ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 167.

An Act for veſting Part of the Real Eſtates, in the County of *Lincoln*, deviſed by the Will of *Henry Maſſingberd* Eſquire, deceaſed, in Truſtees, to be ſold, and for applying Part of the Purchaſe Money in paying off certain Incumbrances affecting the ſaid Eſtates, and for laying out the Reſidue thereof in the Purchaſe of other Eſtates to be ſettled to the ſame Uſes. [10th *June* 1809.]

Will of Henry Maſſingberd, dated 6th Sept. 1782.

WHEREAS *Henry Maſſingberd*, late of *Gunby*, in the County of *Lincoln*, Eſquire, deceaſed, made and publiſhed his laſt Will and Teſtament, bearing Date the Sixth Day of *September* One thouſand ſeven hundred and eighty-two, duly executed and atteſted, whereby, after directing that all his juſt Debts and Funeral Expences ſhould be paid, and charging his Real Eſtates of which he had Power to diſpoſe, and all his Perſonal Eſtate, with the Payment thereof, he deviſed all and every his Manors, Meſſuages, Farms, Lands, Woods, Tenements, Rents, Rectories, Advowſons, Tithes, and Hereditaments whatſoever, ſituate, lying, being, ariſing, happening, or renewing within the Pariſh of *Gunby* aforeſaid, and the ſeveral Pariſhes of *Bratoft*, *Candleſby*, *Burgh*, *Croft*,

Croft, *Thorpe*, *Wainefleet*, *Friſkney*, *Irby*, *Markby*, *Huttoft*, *Bilbſby*, *Sutton*, *Rigſby*, *Orby*, *Great Steeping*, *Welton*, *Winthorpe*, *Firſby*, or elſewhere in the County of *Lincoln*, unto *Richard Meux* Eſquire, and *Robert Chapman* Gentleman, their Executors, Adminiſtrators, and Aſſigns, for the Term of Six hundred Years from the Time of his Death, upon the Truſts therein-after mentioned, and ſubject thereto, to the Uſe of his the ſaid Teſtator's Wife *Maria Maſſingberd*, and *Edward Walls* of *Spilſby* Clerk, and their Heirs, in Truſt for the Uſe of the eldeſt Son which might be born to him, or which his Wife might be enſient with at his Deceaſe, for his Life, Remainder to his ſaid Wife, and the ſaid *Edward Walls*, and their Heirs, during the Life of his ſaid eldeſt Son, in Truſt to preſerve Contingent Remainders, Remainder to the firſt and every other Son of ſuch eldeſt Son ſucceſſively in Tail Male, Remainder to the ſaid Teſtator's Daughter *Elizabeth Mary Anne Maſſingberd* for her Life, Remainder to the ſame Truſtees and their Heirs during the Life of his ſaid Daughter, in Truſt to preſerve Contingent Remainders, Remainder to the firſt and every other Son of his ſaid Daughter ſucceſſively in Tail Male, Remainder to the Iſſue Female of his ſaid Daughter as Tenants in Common in Tail, Remainder to the ſaid Teſtator's Brother *Thomas Maſſingberd* for his Life, Remainder to the ſame Truſtees and their Heirs during the Life of the ſaid *Thomas Maſſingberd*, in Truſt to preſerve Contingent Remainders, Remainder to the firſt and every other Son of the ſaid *Thomas Maſſingberd* ſucceſſively in Tail Male, Remainder to the ſaid Teſtator's Brother *Charles Bolle Maſſingberd*, in the ſaid Will named *Charles Bowles Maſſingberd*, for his Life, Remainder to the ſame Truſtees and their Heirs during the Life of the ſaid *Charles Bolle Maſſingberd*, in Truſt to preſerve Contingent Remainders, Remainder to the firſt and every other Son of the ſaid *Charles Bolle Maſſingberd* ſucceſſively in Tail Male, Remainder to the ſaid Teſtator's Siſter *Emily Maſſingberd* for her Life, Remainder to the ſame Truſtees and their Heirs during the Life of the ſaid *Emily Maſſingberd*, in Truſt to preſerve Contingent Remainders, Remainder to the firſt and every other Son of the ſaid *Emily Maſſingberd*, ſucceſſively in Tail Male, Remainder to the ſaid Teſtator's own right Heirs for ever; and the ſaid Teſtator declared, that the ſaid Term of Six hundred Years was limited to the ſaid *Richard Meux*, and *Robert Chapman*, upon Truſt, that in caſe he ſhould have a Son or Sons born in his Lifetime or after his Deceaſe, and his Daughter *Elizabeth Mary Anne* ſhould be then living, or he ſhould have one or more other Child or Children beſides an eldeſt or only Son, (but neither of which Events ever happened), then that the ſaid *Richard Meux* and *Robert Chapman*, their Executors, Adminiſtrators, and Aſſigns, ſhould by Sale or Mortgage of the ſaid Hereditaments, compriſed in the ſaid Term, raiſe ſuch Sums of Money for the Portions of his ſaid Daughter *Elizabeth Mary Ann Maſſingberd*, and all ſuch other Child or Children as aforeſaid, other than an eldeſt or only Son as therein particularly mentioned; and in the ſaid Will there is contained a Proviſo for making void the ſame Term, if the ſaid Teſtator ſhould have no Children beſides his ſaid Daughter *Elizabeth Mary Ann*, or being ſuch they ſhould die before their Portions ſhould be payable; and the ſaid Teſtator by his ſaid Will gave to his Siſter *Emily Maſſingberd*, after the Deceaſe of his Mother *Elizabeth Maſſingberd*, during the Life of his ſaid Siſter, one clear Annuity of One hundred Pounds, payable Half-yearly out of his Manors and other Hereditaments therein-before deviſed, with Power of Diſtreſs

