ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 80.

An Act for veſting certain Parts of the Eſtates, deviſed by the Will of the Right Honourable *Marmaduke* late Lord *Langdale*, in the County of *York*, and limited to other Uſes by the Settlement made previous to the Marriage of the Honourable *William Stourton* with *Catherine* his Wife, in Truſtees, upon Truſt to ſell the ſame, and to lay out the Money ariſing from the Sale thereof in the Purchaſe of other Eſtates to be ſettled to the ſubſiſting Uſes limited by the ſaid Will and Settlement.

[20th *June* 1806.]

WHEREAS the Right Honourable *Marmaduke* late Lord *Langdale*, did by his laſt Will and Teſtament, in Writing, bearing Date the Sixteenth Day of *June* One thouſand Seven hundred and Seventy-ſeven, after giving and deviſing to *Conſtantia* Lady *Langdale* his Wife, and her Aſſigns for her Life, an Annuity, or yearly Rent Charge of Two hundred Pounds, in Addition to her Jointure, and charging the ſame upon all or ſome Parts of his Real Eſtates, and after giving and deviſing to his Siſter the Honourable *Elizabeth Langdale*, and her Aſſigns for her Life, an Annuity or yearly Rent Charge of One hundred Pounds, and charging the ſame upon all or ſome Parts of his Real Eſtates, give and deviſe unto the Honourable *Thomas Clifford* and *William Haggerſton Maxwell Conſtable* Eſquire, their Heirs and Aſſigns,

all his Manors, Meſſuages, Lands, Tenements, and Hereditaments, with their Appurtenances, to the ſeveral Uſes, for the Intents and Purpoſes, upon the Truſts, and ſubject to the Powers and Proviſoes therein-after mentioned, (that is to ſay) to the Uſe, Intent, and Purpoſe to ſecure, in Manner therein mentioned, unto his Daughter *Mary* Lady *Stourton*, an Annuity or yearly Rent Charge of Two hundred Pounds, by way of Pin Money, to be iſſuing out of that Part of his Real Eſtate which ſhould come to her; and to the further Uſe, Intent, and Purpoſe to ſecure, in Manner therein mentioned, unto his Daughter the Honourable *Elizabeth Butler* Widow, then *Elizabeth Langdale*, and unto his Daughter the Right Honourable *Apollonia* Dowager Lady *Clifford*, then *Apollonia Langdale*, or either of them, which ſhould be married at the Time of, or after his Deceaſe, Two ſeveral Annuities or yearly Rent Charges of Two hundred Pounds, by way of Pin Money, to be iſſuing out of the Third Part of his Real Eſtate, which ſhould come to each of them reſpectively: And ſubject to the ſaid ſeveral yearly Rent Charges, and the Powers and Remedies thereby given for the Recovery thereof reſpectively: It was his Will and Meaning that the ſaid *Thomas Clifford* and *William Haggerſton Maxwell Conſtable*, their Heirs and Aſſigns, ſhould ſtand ſeiſed of his ſaid Real Eſtate upon Truſt, immediately after his Deceaſe, by ſufficient Conveyances to convey, ſettle and aſſure One full undivided Third Part of and in his ſaid Manors, Meſſuages, Lands, Tenements, Hereditaments and Real Eſtate, to the Uſe of his ſaid Daughter *Elizabeth Butler*, and her Aſſigns for Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs during her Life for preſerving contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Elizabeth Butler*, ſeverally and ſucceſſively according to their reſpective Seniorities in Tail Male; with Remainder, as to One undivided Moiety or Half Part of the ſaid undivided Third Part directed to be limited to the Uſe of the ſaid *Elizabeth Butler* for her Life, to the Uſe of his ſaid Daughter *Mary* Lady *Stourton*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Mary* Lady *Stourton*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of his ſaid Daughter *Apollonia* Lady *Clifford*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Apollonia* Lady *Clifford*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of his ſaid Daughter *Elizabeth Butler*, for her Life as aforeſaid, to the Uſe of his ſaid Daughter *Apollonia* Lady *Clifford*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes, with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Apollonia* Lady *Clifford*, ſeverally and ſucceſſively, according to their reſpective Seniorities in Tail Male; with

Remainder

Remainder to the Uſe of his ſaid Daughter *Mary* Lady *Stourton*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Mary* Lady *Stourton*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of the ſaid Teſtator's own right Heirs: And upon further Truſt, immediately after his Deceaſe, by ſufficient Conveyances to ſettle and aſſure one other full undivided Third Part of and in his ſaid Manors, Meſſuages, Lands, Tenements, Hereditaments, and Real Eſtates, to the Uſe of his ſaid Daughter *Mary* Lady *Stourton*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Mary* Lady *Stourton*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder, as to one undivided Moiety of the ſaid undivided Third Part, directed to be limited to the Uſe of the ſaid *Mary* Lady *Stourton*, for her Life, to the Uſe of his Daughter, the ſaid *Elizabeth Butler*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during the Life of the ſaid *Elizabeth Butler*, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Elizabeth Butler*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of his ſaid Daughter *Apollonia* Lady *Clifford*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees, and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Apollonia* Lady *Clifford*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of the ſaid Teſtator's own right Heirs: And as to the other undivided Moiety of the ſaid laſt-mentioned undivided Third Part, to the Uſe of the ſaid *Apollonia* Lady *Clifford*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Apollonia* Lady *Clifford*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of the ſaid *Elizabeth Butler*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Elizabeth Butler*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to the Uſe of the ſaid Teſtator's own right Heirs: And upon further Truſt, immediately after his Deceaſe, by ſufficient Conveyances, to ſettle and aſſure the remaining undivided Third Part of and in his ſaid Manors, Meſſuages, Lands, Tenements, Hereditaments and Real Eſtates, to the Uſe of his ſaid Daughter *Apollonia* Lady *Clifford*, and her Aſſigns, for her Life, without Impeachment of or for any Manner of Waſte, with a Limitation to Truſtees and their Heirs, during her Life, for preſerving the contingent Uſes; with Remainder to the Uſe of the Firſt and

