmed, certified, (among other Things), that he had, pursuant to the said Decretal Order, caused Advertisements to be published in *The London Gazette*, for the Creditors (if any) of the said Testator to come in before him and prove their Debts, but no Creditor had proved or claimed any Debt before him, therefore he did not find that there was any Debt of the said Testator then remaining unsatisfied; and the said Master found that the said Testator, by the said Codicil to his said Will, gave to each of the Daughters of his said Sister the said *Barbara* Countess of *Scarborough* living at his Death, who should attain Twenty-one, the Sum of Two thousand Pounds; and he found that the only Daughters of the said *Barbara* Countess of *Scarborough*, who had not attained Twenty-one Years, were the Honourable Lapy *Louisa Lumley*, and the Honourable Lady *Sophia Lumley*, and which said Legacies he found, would, according to the Terms of the said Bequest, become payable to the said Lady *Louisa Lumley* and Lady *Sophia Lumley*, on their attaining the Age of Twenty-one Years respectively; and he further found that the said Testator by the said Codicil to his said Will, gave to every Son of the said *Francis Ferrand Foljambe* the Elder, by the said *Mary Arabella Foljambe*, (except the said *John Savile Foljambe*), One thousand Pounds, and to every Daughter of the said *Mary Arabella Foljambe* Two thousand Pounds, whether living at the Testator's Death or born afterwards, who should

live

live to attain the Age of Twenty-one Years, or be married; and he further found, that the said *Mary Arabella Foljambe* died on or about the Twenty-eighth Day of *December* One thousand seven hundred and ninety, leaving Six Children by the said *Francis Ferrand Foljambe* the Elder, her surviving, who were then all living; *videlicet*, the said *John Savile Foljambe*, *Mary Beresford Foljambe*, the said *Francis Ferrand Foljambe* the Younger, the said *George Foljambe* and *Henry Savile Foljambe* and *Arabella Savile Foljambe* being Twins, who were born after the said Testator's Death; and he found that the said several Legacies, so given to the Daughters of the said *Francis Ferrand Foljambe* the Elder, by the said *Mary Arabella* his Wife, would, according to the Terms of the said Bequest, become payable to them respectively, on their attaining the Age of Twenty-one Years, or Marriage; but whether the said Legacies, so given to the said *Francis Ferrand Foljambe* the Younger, and *George Foljambe*, who were born in the Life-time of the said Testator, were vested Legacies or not, and whether the said *Henry Savile Foljambe* (who was born after the said Testator's Death) was under the said Bequest entitled to any Legacy, he submitted to the Judgment of the said Court; and he did not find that there was any Legacy given by the said Testator's Will and Codicil thereto, save those before-mentioned, then remaining due; and the said Master found, that the only Annuities given by the said Testator's Will and Codicil then subsisting were an Annuity of Two hundred Pounds to *William Wilson*, for his Life, and an Annuity of Two hundred Pounds to the said Testator's Niece, *Frances Thornbagh* for her Life, and an Annuity of Two hundred Pounds to the said *Ely Bates*, until he should obtain any Office or Employment of the Yearly Value of Two hundred Pounds; and that by a further Order of the said Court, made in the said Cause, bearing Date the Twenty-eighth Day of *February* One thousand seven hundred and ninety-three, and by a Report made in pursuance thereof, bearing Date the Sixth Day of *March* One thousand seven hundred and ninety-three, and which was afterwards confirmed, the said Master certified, that he found the said several Legacies so given by the said Codicil to the said Will of the said *Sir George Savile*, then remaining unsatisfied, and including the Legacy of One thousand Pounds to the said *Henry Savile Foljambe*, amounted together to the Sum of Eleven thousand Pounds: And reciting, that by a further Order of the said Court made in the said Cause, bearing Date the Eighteenth Day of *March* One thousand seven hundred and ninety-three, it was among other Things ordered, that the said *Francis Ferrand Foljambe* the Elder, the only Acting Executor of the said Testator *Sir George Savile*, and the Attorney appointed by the said *John Michell* the surviving Trustee of the said Term of Twenty-one Years, should be at Liberty to pay the said Sum of Eleven thousand Pounds into the Bank, with the Privity of the Accountant General of the said Court, on the Credit of the said Cause, and that the said *John Michell* should deliver Possession of the Premises comprized in the said Term, to the said *Richard Lumley Savile* and *Francis Ferrand Foljambe* the Elder; and that it was also ordered, that the said *Richard Lumley Savile* and *Francis Ferrand Foljambe* the Elder should, according to their Undertaking therein mentioned, pay and keep down the growing Payments of the said Annuities as they should become due; and that out of the said Sum of Eleven thousand Pounds, when so paid into the Bank, Two thousand Pounds, the Amount of the said Legacy given to the said Lady *Louisa Lumley*;

