



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 185.

An Act for vesting Part of the devised Estates of *Henry Vipont* deceased, in Trustees, to be sold, and for laying out the whole Purchase Money, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be settled in lieu thereof and to the same Uses. [15th June 1811.]

WHEREAS *Henry Vipont*, lately of *Pately Bridge*, in the County of *York*, Flax-dresser, deceased, duly made and published his last Will and Testament in Writing, dated the Second Day of *May* One thousand eight hundred; and thereby (amongst other Things) gave and devised unto his Son *Henry Vipont* for his Life all those his the Testator's Lands and Tenements situate and lying at *High Hardcastle* in the Parish of *Ripon*, in the said County of *York*, then in the Occupation of *Pounder* or his Undertenants, and all those his the Testator's Tythe and Quit Rents coming, arising, and growing within and out of the Township of *Bewerley* or *Dacre-with-Bewerley*, in the said Parish of *Ripon*, to hold the said several Lands, Tenements, and Estates (being of Freehold Tenure) unto and to the Use of his the Testator's said Son *Henry Vipont* and his Assigns for his Life, and from and immediately after his Decease he the Testator gave and devised the same with the Appurtenances unto and to the Use of and equally amongst all and every the Children of his said Son *Henry Vipont* lawfully begotten or to be begotten, Sons and Daughters, Share and Share alike, and to their Heirs and Assigns for ever as Tenants:

Will of Henry Vipont, dated 2d May 1800.

[Loc. & Per.]

in common, with an equal Benefit of Survivorship to or in the Shares or Share, Estates or Estate of such of them as might happen to die under Age, and without leaving lawful Issue; and it was the Testator's Will and Direction, that in case any Child or Children of his said Son *Henry* should be a Minor or Minors at their Father's Decease, then his Son *John Vipont* or such discreet Person or Persons as he might appoint, should be Guardian or Guardians of the same Child or Children, until they respectively entered into the legal Possession of the Estates and Interests so limited to them as aforesaid, and should apply the Rents and Profits of each Child's respective Share and Estate for and towards their Maintenance and Education during such Minority, after first deducting a reasonable Gratuity for such Guardianship as aforesaid, and after specifically bequeathing Part of his the Testator's Personal Estate, but not in such Bequest comprizing the Leasehold Messuage or Cottage and Lands herein-after mentioned, the said Testator gave and bequeathed the Residue of his Personal Estate to his Son the said *John Vipont*, whom he appointed sole Executor of his said Will: And whereas the said Testator died in the Year One thousand eight hundred, and soon afterwards his Executor the said *John Vipont* duly proved the said Will in the Exchequer Court of the Archbishop of *York*: And whereas upon the Death of the said Testator the said *Henry Vipont* entered upon and took Possession of the said Estates devised to him by the said Will, and he is now in the Receipt of the Rents and Profits thereof: And whereas the said *Henry Vipont* intermarried with *Dorothy Weatherhead* on or about the Fifteenth Day of *November* in the Year One thousand seven hundred and ninety-one, and hath Issue by her Five Children, all Infants, namely, *John*, *Dorothy*, *Elizabeth*, *Henry*, and *Susannah*, the eldest of them the said *John* being of the Age of Seventeen Years, and the youngest of them the said *Susannah* of the Age of Nine Years: And whereas the said Lands and Tenements mentioned in the said Will to be situate at *High Hardcastle* aforesaid, and in the Occupation of *Pownder* or his Under-tenants, consist of a Messuage or Cottage divided into Two Dwelling Houses, and several small Closes or Parcels of Meadow and Pasture Ground lying together in a Ring Fence, and containing by Admeasurement Ten Acres and Thirty-four Perches, and Part of the said Tythe in the said Will described as coming, arising, and growing within and out of the Township of *Bewerley*, or *Dacre-with-Bewerley*, in the Parish of *Ripon*, consists of Tythe of Corn, Hay, Wool, and Lamb, issuing out of the said Messuage or Cottage, Lands and Hereditaments at *High Hardcastle* in the said Parish of *Ripon*: And whereas upon lately examining the Title of the said Messuage or Cottage and Closes or Parcels of Meadow or Pasture containing Ten Acres and Thirty-four Perches, it hath been discovered that the said Testator was not seised of or entitled to the Whole thereof in Fee Simple, but that at the Time of his Death the said Messuage or Cottage and Nine Acres One Rood and Thirty-nine Perches, Part of the said Closes or Parcels of Meadow or Pasture containing Ten Acres and Thirty-four Perches, were vested in him the said Testator for the Residue of a Term of Three thousand Years, commencing from *Lady Day* One thousand six hundred and twenty-two: And whereas the said Messuage or Cottage and Closes or Parcels of Meadow or Pasture, containing Ten Acres and Thirty-four Perches, are now let to *John Marshall* (free of the Tythe of Corn, Hay, Wool, and Lamb) for a Term of Years of which Eight Years or thereabouts are now unexpired; at the yearly Rent of Fourteen Pounds, the Tenant paying all Sums and Assessments except the Property Tax, a Particular

