ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 167.

An Act for reviving and confirming certain Powers given and granted by the Will of the late *William Egerton* Esquire, deceased, over certain Parts of his Estates thereby devised. [17th *June* 1814.]

Reciting the Will of William Egerton Esquire, dated 25th April 1805.

WHEREAS *William Egerton* (lately called *William Tatton*, of *Tatton Park*, in the County Palatine of *Chester*, Esquire, since deceased) duly made and published his last Will and Testament in Writing, bearing Date the Twenty-fifth Day of *April* One thousand eight hundred and five; and thereby (after making several Devises and Bequests) gave and devised all those his several Freehold Manors or Lordships of *Northen* otherwise *Northenden*, *Etchells*, *Werneth*, and *Romley* otherwise *Romiley*, all in the said County of *Chester*, with the Rents, Reversions, Suits, Services, Courts, and other Perquisites and Profits thereof respectively, or thereunto respectively belonging; and all those his several Freehold Capital Messuages or Mansion Houses severally called *Withenshaw Hall*, *Peel Hall*, *Newhall*, *Green Hall*, *Thorncliffe Hall*, and *Golborn David Hall*, situate in *Northen* otherwise *Northenden*, and *Etchells* aforesaid, and in *Baguley*, *Hollingworth*, and *Golborn David*, all in the said County of *Chester*, with the Demesne and other Lands and Appurtenances thereunto respectively belonging, and all and every his Freehold Messuages, Lands, Tenements, Fee Farm and other Rents and Hereditaments, situate, lying, being, arising and accruing in *Northen* otherwise *Northenden*, *Etchells*, *Werneth*, *Romley* otherwise *Romiley*, *Baguley*, *Hollingworth*, and *Golborn David* aforesaid, and in *Hale*, *Sale*, *Stockport*, *Bredbury*, *Godley*, *Matley*, and *Newton*, all in the said County of *Chester*, and in *Heaton Norris*, and *Didsbury*, both in the County of *Lancaster*, and in or at *Horsemarsh*, in

the Parish of *Hanmer*, in the County of *Flint*, as well those which belonged to his late Father *William Tatton*, his late Uncle *Thomas Tatton*, and his late Cousin *Edward Tatton* respectively, as those which he himself had purchased, or had agreed or was under Contract for the Purchase of, and all other his Freehold Manors, Messuages, Lands, Tenements, Rents, and Hereditaments whatsoever and wheresoever, whereof he had Power to dispose by that his Will and not therein-before by him given and devised (other than and except such Freehold Manors, Messuages, Lands, Tenements, Rents, and Hereditaments as were vested in him, in Trust or by way of Mortgage) unto *Edward Wilbraham Bootle*, *Randle Wilbraham* and *Randle Ford*, Esquires, and their Heirs, to and for the several Uses, Intents and Purposes, upon the several Trusts and under and subject to the several Powers, Provisoes and Conditions therein-after mentioned, expressed and declared, and herein-after in Part mentioned, of and concerning the same; (that is to say), To the Use of the Testator's Son *Thomas William Tatton*, in the said Will called *Thomas William Egerton*, and his Assigns, for his Life, without Impeachment of Waste (other than wilful and permissive Waste in pulling down Houses or suffering them to run to Decay without repairing or rebuilding the same); with Remainder to the Use of the said Trustees and their Heirs during the Life of the said *Thomas William Tatton*, in Trust to preserve the Contingent Remainders; with Remainder to the Use of the First and other Son and Sons of the said Testator's Son *Thomas William Tatton*, severally and successively, in Tail General; with Remainder to the Use of the First and other Daughter and Daughters of the said Testator's Son *Thomas William Tatton*, severally and successively in Tail General; with Remainder to the Use of the said Testator's Son *Wilbraham Egerton*, and his Assigns for his Life, without Impeachment of Waste (other than wilful and permissive Waste as aforesaid); with Remainder to the Use of the same Trustees and their Heirs, during the Life of the said *Wilbraham Egerton*, in Trust to preserve the Contingent Remainders; with Remainder to the Use of the Second, Third, Fourth and all and every other the Son and Sons (other than and except the First Son) of the said Testator's Son *Wilbraham Egerton*, severally and successively in Tail General; with Remainder to the Use of the First or only Son of the said Testator's Son *Wilbraham Egerton*, in Tail General; with Remainder to the Use of the Second, Third, Fourth, and every other the Daughter and Daughters (other than and except the First Daughter) of the said Testator's Son *Wilbraham Egerton*, severally and successively, in Tail General; with Remainder to the Use of the First or only Daughter of the said Testator's Son *Wilbraham Egerton*, in Tail General; with Remainder to the Use of the Testator's Daughter *Mary Elizabeth Egerton*, and her Assigns for her Life, without Impeachment of Waste (other than wilful and permissive Waste as aforesaid); with Remainder to the Use of the same Trustees, and their Heirs during her Life, in Trust to preserve the Contingent Remainders; with Remainder to the Use of the Second, Third, Fourth, and all and every other the Son and Sons (other than and except the First Son) of the said Testator's Daughter *Mary Elizabeth Egerton*, severally and successively, in Tail General; with Remainder to the Use of the First or only Son of the said Testator's Daughter *Mary Elizabeth Egerton*, in Tail General; with Remainder to the Use of the Second, Third, Fourth, and all and every other the Daughter and Daughters (other than and except the First Daughter) of the said Testator's Daughter *Mary Elizabeth Egerton*, severally and successively, in Tail General;