Diſtreſs in caſe of Non-payment thereof: And whereas the ſaid *Maria Maſſingberd*, the Wife of the ſaid *Henry Maſſingberd*, died in his Life-time: And whereas the ſaid *Henry Maſſingberd* died on or about the Nineteenth Day of *October* One thouſand ſeven hundred and eighty-four, without having revoked or altered his ſaid Will, leaving the ſaid *Elizabeth Mary Ann Maſſingberd* his only Child and ſole Heireſs at Law: And whereas the ſaid *Elizabeth Mary Ann Maſſingberd* ſome Time ſince intermarried with *Peregrine Langton* Eſquire, who hath ſince aſſumed the Surname of *Maſſingberd* purſuant to a Direction contained in the ſaid Will of the ſaid *Henry Maſſingberd*; and the ſaid *Peregrine Maſſingberd* hath Iſſue by his ſaid Wife Four Children; namely, *Algernon Langton Maſſingberd*, *Samuel Langton Maſſingberd*, *Henry Peregrine Langton Maſſingberd*, and *Elizabeth Langton Maſſingberd*, all of whom are Infants under the Age of Twenty-one Years; and the ſaid *Peregrine Maſſingberd*, and *Elizabeth Mary Ann* his Wife, in her Right, are now in the Poſſeſſion and in the Receipt of the Rents and Profits of the Manors and other Hereditaments deviſed by the ſaid Will of the ſaid *Henry Maſſingberd*, under the Limitations therein contained: And whereas the ſaid *Thomas Maſſingberd* ſome Time ſince intermarried with *Elizabeth Hawkſmore Waterhouſe*, and hath Iſſue Two Sons, namely, *Thomas* and *Hompeſch*, both of whom are Infants under the Age of Twenty-one Years: And whereas the ſaid *Charles Bolle Maſſingberd* ſome Time ſince intermarried with *Mary Smith*, and hath Iſſue Two Sons, namely, *Charles* and *Vincent Amcotts*, both of whom are Infants under the Age of Twenty-one: And whereas the ſaid *Emily Maſſingberd* hath never been married: And whereas the ſeveral Manors and other Hereditaments deviſed by the ſaid Will of the ſaid *Henry Maſſingberd*, deceaſed, are ſubject to the Payment of a Sum of Eleven thouſand Pounds ſecured by Mortgage of the ſaid Eſtates, and by virtue of the Charge created by his ſaid Will for Payment of his Debts are likewiſe ſubject to the Payment of a Sum of Three thouſand Pounds, Part of a Sum of Four thouſand Pounds ſecured by the Bond of the ſaid *Henry Maſſingberd*, which ſaid Mortgage and Bond Debts are the only Debts of the ſaid Teſtator that are known or believed to be remaining unſatisfied, except the Sum of Four hundred and ſixty-nine Pounds and Seven Shillings paid out of the Rents and Profits of the ſaid deviſed Eſtates during the Minority of the ſaid *Elizabeth Mary Ann Maſſingberd*, in Diſcharge of a Debt due to *David Thomas*, and the ſame Eſtates are alſo ſubject to (beſides the ſaid Contingent Annuity of One hundred Pounds given by the ſaid Will of the ſaid *Henry Maſſingberd* to the ſaid *Emily Maſſingberd* for her Life) an Annuity of Three hundred and fifty Pounds payable to the ſaid *Elizabeth Maſſingberd* during her Life: And whereas ſeveral Parts of the ſaid Eſtates deviſed by the ſaid Will of the ſaid *Henry Maſſingberd* lie diſperſed in the Pariſh of *Scremby*, and in the Hamlet of *Aſhfordby*, in the Pariſh of *Belſby*, and in the ſaid Pariſhes of *Candleſby*, *Croft*, *Firſby*, *Freſkney*, *Huttoft*, *Irby*, *Sutton*, *Thorpe*, and *Wainfleet*, in the ſaid County of *Lincoln*, and detached from the Family Manſion Houſe of *Gunby*, and from the Bulk and Reſidue of the ſaid deviſed Eſtates, and conſiſt principally of ſmall Farms and Cloſes of Land without any Farming Buildings belonging thereto: And whereas it would be advantageous to the ſeveral Perſons for the Time being intereſted in the ſaid deviſed Eſtates under the Limitations contained in the ſaid Will of the ſaid *Henry Maſſingberd*, deceaſed, if ſuch