icular of which Premises including the aforesaid Tythe thereof, with the Tenant's Name and the Rent and the Outgoings to which the same are subject, is contained in the Schedule to this Act: And whereas *Henry Owen Cunliffe* is now working certain Lead Mines near the said Premises at *High Hardcastle*, and is desirous of purchasing the same Premises with a View of making the same serviceable to his Mineral Pursuits, and having therefore offered a very advantageous Price for the same Premises, they the said *Henry Vipont*, *John Vipont*, and *Henry Owen Cunliffe*, did enter into an Agreement in Writing, dated the Twenty-ninth Day of *November* One thousand eight hundred and ten, for the Sale of the same Premises to the said *Henry Owen Cunliffe* for the Sum of One thousand five hundred Pounds, he the said *Henry Owen Cunliffe* agreeing to pay the Expence of an Application to Parliament for an Act to confirm the said Sale: And whereas the said *Henry Vipont* and *John Vipont* are desirous that the said Freehold and Leasehold Lands and Tenements and Tythes at *High Hardcastle*, should be vested in the said *Henry Owen Cunliffe* pursuant to the said recited Agreement, and the clear Purchase Money invested under the Direction of the High Court of Chancery in the Purchase of other Estates to be settled in lieu thereof and to the same Uses; and from the Advantage arising to the said *Henry Vipont*, and to the Persons entitled in Remainder expectant on his Death by such Sale, and by such Investment in a new Purchase as aforesaid, it is conceived to be expedient that the said Proposal should be effected; but inasmuch as by Reason of the aforesaid Limitations in Remainder to the Children of the said *Henry Vipont*, the said Sale and Investment cannot be effected without the Aid and Authority of Parliament; therefore Your Majesty's most dutiful and loyal Subjects the said *Henry Vipont*, for and on Behalf of himself and his said Infant Children, and also the said *John Vipont* and *Henry Owen Cunliffe*, 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 Messuage or Cottage, Closes, Lands, Tythes, and Hereditaments mentioned and described in the Schedule to this Act, with their and every of their Rights, Members, Easements, and Appurtenances, shall from and after the passing of this Act be settled upon and vested in, and the same are hereby from thenceforth settled upon and vested in *Charles Jones*, of the *Inner Temple, London*, Gentleman, and *Thomas Raggett* of *Brooks Wharf, Upper Thames Street, London*, Merchant, and their Heirs, Executors, Administrators, and Assigns, according to the Nature and Quality of the same Hereditaments and Premises respectively; (that is to say), as to so much and to such Part thereof as is Freehold of Inheritance to the Use of them the said *Charles Jones* and *Thomas Raggett*, and their Heirs and Assigns for ever, and as to so much and such Part thereof as is Leasehold for Years to them the said *Charles Jones* and *Thomas Raggett*, their Executors, Administrators, and Assigns, for all the Residue of the Term or Terms of Years for which the same Premises were holden by the said Testator *Henry Vipont* deceased, but nevertheless as to all the said Freehold and Leasehold Hereditaments and Premises hereby vested and settled as aforesaid, freed and absolutely acquitted, exempt, exonerated, and discharged of and from all and every the Uses, Trusts, Estates, Powers, Provisoos, and Limitations in and by the said Will of the said *Henry Vipont* deceased, limited and expressed of and concerning the same, upon Truist that they

The Premises
vested in
Trustees to
be by them
conveyed to
the Purchaser.

they the said *Charles Jones* and *Thomas Raggett*, and the Survivor of them, and the Heirs, Executors, Administrators, and Assigns of such Survivor, shall and do upon Payment by the said *Henry Owen Cunliffe*, his Heirs, Executors, or Administrators, of the said Sum of One thousand five hundred Pounds Purchase Money into the Bank of *England*, in Manner hereinafter mentioned, convey the said Messuage or Cottage, Lands, Tenements, Tythes, and Hereditaments so hereby vested and settled as aforesaid, with the Appurtenances, unto and to the Use of him the said *Henry Owen Cunliffe*, and his Heirs, Executors, Administrators, and Assigns, according to the Nature and Quality of the same Hereditaments and Premises respectively, or to such other Uses or in such other Manner as he or they shall direct or appoint.