General; with Remainder to the Uſe of the Firſt or only Daughter of the ſaid Teſtator's Daughter *Mary Elizabeth Egerton*, in Tail General; with Remainder to the Uſe of the ſaid Teſtator's Nephew *Chriſtopher Sykes*, (Third and youngeſt Son of Sir *Chriſtopher Sykes*, by the ſaid Teſtator's Siſter Dame *Elizabeth Sykes* deceaſed), and his Aſſigns for his Life, without Impeachment of Waſte, (other than and except ſuch wilful and permiſſive Waſte as aforeſaid); with Remainder to the Uſe of the ſame Truſtees and their Heirs during the Life of the ſaid *Chriſtopher Sykes*, in Truſt to preſerve the Contingent Remainders; with Remainder to the Uſe of the Firſt Child if a Male, whereof *Lucy Dorothea* the Wife of the ſaid Teſtator's Nephew *Chriſtopher Sykes* was then enſeint, and his Aſſigns, for his Life, without Impeachment of Waſte, (other than and except as aforeſaid); with Remainder to the Uſe of the ſame Truſtees and their Heirs during the Life of ſuch Male Child, in Truſt to preſerve the Contingent Remainders; with Remainder to the Uſe of the Firſt and other Son and Sons of the ſaid Male Child ſeverally and ſucceſſively in Tail Male; with Remainder to the Uſe of the Firſt Son of the Body of the ſaid *Chriſtopher Sykes* to be begotten, (if the Firſt Child whereof his ſaid Wife was enſeint ſhould not be a Male), and of the Heirs Male of the Body of ſuch Firſt Son lawfully iſſuing; with Remainder to the Uſe of the Second, Third, Fourth and all and every other the Son and Sons of the ſaid *Chriſtopher Sykes*, ſeverally and ſucceſſively in Tail Male; with Remainder to the Uſe of the ſaid Teſtator's Nephew *Tatton Sykes*, (Second Son of the ſaid Sir *Chriſtopher Sykes*, by the ſaid Dame *Elizabeth Sykes*), and his Aſſigns for his Life, without Impeachment of Waſte, (other than ſuch wilful and permiſſive Waſte as before mentioned); with Remainder to the Uſe of the ſame Truſtees and their Heirs during the Life of the ſaid *Tatton Sykes*, in Truſt to preſerve the Contingent Remainders; with Remainder to the Uſe of the Firſt and other Son and Sons of the ſaid *Tatton Sykes*, ſeverally and ſucceſſively, in Tail Male; with Remainder to the Uſe of the ſaid Truſtees and their Heirs during the Life of the ſaid Teſtator's Nephew Sir *Mark Maſterman Sykes* Baronet, (eldeſt Son of the ſaid Sir *Chriſtopher Sykes* by the ſaid Dame *Elizabeth* his Wife), in Truſt to permit and ſuffer the Perſon and Perſons who for the Time being would be entitled to the Premiſes under the Limitations hereinafter mentioned, if the ſaid Sir *Mark Maſterman Sykes* were then dead, to receive and take the Rents, Iſſues and Profits of the ſaid Premiſes, to and for his and their own Uſe and Benefit, and from and after the Deceaſe of the ſaid Sir *Mark Maſterman Sykes*, to the Uſe of the Second, Third, Fourth, and all and every other the Son and Sons, (other than and except an eldeſt or only Son for the Time being of the Body of the ſaid Sir *Mark Maſterman Sykes* lawfully iſſuing) ſeverally and ſucceſſively in Tail Male; with Remainder to the Uſe of the Firſt or only Son of the ſaid Sir *Mark Maſterman Sykes*, and of the Heirs Male of the Body of ſuch Firſt or only Son iſſuing; and in Default of all ſuch Iſſue, to the Uſe of the ſaid Teſtator's own right Heirs for ever: And in the ſaid Will is contained a Proviſo, that the ſaid Teſtator's Son *Thomas William Tatton*, in the ſaid Will called *Thomas William Egerton*, and his Sons and Daughters, and alſo the Sons and Daughters of the ſaid Teſtator's Son *Wilbraham Egerton* and Daughter *Mary Elizabeth Egerton* reſpectively; and alſo the reſpective Huſbands of the Daughters of the ſaid Teſtator's Sons and Daughter reſpectively, and all and every other the Perſon and Perſons who by virtue of or under the

