



ANNO QUINQUAGESIMO TERTIO

GEORGI III. REGIS.

Cap. 167.

An Act for vesting certain detached settled Estates late of *William Whittaker* Esquire, deceased, in Trustees, to sell the same; and to lay out the Monies thence arising, in the Purchase of other Estates, to be settled to the same Uses.

[22d June 1813.]

WHEREAS *William Whittaker* of the City of *London*, Gentleman, duly made and published his last Will and Testament in Writing, bearing Date on or about the Fifth Day of *January* One thousand seven hundred and eighty-two, and duly executed as is by Law required for passing Real Estates; and thereby, after bequeathing certain pecuniary Legacies therein specified, and an Annuity or yearly Sum of Twenty Pounds charged upon his Real Estates to *Elizabeth Asberry* of *London*, Widow, and her Assigns for her Life, he the said Testator gave and devised all his Freehold Messuages, Lands, Tenements, and Hereditaments whatsoever and wheresoever of which he was then actually seised, unto *John Marlar* of *King Street* in the City of *London*, Merchant, *Samuel Prime* of *Witton* near *Twickenham* in the County of *Middlesex*, Esquire, and *John Pollard* and *George Pollard* also of the City of *London*, Merchants, their Heirs and Assigns, to hold the same unto the said *John Marlar*, *Samuel Prime*, *John Pollard* and *George Pollard*, their Heirs and Assigns, to, for, and upon such Use and Uses, Estate and Estates, Intents and Purposes, and subject to, with, and under such Provisoes, Conditions and Limitations as are therein and herein-after mentioned concerning the same; (that is to say) as for, touching and concerning

5th January
1782.
Will of *William Whittaker*.

[*Loc. & Per.*]

33 F

such

such Part or Parts of his said Messuages, Lands, and Hereditaments as are therein described, but which are not intended to be comprised in this Act, to the Use of his the said Testator's Nephew *Abraham Whittaker* for Life, with Remainder to certain Uses in the said Will declared and expressed; and as to, for, and concerning all such Part and Parts of his (the said Testator's) Messuages, Lands, and Hereditaments, with the Appurtenances, of which he was seised as aforesaid, situate and being in the Parish of *Horton*, in the County of *Bucks*, purchased by the said Testator of *John Dawes* of *Canonbury House*, in the Parish of *Saint Mary, Islington*, in the County of *Middlesex*, Esquire, and also situate and being in or near a certain Place called *Tooley's Water Gate*, in the Parish of *Saint Tooley*, otherwise *Saint Olave*, in the County of *Surry*, and which the said Testator had purchased of *Timothy Topping*, then of *Chislehurst* in the County of *Kent*, Esquire; and as for, touching and concerning all and singular the Rest, Residue, and Remainder of his the said Testator's Messuages, Lands, Hereditaments and Real Estates, with their Appurtenances, devised to the said Trustees, their Heirs and Assigns as aforesaid (which Devise comprehended certain Messuages, Lands, Tenements, and Hereditaments in the Parishes of *Halifax* and *Bradford* respectively in the County of *York*, or some adjoining Parishes), to the Use of the Testator's Nephew *John Whittaker* and his Assigns, for and during the Term of his natural Life, without Impeachment of Waste; with Remainder to the Use of the said Trustees and their Heirs during his Life, in Trust to preserve the Contingent Remainders therein-after limited; with Remainder to the Use of the First and all and every other the Son and Sons of the Body of the said *John Whittaker* lawfully to be begotten, and of the Heirs of the Body and Bodies of such Son and Sons lawfully issuing, severally and respectively as they shall be in Seniority of Age and Priority of Birth; with Remainder to the Use of all and every the Daughter and Daughters of the Body of the said *John Whittaker* lawfully to be begotten, and the Heirs of their respective Bodies, equally as Tenants in Common; and in case any such Daughters (there being more than One) should die without Issue, then as to the Part or Parts, Share or Shares of such Daughter or Daughters so dying, to the Use of the Survivor or Survivors of such Daughters equally (if more than One such Survivor) as Tenants in Common, and the Heirs of her or their Body or Bodies respectively; and in Default of such Issue, to the Use of the said Testator's Nephew *Abraham Whittaker* and his Assigns, during the Term of his natural Life, without Impeachment of Waste; with Remainder to the Use of the said Trustees and their Heirs during the Life of the said *John Whittaker*, in Trust to preserve the Contingent Remainders; with Remainder to the Use of the First and all and every other the Son and Sons of the Body of the said *Abraham Whittaker* lawfully to be begotten, and of the Heirs of the Body or Bodies of such Sons lawfully issuing, severally and successively in Order as they should be in Seniority of Age and Priority of Birth; and in Default of such Issue, to the Use of all and every the Daughter and Daughters of the said *Abraham Whittaker* lawfully to be begotten, and the Heirs of their respective Bodies equally as Tenants in Common; and in case any such Daughter (there being more than One) should die without Issue, then as to the Part or Share, or Parts or Shares of such Daughter or Daughters so dying, to the Use of the Survivors or Survivor of such Daughters equally, if more than One such Survivor, as Tenants in Common, and the Heirs of her and their Body and Bodies respectively; and in De-