Parts

Parts of the ſaid Eſtates, ſituate in the ſaid Pariſhes laſt mentioned, as are particularly mentioned in the Schedule to this Act annexed, were veſted in Truſtees in Fee Simple, diſcharged from the Uſes, Truſts, Annuity, and Charges limited and created by the ſaid Will, and that out of the clear Money ariſing by ſuch Sale, the ſaid principal Sum of Eleven thouſand Pounds due on Mortgage as aforeſaid, and the Intereſt thereof, ſhould in the firſt Place be diſcharged, and the Remainder of ſuch Monies ſhould (after Payment thereout of the ſaid Bond Debt of Three thouſand Pounds and Intereſt) be laid out under the Direction of the Court of Chancery, in the Purchaſe of other Real Eſtates, in the County of *Lincoln*, to be ſettled to the ſubſiſting Uſes of the ſaid Will of the ſaid *Henry Maſſingberd* deceaſed, but by reaſon of the Limitations contained in the ſaid Will the Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament; therefore Your Majeſty's moſt dutiful and loyal Subjects, the ſaid *Peregrine Maſſingberd*, and *Elizabeth Mary Ann* his Wife, on Behalf of themſelves and their ſaid Infant Children, and the ſaid *Thomas Maſſingberd* on Behalf of himſelf and his ſaid Infant Sons, and the ſaid *Charles Bolle Maſſingberd* on Behalf of himſelf and his ſaid Infant Sons, and the ſaid *Emily Maſſingberd* on Behalf of herſelf, 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 the ſeveral Meſſuages, Farms, Lands, Tenements, and Hereditaments particularly mentioned and deſcribed in the Schedule to this Act annexed, with their reſpective Rights, Members, and Appurtenances, ſhall from and after the paſſing of this Act be and the ſame are hereby veſted in *Alexander Johnſon* of the *Middle Temple*, *London*, Eſquire, and *John Skynner* of *Lincoln's Inn*, in the County of *Middleſex*, Eſquire, and their Heirs, abſolutely and for ever freed, exonerated, and diſcharged of and from all and every the Uſes, Eſtates, Limitations, Charges, Truſts, Powers, Proviſoes, and Declarations in and by the ſaid Will of the ſaid *Henry Maſſingberd* deceaſed, limited, created, declared, and contained of and concerning the ſame; and alſo of and from the ſaid Annuity or Yearly Rent Charge of One hundred Pounds given by the ſaid Will to the ſaid *Emily Maſſingberd* for her Life, in caſe ſhe ſhall ſurvive the ſaid *Elizabeth Maſſingberd*; and all Arrears of the ſaid Annuities, and all Powers, Remedies, and Truſts for ſecuring the ſame (but ſubject and without Prejudice to the ſaid Mortgage Debt of Eleven thouſand Pounds, and the Securities for the ſame and the Intereſt thereof, and alſo ſubject to the ſaid Sum of Three thouſand Pounds remaining due on Bond as aforeſaid, and the Intereſt thereof, and the ſaid Sum of Four hundred and ſixty-nine Pounds Seven Shillings, and the Intereſt thereof), nevertheleſs upon the Truſts, and to and for the Intents and Purpoſes, and under and ſubject to the Powers hereinafter expreſſed and declared of and concerning the ſame; (that is to ſay), upon Truſt, that they the ſaid *Alexander Johnſon* and *John Skynner*, or the Survivor of them, or the Heirs or Aſſigns of ſuch Survivor, do and ſhall, as ſoon as conveniently may be after the paſſing of this Act, by and with the Conſent and Approbation in Writing of the ſaid *Peregrine Maſſingberd* and *Elizabeth Mary Ann* his Wife, during their joint Lives, or of the ſaid *Elizabeth Mary Ann* alone, if ſhe ſhall ſurvive the ſaid *Peregrine Maſſingberd*; and after the Death of the ſaid *Elizabeth Mary Ann*