other

other Sons of the Body of the said *Apollonia* Lady *Clifford*, severally and successively, according to their respective Seniorities in Tail Male; with Remainder, as to one undivided Moiety of the said undivided Third Part, directed to be limited to the Use of the said *Apollonia* Lady *Clifford* for her Life, to the Use of the said *Elizabeth Butler*, and her Assigns, for her Life, without Impeachment of or for any Manner of Waste, with a Limitation to Trustees and their Heirs, during her Life, for preserving the contingent Uses; with Remainder to the Use of the first and other Sons of the Body of the said *Elizabeth Butler*, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the Use of the said *Mary* Lady *Stourton*, and her Assigns, for her Life, without Impeachment of or for any Manner of Waste, with a Limitation to Trustees and their Heirs during her Life, for preserving the contingent Uses; with Remainder to the Use of the First and other Sons of the Body of the said *Mary* Lady *Stourton*, severally and successively, according to their respective Seniorities, in Tail Male; with Remainder to the said Testator's own right Heirs: And as to the other undivided Moiety of the said undivided Third Part, directed to be limited to the Use of the said *Apollonia* Lady *Clifford*, and her Assigns, for her Life as aforesaid, to the Use of the said *Mary* Lady *Stourton*, and her Assigns, for her Life, without Impeachment of or for any Manner of Waste, with a Limitation to Trustees and their Heirs, during her Life, for preserving the contingent Uses; with Remainder to the Use of the first and other Sons of the Body of the said *Mary* Lady *Stourton*, severally and successively, according to their respective Seniorities in Tail Male; with Remainder to the Use of the said *Elizabeth Butler*, and her Assigns, for her Life, without Impeachment of or for any Manner of Waste, with a Limitation to Trustees and their Heirs, during her Life, for preserving the contingent Uses; with Remainder to the Use of the First and other Sons of the Body of the said *Elizabeth Butler*, severally and successively, according to their respective Seniorities in Tail Male, with Remainder to the Use of the said Testator's own right Heirs: And whereas the said Testator *Marmaduke* Lord *Langdale* departed this Life on or about the Fifth Day of *April* One thousand seven hundred and seventy-eight, without altering or revoking his said Will, leaving the said *Constantia* Lady *Langdale* his Dowager, and the said *Elizabeth Langdale* his Sister, and the said *Elizabeth Butler* then *Elizabeth Langdale*, *Mary* Lady *Stourton*, and *Apollonia* Lady *Clifford*, then *Apollonia Langdale*, his only Daughters and Coheiresses at Law, him surviving: And whereas the said *Constantia* Lady *Langdale* departed this Life on or about the Twenty-fourth Day of *November* One thousand seven hundred and ninety-two; and the said *Elizabeth Langdale*, the Sister of the said Testator, departed this Life on or about the Thirteth Day of *January* One thousand seven hundred and eighty-six: And whereas the said *Elizabeth Langdale* the Daughter afterwards intermarried with *Robert Butler* of *Ballyragget* in the County of *Kilkenny*, in *Ireland*, Esquire; and the said *Robert Butler* departed this Life on or about the Tenth Day of *June* One thousand seven hundred and eighty-eight; And whereas the said *Apollonia Langdale* afterwards intermarried with the Right Honourable *Hugh* late Lord *Clifford*; and the said *Hugh* Lord *Clifford* departed this Life on or about the Fifteenth Day of *January* One thousand seven hundred and ninety-three: And whereas by Indentures of Lease and Release, bearing Date respectively the Twenty-third and Twenty-fourth Days of *September* One thousand eight hundred;