fault

fault of such Issue, to the Use of the said Testator's Nieces, *Diana Whittaker* Spinster, *Charlotte Maria Whittaker* Spinster, and *Marianne Whittaker* Spinster, Three of the Daughters of his (the said Testator's) then late Brother *Abraham Whittaker*, and their several and respective Heirs and Assigns for ever, equally as Tenants in Common; and the said Testator did by his said Will declare, that it should be lawful for his said Trustees, during the respective Minorities of his (the said Testator's) Nephews, the said *John Whittaker* and *Abraham Whittaker* respectively, and also for his said Nephews when and as they should respectively be in the Possession of the Estates by the said Will devised and limited to them, to demise and lease the same for any Term or Number of Years, not exceeding Twenty-one Years in Possession, under such Restrictions as therein mentioned; and the said Testator, after making a general Bequest and directing the Application of his Personal Estate to particular Purposes, declared it to be his Will, that in case the Residue of his Personal Estate and Effects should not be sufficient for the Purpose of answering the Trusts and Purposes therein-before declared and expressed concerning the same, and in case also there should not be sufficient to answer and pay all the Legacies and Bequests given by the said Will, then and in such Case the said Testator did thereby charge the said respective Estates thereby given and devised to and for the Use of his (the said Testator's) Nephews, the said *Abraham Whittaker* and *John Whittaker* respectively, with the Payment of the Sum of Ten thousand Pounds therein-before bequeathed to his Nephew the said *John Whittaker*, and his Nieces the said *Diana Whittaker*, *Charlotte Maria Whittaker*, and *Marianne Whittaker*, in equal Shares, and also with the several Legacies of Five hundred Pounds each therein-before given unto his the said Testator's Nieces, the said *Diana*, *Charlotte Maria* and *Marianne*, or with such Part of the said Sums of Ten thousand Pounds, and the said Legacies of Five hundred Pounds each, as the Residue of his the said Testator's Estate and Effects should fall short of paying; and that One Moiety of the said Sum of Ten thousand Pounds, and of the said respective Legacies of Five hundred Pounds, or of the Deficiency, should be chargeable upon the said Estates by the said Will given and devised unto the said *John Whittaker* (of which the Hereditaments comprised in this Act were and are Parts); and the said Testator did by his said Will constitute and appoint the said *John Marlar*, *Samuel Prime*, *George Pollard* and *John Pollard*, Executors thereof: And whereas the said Testator *William Whittaker* departed this Life in or about the Month of *January* One thousand seven hundred and eighty-two, without having revoked or altered his said Will, and the same was on or about the *Thirty-first Day of March* One thousand seven hundred and eighty-four duly proved in the Prerogative Court of the Archbishop of *Canterbury* by the said *John Marlar*, *George Pollard*, and *John Pollard* (Three of the Executors therein appointed), Power being reserved for the said *Samuel Prime* (the other Executor) to come in and prove the same when he should think fit: And whereas the said *John Whittaker* is now in Possession and Receipt of the Rents and Profits of the said Messuages, Farms, Lands, and Hereditaments in the said Parishes of *Halifax* and *Bradford*, in the County of *York*, in the said Parish of *Horton*, in the County of *Bucks*, and in the Parish of *Saint Olave*, in the County of *Surry*, as the First Tenant for Life thereof, under the Limitations in the said Will contained: And whereas the said *John Whittaker*, in or about the Month of *June* One thousand seven hundred and ninety-seven, intermarried with

Jan. 1782.
Death of
William
Whittaker
the Testator.

John Whittaker is Tenant for Life in Possession.

Parties interested.

Mary

All Incumbrances on the Testator's Real Estates have been discharged.

John Whittaker redeemed the Land Tax on some of the devised Estates.

Situation of the devised Estates.