Two

Two thousand Pounds, the Amount of the said Legacy, given to the said Lady *Sophia Lumley*; Two thousand Pounds, the Amount of the said Legacy, given to the said *Mary Beresford Foljambe*; One thousand Pounds, the Amount of the said Legacy given to the said *Francis Ferrand Foljambe* the Younger; One thousand Pounds, the Amount of the said Legacy given to the said *George Foljambe* One thousand Pounds, the Amount of the said Legacy given to the said *Henry Savile Foljambe*; and Two thousand Pounds, the Amount of the said Legacy given to the said *Arabella Savile Foljambe*, should be respectively laid out in the Purchase of Bank Three *per Centum* Annuities, in the Name and with the Privity of the said Accountant General, in trust in the said Cause, and be placed to the respective Accounts of the said Infants, and be intitled, *The Contingent Accounts*; and that it was ordered, that the Interest to accrue on the said Bank Annuities should be laid out in the Purchase of like Annuities, and be placed to the same respective Accounts; and that it was further ordered, that the said Lady *Louisa Lumley*, Lady *Sophia Lumley*, *Francis Ferrand Foljambe* the Younger, *George Foljambe*, and *Henry Savile Foljambe*, as they respectively should attain their Age of Twenty-one Years, and the said *Mary Beresford Foljambe* and *Arabella Savile Foljambe*, as they should respectively attain that Age or be married, which should first happen, should be respectively a Liberty to apply to the said Court to have the Bank Annuities in which the said respective Legacies should be invested, and the Interest that had accrued and accumulated thereon, transferred and paid to them respectively: And reciting, that, in pursuance of the said last-recited Order, the said *Francis Ferrand Foljambe* the Elder paid the said Sum of Eleven thousand Pounds into the Bank, on the Twenty-eighth Day of *March* One thousand seven hundred and ninety-three, and the same was laid out in the Purchase of Bank Three *per Centum* Annuities, in trust in the said Cause, in the Proportions and Manner directed by the said Order, and placed to the respective Accounts of the said Infants, intituled, 'The Contingent Accounts of the said respective Infant Legatees,' and thereupon Possession of the said Premises comprized in the said Term of Twenty-one Years, of which Possession had not before been delivered to the said *Richard Lumley Savile*, was delivered to the said *Richard Lumley Savile* and *Francis Ferrand Foljambe* the Elder, pursuant to the said Order of the Eighteenth Day of *March* One thousand seven hundred and ninety-three; and reciting, that by a further Order of the said Court made in the said Cause on the Twenty-first Day of *March* One thousand eight hundred and six, after stating, among other Things, that the said Lady *Louisa Lumley*, Lady *Sophia Lumley*, *Francis Ferrand Foljambe* the Younger, *George Foljambe*, *Henry Savile Foljambe*, *Mary Beresford Foljambe*, and *Arabella Savile Foljambe* had respectively attained their respective Ages of Twenty-one Years, it was ordered, that it should be referred to *James Stanley* Esquire, one of the Masters of the said Court, to whom the said Cause then stood referred, to enquire and certify to the said Court, whether all or any and which of the Legacies bequeathed by the said Codicil to the said Will of the said *Sir George Savile*, mentioned in the said Master's Report of the Twenty-sixth Day of *February* One thousand seven hundred and ninety-three, to be then remaining unpaid, had been since paid and satisfied, and whether any and which of the Annuities mentioned in the said Report to be then subsisting, had since determined, and whether any and which of them were

then subsisting, and whether any and what Arrears of the said Annuities remained unpaid to any and which of the said Annuitants; and reciting, that the said Master, in pursuance of the said last-recited Order, by his Report, bearing Date on or about the Seventeenth Day of *April* One thousand eight hundred and six, certified, amongst other Things, that all the Legacies bequeathed by the Codicil to the Will of the said Testator Sir *George Savile*, mentioned in the said Report of the Twenty-sixth Day of *February* One thousand seven hundred and ninety-three, had been paid and satisfied, and that all the Annuities mentioned in the said Report, except the Annuity of Two hundred Pounds *per Annum* to the said *Ely Bates*, had determined, and that all the Arrears of the said Annuities had been paid in the Manner, and up to the Times in his said Report stated: And reciting, that Part of the said devised Estates, of which the said *Francis Ferrand Foljambe* the Elder was Tenant for Life, with Remainders over as aforesaid, consisted of several Town Lands and Hereditaments, commonly called or known by the several Names or Denominations of *Frughmore, Tullyvally Kilcort, Fedan Drumcork, Tullybryan, Coolmaghery, Gortavoy* and *Tullnacross*, situate and being in the County of *Tyrone*, in that Part of the United Kingdom called *Ireland*, and containing about One thousand three hundred and One Acres, One Rood, and Twelve Perches, *Irish* Measure, or Two thousand one hundred and eight Acres and Twenty-two Perches, *English* Measure, the Yearly Rents whereof were particularly mentioned in the Schedule to the said Act annexed; and that such Town Lands and Hereditaments laid several Miles detached from the Bulk and Residue of the said devised Estates in that County, and several of the said Town Lands and Hereditaments laid distinct and at considerable Distances from each other: And reciting, that the said devised Estates, situate at *Brierley, Shafton* and *Hindley*, in the said County of *York*, of which the said *Francis Ferrand Foljambe* the Elder was Tenant for Life, with Remainders over as aforesaid, were of considerable Yearly Value, and that the Residence of the said *Francis Ferrand Foljambe* the Elder, and his Family, was at *Osberton*, in the said County of *Nottingham*, in which County he had also Estates of considerable Yearly Value: And reciting, that the Residue of the Estates comprized in the Will of the said Sir *George Savile* deceased, on which the said Annuity of Two hundred Pounds a Year to *Ely Bates* was charged, and which were not to be sold or disposed of by virtue of the now reciting Act, were of the annual Value of Ten thousand Pounds, and upwards: And reciting, that the said *Francis Ferrand Foljambe* the Elder, and *Francis Ferrand Foljambe* the Younger, on his own Behalf, and the said *Francis Ferrand Foljambe* the Younger, and *Henry Willoughby*, on Behalf of the said *George Savile Foljambe* and *Francis Thornbagh Foljambe*, the Infants, were all satisfied; that it would be a very great Advantage to the said *Francis Ferrand Foljambe* the Elder, and the several Claimants in Remainder under the aforesaid Will of the said Sir *George Savile* deceased, that such Parts of the said devised Estates in the said County of *Tyrone*, as were therein-before enumerated and comprized in the said Schedule, might be vested in Trustees in Fee Simple, discharged from the Uses and Trusts of the same Will, upon trust to be sold, and the clear Monies thence arising laid out under the Direction of the said Court of Chancery, in the Purchase of other real Estates in the Counties of *York* and *Nottingham*, or One of them, to be settled to the subsisting Uses of the said Will of the said Sir