the Releaſe being of Nine Parts, and made between the ſaid *Charles Philip* Lord *Stourton*, and *Mary* Lady *Stourton* his Wife, of the Firſt Part; the Honourable *William Stourton*, the eldeſt Son and Heir apparent of the ſaid *Charles Philip* Lord *Stourton*, and *Mary* Lady *Stourton*, of the Second Part; the ſaid *Elizabeth Butler* and the ſaid *Apollonia* Lady *Clifford*, of the Third Part; *Thomas Weld* Eſquire, and *Catherine Weld* Spinſter, his Second Daughter, now the Honourable *Catherine Stourton*, Wife of the ſaid *William Stourton*, of the Fourth Part; the Right Honourable *Robert Edward* Lord *Petre*, ſince deceaſed, and the Right Honourable *Charles* Lord *Clifford*, of the Fifth Part; *William Witham*, Gentleman, of the Sixth Part; *Thomas Weld* the younger, Eſquire, of the Seventh Part; *Thomas Clifford*, Eſquire, and *Everard Arundell*, Eſquire, of the Eighth Part; and *Edward Conſtable* Eſquire, and the ſaid *Thomas Weld* the younger, of the Ninth Part; being the Settlement made previous to, and in Contemplation of the Marriage then intended between the ſaid *William Stourton* and the ſaid *Catherine Weld*, and by virtue of one or more common Recovery or common Recoveries, ſuffered in or as of *Eaſter* Term One thouſand eight hundred and one, all that the Manor or Lordſhip of *Gatenby* otherwiſe *Gatimby*, with the Rights, Members, and Appurtenances thereof, ſituate, lying, and being in *Gatenby*, otherwiſe *Gatimby*, and *Scabed Newton*, or one of them, in the Pariſh of *Burneſton*, in the County of *York*; and divers Meſſuages, Farms, Lands, and Hereditaments in *Gatenby* otherwiſe *Gatimby* aforeſaid, in the Occupation of the ſeveral Perſons therein mentioned; and alſo divers Meſſuages, Farms, Lands, Tythes, and Hereditaments, ſituate, lying, and being, and ariſing in *Moleſcroft*, *Beverley* and *Pigghill*, in the ſaid County of *York*, in the Occupation of the ſeveral Perſons therein mentioned; and all and ſingular the Sum and Sums of Money charged upon or iſſuing out of, or payable for the Hereditaments thereinbefore mentioned to be ſituate in *Moleſcroft* aforeſaid, for or in lieu of the Land Tax thereof; which ſaid Manor and Hereditaments (except the ſaid ſeveral Sums of Money charged upon and iſſuing, and payable out of ſome Part or Parts thereof in lieu of Land Tax, are Part of the Real Eſtates deviſed by the laſt Will and Teſtament of the ſaid *Marmaduke* Lord *Langdale*) were, together with other Manors and Hereditaments in the County of *Stafford*, alſo deviſed by the laſt Will and Teſtament of the ſaid *Marmaduke* Lord *Langdale*, ſettled and limited, from and after the Solemnization of the ſaid intended Marriage, and do now ſtand ſettled and limited to the Uſe of the ſaid *Mary* Lady *Stourton*, and her Aſſigns, for Life, without Impeachment of Waſte; with Remainder to the Uſe of the ſaid *Charles Philip* Lord *Stourton*, and his Aſſigns, for Life, without Impeachment of Waſte; with Remainder to the Uſe of the ſaid *William Stourton*, and his Aſſigns, for Life, without Impeachment of Waſte; with Remainder to the Uſe of the ſaid *Robert Edward* Lord *Petre* and *Charles* Lord *Clifford* and their Heirs, during the Lives of ſuch of them the ſaid *Mary* Lady *Stourton*, *Charles Philip* Lord *Stourton*, and *William Stourton*, whoſe reſpective Life Eſtate or Life Eſtates ſhould determine as therein mentioned, upon Truſt, to preſerve the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *William Stourton* by the ſaid *Catherine Weld*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to ſuch Uſes as the ſaid *Mary* Lady *Stourton*, *Charles Philip* Lord *Stourton*, and *William Stourton*, ſhould in Manner therein mentioned jointly direct, limit, or appoint; and in Default of ſuch Appointment, if the ſaid *Charles Philip* Lord *Stourton* ſhould depart this Life during