Mary Garbett, Daughter of *Francis Garbett* late of *Knill Court*, in the County of *Hereford*, Esquire, deceased, who is now living, and by whom he hath Issue, now living, Two Sons and One Daughter, namely *John Abraham Whittaker*, *Henry Whittaker*, and *Penelope Whittaker*; all of whom are respectively Infants under the Age of Twenty-one Years: And whereas the said *Abraham Whittaker*, in or about the Month of *April* One thousand seven hundred and eighty-seven, intermarried with *Ann Cam* Spinster, but he hath as yet no Issue: And whereas the said Testator's Niece, *Diana Anne Whittaker* did, on or about the Twenty-second Day of *July* One thousand seven hundred and eighty-nine, intermarry with *James Hamlyn* Esquire (now Sir *James Hamlyn Williams* Baronet), and the said *Charlotte Maria Whittaker* did, on or about the Twenty-third Day of *February* One thousand seven hundred and ninety-two, intermarry with Sir *John Rous* Baronet (now the Right Honourable *John Lord Rous* Baron *Rous*), and the said *Marianne Whittaker* did, on or about the Eleventh Day of *May* One thousand seven hundred and ninety-six, intermarry with *Thomas Sherlock Gooch* Esquire: And whereas the said *Elizabeth Asberry*, the Annuitant named in the said Will of the said *William Whittaker* deceased, departed this Life many Years ago; and all Arrears of the Annuity of Twenty Pounds, bequeathed to her by the said Will, were duly paid up to the Time of her Decease: And whereas the Personal Estate of the said Testator *William Whittaker* was not sufficient to pay and discharge all his Debts and Funeral Expences, and the several Legacies given by his said Will; but all such Debts, Funeral Expences and Legacies have been since fully paid and satisfied: And whereas the said *John Whittaker* some Time since, under the Powers of certain Acts of Parliament made and now in force for the Redemption and Sale of the Land Tax, purchased the Land Tax then charged upon all the aforesaid Messuages, Farms, Lands, Tenements, and Hereditaments of which he is Tenant for Life as aforesaid (except those situate in the Parish of *Saint Olave* aforesaid), amounting to the yearly Sum of Thirty-four Pounds Fourteen Shillings and One Penny Three Farthings; the Consideration for which Purchase was the Sum of One thousand and twenty-six Pounds Thirteen Shillings and Fourpence Bank Three *per Centum* Reduced Annuities, and Two hundred and forty-five Pounds Eighteen Shillings and Ninepence Bank Three *per Centum* Consolidated Annuities, transferred by him the said *John Whittaker* to the Commissioners for liquidating the National Debt, pursuant to the Directions of the said Acts of Parliament in that Behalf: And whereas the most considerable Part of the Family Property of the said *John Whittaker* and *Abraham Whittaker* is situate in the Counties of *Radnor* and *Hereford*, and it would be convenient that the Whole of their Estates, instead of being unconnected and dispersed as they now are, should lie as near as may be together or in the same Vicinity: And whereas the aforesaid Messuages, Farms, Lands, Tenements, and Hereditaments, situated respectively in the Parishes of *Halifax* and *Bradford*, in the County of *York*, and of *Horton* and *Saint Olave* in the said Counties of *Bucks* and *Surry* respectively, devised by the said recited Will, and of which the said *John Whittaker* is First Tenant for Life as aforesaid, are situated at great Distances from each other, and the Whole of the same are far distant from the said Counties of *Radnor* and *Hereford*, by reason whereof it would be greatly for the Convenience as well of the said *John Whittaker* and his Issue as of the said *Abraham Whittaker* and his Issue (if he shall hereafter have any Issue) that the said Estates should be sold, and that the Money to arise and be produced