Limitations of the ſaid Will ſhould become ſeized of or entitled unto any Eſtate of Freehold or Inheritance of and in the ſaid Manors and other Hereditaments ſo deviſed as aforeſaid (except as therein mentioned) ſhould, within the Space of Six Calendar Months next after he, ſhe or they reſpectively ſhould ſo become ſeized or entitled if of full Age, and if not, then within Six Calendar Months next after attaining that Age, and during ſuch Time as they ſhould reſpectively be in Poſſeſſion of or entitled to the Rents and Profits of his ſaid Eſtates or any Part thereof by virtue of that his Will, aſſume, take and uſe, and continue to uſe, in all Deeds, Letters, Accounts, and other Inſtruments and Writings, the Surname of *Tatton* only, in Addition to his, her, or their reſpective Chriſtian Name or Names, without the Name of *Egerton* or *Sykes* or any other Surname whatſoever, and ſhould alſo take and bear and continue to bear the Family Arms of *Tatton* of *Withenſhaw* only, as the ſaid Teſtator bore the ſame before he aſſumed the Name of *Egerton*, and as the ſame were borne by his late Son *William Tatton* deceaſed in his Life-time, and ſhould apply for an Act of Parliament, or His Majeſty's Sign Manual for that Purpoſe, and in Default thereof the ſaid Teſtator directed, that the Deviſe of his ſaid Eſtates to him, her, or them ſo neglecting or refuſing ſhould ceaſe and be void, and that the ſame ſhould go over to the next Perſon in Remainder, under the Limitations aforeſaid, in the ſame Manner as if the Perſon ſo neglecting or refuſing being Tenant for Life were dead, or being Tenant in Tail were dead, without Iſſue generally, or Iſſue Male, as the Caſe might require: And in the ſaid Will is alſo contained a Proviſo, That when and as often as the Manſion Houſe and Park of *Tatton* ſhould, by virtue of the Limitations contained in the Will of the ſaid Teſtator's late Uncle *Samuel Egerton* deceaſed, deſcend or come into the Poſſeſſion of any of the Sons or Daughters of the ſaid Teſtator's Son *Thomas William Tatton* (ſave his youngeſt Son or youngeſt Daughter), or of any of the Sons or Daughters of the ſaid Teſtator's Son *Wilbraham Egerton* (ſave his eldeſt Son or eldeſt Daughter), or any of the Sons or Daughters of the ſaid Teſtator's Daughter *Mary Elizabeth Egerton* (ſave her eldeſt Son or eldeſt Daughter), or of the ſaid *Chriſtopher Sykes*, or any of his Sons, or of the ſaid *Tatton Sykes*, or any of his Sons, or of any of the Sons of the ſaid Sir *Mark Maſterman Sykes* (ſave his eldeſt or only Son), or of any of the Heirs of ſuch Sons or Daughters of the ſaid Teſtator's ſaid Sons and Daughter (ſave as aforeſaid), or of any of the Heirs Male of ſuch Sons of the ſaid *Chriſtopher Sykes*, *Tatton Sykes*, and Sir *Mark Maſterman Sykes*, or any of them; then, that the Eſtate which he, ſhe, or they ſhould be then entitled to in the ſaid Teſtator's Manors and other Hereditaments ſo deviſed as aforeſaid, ſhould ceaſe and be void, and the ſame ſhould thereupon go over to the Perſon or Perſons next in Remainder, under the Limitations aforeſaid, in the ſame Manner as the ſaid Perſon or Perſons ſo next in Remainder would take the ſame by virtue of that his ſaid Will, in caſe ſuch of them the Sons or Daughters (ſave as aforeſaid) of the ſaid Teſtator's ſaid Sons and Daughter *Thomas William Tatton*, *Wilbraham Egerton* and *Mary Elizabeth Egerton*, or their reſpective Iſſue, or the ſaid *Chriſtopher Sykes*, or his Sons, or their reſpective Iſſue, or the ſaid *Tatton Sykes*, or his Sons, or their reſpective Iſſue, or the Sons of the ſaid Sir *Mark Maſterman Sykes*, or their reſpective Iſſue, to whom the ſaid Manor, Manſion Houſe and Park of *Tatton* aforeſaid ſhould ſo deſcend or come into Poſſeſſion, or who ſhould be entitled to the Rents and Profits thereof as