Sir *George Savile*; it was enacted, that all and singular the Town Lands and Hereditaments commonly called or known by the several Names or Denominations of *Frughmore, Tullyvally Kilgort, Fedan Drumcork, Tullybryan, Coolmagbery, Gortavoy* and *Tullnacross* in the said County of *Tyrone*, in that Part of the United Kingdom called *Ireland*, which in and by the said Will of the said Sir *George Savile* deceased, were limited to the Uses before mentioned, and were comprized and mentioned in the said Schedule to the said Act annexed, with all Messuages, Lands, Mountains, Moors, Marshes, Heaths, Bogs, Woods, Underwoods, Ways, Commons, Easements, Rights, Members and Appurtenances thereto belonging, should, from and immediately after the passing of the said Act, be vested in, and the same were thereby from thenceforth vested in the aforesaid *Francis Ferrand Foljambe* the Younger, and *Henry Willoughby*, their Heirs and Assigns for ever, freed, and absolutely acquitted, exempted, exonerated and discharged; of and from all and singular the Estates, Uses, Trusts, Limitations, Charges, Powers, Provisoos and Declarations, created, limited or raised in the said Town Lands and Hereditaments, or any of them, or any Part or Parts thereof, by the said recited Will and Codicil of the said Sir *George Savile* deceased, or either of them, upon trust to sell the same: And it was further enacted, that after Payment of all Costs, Charges and Expences attending the obtaining and passing of the said Act, and the Costs and Expences attending the Sales thereby directed, and the Execution of the Trusts of the said Act, the Residue and Surplus of the Monies arising from such Sales should be laid out under the Direction of the High Court of Chancery in the Purchase of other Estates in the said Counties of *York* and *Nottingham*, or One of them, to be settled to the same Uses as were limited or expressed by the said Will of the said Sir *George Savile* concerning the said Hereditaments in *Ireland*, by the said Act vested as aforesaid, or such of them as should be then subsisting and capable of taking Effect: And whereas the said *Francis Ferrand Foljambe* the Younger and *Henry Willoughby* have, pursuant to the Trusts of the said recited Act, sold the said Estates in the said County of *Tyrone*, so vested in them in trust to be sold as aforesaid, except a small Part of the Town Land called *Fedan*, and the Sum of Twenty-two thousand seven hundred and thirty-eight Pounds seventeen Shillings and Six-pence, being the Surplus of the Monies arisen from such Sale, after Payment of the Costs and Expences of obtaining the said Act, and attending the Execution of the Trusts thereof, hath, under the Direction of the said Court of Chancery, been laid out in the Purchase of other Estates in the said County of *Nottingham*, contiguous to the Residence of the said *Francis Ferrand Foljambe* the Elder, and which Estates now stand limited and settled to the Uses declared by the said Will of the said Sir *George Savile* concerning his said Estates in *Ireland*, or such of them as are now subsisting and capable of taking Effect: And whereas the said *Francis Ferrand Foljambe* the Younger still remains a Bachelor: And whereas the said *George Savile Foljambe* and *Francis Thornbagh Foljambe* are also still Infants under the Age of Twenty-one Years: And whereas the Residue of the said devised Estates in *Ireland*, not comprized in the said recited Act, and whereof the said *Francis Ferrand Foljambe* the Elder is Tenant for Life, with Remainders over as aforesaid, consists of the Manor or Lordship of *Cecil*, and several Town Lands and Hereditaments situate in or near the Barony of *Clogher* in the said County of *Tyrone*, but there is no Mansion House on

That the Trustees of the Act have sold the Estates thereby vested in them.

That Mr. Foljambe the Younger is a Bachelor. That George Savile Foljambe and Francis Thornbagh Foljambe are still Infants.

any

That the Residue of the Estates in Ireland consists of the Manor of Cecil, and divers Town Lands in the County of Tyrone.

That Mr. Foljambe's Estates in the Counties of York and Nottingham are of considerable yearly Value.

That the Residue of the Estates comprized in Sir George Savile's Will, on which the Annuity to Ely Bates is charged, is of the yearly Value of 8000*l.* and upwards.

Reasons for Application to Parliament.