the joint Lives of the ſaid *Mary* Lady *Stourton* and *William Stourton*, as the ſaid *Mary* Lady *Stourton* and *William Stourton* ſhould, in Manner therein mentioned, jointly appoint; and for Default of ſuch Appointment, to the Uſe of the Firſt and other Sons of the ſaid *William Stourton* by any after-taken Wife, ſeverally and ſucceſſively, according to their reſpective Seniorities in Tail Male, with Remainder to ſuch Uſes as the ſaid *Mary* Lady *Stourton* and *Charles Philip* Lord *Stourton*, and the Honourable *Edward Stourton* their Second Son, ſhould, in Manner therein mentioned, jointly appoint; and in Default of ſuch Appointment, if the ſaid *Charles Philip* Lord *Stourton* ſhould depart this Life during the joint Lives of the ſaid *Mary* Lady *Stourton* and *Edward Stourton*, as the ſaid *Mary* Lady *Stourton* and *Edward Stourton* ſhould in Manner therein mentioned jointly appoint; and in Default of ſuch Appointment, to the Uſe of the ſaid *Edward Stourton*, and his Aſſigns, for Life, without Impeachment of Waſte, with Remainder to the Uſe of the ſaid *Robert Edward* Lord *Petre* and *Charles* Lord *Clifford*, and their Heirs, during the Life of the ſaid *Edward Stourton*, upon Truſt, to preſerve the contingent Uſes, with Remainders to the Uſe of the Firſt and other Sons of the Body of the ſaid *Edward Stourton*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male, with Remainder to ſuch Uſes as the ſaid *Mary* Lady *Stourton* and *Charles Philip* Lord *Stourton* and the Honourable *Charles Stourton* their Third Son ſhould, in Manner therein mentioned, jointly appoint; and in Default of ſuch Appointment, if the ſaid *Charles Philip* Lord *Stourton* ſhould depart this Life during the joint Lives of the ſaid *Mary* Lady *Stourton* and *Charles Stourton*, as the ſaid *Mary* Lady *Stourton* and *Charles Stourton* ſhould in Manner therein mentioned jointly appoint; and in Default of ſuch Appointment, to the Uſe of the ſaid *Charles Stourton* and his Aſſigns, for his Life, without Impeachment of Waſte; with Remainder to the Uſe of the ſaid *Robert Edward* Lord *Petre* and *Charles* Lord *Clifford* and their Heirs, during the Life of the ſaid *Charles Stourton*, upon Truſt, to preſerve the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Charles Stourton*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to ſuch Uſes as the ſaid *Mary* Lady *Stourton*, and *Charles Philip* Lord *Stourton*, and the Honourable *Philip Stourton*, their Fourth Son, ſhould in Manner therein mentioned appoint; and in Default of ſuch Appointment, if the ſaid *Charles Philip* Lord *Stourton* ſhould depart this Life during the joint Lives of the ſaid *Mary* Lady *Stourton* and *Philip Stourton*, as the ſaid *Mary* Lady *Stourton* and *Philip Stourton* ſhould in Manner therein mentioned appoint; and in Default of ſuch Appointment to the Uſe of the ſaid *Philip Stourton*, and his Aſſigns, for his Life, without Impeachment of Waſte; with Remainder to the Uſe of the ſaid *Robert Edward* Lord *Petre* and *Charles* Lord *Clifford* and their Heirs, during the Life of the ſaid *Philip Stourton*, upon Truſt, to preſerve the contingent Uſes; with Remainder to the Uſe of the Firſt and other Sons of the Body of the ſaid *Philip Stourton*, ſeverally and ſucceſſively, according to their reſpective Seniorities, in Tail Male; with Remainder to ſuch Uſes as the ſaid *Mary* Lady *Stourton* ſhould in Manner therein mentioned appoint; and in Default of ſuch Appointment, to the Uſe of the ſaid *Mary* Lady *Stourton*, her Heirs and Aſſigns: In which ſaid Indenture of Settlement a Power and Authority is given and limited to the ſaid *Robert Edward* Lord *Petre* and *Charles* Lord *Clifford*, and the Survivor of them; and the Executors and Adminiſtrators of ſuch Survivor, at the Requeſt and by the Direction in Writing,

Writing, of the ſaid *Charles Philip* Lord *Stourton* and *William Stourton*, during their joint Lives, or of the Survivor of them, and after the Deceaſe of ſuch Survivor, at the Requeſt, and by the Direction in Writing of the ſaid *Edward Stourton*, *Charles Stourton*, and *Philip Stourton*, when, and as they ſhould be entitled to the Premiſes, but with the Conſent in Writing of the ſaid *Mary* Lady *Stourton*, during her Life, to ſell and diſpoſe of, or to convey in Exchange, for or in lieu of other Manors, Lands, and Hereditaments, in Fee Simple, in Poſſeſſion, or Copyhold Lands of Inheritance, to be ſituate ſomewhere in that Part of *Great Britain* called *England*; all or any Part or Parts of the ſaid Manors and Premiſes, and the Fee Simple and Inheritance thereof, to any Perſon or Perſons, either together or in Parcels, and to his, her, or their reſpective Heirs and Aſſigns, forever, for ſuch Price or Prices in Money, or for ſuch other Equivalent or Recompence in Manors, Lands, or Hereditaments as to them the ſaid *Robert Edward* Lord *Petre* and *Charles* Lord *Clifford*, or the Survivor of them, his Executors or Adminiſtrators ſhould ſeem reaſonable; and the ſaid Indenture of Settlement alſo contains Powers of revoking the Uſes and Eſtates thereby limited, and of limiting other Uſes of the Eſtates ſo to be ſold or exchanged, and of laying out the Money ariſing from ſuch Sales in the Purchaſe of other Lands to be ſettled to the ſame Uſes, and other Powers and Authorities uſually inſerted in Settlements of the like Nature: And whereas the ſaid intended Marriage between the ſaid *William Stourton* and *Catherine Weld* was had and ſolemnized ſoon after the Date and Execution of the ſaid Indenture of Settlement: And whereas neither of them the ſaid *Elizabeth Butler* and *Apollonia* Lady *Clifford* have or ever had any Iſſue: And whereas the ſaid *Charles Philip* Lord *Stourton* hath Iſſue by the ſaid *Mary* Lady *Stourton* the ſaid *William Stourton*, their eldeſt Son and Heir apparent, and the ſaid *Edward Stourton*, *Charles Stourton*, and *Philip Stourton*, their only younger Sons, and the ſaid *William Stourton* hath attained his Age of Twenty-one Years, and the ſaid *Edward Stourton*, *Charles Stourton* and *Philip Stourton*, are reſpectively Infants under the Age of Twenty-one Years: And whereas the ſaid *William Stourton* hath Iſſue by the ſaid *Catherine* his Wife, *Charles Stourton* their only Son and Heir apparent, and the ſaid *Charles Stourton* is an Infant under the Age of Twenty-one Years: And whereas the Manor, Hereditaments, and Premiſes intended to be hereby veſted in Truſtees to be ſold, are, together with other Hereditaments, ſubject to a Mortgage for Eleven thouſand ſix hundred and thirty-ſix Pounds Fourteen Shillings and Five-pence: And whereas the ſaid *Charles Philip* Lord *Stourton* hath an Opportunity of ſelling ſome Parts of the ſaid Manor, Hereditaments and Premiſes in the ſaid County of *York*, and it would be very advantageous to the ſaid *Charles Philip* Lord *Stourton*, *Mary* Lady *Stourton*, *Elizabeth Butler*, *Apollonia* Lady *Clifford*, *William Stourton*, and the ſeveral other Perſons claiming under the ſaid Will of the ſaid *Marmaduke* Lord *Langdale*, and the ſaid Indenture of Settlement, that the ſaid Manor, Hereditaments, and Premiſes ſhould be ſold, and that the Money ariſing from the Sale thereof ſhould be laid out in the Purchaſe of other Eſtates to be ſettled and limited as near as may be to the ſubſiſting Uſes of the ſaid Will and Settlement; but by reaſon of the Limitations contained in the Will of the ſaid *Marmaduke* Lord *Langdale*, and the Poſſibility of the ſaid *Elizabeth Butler* and *Apollonia* Lady *Clifford* having Iſſue, a clear and unexceptionable Title to the ſaid Manor, Hereditaments, and Premiſes cannot be made to a Purchaſer thereof without the Aid and Authority of Parliament: Therefore Your Majeſty's moſt dutiful