produced by such Sale should be applied, in the first Place, in paying and discharging all Expences attending such Sale or Sales; and, in the next Place, in replacing to the said *John Whittaker* the said Two Sums of One thousand and twenty-six Pounds Thirteen Shillings and Four-pence Bank Three *per Centum* Reduced Annuities, and Two hundred and forty-five Pounds Eighteen Shillings and Nine-pence Bank Three *per Centum* Consolidated Annuities, so transferred by him for the Purchase of the Land Tax lately charged upon the same Estates; and that the Residue of such Monies should be laid out in the Purchase of other Estates and Hereditaments in the said County of *Hereford*, or the adjoining Counties of *Radnor* and *Monmouth*, or in some or One of them, to be settled to the Uses declared by the Will of the said *William Whittaker* deceased, of and concerning the said Hereditaments so to be sold as aforesaid, or such and so many of those Uses as may be subsisting and capable of taking Effect: But by reason of the Infancy of the Children of the said *John Whittaker* now born, and of the Limitations contained in the said recited Will to the Sons and Daughters of the said *John Whittaker*, and to the Sons and Daughters of the said *Abraham Whittaker* respectively, in the Manner therein and herein-before mentioned, the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament; wherefore Your Majesty's most dutiful and loyal Subjects the said *John Whittaker* on Behalf of himself and his Three Infant Children, the said *John Abraham Whittaker*, *Henry Whittaker*, and *Penelope Whittaker*, the said *Abraham Whittaker*, *Sir James Hamlyn Williams*, and Dame *Diana Anne* his Wife, *John Lord Rous* and *Charlotte Maria* Baroness *Rous* his Wife, *Thomas Sherlock Gooch*, and *Marianne* his Wife, do 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 from and immediately after the passing of this Act, all those the said Messuages or Tenements, Lands and Hereditaments situate, lying, and being in the said Parishes of *Halifax* and *Bradford* in the County of *York*, and in the Parish of *Horton* in the County of *Bucks*, and in the Parish of *Saint Olave* in the County of *Surrey*, or in some adjacent and adjoining Parishes comprised in the said recited Will of the said *William Whittaker* deceased, and by him thereby devised to the said *John Whittaker* for Life, and more particularly mentioned and described in the Schedule to this Act annexed, with their and every of their Rights, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, shall be vested in and settled upon, and the same are hereby absolutely vested in and settled upon *Richard Price* of *Knighton*, in the County of *Radnor*, Esquire, and *Edward Rogers* of *Wigmore Hall*, in the County of *Hereford*, Esquire, their Heirs and Assigns, to the Use of them the said *Richard Price* and *Edward Rogers*, their Heirs and Assigns for ever, freed and absolutely acquitted, exonerated, and discharged of and from all and singular the Uses, Estates, Devises, Limitations, Trusts, Entails, Remainders, Reversions, Powers, Provisoos, Declarations, Charges, and Incumbrances whatsoever in and by the said recited Will of the said *William Whittaker* deceased, limited, expressed, declared, or contained of or concerning the same respectively, or any Part or Parts thereof (save and except any legal Lease or Leases or legal Agreement for any legal Lease or Leases which have been granted or entered into for the same Premises or any Part thereof); but nevertheless in Trust that they

The Estates comprised in the Schedule to this Act vested in Trustees, to sell.

the said *Richard Price* and *Edward Rogers*, and the Survivors and Survivor of them and the Heirs and Assigns of such Survivor do and shall as soon as conveniently may be, with the Consent in Writing of the said *John Whittaker* during his Life, or in case of his Decease then with the Consent in Writing of the Person or Persons who under the Limitations contained in the said recited Will of the said *William Whittaker* deceased, would, if this present Act had not been made, have for the Time being been entitled to the actual Possession of the said Messuages and other Hereditaments hereby vested and settled as aforesaid, if such Person or Persons shall be of full Age, but if under Age then with the Consent in Writing of his, her, or their Guardian or Guardians during his, her, or their Minority or respective Minorities, make Sale and dispose of the said Messuages or Tenements, Lands and other Hereditaments hereby vested and settled as aforesaid or any Part or Parts thereof, either together or in Parcels, and either by public Auction or private Contract, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, for the most Money that can be reasonably had or gotten for the same, and upon Payment into the Bank in the Manner herein-after mentioned of the Purchase Money for which the same Hereditaments, or any Part or Parts thereof shall be so sold, do and shall convey and assure the same Hereditaments, so to be sold and disposed of as aforesaid, unto and to the Use of the Purchaser or Purchasers thereof, his, her or their Heirs and Assigns, or as he, she, or they shall direct or appoint, freed and discharged as hereinbefore is mentioned.

Part of the Purchase Monies to be applied in replacing the 1;272l. 12s. 1d. Three per Cent. Bank Annuities.

II. And be it further enacted, That so much of the several Sums of Money to arise from or be paid as the Consideration Money of the Sale of the said Messuages or Tenements, Lands and other Hereditaments as the said *Richard Price* and *Edward Rogers*, or the Survivor of them, his Heirs or Assigns shall require, shall be applied by the Person or Persons so purchasing in or towards the Purchase of the several Sums of One thousand and twenty-six Pounds Thirteen Shillings and Four-pence Reduced Three *per Centum* Bank Annuities, and Two hundred and forty-five Pounds Eighteen Shillings and Nine-pence Bank Three *per Centum* Consolidated Annuities, for the Purpose of replacing the like Sums transferred by the said *John Whittaker* for the Purchase of the Land Tax as aforesaid; and that the Receipt or Receipts of the said *John Whittaker* or other the Person or Persons who shall be entitled to the said Two several Sums of One thousand and twenty-six Pounds Thirteen Shillings and Four-pence Bank Three *per Centum* Reduced Annuities, and Two hundred and forty-five Pounds Eighteen Shillings and Nine-pence Bank Three *per Centum* Consolidated Annuities, or the Part or Parts thereof which shall be so replaced, shall be a sufficient Discharge and Discharges to the Person or Persons replacing the same, for the Monies laid out in the Purchase thereof respectively.