The Estates mentioned in the Schedule to the Act to be vested in Trustees.

any Part of the said Estates, and the collecting and obtaining Payment of the Rents from the several Tenants occupying the same is attended with great Difficulty and Expence: And whereas the said devised Estates situate at *Brierly, Shafton and Hindley* in the said County of *York*, of which the said *Francis Ferrand Foljambe* the Elder is Tenant for Life, with Remainders over as aforesaid, are of considerable Yearly Value, and the Residence of the said *Francis Ferrand Foljambe* the Elder and his Family is still at *Osberton* aforesaid, in the said County of *Nottingham*, in which County he has also Estates of considerable Yearly Value, exclusive of the said Estates so purchased with the said Sum of Twenty-two thousand seven hundred and thirty-eight Pounds Seventeen Shillings and Six-pence, and settled to the Uses of the said Will of the said *Sir George Savile* as aforesaid: And whereas the Residue of the Estates comprized in the Will of the said *Sir George Savile* deceased, on which the said Annuity of Two hundred Pounds a Year to *Ely Bates* is charged, and which are not to be sold or disposed of by virtue of this Act, are of the Annual Value of Eight thousand Pounds and upwards: And whereas the said *Francis Ferrand Foljambe* the Elder, and *Francis Ferrand Foljambe* the Younger, on his own Behalf, and the said *Francis Ferrand Foljambe* the Younger, and *Henry Willoughby*, on Behalf of the said *George Savile Foljambe* and *Francis Thornbagh Foljambe* the Infants, are well satisfied that it would be a very great Advantage to the said *Francis Ferrand Foljambe* the Elder, and all other the Claimants in Remainder under the said Will, if the Residue of the said devised Estates situate in the said County of *Tyrone*, in that Part of the United Kingdom called *Ireland*, and more particularly described in the Schedule to this Act annexed, were vested in Trustees, discharged from the Uses and Trusts of the same Will, upon trust to be sold, and the clear Monies thence arising laid out, under the Direction of the High Court of Chancery, in the Purchase of other Estates in the said Counties of *York* and *Nottingham*, or One of them, to be settled to the subsisting Uses of the said Will of the said *Sir George Savile*; but inasmuch as by reason of the Limitations contained in the said Will the same cannot be effected without the Aid and Authority of Parliament: Wherefore, Your Majesty's most dutiful and loyal Subjects, the said *Francis Ferrand Foljambe* the Elder, and *Francis Ferrand Foljambe* the Younger, and also the said *Francis Ferrand Foljambe* the Younger and *Henry Willoughby* on Behalf of the said Infants *George Savile Foljambe* and *Francis Thornbagh Foljambe*, and the said *George Foljambe*, do most humbly beseech Your Majesty, that it may be enacted, and be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That all and singular the Manor, Town Lands and Hereditaments situate, lying and being in the said County of *Tyrone*, in that Part of the United Kingdom called *Ireland*, which in and by the said Will of the said *Sir George Savile* deceased, are limited to the Uses before mentioned, and are comprized and mentioned in the said Schedule to this Act annexed, with all Messuages, Lands, Mountains, Moors, Marshes, Heaths, Bogs, Woods, Underwoods, Ways, Commons, Easements, Rights, Royalties, Members and Appurtenances thereto belonging, (being the Residue of the Estates of the said *Sir George Savile*, devised by his said Will as aforesaid, in the said County of *Tyrone* in *Ireland* now remaining unsold,) shall, from and immediately after the passing of this Act, be vested in, and the same are hereby from thenceforth vested in the

aforesaid

aforesaid *Francis Ferrand Foljambe* the Younger and *Henry Willoughby*, their Heirs and Assigns for ever, freed and absolutely acquitted, exempted, exonerated and discharged of and from all and singular the Estates, Uses, Trusts, Limitations, Charges, Powers, Provisoos and Declarations created, limited or raised in the said Manor, Town Lands and Hereditaments, or any Part or Parts thereof, by the said Will and Codicil of the said Sir *George Savile* deceased, or either of them, but upon and for the Trusts, and for the Intents and Purposes hereinafter expressed and contained concerning the same, (that is to say,) upon trust that they the said *Francis Ferrand Foljambe* the Younger and *Henry Willoughby*, or the Survivor of them, or the Heirs and Assigns of such Survivor, do and shall, as soon as conveniently may be, on the Request in Writing, and with the Approbation of the said *Francis Ferrand Foljambe* the Elder, or of the Person or Persons for the time being entitled in Possession by virtue of the Limitations contained in the said Will, to the said Hereditaments and Premises, and of the Rents and Profits thereof, or of the Guardian or Guardians of such Person or Persons, being an Infant or Infants, make sale and dispose of the said Manor, Town Lands and Hereditaments hereby vested in them as aforesaid, or any Part or Parts thereof, by publick Auction or Sale, or Private Contract, and together or in Parcels, unto any Person or Persons who shall or may be willing to become the Purchaser or Purchasers thereof, for the best Price or Prices that can be reasonably had or gotten for the same; and on Payment into the Bank of *England* in Manner hereinafter mentioned of the Purchase Money for which the same Hereditaments and Premises, or any Part thereof shall be sold, do and shall convey and assure the same unto and to the Use of the Purchaser or Purchasers thereof, and to his, her or their Heirs and Assigns, or as he, she or they shall direct or appoint, freed, acquitted, exonerated and discharged as aforesaid.