Purchase Money to be paid into the Bank.

II. And be it further enacted, That the aforesaid Sum of One thousand five hundred Pounds shall be paid by the Purchaser or Purchasers 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 Estate of *Henry Vipont* deceased, pursuant to the Method prescribed by the Act of the Twelfth Year 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 King *George* the Second, Chapter the Twenty-fourth.

Purchase Money to be applied in the Purchase of other Estates to be settled to the Uses of the Testator's Will.

III. And be it further enacted, That a sufficient Part of the Money so paid into the Bank shall be applied in paying and defraying the said Trustees Costs and Expences attending the Conveyance hereby directed to be made to the said *Henry Owen Cunliffe*, and the Execution of the Trusts of this Act; and that all the Residue and Surplus of the said Money so paid into the Bank shall, upon Petition to the High Court of Chancery in a summary Way by the said *Henry Vipont* the Son, or the Person or Persons for the Time being entitled to the Rents and Profits of the Estates to be purchased, be laid out and invested in the Purchase or Purchases of Freehold Messuages, Farms, Lands, Tenements, or Hereditaments in the said County of *York*, or of Copyhold Lands and Hereditaments which may lie contiguous and be convenient to be held therewith, and in the Purchase of Leasehold Lands, Tenements, or Hereditaments holden for a long Term of Years, situate in the same County, and as near to the same Freehold Hereditaments so to be purchased as may be; and in apportioning the Sums to be laid out in the Purchase of Estates of Inheritance, and in the Purchase of Leasehold for Years, the Apportionment shall be regulated by the Proportion which the actual Value of the Freehold Hereditaments hereby vested in Trust as aforesaid, now bears to the actual Value of the Leasehold Premises also hereby vested in Trust as aforesaid; all which Premises so to be purchased shall be conveyed, settled, and assured to, upon, and for, and under and subject to such and so many of the Uses, Trusts, Intents, and Purposes, Powers, Provisoos, and Declarations, to which the said Freehold and Leasehold Messuage or Cottage, Lands, Tenements, Tythes, and Hereditaments hereby vested and settled as aforesaid, did immediately before the passing of this Act respectively stand settled or limited and subject to, as shall be then subsisting and capable of taking Effect; the Freehold and Copyhold Hereditaments so to be purchased to be settled in lieu of the Freehold Hereditaments hereby vested and settled as aforesaid, and to and for the same Uses, Intents, and Purposes; and the Leasehold Premises so

(to

to be purchased to be settled in lieu of the Leasehold Premises hereby vested and settled as aforesaid, and upon and for the same Trusts, Intents, and Purposes.

IV. And be it further enacted, That all the Money which shall be paid into the Bank in the Name of the said Accountant General in the Manner before directed, shall in the mean Time and until the same shall be invested in Purchases under the Direction of this Act, be from Time to Time laid out by the said Accountant General in the Purchase of Navy or Victualling Bills or Exchequer Bills, and the Interest arising from the Money so laid out in the said Navy or Victualling Bills or Exchequer Bills, and the Money received for the same as they shall respectively be paid off by Government, shall be laid out in the Name of the Accountant General in the Purchase of other Navy or Victualling Bills or Exchequer Bills, all which said Navy or Victualling Bills or Exchequer Bills shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until the same shall upon Petition to be preferred in a summary Way by the said *Henry Vipont* the Son, or such other Person or Persons entitled as aforesaid, be ordered to be sold by the Accountant General for completing the Purchase or Purchases hereby authorized to be made as aforesaid, in such Manner as the Court shall think just and meet; and if the Money arising by the Sale of any of such Navy, Victualling, or Exchequer Bills which shall have been purchased as aforesaid, shall exceed the Amount of the original Purchase Money so laid out as aforesaid, then and in that Case only the Surplus which shall remain shall be paid to such Person or Persons respectively, as would have been entitled to receive the Rents and Profits of the Lands hereby directed to be purchased pursuant to this Act, or to the Representatives of such Person or Persons.