and

and loyal Subjects, the said *Charles Philip* Lord *Stourton* and Lady *Mary Stourton* his Wife, for themselves, and for and on Behalf of the said *Edward Stourton*, *Charles Stourton*, and *Philip Stourton*, their younger Sons, and the said *William Stourton* for himself, and for and on the Behalf of his said Infant Son and the said *Elizabeth Butler* and *Apollonia* Lady *Clifford*, 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 of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That all that the Manor or Lordship of *Gatenby*, otherwise *Gatimby*, in *Gatenby* otherwise *Gatimby*, and *Scabed Newton* in the Parish of *Barneston* in the said County of *York*, and the several Messuages or Tenements, Farms, Lands, Tithes, Hereditaments, and Premises, situate, lying, being, or arising in the Towns, Townships, Precincts, or Territories of *Gatenby*, otherwise *Gatimby*, *Scabed Newton*, *Burneston*, *Molecroft*, *Beverley*, and *Pigghill*, or any of them, in the said County of *York*, which were devised by the said Will of the said *Marmaduke* Lord *Langdale*, and comprised in the said Indenture of Settlement, and mentioned and described in the Schedule annexed to this present Act, with their respective Rights, Members, and Appurtenances, shall immediately from and after the passing of this Act, be vested in and settled upon, and the same are hereby vested in and settled upon *Nicholas Selby*, of *Henrietta Street*, *Covent Garden*, in the County of *Middlesex*, Esquire, and *William Sheldon* of *Grey's Inn*, in the said County of *Middlesex*, Esquire, and their Heirs and Assigns for ever, subject to the said Mortgage for Eleven thousand six hundred and Thirty-six Pounds Fourteen Shillings and Three-pence, but freed and discharged, and absolutely acquitted, exempted, and exonerated of and from all and singular the Uses, Trusts, Estates, Powers, Provisoes, and Limitations in and by the said Will of the said *Marmaduke* Lord *Langdale*, and the said recited Indenture of Settlement, or either of them, limited, created, expressed or contained, of and concerning the same; but upon and for the several Trusts, Intents, and Purposes hereinafter expressed and contained of and concerning the same; that is to say, upon Trust, and to the Intent and Purpose, that they the said *Nicholas Selby* and *William Sheldon*, and the Survivor of them, and the Heirs and Assigns of such Survivor, do and shall with all convenient Speed, by and with the Consent and Approbation in Writing of the said *Charles Philip* Lord *Stourton*, *Mary* Lady *Stourton*, *Elizabeth Butler*, *Apollonia* Lady *Clifford*, and *William Stourton*; and in case of the Death of any of them, by and with the Consent and Approbation in Writing of the Survivors or Survivor of them; and after the Decease of the Survivor of them, by and with the Consent and Approbation in Writing of the Person or Persons, who, for the Time being, shall by virtue of the Limitations contained in the said Will of the said *Marmaduke* Lord *Langdale*, or the said Indenture of Settlement be in the actual Possession of the Estates so hereby vested in Trust as aforesaid, and entitled to the Receipt of the Rents and Profits thereof, in case such Person or Persons shall then be of the Age of Twenty-one Years, but if such Person or Persons shall be under the Age of Twenty-one Years, then with the like Consent and Approbation of his or their Guardian or Guardians, absolutely make Sale and dispose of the Whole of the said Manor, Messuages, Farms, Lands, Rectories, Tithes, and Hereditaments hereby vested in them the said *Nicholas Selby* and *William Sheldon*, their Heirs and Assigns as aforesaid, either together or in Parcels, and either by Public Auction or Private Contract, unto any Person or

The Manor of Gatenby and other the Premises herein mentioned devised by the Will of Lord Langdale, to be vested in N. Selby and W. Sheldon, subject to a Mortgage of 11,636l. 14s. 3d. in Trust to sell the same.