Upon trust to be sold with such Consent as herein mentioned.

And on Payment of the Purchase Monies into the Bank, to be conveyed to the Purchasers.

II. And be it further enacted, That all and every Person and Persons who shall or may become the Purchaser or Purchasers of all or any Part of the said Manor, Town Lands and Hereditaments hereby made saleable as aforesaid, shall pay his, her or their Purchase Money into the Bank of *England* in the Name and with the Privity of the Accountant-General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Purchaser or Purchasers of the Estates devised by the Will of the said Sir *George Savile*, pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four, and that the Certificate or Certificates to be given by the said Accountant-General, together with the Receipt and Receipts of the Cashier of the Bank of *England*, to be thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by such Purchaser or Purchasers of his, her or their Purchase Money, shall from time to time, and at all Times thereafter, be and be deemed and taken to be a good and sufficient Discharge to such Purchaser or Purchasers, and to his, her and their Heirs, Executors, Administrators and Assigns, for so much of the said Purchase Monies for which such Certificate or Certificates, and Receipt or Receipts as aforesaid shall respectively be given; and that after the filing of such Certificate or Certificates and Receipt or Receipts, such Purchaser or Pur-

Purchasers to pay their Purchase Monies into the Bank in the usual Manner.

Accountant-General's Certificates of Payment and Cashier's Receipts to be sufficient Discharges to Purchasers.

chasers, and his, her, and their respective Heirs, Executors and Administrators, shall be and is and are hereby absolutely acquitted and discharged of and from the same Monies, and every Part thereof, and shall not be answerable or accountable for any Loss, Misapplication or Non-application of such Purchase Money, or of any Part thereof.

The Costs of the passing this Act, and attending the Sales, &c. to be paid out of the Monies arising therefrom.

The Residue thereof to be laid out under the Direction of the Court of Chancery, in the Purchase of Estates in the Counties of York and Nottingham, or one of them.

To be conveyed to the same Uses as the Estates hereby vested in trust.

Till Purchases made, the Residue to be laid out in Navy or Victualling or Exchequer Bills.

III. And be it further enacted, That out of the Monies so to be paid into the Bank as aforesaid, all the Costs, Charges, and Expences preparatory to and attending the soliciting and applying for, and obtaining and passing this Act, or which may be incident or relating thereto, and the Costs and Expences attending the Sales hereby directed, and the Execution of the Trusts of this Act, shall be in the first Place paid and satisfied; and the Residue and Surplus of such Monies shall, with all convenient Speed, with the Consent of the said *Francis Ferrand Foljambe* the Elder, during his Life, and after his Death, then, by and with the Consent of the Person or Persons, for the time being entitled as aforesaid, or of the Guardian or Guardians of such Person or Persons, being an Infant or Infants, be laid out and invested, under and subject to the Directions of His Majesty's High Court of Chancery, in pursuance of an Order or Orders for that Purpose, to be obtained upon Motion or Petition in a summary Way, in the Purchase of Freehold Manors, Messuages, Farms, Lands, Tenements or Hereditaments of an Estate of Inheritance in Fee Simple in Possession, situate in the said Counties of *York* and *Nottingham*, or One of them, and Copyhold Lands or Hereditaments convenient to be held therewith, so as such Copyholds shall not exceed in Value One-sixth Part of the Freehold Premises so to be purchased, free from all Incumbrances (except Quit Rents, Fee Farm Rents or other usual Outgoings or Payments); and that all and singular the Freehold and Copyhold Manors and other Hereditaments which shall be so purchased as aforesaid, shall be conveyed, settled and assured to, for and upon such and so many of the Uses, Estates, Trusts, Intents and Purposes, and under and subject to such and so many of the Powers and Provisoos, Limitations, Declarations and Agreements limited, created, declared or expressed by the said Will of the said *Sir George Savile*, of and concerning the said Hereditaments hereby vested as aforesaid, as shall be then undetermined and capable of taking Effect.

IV. And be it further enacted, That after the Payment of the aforesaid Costs, Charges and Expences, and until such Purchase shall be made as aforesaid, the Residue or Surplus of the Monies arising from such Sale or Sales as aforesaid, shall be laid out by the said Accountant General, in the Purchase of Navy or Victualling or Exchequer Bills, and the Interest arising from the Bills so to be purchased, and the Monies received for the same, as they shall be respectively paid off by Government, shall be laid out in the Name of the said Accountant General, in the Purchase of other Navy or Victualling or Exchequer Bills; all which said Navy and Victualling and Exchequer Bills shall be deposited in the Bank, in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases as aforesaid shall be found and approved as before directed, and until the same shall, upon a Petition, setting forth such Approbation to be preferred to the Court of Chancery, in a summary Way, by or on Behalf of the said *Francis Ferrand Foljambe* the Elder, or the Person or Persons for the time being beneficially entitled in Possession to

the Rents and Profits of the Manors, Lands or Hereditaments so to be purchased, or of the Guardian or Guardians of such Person or Persons, being an Infant or Infants, be ordered to be sold by the said Accountant General, for the completing such Purchase, in such Manner as the said Court shall think fit and direct; and if the Money arising by the Sale of such Navy, Victualling or Exchequer Bills, shall exceed the Amount of the original Purchase Money so laid out as aforesaid, then, and in that Case only, the Surplus which shall remain, after discharging the Expences of the Applications to the Court, shall be paid to such Person or Persons respectively, as would have been entitled to receive the Rents and Profits of the Lands directed to be purchased, in case the same had been purchased pursuant to this Act, or to the Representative or Representatives of such Person or Persons.