Money paid into the Bank to be vested in Navy and Victualling Bills.

V. And be it further enacted, That the Certificate or Certificates of the said Accountant General, together with the Receipt or Receipts of One of the Cashiers of the Bank, to be thereto annexed and therewith filed in the proper Office of the said Court of Chancery, of the Payment into the Bank by the said *Henry Owen Cunliffe*, or his Heirs, Executors, Administrators, or Assigns, of the said Sum of One thousand five hundred Pounds, shall be a good and sufficient Discharge to the said *Henry Owen Cunliffe*, and his Heirs, Executors, Administrators, and Assigns, for the said Sum of One thousand five hundred Pounds, and after filing such Certificate and Receipt as aforesaid, the said *Henry Owen Cunliffe*, and his Heirs, Executors, Administrators, and Assigns, shall be absolutely acquitted and discharged of and from the said Sum of One thousand five hundred Pounds, and shall not be answerable or accountable for any Loss, Misapplication, or Non-application thereof.

Certificate of the Accountant General, and Receipt of the Cashier of the Bank, to be a sufficient Discharge to the Purchaser.

VI. Provided always, That it shall be lawful for the High Court of Chancery, and the said Court is hereby required if it shall so think proper, to make an Order for taxing and settling the Costs, Charges, and Expences herein-before directed to be paid, and for taxing the Costs of the several Applications to be made to that Court respecting the Matters aforesaid, and the Costs of taking the said Money out of the Bank, and investing the clear Surplus thereof in a new Purchase or Purchases as aforesaid, and for Payment of all such Costs, Charges, and Expences out of the said Monies, or

For settling the Costs.

out of the Monies arising by Sale of the Navy, Victualling, or Exchequer Bills, so to be purchased as aforesaid.

Until Conveyances are executed, the present Owners to receive Rents and Profits of the Premises.

VII. And be it further enacted, That in the mean Time and until such Conveyance shall be made as aforesaid of the Hereditaments and Premises hereby authorized to be conveyed, they the said *Charles Jones* and *Thomas Raggett*, and the Survivor of them, and the Heirs, Executors, and Administrators of such Survivor, shall permit and suffer the Rents and Profits of the same Hereditaments and Premises, to be had, received, and taken by such Person or Persons as would respectively have been entitled to have, hold, receive, and enjoy the same, in case this Act had not been made.

If Sale not effectuated, the Trustees to hold the Premises for the Use of the Parties now entitled to them.

VIII. Provided always, and it is hereby further enacted, That if it shall happen that the said Sale hereby authorized to be made to the said *Henry Owen Cunliffe* cannot be effectuated, then and in such Case the said Messuage or Cottage, Lands, Tenements, Tythes, and Hereditaments hereby vested and settled as aforesaid, shall be and remain vested in them the said *Charles Jones* and *Thomas Raggett*, and their Heirs, Executors, and Administrators respectively, upon Trust that they respectively do and shall reconvey and re-assure the same Messuage or Cottage, Lands, Tenements, Tythes, and Hereditaments, with their and every of their Rights, Members, and Appurtenances, to and for and under and subject to such and so many of the Uses, Trusts, Estates, Powers, Provisoos, and Limitations, to which the same Premises did immediately before the passing of this Act stand settled or were limited and subject to, as shall be then subsisting and capable of taking Effect.

General Saving.

IX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the said *Henry Vipont* the Son, and all and every the Child and Children born and to be born of him the said *Henry Vipont* the Son, and the Heirs, Executors, Administrators, and Assigns of all and every such Child and Children, and the Heirs, Executors, Administrators, and Assigns of the said *Henry Vipont* the Son, and the said *John Vipont*, and his Executors, Administrators, and Assigns, and all and every other Person and Persons claiming or to claim under the said Will of the said *Henry Vipont* deceased) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of the Messuage or Cottage, Lands, Tenements, Tythes, Hereditaments, and Premises hereby vested in Trust to be sold as aforesaid, or any Part thereof, as they, every, or any of them had before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

Evidence Clause.