Perſons who may be willing to become the Purchaſer or Purchaſers thereof, at the beſt Price or Prices, and for the moſt Money that can at the Time of ſuch Sale or Sales be reaſonably had and obtained for the ſame; and on Payment of the Purchaſe Money or Purchaſe Monies, for which the ſaid Hereditaments, or any Part or Parts thereof ſhall be ſold in Manner hereinafter mentioned, do and ſhall (with ſuch Conſent and Approbation as aforeſaid) convey and aſſure the ſame, or ſuch Part or Parts thereof, for which ſuch Monies ſhall be ſo paid, 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, exempted, acquitted, and exonerated as aforeſaid.

Purchaſe Money to be paid into the Bank; and afterwards laid out in the Purchaſe of Premiſes for the Benefit of the Perſons entitled, under the Directions of the Court of Chancery.

II. And be it further enacted, That the Purchaſe Money for which the ſame Hereditaments or any Part thereof, ſhall be ſold in purſuance of this Act, ſhall be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte*, the Purchaſer or Purchaſers of the Eſtates of *Marmaduke* late Lord *Langdale*, purſuant to the Method preſcribed by the Statute of the Twelfth Year of King *George* the Firſt, Chapter the Thirty-ſecond, and the General Rules and 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; and that the ſame when ſo paid in, after paying the Coſts, Charges, and Expences herein-after mentioned, ſhall upon a Petition to be preferred to the ſaid Court of Chancery in a ſummary Way by the Perſon or Perſons who, for the Time being, would have been entitled to the Rents and Profits of the ſaid Hereditaments which ſhall be ſo ſold, in caſe the ſame had not been ſold, or if ſuch Perſon or Perſons ſhall be under Age, then by his or their Guardian or Guardians, be laid out and inveſted in ſuch Manner as the ſaid Court ſhall direct in the Purchaſe or Purchaſes of other Freehold Manors, Meſſuages, Lands, Tenements, or Hereditaments of Inheritance in Fee Simple in Poſſeſſion, free from Incumbrances (except Quit Rents) to be ſituate ſomewhere in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*; and all and ſingular the Manors, Meſſuages, Farms, Lands, Tenements, and Hereditaments, which ſhall at any Time be purchaſed in purſuance of the Directions of this Act, ſhall, from and immediately after the Purchaſe thereof, be reſpectively conveyed, ſettled, and aſſured to, for, and upon ſuch and ſo many of the Uſes, Truſts, Ends, Intents, and Purpoſes, in and by the ſaid Will of the ſaid *Marmaduke* Lord *Langdale*, and the ſaid Indenture of Settlement reſpectively limited, expreſſed, and declared, of and concerning the ſaid Manor and Hereditaments, hereby veſted and ſettled as aforeſaid, as ſhall be then exiſting undetermined and capable of taking Effect.

Purchaſer not anſwerable for any Miſapplication of the Money.

III. And be it further enacted and declared, That no Purchaſer or Purchaſers of the ſaid Hereditaments hereby veſted in Truſt to be ſold as aforeſaid, or any Part thereof, paying his, her, or their Purchaſe Money into the Bank of *England* as aforeſaid, and taking the Certificate of the Accountant General, and the Receipt of the Caſhier of the Bank for ſuch Purchaſe Money, ſhall be anſwerable or accountable for any Loſs, Miſapplication, or Nonapplication of his, her, or their Purchaſe Money, or of ſo much thereof as in ſuch Certificate or Receipt ſhall be acknowledged or expreſſed to be received; and that in the mean Time, and until the Money

Accountant General in Chancery to lay out the Money in the mean Time in the Purchase of Navy or Victualling Bills, etc.

ney arising from such Sales, and so to be paid into the Bank as aforesaid, shall upon such Petition or Petitions as aforesaid, be ordered to be paid or sold by the said Court of Chancery, the same shall be by the Accountant General of the said Court laid out 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 off by Government, shall be laid out in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; and the same shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases be found and approved of, 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 the Behalf of the Person or Persons who would be entitled to the Rents and Profits of the Hereditaments to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General, for completing such Purchase, in such Manner as the said Court shall think just and direct; and that if the Money arising by the Sale of such Navy, Victualling, or Exchequer Bills, shall exceed the Amount of the original Purchase Money to laid out as aforesaid, then, and in such Case only, the Surplus which shall remain after discharging the Expence of the Application to the said Court, shall be paid to such Person or Persons respectively, as would have been entitled to receive the Rents and Profits of the Lands and Hereditaments hereby directed to be purchased, in case the same had been purchased pursuant to this Act, or to the Representatives of such Person or Persons.

Expences of Act and Charges of Sale to be paid under the Direction of Chancery.