V. Provided always, That it shall be lawful for the Court of Chancery from time to time, to make such Order or Orders as to the said Court shall seem fit, for taxing and settling the Costs, Charges and Expences, hereinbefore directed to be paid, and for taxing the Costs of the several Applications to be made to the said Court respecting the Matters aforesaid, and the Costs of taking the said Monies out of the Bank, and investing such Monies in a new Purchase or Purchases as aforesaid; and for Payment of all such Costs, Charges and Expences, out of the said Monies, or out of the Monies arising by Sale of the Navy, Victualling or Exchequer Bills, so to be purchased as aforesaid.

The Court of Chancery empowered to make Orders for taxing the Costs, &c.

VI. And be it further enacted, That in the mean time, and until such Sale or Sales as aforesaid, the said *Francis Ferrand Foljámbe* the Younger, and *Henry Willoughby*, and the Survivor of them, and the Heirs and Assigns of such Survivor, shall permit and suffer the said Manor, Town Lands and other Hereditaments and Premises so hereby vested in them as aforesaid to be held and enjoyed, and the Rents, Issues and Profits thereof, to be had, received and taken by and for the Benefit of such Person or Persons as would have been entitled thereto respectively, and ought to have received the same, in case this Act had not been made.

Till the Sales the Estates to be held as before the passing of the Act.

VII. Provided always, and it is hereby further enacted, That notwithstanding Part of the Hereditaments originally subjected to the said Annuity or Yearly Rent Charge of Two hundred Pounds to the said *Ely Bates* as aforesaid, is by the Operation of this Act freed and discharged of and from the same Annuity or Rent-Charge, and all Powers, Authorities, and Remedies for compelling the Payment thereof; yet nevertheless the said Annuity or Yearly Rent-Charge shall be and remain, and continue to be issuing and payable out of the Residue of the Manors and other Hereditaments originally charged therewith, and not by the said recited Act or this Act vested in trust to be sold as aforesaid, with all Powers, Authorities and Remedies for recovering and compelling Payment of the same, from and out of such Residue of the same Manors, and other Hereditaments, in such and the same Manner as if the said Residue of the said Manors and other Hereditaments had been originally the only Premises subject to the Payment of the same Annuity or Yearly Rent Charge.

The Remainder of the late Sir Geo. Savile's Estates to continue subject to the Payment of 200l. per ann. to Mr. Ely Bates.

VIII. Saving

General
Saving
Clause.

VIII. Saving always to the King's most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her and their Heirs, Successors, Executors, Administrators and Assigns, (other than and except the said *Francis Ferrand Foljambe* the Elder, and except the said *George Savile Foljambe*, and the Heirs Male of his Body, and the said *Francis Thornbagh Foljambe*, and the Heirs Male of his Body, and except the said *Francis Ferrand Foljambe* the Younger, and his First and other Sons, and the Heirs Male of the Body of such Sons respectively, and except the said *George Foljambe* and the Heirs Male of His Body, and also except the Trustees, to preserve contingent Remainders in the said Will of the said *Sir George Savile*, and the Trustees of the said Term of Five hundred Years, and also except the said *Ely Bates*, the Annuitant, and also except the right Heirs of the said Testator, *Sir George Savile*, deceased, and also except all and every other Person or Persons whomsoever, and their Heirs or Issue, claiming or deriving any Estate, Title or Interest, under or by virtue of the said Will of the said *Sir George Savile*, deceased, or under or by virtue of any of the Estates, Limitations, Uses, Trusts, Charges or other Provisions therein; or in his said Codicil made or contained) all such Estates, Rights, Titles and Interests, of, in, to or out of the said Manor, Town Lands and other Hereditaments, hereby vested in trust to be sold as aforesaid, or any Part or Parts thereof, as they, and 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 made.

Act to be
printed by
the King's
Printer.

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

The SCHEDULE to which this Act refers.

The Manor and Town Lands of CECIL, with the Appurtenances.

Town Lands.	Tenants' Names.	Yearly-Rent, Irish Money.			Total Rent of each Town Land.			Total Quantity of each Town Land.					
		£.	s.	d.	£.	s.	d.	A. R. P.	A. R. P.				
A dunshin	Thomas and James Tarland	15	1	0	124	2	2½	101	1	33	164	1	18
	John Shields	0	7	3									
	John Irwin, sen. and John, jun.	10	0	8									
	John W. Williams and } James Wallace }	10	0	6									
	William Bean	8	10	0									
	Thomas Caroll	6	0	0									
	William Walker	19	9	6									
	Edward Sluden and Eleanor } Gillespie }	9	18	0									
	John Speer, Esq.	3	1	2									
	James Barton	1	14	1½									
	Cairnes Forster	10	0	0									
	Francis Little	30	0	0									
Anagarvy	William Kilpatrick	19	11	3	115	0	3	128	1	35	208	0	18
	Thomas Cafford	19	11	3									
	William Little	30	11	8									
	John Little	30	11	8									
	Francis Little	14	14	5									
Bank	William Irwin	14	13	8	28	10	9	31	3	17	51	2	2½
	James M ^c Night	13	17	1									
Beltiny	Charles, James, and Isabella } Donelly, John Housh, Ann } M ^c Cusher, & Ann Kearney }	29	18	8	10	17	0	128	1	35	208	0	18
	Bryan and Patrick M ^c Kenna	13	18	3									
	Patrick M ^c Cusher & John Murray	10	17	0									
	Neal M ^c Gawgey	7	2	8									
	Patric M ^c Ginley	28	19	5									
	Felix Hughes	20	1	7									

[Loc. & Per.]