The Eſtate mentioned in the Schedule veſted in Truſtees, diſcharged from the Uſes of the Will.

Ann Maſſingberd, then with the Conſent and Approbation in Writing of the Perſon or Perſons who if this Act had not been paſſed would for the Time being have been beneficially entitled, under the Limitations contained in the ſaid Will, to the Receipt of the Rents and Profits of the ſame Meſſuages, Farms, Lands, Tenements, and Hereditaments, if ſuch Perſon or Perſons ſhall have attained the Age of Twenty-one Years, but if not, then with the Conſent and Approbation in Writing of his, her, or their Guardian or Guardians, abſolutely ſell and diſpoſe of the ſaid Meſſuages, Farms, Lands, Tenements, and Hereditaments ſo hereby veſted in the ſaid *Alexander Johnſon* and *John Skynner*, and their Heirs as aforeſaid, either together or in Parcels, and either by Public Sale or Auction, or by Private Contract, unto any Perſon or Perſons who ſhall be willing to purchaſe the ſame, or any Part or Parts thereof, for the beſt Price or Prices in Money which in the Judgement of the ſaid *Alexander Johnſon* and *John Skynner*, or the Survivor of them, or the Heirs or Aſſigns of ſuch Survivor, can or may be reaſonably obtained for the ſame, and upon Payment of the Monies for which the ſame ſhall be reſpectively ſold in the Manner herein-after mentioned, ſhall and do convey and aſſure the ſame Premiſes ſo ſold unto and to the Uſe of ſuch Purchaſer or Purchaſers thereof, and his, her, or their Heirs and Aſſigns for ever, or to ſuch other Uſes as he, ſhe, or they ſhall direct or appoint, freed, acquitted, and diſcharged as aforeſaid.

The Purchaſe Money to be firſt applied in Diſcharge of 11,000*l.* ſecured on the Eſtate.