as aforesaid, was or were dead without Issue generally, or Issue Male, as the Case might be: And in the said Will is contained, a Power for the said Testator's Sons *Thomas William Tatton* and *Wilbraham Egerton*, and the said Testator's Nephews *Christopher Sykes* and *Tatton Sykes*, and all and every the Sons, as well of the said Testator's Daughter as of the said Testator's Sons and Nephews, and also of the said Testator's Nephew Sir *Mark Masterman Sykes*, when they should severally and respectively come into and be in the actual Possession of the said Testator's Manors and other Hereditaments therein-before by him devised and settled as aforesaid, or entitled in Possession to the Rents and Profits thereof by virtue of the Limitations therein-before contained, either before or after their respective Intermarriages with any Woman or Women whom they should respectively marry, by Deed or Will (but without Prejudice to any preceding Jointure, Portion or Charge affecting the said Premises), to grant and appoint any of the said Manors and other Hereditaments therein-before devised and settled as aforesaid (except as therein mentioned), or any Rent Charge to be issuing thereout (except as therein mentioned), to or for the Use or in Trust for any such Woman or Women for their Life or Lives, by way of Jointure, in the Manner and subject to the Restrictions and Contingencies therein-after expressed: And in the said Will is also contained, a Power for the said Testator's Sons and Daughter, and their respective Sons and Daughters, and also for the said *Christopher Sykes* and *Tatton Sykes* respectively, and their respective Sons, and also for the respective Sons of the said Sir *Mark Masterman Sykes*, when they should severally and respectively come into, and be in the actual Possession of the said Testator's Manors and other Hereditaments therein-before by him devised and settled as aforesaid, or entitled in Possession to the Rents and Profits thereof, by virtue of the Limitations therein-before contained, either before or after their Intermarriage with any Person or Persons whom they should respectively marry, by Deed or Will, to charge all or any of the said Manors and other Hereditaments, (after the Death of the Persons so respectively executing such Power), with any Sum or Sums of Money not exceeding Twelve thousand Pounds, for the Portions of their younger Children, and also with the Payment of a yearly Sum or Sums in the mean Time not exceeding the Interest of the respective Portions after the Rate of Five Pounds *per Centum per Annum* for their Maintenance and Education, and to raise and demise a Term of Years in the said Hereditaments so charged, for securing the Payment of the same Portions and Maintenance: And in the said Will are also contained Powers for the said Testator's Sons and Daughter respectively, and their respective Sons and Daughters, and all other Persons who by virtue of the Limitations therein-before contained should come into or be in the actual Possession of the said Manors and other Hereditaments so therein before devised and settled, or be entitled in Possession to the Rents and Profits thereof, when they respectively should be in Possession or entitled as aforesaid, and if of Age, and also for the said Trustees and the Survivors and Survivor of them, and his Heirs, during the Minority of the Persons therein mentioned, to grant Leases of all or any Part of the same Premises for any Term not exceeding Twenty Years, to take Effect in Possession and at the best Rent and without Fine, and also to grant in Fee or Lease for Lives, or for any Number of Years, with or without Covenants for perpetual Renewal, all or any Part of the said devised and settled Estates, (except as therein mentioned), for the Purposes of Building on or otherwise