IV. And be it further enacted, That it shall and may be lawful for the said Court of Chancery, if to the same Court it shall seem fit to order and direct, that by and out of any of the Monies which shall be paid into the said Court in respect of any such Sale or Sales as aforesaid, all the Costs, Charges, and Expences of applying for, and otherwise in or about the obtaining this Act, and all the Costs, Charges, and Expences attending or relating to any Sales hereby authorized, and of making any Surveys or Valuations of the said Premises, and all other reasonable Costs, Charges, and Expences incident to the Execution of the Trusts hereby reposed in the same Trustees respectively, concerning the said Estates, or of or relating to any Applications which shall be made to the said Court for any of the Purposes herein-before expressed, shall be paid and satisfied out of the Money arising by such Sale or Sales as aforesaid, such Costs, Charges, and Expences being first taxed and settled by One of the Masters of the said Court, in pursuance of the Order of the said Court upon Application to be made thereto by Petition or otherwise, in a summary Way for the Payment thereof.

Until Sale is made, the Premises to be enjoyed by the Persons entitled thereto.

V. And be it further enacted, That in the mean Time, and until such Sale or Sales, Conveyances or Assurances, shall be made in pursuance of this Act, they the said *Nicholas Selby* and *William Sheldon*, and the Survivor of them, and his Heirs, do and shall permit and suffer the Manor, Lands, Tenements, and Hereditaments hereby vested and settled as aforesaid, to be held and enjoyed, and the Rents, Issues, and Profits thereof to be received and taken by and for the Benefit of the Person or Persons who would have been respectively entitled to, and ought to have held,

and

and enjoyed, and received and taken the ſame, in caſe this Act had not been made.

Appointment of new Truſtees in caſe of Death, etc.

VI. And be it further enacted, That if the ſaid *Nicholas Selby* and *William Sheldon*, or either of them, or any future Truſtee or Truſtees, to be appointed in their or his Place, as herein-after mentioned, ſhall die, or be deſirous to quit and be diſcharged from, or refuſe, or become incapable to act in the Truſts, Powers, and Authorities hereby in him or them repoſed or veſted as aforeſaid, at any Time before the ſame Truſts, Powers, and Authorities ſhall be fully executed and performed, then it ſhall be lawful for the ſaid Court of Chancery in a ſummary Way, upon the Petition of the Perſon or Perſons, who for the Time being would have been entitled to the Rents, Iſſues, and Profits of the Hereditaments hereby veſted in the ſaid *Nicholas Selby* and *William Sheldon*, their Heirs and Aſſigns, in caſe this Act had not been made; or if ſuch Perſon or Perſons ſhall be under Age, then upon the Petition of his or their Guardian or Guardians to make an Order for ſubſtituting and appointing any other Perſon or Perſons to be Truſtees, or a Truſtee, for the Purpoſes aforeſaid, in the Place of the ſaid *Nicholas Selby* and *William Sheldon*, or either of them, or ſuch other Truſtees or Truſtee ſo dying or deſiring to quit and be diſcharged from, or refuſing or becoming incapable to act in the aforeſaid Truſts, Powers, and Authorities; and when and ſo ſoon as ſuch Order ſhall be made, all and ſingular the ſaid Truſt Eſtates ſhall immediately thereupon be and become legally and effectually veſted in the ſurviving or continuing former Truſtee, and ſuch new Truſtee or Truſtees, and their Heirs and Aſſigns, upon and for the ſeveral Truſts, Ends, Intents, and Purpoſes herein-before expreſſed and declared concerning the ſame, or ſuch of them as ſhall be then exiſting undetermined, and capable of taking Effect; and all and every ſuch new Truſtees and Truſtee ſhall and may in all Things act in the Management and Execution of the Truſts and Authorities aforeſaid, every or any of them, as fully and effectually in all reſpects, and to all Intents and Purpoſes, as if they or he had been originally in and by this Act nominated and appointed Truſtees, or a Truſtee, for the Purpoſes aforeſaid; any Thing herein-before contained to the contrary notwithſtanding.

General Saving.

VII. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politick and Corporate, his and their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns (other than and except the ſaid *Charles Philip* Lord *Stourton* and *Mary* Lady *Stourton* his Wife, and the Firſt and other Sons of the ſaid *Mary* Lady *Stourton*, and their Iſſue Male, the ſaid *Elizabeth Butler* and her Firſt and other Sons, and their Iſſue Male, and the ſaid *Apollonia* Lady *Clifford*, and her Firſt and other Sons, and their Iſſue Male; and all and every other Perſon or Perſons claiming or to claim any Eſtate, Right, Title, or Intereſt of, in, and to the ſaid Hereditaments hereby veſted in the ſaid *Nicholas Selby* and *William Sheldon*, their Heirs and Aſſigns, in Truſt as aforeſaid, under or by virtue of the ſaid Will of the ſaid *Marmaduke* Lord *Langdale*, or the ſaid Settlement of the Twenty-fourth Day of *September* One thouſand eight hundred, or either of them), all ſuch Eſtate, Right, Title, Intereſt, Claim, and Demand of, in, to, or out of the ſame Hereditaments, and every or any Part thereof, as they, every, or any of them,

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.

Act to be Evidence.

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

The SCHEDULE to which this Act refers.

GATENBY ESTATE, in the COUNTY of YORK.