Residue of the Purchase Money to be paid into the Bank of England,

III. And be it further enacted, That all and every the Sums and Sum of Money to arise from any Sale or Sales made in pursuance of this Act, of the said Messuages or Tenements and other Hereditaments hereby made saleable as aforesaid, or any Part of the same, which shall not be applied in or towards the replacing of the said several Sums of Bank Annuities, shall be paid by the Person or Persons to whom such Sales shall be made into the Bank of England, in the Name and with the Privity of the Accountant General

General of the High Court of Chancery, to be placed to his Account there *ex parte* the Purchasers of the Estate late of the said *William Whittaker* deceased, pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of His late Majesty King *George* the First, Chapter the 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 His late Majesty King *George* the Second, Chapter the Twenty-fourth.

IV. And be it further enacted, That the Certificate and Certificates of the said Accountant General, together with the Receipt or Receipts of One of the Cashiers of the Bank of *England* thereto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by the Purchaser or Purchasers of the Hereditaments hereby authorized to be sold, or any of them, or any Part thereof, of his, her, or their Purchase Money, shall from Time to Time and at all Times be a good and sufficient Release and Discharge to such Purchaser or Purchasers, and his, her, or their Heirs, Executors, Administrators, and Assigns, for so much of the said Purchase Money for which such Certificate or Certificates and such Receipt or Receipts shall be so given; and after filing such Certificate or Certificates, such Purchaser or Purchasers, and his, her, or their Heirs, Executors, Administrators, and Assigns, shall be absolutely and for ever freed and discharged of and from the same Purchase Money, and shall not be answerable or accountable for any Loss, Misapplication or Non-application thereof, or of any Part thereof.

Accountant General's Certificates, and Receipts of Cashier at the Bank, to be sufficient Discharges.

V. And be it enacted, That such Sum and Sums of Money as shall have been paid into the Bank as aforesaid, after deducting such Costs, Charges and Expences as herein-after mentioned, shall upon a Petition to be preferred to the said Court of Chancery in a summary Way by the said *John Whittaker* during his Life-time, or in case of his Decease, by the Person or Persons who under the Limitations contained in the said recited Will of the said *William Whittaker* deceased, would for the Time being, if this Act had not passed, have been beneficially entitled in Possession to the said Messuages or Tenements and Hereditaments hereby made saleable as aforesaid, if such Person or Persons shall be of full Age, but if under Age, then by his, her, or their Guardian or respective Guardians during his, her, or their Minority or respective Minorities, and under the Direction of the said Court, be laid out and invested in the Purchase or Purchases of Manors, Messuages, Lands, Tenements, and Hereditaments of Inheritance in Fee Simple, to be situate in the Counties of *Hereford*, *Radnor*, or *Monmouth*, all or some or one of them; and the Manors, Messuages, Lands, Tenements and Hereditaments so to be purchased, shall immediately upon or after the Purchase of the same, be under the like Direction of the said Court, conveyed, assured, and settled to the Uses, upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Provisoes, Declarations, and Limitations, which under and by virtue of the said recited Will were previously to the passing of this Act subsisting or capable of taking Effect, of or in the said Messuages, Tenements or other Hereditaments hereby vested in the said *Richard Price* and *Edward Rogers*, and their Heirs and Assigns, or such and so many of the same Uses and Trusts, Intents, Purposes, Powers, Provisoes, Limitations or Declarations as shall then be subsisting undetermined and capable of taking Effect.

The Money in the Bank to be invested in the Purchase of Lands, to be settled to the Uses of the Will.

VI. And

Purchase
Monies to be
laid out in
Navy, Victu-
alling, or
Exchequer
Bills, until
proper Pur-
chases found.