improving the ſame, and therewith or otherwiſe to grant in Fee or Leaſe in like Manner, all or any Part of the Mines, Delfs, Quarries, Rivers, Brooks, Streams of Water, Springs, Pits, Ponds, or Reſervoirs lying, running, or being within, under, upon, through or by the Side of all or any Part of the ſaid deviſed and ſettled Eſtates, and alſo to accept Surrenders of Leaſes of any Part of the ſaid Eſtates, and again to grant or leaſe the ſame in Manner and ſubject to ſuch Conditions and Regulations as in the ſaid Will mentioned: And in the ſaid Will is alſo contained a Power for the ſaid Teſtator's Sons and Daughter reſpectively, and their reſpective Sons and Daughters, and all and every other Perſon and Perſons who by virtue of the Limitations therein-before contained ſhould come into or be in the actual Poſſeſſion of the ſaid Teſtator's Manors and other Hereditaments ſo by him therein-before deviſed and ſettled, to the ſeveral Uſes aforeſaid, or be entitled to the yearly Rents and Profits thereof when they ſhould reſpectively be ſo in Poſſeſſion or entitled as aforeſaid, and if and when of Age, by and with the Conſent and Approbation of the ſaid *Edward Wilbraham Bootle*, *Randle Wilbraham*, and *Randle Ford*, or of the Survivors or Survivor of them, or his Heirs; and alſo to and for the ſaid *Edward Wilbraham Bootle*, *Randle Wilbraham*, and *Randle Ford*, and their Heirs, during the Life of the ſaid Sir *Mark Maſterman Sykes*, with the Conſent and Approbation of their *Ceſtuique* Truſts for the Time being, if and when of Age, teſtified by Writing under his or their Hand and Seal or Hands and Seals reſpectively, (ſubject and without Prejudice nevertheleſs to ſuch ſubſiſting Leaſes as ſhould have been made purſuant to the Power therein-before contained in that Behalf), to ſell or diſpoſe of, and to convey by way of abſolute Sale or of Exchange for other Meſſuages, Lands, and Hereditaments of equal or greater Value, lying and being in that Part of *Great Britain* called *England*, all or any of the ſaid Teſtator's Manors, Meſſuages, Lands, Tenements, Rents, and Hereditaments, or any of the Rents to be reſerved upon any Conveyance or Conveyances to be made in purſuance of the Power therein-before contained (except as in the ſaid Will is excepted), unto any Perſon or Perſons whomſoever, ſo as that in caſe of an abſolute Sale the Monies thence ariſing ſhould be laid out in the Purchaſe of other Eſtates; and that after ſuch Purchaſes or Exchanges ſhould be ſo made as aforeſaid, the Manors and other Hereditaments ſo to be purchaſed or taken in Exchange ſhould be conveyed and ſettled to the ſame Uſes, and upon the ſame Truſts, and ſubject to the ſame Powers and Conditions as were therein-before created and expreſſed, concerning the Hereditaments which ſhould be ſold or exchanged as aforeſaid, or ſuch of them as ſhould be then exiſting undetermined or capable of taking effect; and that until the Monies ariſing by ſuch Sales ſhould be inveſted in the Purchaſe of Eſtates, ſuch Monies ſhould be placed out upon Real or Government Securities or Public Stocks at Intereſt: And whereas the ſaid Teſtator *William Egerton* died in or about the Month of *April* in the Year One thouſand eight hundred and ſix, without having revoked or altered his ſaid Will, as to the ſaid Eſtates ſo deviſed as aforeſaid, leaving the ſaid *Wilbraham Egerton* his eldeſt Son and Heir at Law him ſurviving: And whereas by Indentures of Leaſe and Releaſe bearing Date reſpectively the Thirteenth and Fourteenth Days of *Auguſt* One thouſand eight hundred and thirteen; the Releaſe made between the ſaid *Thomas William Tatton* of the Firſt Part, the ſaid *Wilbraham Egerton* of the Second Part, the ſaid Sir *Mark Maſterman Sykes* of the Third Part, the ſaid *Edward Wilbraham Bootle* and *Randle Wilbraham* of the Fourth Part, and

Death of the Teſtator William Egerton, in April 1806.

Indentures for Leaſe and Releaſe of 13th and 14th of Auguſt 1813.

and *Samuel Humphryes* and *John Vaughan*, Gentlemen, of the Fifth Part; reciting (amongſt other Things) the ſaid Will of the ſaid Teſtator *William Egerton*, and that he had departed this Life without altering or revoking his ſaid Will, leaving the ſaid *Wilbraham Egerton* his eldeſt Son and Heir at Law; and that the ſaid Teſtator's Son *Thomas William Tatton*, purſuant to the Directions in the ſaid Will for that Purpoſe contained, had duly taken upon himſelf the Name of *Tatton*, and was under and by virtue of the ſaid Will ſeized of and entitled unto the ſaid Hereditaments and Premiſes for the Term of his natural Life; and that in order to obviate any Doubts which might be ſuggeſted or entertained concerning the Conſtruction of the Will of *William Tatton* the Grandfather, it had been agreed between the ſaid Parties thereto that ſuch Recovery ſhould be had and ſuffered as therein-after was mentioned; it is witneſſed, that in purſuance of the ſaid Agreement, and for the barring, docking, deſtroying, and extinguiſhing all Eſtates Tail, and all Remainders and Reverſions thereon expectant or depending, of and in the Capital and other Meſſuages or Tenements, Lands, and Hereditaments therein-after mentioned, or of and in the Moiety or any other undivided Part or Portion of the ſame, and for the more effectually aſſuring and ſettling the ſame according to ſuch Uſes as were mentioned and expreſſed in and by the ſaid Will of the ſaid Teſtator *William Egerton*; they the ſaid *Thomas William Tatton*, *Wilbraham Egerton*, and Sir *Mark Maſterman Sykes*, did grant, bargain, ſell, alien, releaſe, and confirm unto the ſaid *Samuel Humphreys* and *John Vaughan*, and to their Heirs, certain Meſſuages, Lands, Tenements, and Hereditaments, ſituate, lying, and being in *Golborn David*, *Milton*, and *Handley*, in the Pariſh of *Handley* in the ſaid County of *Cheſter*, being Part of the Hereditaments deviſed by the ſaid Wills of the ſaid *William Tatton* the Grandfather, and the ſaid *William Egerton* reſpectively, to hold the ſame unto and to the Uſe of the ſaid *Samuel Humphryes* and *John Vaughan*, their Heirs and Aſſigns for ever; to the Intent that they might become and be good and perfect Tenants of the Freehold and Inheritance thereof, in order that a Common Recovery or Common Recoveries might be ſuffered and executed of the ſaid Premiſes; and it was thereby declared that ſuch Recovery or Recoveries ſhould enure to ſuch and the like Uſes, Intents, and Purpoſes, upon ſuch and the like Truſts, and under and ſubject to ſuch and the like Powers, Proviſoes, and Conditions as were mentioned, expreſſed, and declared in the ſaid therein-before in Part recited Will of the ſaid *William Egerton*, concerning his Meſſuages, Lands, and Hereditaments in *Golborn David*, and *Milton*, and *Handley* aforeſaid, or ſuch of them as were not then determined or accompliſhed, but were then ſubſiſting or capable of taking Effect: And whereas by certain other Indentures of Leaſe and Releaſe, bearing Date reſpectively the ſaid Thirteenth and Fourteenth Days of *Auguſt* One thouſand eight hundred and thirteen, the Releaſe being made between the ſaid *Thomas William Tatton* of the Firſt Part, the ſaid *Wilbraham Egerton* of the Second Part, the ſaid Sir *Mark Maſterman Sykes* of the Third Part, the ſaid *Edward Wilbraham Bootle* and *Randle Wilbraham* of the Fourth Part, and the ſaid *Samuel Humphreys* and *John Vaughan* of the Fifth Part; after reciting therein as or to the Effect recited in the ſaid laſt recited Indenture of Releaſe, it is witneſſed, that in purſuance of the ſaid therein-before in Part recited Agreement, and for the barring, docking, deſtroying and extinguiſhing all Eſtates Tail, and all Remainders and Reverſions thereupon expectant or depending of and in the Hereditaments therein-after mentioned, and for the more effectually aſſuring and ſettling the ſame according