Town Lands.	Tenants' Names.	Yearly Rent.			Total Rent of each Town Land.			Total Quantity of each Town Land.	
		Irish Money.						Irish.	English.
		£.	s.	d.	£.	s.	d.	A. R. P.	A. R. P.
	Bryan and Bernard Kean	18	13	4					
	Edward Turbett	4	15	2					
	Daniel M ^c Ginly	7	10	2					
	Owen M ^c Caghy	7	10	2					
	Nocher Kelly	11	16	10					
	William Gonnell	11	8	4					
	William Orr	23	12	10					
	John M ^c Laughlin	6	8	2					
	Catherine M ^c Ginly	7	10	2					
Balnaclogh	Daniel and Francis M ^c Laughlin	15	14	0	210	2	9	286	2 1 464 0 20
	Hugh M ^c Kenna, Francis and } Hugh M ^c Caffry	12	8	3					
	John William Gay	14	9	9					
	Alexander Wilson, John Mulligan, Isabella Mulligan and } James Robinson	29	6	2					
	John Wilson	2	8	10					
	Hugh Stokes	18	7	9					
Cormore	Michael M ^c Carrol and James } Sheridan	10	3	10	92	14	9	101	0 18 163 3 7
	Michael Dogherty	14	18	3					
	Terence Hagin	7	9	10					
	Dennis M ^c Gawgy	9	4	2					
	Francis M ^c Gawgy	8	1	7					
	Robert Wilson	7	11	11					
	Francis Cusker	4	19	9					
	David, Nicholas, and Edward } Turbett	19	11	9					
	Patrick, Henry, and James } Turbett	22	6	8					
	Richard Turbot and William } M ^c Elroy	10	3	0					
	Arthur Donnelly	4	16	0					
	Thomas Quin and Patrick } M ^c Gawgy	6	6	8					
	Francis and Daniel Quin	13	11	5					
	Joseph Wallace	35	8	11					
	Neil and Terence Dogherty	11	3	2					
	John Dogherty	9	2	7					
	Dennis Dogherty	5	16	8					
	Sarah Dogherty	7	19	0					
	Bridget Dogherty	10	17	4					
	Patrick Dogherty	5	0	10					
Cormore	Mr. Thomson	—	—	—	224	13	4	293	3 30 476 0 12
Clarabrach	John E. Cairnes	—	—	—	1	10	0		
Dunbigin	Edward Donnelly, James } Donnelly, and Bernard } M ^c Cusker	17	6	2					
	Hugh M ^c Gin	15	9	4					
	Patrick and John M ^c Caffry	17	13	4					
	Hugh Dally and Henry Boyle	8	7	4					

Town Lands.	Tenants' Names.	Yearly Rent.			Total Rent of each Town Land.			Total Quantity of each Town Land.	
		Irish Money.			Irish.			Irish.	English.
		£.	s.	d.	£.	s.	d.	A.	R. P.
	Culla M ^c Cowell - - -	6	14	9					
	James and Bryan M ^c Girr - -	22	1	11					
	Felix and Edward Donnelly - -	13	9	0					
	Mary and Thomas M ^c Carroll - -	4	3	10					
		<hr/>			317	14	5	396	2 35
Longridge -	John Steen, &c. - - -	—	—	—	31	18	7	47	1 21
Latbeg -	John Evans - - -	10	10	4					
	Thomas Irwin - - -	7	19	10					
	James Irwin - - -	3	19	8					
	John M ^c Gingin - - -	26	6	3					
	John Wallace - - -	28	5	0					
	William M ^c A. Tee - - -	7	4	11					
	John Irwin - - -	8	18	11					
	Robert Evans - - -	5	14	7					
	Owen M ^c A. Tee - - -	7	4	11					
	Honor M ^c Gone & Catherine } Lunchiquin - - - }	8	13	6					
		<hr/>			114	17	11	142	3 31
Lifnarabble -	Terence M ^c Loarly - - -	5	15	3					
	Felix M ^c Gawgy - - -	13	2	0					
	James M ^c Loarly - - -	6	1	0					
	Mary and Cormick M ^c Gawgy - -	27	11	6					
	Catherine M ^c Gawgy - - -	12	2	4					
	Robert Wallace - - -	22	16	0					
	William Wallace - - -	20	4	11					
	John Walker - - -	6	19	10					
	Sufannah M ^c Kenny - - -	9	5	10					
	Robert Brown (part in Fer- } nandrum) - - - }	14	1	8					
		<hr/>			138	0	4	209	0 3
Roy -	Jane Brown - - -	7	14	11					
	Margaret Ginger - - -	20	18	5					
	Hans Morrison - - -	27	19	2					
	Samuel M ^c Dowell - - -	10	3	3					
		<hr/>			66	15	9	39	0 32
Tullycorker -	James Lunchiquin - - -	4	18	0					
	Jo. Lynch - - -	4	4	6					
	William M ^c Ginly - - -	19	3	0					
	John Tracy - - -	6	15	0					
	Felix Hart - - -	18	5	10					
	John Neely - - -	9	0	0					
	Sidney M ^c Kin - - -	4	14	7					
	William M ^c Dowell - - -	4	4	0					
	John Ofgrove - - -	13	0	0					
	Thomas M ^c Williams and } Bryan M ^c Girr - - - }	5	4	11					
	Edward Cullen, Patrick, and } James Cullen - - - }	8	4	8					
	Bryan Cullen - - -	12	17	9					
	Terence and Mary Donnelly - -	5	2	4					
	Robert M ^c Kin (part in Esker- } nabrogue) - - - }	16	8	7					
	Patrick Lynch - - -	3	18	7					
	George Lynch - - -	3	18	7					
	Roger Dogherty - - -	5	13	9					
		<hr/>			145	14	1	185	2 19
					300	2	31		