	No. of Acres.			Annual Rents.		
WIDOW MARTIN's FARM.	A.	R.	P.	£.	s.	d.
South Cow Close	25	2	25			
North Cow Close	6	1	5			
Little Cow Close	3	3	26			
Middle Cow Close	7	3	10			
Four Days Mowing	5	1	25			
Calves Close	19	3	17			
Big Holm	33	3	4			
North Juggs	12	1	28			
South Berry Garth	9	1	28			
Spring Wood	16	0	27			
Spring Close	6	2	31			
Wood Close	7	2	12			
Broom Close	11	2	8			
Soddy Close	14	3	30			
Long Close	5	3	23			
	187	1	19	305	0	0
Two Thirds of the Great Tythes of Mrs. Harrison's Freehold containing about 140 Acres more or less } let at				18	0	0
				323	0	0
THOMAS MITCHELL'S FARM.						
West Lee Close	6	3	6			
Cow Close	66	2	30			
South Juggs	11	0	21			
Great Berry Garth	7	0	18			
Ward's Homestead	1	0	20			
Calf Garth	0	3	35			
Little Berry Garth	4	0	11			
Calf Close	7	3	10			
Middle Calf Close	8	3	3			
East Calf Close	7	3	19			
West High Field	10	2	19			
East High Field	5	1	38			
North Thorny Close	11	1	12			
East Thorny Close	18	0	28			
South Thorny Close	8	0	29			
West Thorny Close	17	3	26			
	194	0	5	289	0	0

	No. of Acres.			Annual Rents.		
PETER APPLETONS's FARM.	A.	R.	P.	£.	s.	d.
Car Close	9	1	38			
Bishoprick Pasture	35	2	12			
Middle Lee Close	9	1	9			
Little Lee Close	1	2	22			
Cow Pasture	13	3	21			
South Broad Close	4	3	29			
Middle Broad Close	3	1	25			
North Broad Close	5	0	32			
North Flatts	8	0	2			
Great North Flatts	9	3	7			
North Flatt Carr	2	3	17			
Tibbey Close	8	2	12			
Barf Close	8	1	15			
Low Moor	19	0	20			
North High Moor	9	3	37			
South High Moor	6	2	5			
High Moor	40	1	20			
North Low Pasture	4	1	28			
Gardeners West Close	6	0	14			
Gardeners Low Pasture	4	1	11			
Metcalf's Low Pasture	10	1	38			
Gardener's Middle Close	9	0	33			
Gardener's East Close	8	0	3			
Chapel Close	6	3	32			
A Cottage	0	2	19			
Bowes's Cottage	1	1	26			
A Cottage	0	3	0			
	249	1	7	315	10	0
MARY METCALF's FARM.						
Land Garth	3	3	20			
A Cottage and Garth	1	1	8			
A Dove Coat Garth	2	3	3			
Cow Close	5	2	37			
Well Close	15	3	0			
Bowes West Close	13	0	1			
Wilson's Garth and Front	10	2	0			
Mitchells Hill and Dams	10	3	26			
Barf High Pasture	11	3	19			
	75	2	34	87	10	0
There are Two Cottages upon the Estate, which are let for 5s. a Year each, built upon the Waste, originally for Paupers	-			0	10	0
All which said Farms and Hereditaments in Gatenby aforesaid, after a Deduction for the Land Tax and Tithe, are let for and are of the annual Value of £1015 10s.	706	1	25	1,015	10	0

Gatenby is a Manor or reputed Manor, lying within the Parish of Burneston, in the North Riding of Yorkshire. Two Thirds of the Great Tithes of the whole Manor, including Mrs. Harrison's Freehold of about 140 Acres, belong to this Estate.

MOLESCROFT ESTATE, in the said COUNTY of YORK.	No. of Acres.	Annual Rents.
	A. R. P.	£. s. d.
THOMAS BINNS's FARM.		
Carr Closes	97 3 34	
Carr Allotment	28 0 35	
Low Field Ings Allotment	36 0 27	
Middlefield Allotment	60 0 16	
Highfield Allotment	28 3 0	
Stather Close	4 1 28	
	255 2 20	405 2 0
WILLIAM ARTLEY.		
Scrogwood Lane Closes	24 0 26	32 10 0
JOHN MOSEY.		
Whitewood Closes	36 3 14	40 0 0
CHRISTOPHER JEFFERSON.		
Highfield Allotment	39 1 1	100 0 0
JOHN ARDEN, Esquire.		
Highfield Allotment	45 1 6	103 0 0
	401 0 27	680 12 0
The Tithes of 109 A. 1 R. 12 P. of Land, let to the several Occupiers of Land at several Yearly Rents, amounting to £23 1 s.		23 1 0
All which said Farms and Hereditaments in Molescroft aforesaid, are let for and are of the annual Value of £703 13 s.		703 13 0

Molescroft is a Manor or reputed Manor, within the Parish of St. John of Beverley in the East Riding of the County of York, and this Part of it is free from all Tithes whatever.

The Great and Small Tithes of 109 A. 1 R. 12 P. belonging to several Freeholders (there being many in the Lordship) who refused or omitted to extinguish the Tithes of their old Inclosures at the Time of the Division which lately took place there, belong to this Estate, and are let for the above Sum of £.23 1 s.

JOHN OCCLESHAW.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1806.