Other Indentures of Leaſe and Releaſe of the 13th and 14th of Auguſt 1813.

according to such Uses as were therein-before mentioned and expressed in and by the said Will of the said *William Egerton* deceased, they the said *Thomas William Tatton*, *Wilbraham Egerton*, and Sir *Mark Masterman Sykes*, did grant, bargain, sell, alien, release, and confirm unto the said *Samuel Humphryes* and *John Vaughan* and to their Heirs, the Manors of *Werneth* and *Romley* otherwise *Romiley* in the said County of *Chester*; and certain Messuages, Cottages, Lands, Tenements, Rents, and Hereditaments, situate, lying, being, and arising in *Werneth* and *Romley* otherwise *Romiley* aforesaid, and in *Godley*, *Matley*, *Newton*, and *Bredbury*, in the several Parishes of *Stockport*, and *Mottram* in *Longdendale* in the said County of *Chester*, or in any of them, being other Parts of the said Hereditaments devised by the said Wills of the said *William Tatton* the Grandfather and the said *William Egerton* respectively, to hold the same unto and to the Use of the said *Samuel Humphryes* and *John Vaughan*, their Heirs and Assigns for ever; to the Intent that they might become and be good and perfect Tenants of the Freehold and Inheritance thereof, in order that a Common Recovery or Common Recoveries might be suffered and executed of the said Premises; and it was thereby declared, that such Recovery or Recoveries should enure to such and the like Uses, Intents, and Purposes, upon such and the like Trusts, and under and subject to such and the like Powers, Provisoes, and Conditions, as were mentioned, expressed, and declared in the said therein-before in Part recited Will of the said *William Egerton*, concerning his Manors, Messuages, Lands, and Hereditaments in *Werneth*, *Romley* otherwise *Romiley*, *Godley*, *Matley*, *Newton* and *Bredbury* aforesaid, or such of them as were not then determined or accomplished, but were then subsisting or capable of taking Effect:

That a Common Recovery had been suffered.

And whereas a Common Recovery was duly had and suffered of the said Manors, Messuages, Farms, Lands, Rents, and Hereditaments respectively comprized in the said several and respective recited Indentures of Lease and Release, at the Assizes held at *Chester* on the Eighth Day of *September* One thousand eight hundred and thirteen, in which Recovery the said *Edward Wilbraham Bootle* and *Randle Wilbraham* were Demandants; the said *Samuel Humphryes* and *John Vaughan* were Tenants; and the said *Thomas William Tatton*, *Wilbraham Egerton*, and Sir *Mark Masterman Sykes* were Vouchees; pursuant to the Agreement in that Behalf contained in the same Indentures of Release:

Marriage of Thomas William Tatton, &c.

And whereas the said *Thomas William Tatton*, in or about the Month of *October*, in the Year One thousand eight hundred and seven, intermarried with *Emma* his now Wife, (then *Emma Grey* Spinster), and hath Issue by her Four Children; (*videlicet*), *Emma*, *Mary Elizabeth*, *Henrietta*, and *Frances*, all now Infants under the Age of Twenty-one Years:

Marriage of Wilbraham Egerton, &c.