Town Lands.	Tenants' Names:	Yearly Rent,			Total Rent			Total Quantity of each		
		Irish Money.			of each			Town Land.		
		£.	s.	d.	£.	s.	d.	A.	R.	P.
Tulnashole	Patrick M ^c Girr	24	0	10						
	Terence M ^c Girr	22	1	8						
	Patrick Thomas Bryan and Catherine M ^c Dermot	22	19	4						
	Frances and Patrick Boyle	10	2	6						
	Thomas M ^c Neelis	7	10	3						
	Daniel M ^c Maugh and Law- rence Mearly	12	0	0						
	Allan Marly	7	10	0						
	Hugh M ^c Kenny	7	14	11						
	Patrick M ^c Kenna	8	15	3						
	Patrick Gormly	2	16	0						
	Arthur Gormly (in trust)	5	8	9						
	John and Sarah M ^c Laurin	11	10	0						
	John M ^c Connell, Robert M ^c Connell and Thomas Cosgrove	10	18	1						
	Felix and Owen M ^c Girr	9	16	11						
	Mecum M ^c Laurin	4	12	11						
					167	17	5	312	2	37506 2 16
Taulaught	Thomas M ^c Cawell	4	11	1						
	Peter M ^c Cawell	4	11	2						
	Matthew M ^c Cawell	3	8	3						
	Catherine and Hugh Nugent	10	10	2						
	Owen M ^c Gawgy	8	1	5						
	Jane and Henry Hane	8	13	6						
	Felim M ^c Gin	9	12	3						
	Bartly M ^c Maugh	6	9	0						
	Hugh and Ann Marly	6	7	6						
	Michael Marly	10	4	6						
	Michael M ^c Gin	23	15	6						
	James Barr	7	12	0						
	John M ^c Donnell	9	1	6						
	James M ^c Cawell	9	15	6						
	Culla M ^c Cawell	11	12	2						
	Bridget Hughes	2	3	1						
	Patrick M ^c Gingin	5	6	0						
	Michael Meenan and Peter M ^c Caul	9	2	5						
	Patrick M ^c Gin and Ann Caffry	9	1	10						
Bryan Marley	6	1	7							
Patrick Donaghy	4	10	4							
					170	10	9	232	3	7377 0 18
Teheny	Owen M ^c Laughlin	14	10	6						
	Thomas Eaglefon	10	8	1						
	William Eaglefon	5	3	9						
	Felix and James Mullan, James M ^c Gin, James M ^c Naul, and Mary M ^c Kenna	22	13	3						
	Con Maguire	11	7	10						
	James Maguire	8	6	9						
	John Irwin	8	2	4						
	James M ^c Girr and John Hardy	17	6	0						
	Thomas M ^c Girr	14	2	11						
Patrick Owen and Hugh Dawley	16	18	2							

Town Lands.	Tenants' Names.	Yearly Rent, Irish Money.			Total Rent of each Town Land.			Total Quantity of each Town Land.					
		£.	s.	d.	£.	s.	d.	Irish.	English.				
Tullyvernan	Hugh Hardy, Henry and John M ^c Gawgy, and Bernard Dawley	21	15	5	199	1	9	386	0	12	625	1	29
	John and Francis Coulon	7	14	4									
	Patrick and William M ^c Can	8	18	4									
	James Devlin and James Coulon	7	14	4									
	John Reed	23	19	9									
	Thomas Johnson	28	15	3									
	Joseph and Catherine Neilson	9	12	3									
	Joseph Wallace	14	15	10									
	Hugh M ^c Williams	6	7	3									
	William Johnson	4	19	5									
	William Clingin	16	2	0									
	James Means	32	7	9									
	Edward M ^c Girr	5	3	9									
	Bryan M ^c Gorelake and Hugh Phillips	15	18	3									
Totals				3436	18	10½	4391	3	19	7114	3	39	

JAMES SOMERVILLE FOWNES, as to the Rents.

JOSEPH COLBECK, as to the Admeasurement.