VI. And be it further enacted, That all Sums of Money which shall be paid into the Bank as aforesaid, or so much thereof as shall not be ordered by the said Court of Chancery to be applied in Payment of Costs and Expences according to the Directions herein-after contained, shall in the mean Time and until the said Monies shall be invested in such Purchase or Purchases as aforesaid, from Time to Time be laid out under the Direction of the said Court of Chancery 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 be respectively paid by the Government, shall be laid out in the Name of the Accountant General in the Purchase of other Navy, Victualling, or Exchequer Bills; provided that it shall be lawful for the said Court to make such general Order or Orders, or Special Order or Orders if necessary, that whensoever the Exchequer Bills of the Date of those in the Hands of the said Accountant General shall be in the Course of Payment by Government, and new Exchequer Bills shall be issued, such new Exchequer Bills may be received in Exchange for those which are so in the Course of Payment as shall be effectual for enabling such Receipt in Exchange, and that in that Event the Interest of the old Bills shall be laid out as before directed with respect to the Interest on the Bills which are paid off; all which said Navy, Victualling and Exchequer Bills respectively, whether purchased or exchanged, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved as herein-before is directed, and until the same shall, upon a Petition setting forth such Approbation, to be preferred to the said Court in a summary Way, by or on Behalf of the Person or Persons for the Time being entitled to the Rents and Profits of the said Hereditaments so to be purchased, be ordered to be sold by the said Accountant General for completing such Purchase or Purchases hereby authorized to be made as aforesaid, in such Manner as the said Court shall think just and direct; and if the Money arising by the Sale of any such Navy, Victualling, and Exchequer Bills shall exceed the Amount of the original Purchase Money so laid out as aforesaid, then and in such Case only the Surplus which shall remain shall be paid to such Person or Persons respectively as would have been entitled to the Rents and Profits of the Hereditaments directed to be purchased, in case the same had actually been purchased in pursuance of this Act, or to the Representative of such Person or Persons, as Part of his, her, or their Personal Estate.

Payment of
Costs and
Expences.

VII. And be it further enacted, That it shall and may be lawful for the said Court of Chancery from Time to Time to make such Order as the said Court shall think expedient and reasonable, for allowing, taxing, and settling all Costs, Charges, and Expences which have been or shall be incurred in obtaining and passing this Act, and in making the several Applications to the said Court in pursuance thereof, and in making and completing the Sales and Purchases hereby authorized to be made, or otherwise in carrying into Execution the Trusts and Purposes of this Act; and also from Time to Time to make Orders for the Payment of all such Costs, Charges and Expences as aforesaid, out of the Monies which shall arise from any Sale or Sales of any Messuages, Lands, Tenements, and Hereditaments under this Act, and which shall be so paid into the Bank as aforesaid, or out of the Monies arising by the Sale of the said Navy, Victualling
and

and Exchequer Bills so to be purchased as aforesaid; and it shall also be lawful for the said Court of Chancery from Time to Time to make such Order and Orders as the said Court shall think fit.

VIII. And be it further enacted, That in the mean Time and until such Sale or Sales as aforesaid shall be made of the Messuages or Tenements and other Hereditaments hereby made saleable as aforesaid, the said *Richard Price* and *Edward Rogers*, and the Survivor of them, his Heirs and Assigns, shall permit the Rents and Profits of the same Hereditaments to be had and received and taken by the Person or Persons who would have been entitled to the same in case this Act had not been made.

Until sold, Rents to be received by the Persons who would have been entitled.

IX. Provided always, and it is hereby further enacted, That if the said *Richard Price* and *Edward Rogers*, or either of them, or any Trustee or Trustees who shall be appointed in the Stead of them or either of them, as herein-after mentioned, or their or any of their Heirs or Assigns, shall die or be desirous of being discharged from, or become incapable to act in the Trusts hereby created, at any Time before the said Trusts shall be executed or performed, then and in every such Case it shall be lawful for the said Court of Chancery, upon a Petition to be presented in a summary Way by the said *John Whittaker*, or the Person or Persons who for the Time being, in case this Act had not been made, would have been entitled as herein-before is mentioned, if such Person or Persons shall be of full Age, but if under Age, then by his, her, or their Guardian or respective Guardians during his, her, or their Minority or respective Minorities, to appoint any other Person or Persons to be proposed in the said Petition, or any Person or Persons to be named by the said Court, to be a Trustee or Trustees in the Place of the Trustee or Trustees so dying or being desirous of being discharged, or becoming incapable to act as aforesaid; and thereupon the said Messuages or Tenements, Lands and Hereditaments, or such of them as shall from Time to Time remain unsold, shall with all convenient Speed be conveyed and transferred so and in such Sort and Manner as to become legally and effectually vested in such new Trustee or Trustees solely or jointly with the surviving Trustee or Trustees, as the Circumstances of the Case shall require, upon the Trusts and for the Intents and Purposes herein-before expressed and declared of and concerning the same, or such of them as shall be then subsisting and capable of taking Effect; and that such new Trustee or Trustees shall to all Intents and Purposes whatsoever have all the Powers and Authorities of the Trustee or Trustees in whose Room he or they shall be so substituted or appointed.

Appointment of new Trustees.