X. 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.

SCHEDULE to which this Act refers.

| PLACE. | Tenant's Name. | Yearly Rent. | Description of Tenements. |
|--|----------------|---|--|
| High Hardcastle in the County of York. | John Marshall. | <p>£. s. d.</p> <p>14 0 0</p> <hr/> <p>Yearly Value £. 17 4 0 worth at 25 Years Purchase £. 430 0 0</p> | A Messuage or Cottage divided into Two Dwelling Houses, and several Closes or Parcels of Meadow and Pasture Ground lying together, and containing by Admeasurement 10 A. 34 P. the Whole called Brackenfawe. |

The Tythes of Corn, Hay, Wool, and Lamb of the same ; such Parts of the above Closes or Parcels of Meadow and Pastures as are Freehold are subject to a Rent of Four Shillings and Sixpence, payable yearly to the Lord of the Manor of Beverley.

Such Parts of the above Premises as are Leasehold for Years are subject to the yearly Rent of Three Shillings. Two Roods and Thirty-five Perches, Part of the above Closes or Parcels of Meadow and Pasture, are Freehold of Inheritance, and are bounded on the West by Hardcastle Moor, on the South by a River, and on the East and North by the Rest of the same Closes or Parcels of Meadow and Pasture ; and the said Tythes of Corn, Hay, Wool, and Lamb issuing out of the said Messuage or Cottage and Lands containing Ten Acres and Thirty Perches, are also Freehold of Inheritance.

The said Messuage or Cottage, and the Residue of the said Closes or Parcels of Meadow and Pasture, after deducting the said Two Roods and Thirty-five Perches, are Leasehold for the Residue of a Term of Three thousand Years, commencing from Lady-day One thousand six hundred and twenty-two ; and are bounded on the West by Hardcastle Moor, on the South by the said Freehold Premises and the River, on the East by Lands of the said Henry Owen Cunliffe and others, and on the North by Lands of Messrs. Chapman and Lupton.

John Humphries, Land Surveyor.
Matthew Dickinson, Mining Agent.

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and expansion. From a small collection of colonies on the eastern coast, it grew into a vast nation that stretched across the continent. The early years were marked by struggle and conflict, but the spirit of independence and self-determination prevailed. The American Revolution was a turning point, leading to the birth of a new nation. The years following were a period of rapid growth and development, as the United States expanded its territory and influence. The Civil War was a defining moment, testing the nation's unity and leading to the abolition of slavery. The Reconstruction era followed, a period of rebuilding and reform. The late 19th and early 20th centuries saw the United States emerge as a world power, with its influence extending across the globe. The 20th century was a period of great change, with the United States playing a leading role in the world. The end of the century saw the United States facing new challenges, but its resilience and strength remained evident.

The American Revolution was a defining moment in the history of the United States. It was a struggle for independence and self-determination, leading to the birth of a new nation. The revolution was fought between the thirteen original colonies and the British Empire. The colonies had long been under British rule, but they were growing increasingly restless. They wanted to be able to govern themselves and to trade with other nations. The British, however, wanted to keep the colonies under their control. The revolution began in 1775 and lasted until 1783. It was a long and difficult struggle, but the colonies eventually won their independence. The new nation was born, and it was a nation that was determined to be free and to govern itself.

The American Revolution was a defining moment in the history of the United States. It was a struggle for independence and self-determination, leading to the birth of a new nation. The revolution was fought between the thirteen original colonies and the British Empire. The colonies had long been under British rule, but they were growing increasingly restless. They wanted to be able to govern themselves and to trade with other nations. The British, however, wanted to keep the colonies under their control. The revolution began in 1775 and lasted until 1783. It was a long and difficult struggle, but the colonies eventually won their independence. The new nation was born, and it was a nation that was determined to be free and to govern itself.

The American Revolution was a defining moment in the history of the United States. It was a struggle for independence and self-determination, leading to the birth of a new nation. The revolution was fought between the thirteen original colonies and the British Empire. The colonies had long been under British rule, but they were growing increasingly restless. They wanted to be able to govern themselves and to trade with other nations. The British, however, wanted to keep the colonies under their control. The revolution began in 1775 and lasted until 1783. It was a long and difficult struggle, but the colonies eventually won their independence. The new nation was born, and it was a nation that was determined to be free and to govern itself.