And whereas the said *Wilbraham Egerton*, in or about the Month of *January*, in the Year One thousand eight hundred and six, intermarried with *Elizabeth* his now Wife, (then *Elizabeth Sykes* Spinster), and hath Issue by her Four Children; (*videlicet*), *William Tatton*, *Wilbraham*, *Thomas*, and *George*, all now Infants under the Age of Twenty-one Years, now living; and had also One Daughter, (*videlicet*), *Elizabeth Beatrix*, who died an Infant under the Age of One Year:

Mary Elizabeth Egerton unmarried.

And whereas the said *Mary Elizabeth Egerton* is unmarried:

Marriage of Christopher Sykes, &c.

And whereas the said *Christopher Sykes*, in or about the Month of *May*, in the Year One thousand seven hundred and ninety-nine intermarried with *Lucy Dorothea* his now Wife, (then *Lucy Dorothea Langford* Spinster), and hath Issue by her Two Children, (*videlicet*), *Lucy Elizabeth* and *Penelope Beatrix*, both now Infants under the Age of Twenty-

Twenty-one Years: And whereas the ſaid *Tatton Skyes* is a Bachelor: And whereas the ſaid Sir *Mark Maſterman Sykes*, in or about the Year One thouſand ſeven hundred and ninety-five, intermarried with *Henrietta Maſterman* Spinſter, who is ſince dead, without leaving any Iſſue: And whereas the ſaid *Randle Ford*, one of the Truſtees named in the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed, died in or about the Month of *December*, in the Year One thouſand eight hundred and ten, leaving the ſaid *Edward Wilbraham Bootle* and *Randle Wilbraham* his Co-Truſtees, him ſurviving: And whereas the ſaid *Thomas William Tatton* being Tenant for Life in Poſſeſſion of the ſaid Eſtates ſo deviſed and ſettled by the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed as aforeſaid, and having joined in conveying Part of the ſame Eſtates by the ſaid ſeveral recited Indentures of Leaſe and Releaſe, in order to ſuffer a Common Recovery thereof, wherein he was vouched for ſtrengthening and corroborating the Title thereto, and the Uſes to which the ſame were limited by the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed, and which Common Recovery having been duly had and ſuffered accordingly, it is apprehended that the ſeveral Powers given and granted to him the ſaid *Thomas William Tatton* in and by the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed, ſo far as regards the ſeveral Manors and other Hereditaments reſpectively comprized in the ſaid ſeveral recited Indentures and Common Recovery, hath been by ſuch Common Recovery defeated and deſtroyed; and that ſuch Powers cannot be duly exerciſed by the ſaid *Thomas William Tatton* without the Aid of Parliament: And whereas the ſaid *Thomas William Tatton*, and alſo the ſaid *Wilbraham Egerton*, *Mary Elizabeth Egerton*, *Chriſtopher Sykes*, *Tatton Sykes*, and Sir *Mark Maſterman Sykes*, and alſo the ſaid *Edward Wilbraham Bootle*, and *Randle Wilbraham*, as ſuch ſurviving Truſtees as aforeſaid, being well ſatisfied that the full Exerciſe of the ſaid ſeveral Powers ſo given and granted by the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed as aforeſaid, will at all Times be highly beneficial to the ſeveral Perſons beneficially entitled to the ſaid Eſtates under the Limitations contained in the ſame Will, are therefore deſirous that the ſaid *Thomas William Tatton*, and the ſeveral other Perſons to whom ſuch Powers were thereby given and granted, ſhould have and be veſted with and enjoy the full exerciſe of all ſuch Powers, as fully and effectually, to all Intents and Purpoſes whatſoever, as if ſuch Common Recovery had not defeated or deſtroyed the ſame; but as the ſame cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majeſty's moſt dutiful and loyal Subjects, the ſaid *Thomas William Tatton* and *Wilbraham Egerton*, on behalf of themſelves and their ſaid Infant Children, and the ſaid *Mary Elizabeth Egerton*, and the ſaid *Chriſtopher Sykes* on behalf of himſelf and his ſaid Infant Children, and the ſaid *Tatton Sykes*, and the ſaid Sir *Mark Maſterman Sykes*, and alſo the ſaid *Edward Wilbraham Bootle*, and *Randle Wilbraham*, as ſuch ſurviving Truſtees as aforeſaid, 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, from and after the paſſing of this Act, all and every the Powers, Authorities, Proviſoes, Conditions and Declarations whatſoever, which in and by the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed, were given, granted, or reſerved, in, over or upon, or which were thereby expreſſed, declared, or contained of or

Tatton Sykes a Bachelor.

Marriage of Sir M. M. Sykes, &c.

Death of Randle Ford.

That owing to the ſaid Recovery the Powers given to Thomas William Tatton have been deſtroyed.

Expediency of reviving ſuch Powers.