X. Saving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, and his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the said *John Whittaker*, *John Abraham Whittaker*, *Henry Whittaker*, and the Heirs of their respective Bodies, and all and every other the Son and Sons of the Body of the said *John Whittaker* lawfully begotten and to be begotten, and the Heirs of their and his respective Bodies and Body, and the said *Penelope Whittaker* and the Heirs of her Body, and all and every other the Daughters and Daughter of the said *John Whittaker* lawfully begotten and to be begotten, and the Heirs of their and her respective Bodies and Body, and the said *Abraham Whittaker*, and all and every the Sons and Son, Daughters

General Saving.

and Daughter of the Body of the said *Abraham Whittaker* lawfully begotten, or to be begotten, and the Heirs of their, his, and her respective Bodies and Body, and the said Dame *Diana Anne Williams*, *Charlotte Maria*, *Baroness Rous*, and *Marianne Gooch*, and their several and respective Heirs and Assigns; the said several Trustees named in the said recited Will of the said *William Whittaker*, and every of them, and their respective Heirs and Assigns, and all and every other Person or Persons whomsoever having or claiming, or who shall hereafter have or claim any Estate, Right, Title, or Interest into or out of the said Messuages or Tenements, and other Hereditaments hereby vested and settled as herein-before mentioned, or any Part thereof, under or by virtue of the said herein-before recited Will of the said *William Whittaker* deceased, or having or claiming, or who shall have or claim the same solely as Trustee or Trustees for all or any of the Parties beneficially interested under and by virtue of the said Will, save and except all Tenants of the same Premises claiming under Leases granted in pursuance of the Power given by the said Will) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of the same Messuages and other Hereditaments, and every Part thereof, as they, every or any of them had before the passing of this Act, or could have had or enjoyed the same in case this Act had not been made.

Evidence
Clause.

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

The SCHEDULE referred to by the above Act.

COUNTY OF YORK.

ESTATE in Long John, or Saint John's Lane, in the Parish of Halifax.

		Yearly Rents.
		d.
<p>A Dwelling-House, Warehouse, Stable, Shop, and Outbuildings, with Yard and Garden in front of the Dwelling House; together with a Piece of Land adjoining the Dwelling House; in the Occupation of Mr. William Norris, 0A. 3R. 1P.</p>		
<p>A House, Shop, and Garden, in the Occupation of Mr. William Norris, or his Under-tenant James Walton, adjoining to No. 1.</p>		
<p>A House in the Occupation of Mr. William Norris, or his Under-tenant Mr. John Holden, adjoining No. 2.</p>		
<p>This Estate is let together to Mr. William Norris, at the yearly Rent of £48.</p>		48 — —
<hr/>		
<p>Two Pieces of Land in the Parish of Halifax, adjoining to Maiden or Gibbet Lane.</p>		
		A. R. P.
Two Pieces of Land	- - - - -	3 1 0
<p>Let to Mr. William Norris at the yearly Rent of £14.</p>		14 — —
<hr/>		
<p>West Lane in Southouram, Parish of Halifax, Yorkshire.</p>		
<p>A House, A Barn;</p>		
<p>With the following Pieces or Parcels of Land, viz.</p>		
		A. R. P.
The Croft	- - - - -	1 0 30
The Upper Ing	- - - - -	1 3 0
The Lower Ing	- - - - -	2 3 27
The Long Field	- - - - -	2 1 36
The Park Nook Field	- - - - -	2 3 32
The Law Field	- - - - -	2 2 13
Total		13 3 18
<hr/>		
<p>The Land of this Estate, Part of the Building, and the Barn, is let to Mr. Joseph Shaw, at the yearly Rent of £43.</p>		43 — —
<p>The rest of the House is occupied by Samuel Taylor, at the yearly Rent of £2. 12s. 6d.</p>		2 12 6
<p>And Joseph Cooper, at the yearly Rent of £6.</p>		6 — —
		<hr/>
		113 12 6

SIDDALL HALL ESTATE,

Situate in Southouram, Parish of Halifax, Yorkshire:

Consisting of a House, Cottage, Barn, Cowhouse and Outbuildings; and the following Pieces or Parcels of Land; viz.