II. And be it further enacted, That the Monies to ariſe by ſuch Sale or Sales as aforeſaid of the ſaid Meſſuages, Farms, Lands, Tenements, and Hereditaments ſo veſted in the ſaid *Alexander Johnſon* and *John Skynner*, their Heirs and Aſſigns as aforeſaid, ſhall be paid and applied by the Purchaſer or Purchaſers of the ſaid Hereditaments in the Manner following; that is to ſay, in the firſt Place in or towards the Payment and Satisfaction of the ſaid Mortgage Encumbrance of Eleven thouſand Pounds, and all Intereſt which ſhall be then due thereon, and in the next Place in Payment of the ſaid Bond Debt of Three thouſand Pounds, and the Intereſt thereof, to the Perſon or Perſons who ſhall be entitled to receive the ſaid reſpective Debts, and whoſe Receipt or Receipts ſhall be a ſufficient Diſcharge and ſufficient Diſcharges to the Perſon or Perſons paying the ſame reſpectively; and the Surplus of the Monies to ariſe by ſuch Sale or Sales as aforeſaid, after Payment of the ſaid Two ſeveral Sums of Eleven thouſand Pounds and Three thouſand Pounds, and the Intereſt for the ſame reſpectively, ſhall be paid by the Purchaſer or Purchaſers into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Purchaſer or Purchaſers of the deviſed Eſtates of the ſaid *Henry Maſſingberd*, deceaſed, purſuant to the Method preſcribed by the Act of the Twelfth Year of King *George* the Firſt, Chapter Thirty-ſecond, and the General Orders of the ſaid Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter Twenty-fourth; and as ſoon as conveniently may be after the ſaid Surplus of the Money to ariſe by ſuch Sale or Sales as aforeſaid ſhall have been ſo paid into the Bank of *England*, the ſame ſhall upon a Petition to be preferred to the ſaid Court of Chancery in a ſummary Way by the ſaid *Peregrine Maſſingberd* and *Elizabeth Mary Ann* his Wife, or by the ſaid *Elizabeth Mary Ann* alone, in caſe ſhe ſhall ſurvive him, and after her Deceaſe by the Perſon or Perſons for the Time being

And the Reſidue of the Purchaſe Money to be paid into the Bank of England, and inveſted, ſubject to Debts,

in the Purchase of Lands to be settled to the Uses of the Will.

being, whose Consent is hereby made requisite upon every such Sale to aforesaid, (after Payment of the Costs, Charges, and Expences of applying for and passing this Act, and also the Costs, Charges, and Expences attending the Execution of the several Trusts and Powers hereby created and given) be laid out and invested in the Purchase or Purchases of Freehold Manors, Messuages, Lands, Tenements, and Hereditaments, to be approved of by the said Court of Chancery, as being convenient to be held and enjoyed with such of the Hereditaments devised by the said Will of the said *Henry Massingberd* as are not hereby made saleable; and from and immediately after the making such Purchase or Purchases, the Manors, Messuages, Lands, Tenements, or Hereditaments, so to be purchased, shall be conveyed, settled, and assured to, for, and upon such of the Uses, Trusts, Intents, and Purposes, and with, under, and subject to such and so many of the Powers, Provisoes, and Declarations in and by the said Will of the said *Henry Massingberd* deceased, limited, expressed, and declared of and concerning the Freehold Hereditaments thereby devised, as shall be then subsisting or capable of taking effect.

Until Lands are purchased, the Money to be laid out in Navy, Victualling, and Exchequer Bills.

III. And be it further enacted, That all Sums of Money which shall be paid into the Bank in the Name of the said Accountant General in Manner herein-before directed, 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 contained, shall in the mean Time, and until the said Monies shall be invested in the Purchase of Lands, Tenements, or Hereditaments as aforesaid, be from Time to Time 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, Victualling, 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, Victualling, or Exchequer Bills, and all the said Navy, Victualling, or Exchequer Bills, shall be deposited in the Bank of *England*, 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 directed for the Investment thereof, and until the same shall, upon a Petition to be preferred to the Court of Chancery in a summary Way by the said *Peregrine Massingberd* and *Elizabeth Mary Ann* his Wife, or such other Person or Persons as aforesaid, be ordered by the said Court to be sold by the said Accountant General for the completing such Purchase or Purchases in such Manner as the said Court shall think just and direct; and if the Money to arise by Sale of such Bills shall exceed the Amount of the original Purchase Money so to be 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 receive the Rents and Profits of the Hereditaments directed to be purchased pursuant to this Act, in case the same had been purchased pursuant to this Act, or to the personal Representative or Representatives of such Person or Persons.