The Powers, &c. given by the Will of William Egerton confirmed to

the ſeveral Perſons who were under ſuch Will entitled to exerciſe the ſame.

or concerning the Manors, Meſſuages, Farms, Lands, Tenements, Rents and Hereditaments reſpectively comprized in the ſaid Two ſeveral recited Indentures of Leaſe and Releaſe of the Thirteenth and Fourteenth Days of *Auguſt* One thouſand eight hundred and thirteen, and Common Recovery, or any Part or Parts thereof, ſhall be and the ſame are hereby declared to be in full force and virtue, and the ſaid *Thomas William Tatton*, and all and every other Perſon and Perſons to whom or for whoſe Uſe or in Truſt any ſuch Powers or Authorities were in or by the ſaid Will given, granted, or reſerved, ſhall and may from henceforth have, hold, uſe, exerciſe and enjoy all and every or any ſuch Powers and Authorities in, over or upon the ſaid Manors, Meſſuages, Farms, Lands, Tenements, Rents and Hereditaments reſpectively compriſed in the ſaid Two ſeveral recited Indentures of Leaſe and Releaſe and Common Recovery, or any Part or Parts thereof, in as full, ample, and beneficial a Manner in all reſpects whatſoever, as he, ſhe, or they could or might have had, held, uſed, exerciſed or enjoyed the ſame, or any of them, in caſe the ſame Indentures and Common Recovery had not been made, had, and ſuffered; and the ſaid Manors, Meſſuages, Farms, Lands, Tenements, Rents, and Hereditaments reſpectively compriſed in the ſame Indentures and Common Recovery ſhall from henceforth be and remain ſubject to all and every the Powers, Authorities, Proviſoes, Conditions and Declarations in and by the ſaid Will of the ſaid Teſtator *William Egerton* deceaſed, given, granted or reſerved in, upon, or over, or expreſſed, declared, and contained of and concerning the ſame Manors and other Hereditaments, or any Part or Parts thereof, in ſuch and the like Manner, in all reſpects and to all Intents and Purpoſes whatſoever, as if the ſaid Two ſeveral recited Indentures of Leaſe and Releaſe and Common Recovery had not been made, had, and ſuffered; and all ſuch Powers, Authorities, Proviſoes, Conditions and Declarations had been repeated, and fully ſet forth and enacted in the Body of this Act (any Thing in the ſaid Indentures, or the ſaid Common Recovery, to the contrary thereof in anywiſe notwithſtanding).

This Act not to prejudice the Effect of the Recovery in barring any Eſtate Tail under the Will of William Tatton the Grandfather.

II. Provided nevertheleſs, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to prejudice or affect the Operation of the ſaid Common Recovery in barring or deſtroying any Eſtate Tail created by the Will of the aforeſaid *William Tatton* deceaſed the Grandfather of the ſaid *Thomas William Tatton*, in the ſaid Manors and other Hereditaments reſpectively comprized in the ſaid Indentures of Leaſe and Releaſe and Common Recovery, or in any Part or Parts thereof, but that ſuch Common Recovery ſhall be as good, valid and effectual for barring and deſtroying any ſuch Eſtate Tail, as if this Act had not been made.

General Saving of Rights.

III. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon and Perſons, Body and Bodies Politic and Corporate, his, her and their Heirs, Succeſſors, Executors and Adminiſtrators, (other than and except the ſaid *Thomas William Tatton*, and all and every his Sons and Daughters, and the reſpective Heirs of the Body and Bodies of all and every ſuch Sons and Daughters reſpectively; and alſo the ſaid *Wilbraham Egerton*, and all and every his Sons and Daughters, and the reſpective Heirs of the Body and Bodies of all and every ſuch Sons and Daughters reſpectively; and alſo

except the said *Mary Elizabeth Egerton*, and all and every her Sons and Daughters, and the respective Heirs of the Body and Bodies of all and every such Sons and Daughters respectively; and also the said *Christopher Sykes*, and all and every his Sons and the Heirs Male of the Body and Bodies of all and every such Sons respectively; and also the said *Tatton Sykes*, and all and every his Sons and the Heirs Male of the Body and Bodies of all and every such Sons respectively; and also the said Sir *Mark Masterman Sykes*, and all and every his Sons and the Heirs Male of the Body and Bodies of all and every such Sons respectively; and also the said *Edward Wilbraham Bootle* and *Randle Wilbraham* and their Heirs, and the right Heirs of the said Testator *William Egerton* deceased, and all and every other Person or Persons claiming or to claim any Estate, Right, Title, Trust, or Interest in, to, or out of the said Manors and other Hereditaments comprized in the said recited Indentures of Lease and Release and Common Recovery, under or by virtue of the said Will of the said Testator *William Egerton* deceased, or of the said Indentures and Common Recovery, or any or either of them, so far as his, her, or their respective Estates, Rights, and Interests are intended to be barred or affected by virtue of this Act), all such Estate, Right, Title, Claim and Demand whatsoever, of, in, to, or out of the same Manors and other Hereditaments, and every 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 the same in case this Act had not been made.

Act to be printed by the King's Printers.

IV. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1814.