				Yearly Rents.		
				£.	s.	d.
Brought forward				-	-	113 12 6
			A. R. P.			
The White Gate Brow	-	-	1 3 8			
The Rough	-	-	0 2 13			
The Field next Mill.	-	-	0 3 15			
The Long Brow	-	-	1 0 20			
The Brow	-	-	1 0 11			
The White Gate Ing	-	-	4 0 11			
The School House Ing	-	-	2 0 30			
The Orchard Ing	-	-	3 0 23			
The Long Clofe	-	-	1 0 28			
The Elm Brow	-	-	1 3 28			
The Orchard Brow	-	-	2 2 24			
The Upper Clough Hay	-	-	1 1 12			
The Lower Clough Hay	-	-	1 1 22			
The Tonge	-	-	0 0 26			
The Upper Bollon	-	-	3 0 27			
The Upper Well Brow	-	-	1 3 15			
The Upper Coalpit Brow	-	-	2 1 25			
The Lower Bollon	-	-	2 3 6			
The Lower Well Brow	-	-	1 2 0			
The Lower Coalpit Brow	-	-	1 1 21			
The Little Croft, or Garden	}	-	0 3 17			
The Nurfery		-	0 0 32			
The Wood or Nurfery	-	-	0 0 20			
The Garden	-	-	1 0 22			
The Barley Brow	-	-	2 0 2			
The Well Field	-	-				
				41	1	18

Let to Mr. Oates, at the yearly Rent of £130

130 — —

In HALIFAX:

A House and Shop, in the Occupation of Mr. B. Walton, Saddler, at the yearly Rent of £20

20 — —

263 12 6

COUNTY OF YORK.

An Estate adjoining Birks Lane, Parish of Halifax;
Consisting of the following Pieces or Parcels of Land, viz.

				Yearly Rents.		
				£	s.	d.
Brought forward				263	12	6
			A. R. P.			
The Doctor Deep	-	-	0 3 26			
The Far Brow	-	-	1 0 6			
The Near Brow	-	-	0 2 16			
The Spring Wood	-	-	3 1 5			
The Nursery	-	-	0 0 28			
Total				6	0	1

This Estate is let to Mr. Holmes, at the yearly Rent of £10. - 10 - -

Estate at Manningham, Parish of Bradford, Yorkshire:

Consisting of a House, Barn, Cowhouse, Outbuildings; and the following Pieces or Parcels of Land; viz.

				A.	R.	P.
The Ing	-	-	1 2 26			
Do.	-	-	1 2 8			
The Taylor Field	-	-	0 3 24			
Do.	-	-	1 1 38			
The Ing	-	-	2 2 16			
Total				8	0	32

This Farm is let to Mr. Joseph Myers, at the yearly Rent of £20. - 20 - -

HAZLEHURST BROW ESTATE,

At Manningham, Parish of Bradford, Yorkshire:

Consisting of a House, Barn, Stable, Yard, Garden, Cowhouse and Outbuildings; and the following Pieces or Parcels of Land; viz.

				A.	R.	P.
The Bottom of Ing	-	-	0 3 0			
The Ing	-	-	4 1 27			
The Ing Top	-	-	1 0 12			
The Lower Long Staff	-	-	1 1 24			
The Upper Long Staff	-	-	1 3 24			
The Wilfry	-	-	1 2 26			
Do.	-	-	1 2 8			
The Taylor Field	-	-	1 1 36			
Do.	-	-	1 0 13			
Do.	-	-	0 3 24			
Do.	-	-	2 3 17			
Do.	-	-	2 2 16			
Total				21	2	27

This Estate is let to Mr. John Denbigh, at the yearly Rent of £40. - 40 - -

COUNTY OF BUCKS.

Horton Farm, Parish of Horton.

			Yearly Rents.		
			£	s.	d.
Brought forward			-	-	6
Names of Pieces.	Quality.	A.	R.	P.	
House, Garden, Barns, Yard, &c. &c.	- - -	1	3	22	
The Orchard	Orchard and Tenement	2	3	7	
The Home Close	Arable	15	3	13	
The Pasture	Pasture	4	3	10	
The Field	Arable	6	0	18	
The Eight Acres	Arable	8	3	23	
The New Close	Arable	8	0	22	
The Twenty-eight Acres	Arable	28	3	27	
Tenement and Orchard	Pasture	7	0	8	
The Barrow Fields	Meadow	5	3	20	
	Ditto	7	0	22	
	Ditto	4	1	30	
The Ait	Arable	12	2	30	
	Oziers and Pasture	5	3	9	
The North Closes	Meadow	3	2	14	
	Meadow	6	0	6	
	Meadow	4	2	10	
Bush Lane	Pasture	0	1	6	
Little Field	Arable	5	2	0	
The Mill Green	Pasture	2	0	0	
Total		142	1	17	

This Farm is let to Mr. J. Haynes, at the yearly Rent of £365.

365 — —

John Mitchell.

SURRY.

Saint Olave's, Southwark.

A House in Tooley Street, in the Occupation of Messrs. Addis; with a Warehouse at the Back thereof; let to Messrs. Addis, at the yearly Rent of £180.

180 — —

Total - £ 878 12 6

Francis Addis.