Accountant General's Certificate and Receipt

IV. Provided also, and it is hereby further enacted and declared, That the Certificate or Certificates of the said Accountant General, together with the Receipt or Receipts of any one of the Cashiers of the Bank of *England*

England to be annexed thereto, and therewith filed in the Regiſter Office of the ſaid Court of Chancery of the Payment into the Bank of *England* by the Perſon or Perſons in whoſe Favour ſuch Sales ſhall be made, of his, her, or their Purchaſe Money, or any Part thereof, ſhall be a good and effectual Diſcharge, or good and effectual Diſcharges to ſuch Perſon or Perſons, and to his, her, or their reſpective Heirs, Executors, Adminiſtrators, and Aſſigns, for ſo much of ſuch Purchaſe Money as in ſuch Certificates or Receipts reſpectively ſhall be expreſſed to have been paid or received; and that after filing ſuch Certificates and Receipts as aforeſaid, ſuch Purchaſer or Purchaſers, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns, ſhall not be anſwerable or accountable for any Loſs, Miſapplication, or Nonapplication of ſuch Purchaſe Money, or any Part thereof.

of the Caſhier of the Bank to be good Diſcharges.

V. Provided alſo, and it is hereby further enacted and declared, That it ſhall be lawful for the ſaid Court of Chancery from Time to Time to make ſuch Order as the ſaid Court ſhall think proper, for taxing or ſettling the Coſts and Expences to be incurred in obtaining and paſſing this Act, and in making the ſeveral Applications to be made to the ſaid Court in purſuance thereof, and in making and completing the Sales of the ſeveral Hereditaments hereby made ſaleable as aforeſaid, and in inveſting all or any of the Monies which in purſuance of this Act ſhall be paid into the Bank of *England* as aforeſaid in the Purchaſe of Navy, Victualling, or Exchequer Bills, or in the Purchaſe of Lands and Hereditaments, according to the Directions herein-before given, or otherwiſe in carrying the Truſts and Purpoſes of this Act into Effect; and alſo from Time to Time to make ſuch Order and Orders as the ſaid Court ſhall think fit for Payment of ſuch Coſts, Charges, and Expences as aforeſaid, out of the Monies ariſing by Sale of the Lands and Hereditaments hereby made ſaleable, and ſhall be ſo paid into the Bank as aforeſaid, or out of the Monies ariſing by Sale of the Navy, Victualling, or Exchequer Bills, to be purchaſed as aforeſaid.

Payment of Coſts and Expences.

VI. Provided alſo, and it is hereby further enacted and declared, That in the mean Time, and until ſuch Sale or Sales as aforeſaid ſhall be made of the ſaid Meſſuages, Farms, Lands, Tenements, and Hereditaments hereby veſted in Truſt to be ſold as aforeſaid, the ſaid *Alexander Johnſon* and *John Skynner*, and the Survivor of them, and the Heirs of ſuch Survivor, ſhall permit and ſuffer the Rents and Profits of the ſame Meſſuages, Farms, Lands, Tenements, and Hereditaments, or of ſuch of them as ſhall remain unſold, to be received by the Perſon or Perſons who would have been entitled to have received ſuch Rents and Profits if this Act had not been made.

Until a Sale, the Rents of the Eſtates to be received by the Perſons entitled under the Will.

VII. Provided always, and it is hereby further enacted, That notwithſtanding Parts of the Hereditaments originally ſubjected to the ſaid Annuity or Yearly Rent Charge of One hundred Pounds given or deviſed to the ſaid *Emily Maſſingberd* for her Life, in caſe ſhe ſhall ſurvive the ſaid *Elizabeth Maſſingberd*, are by the Operation of this Act freed and diſcharged from the ſaid Annuity or Yearly Rent Charge, and all Powers and Remedies for ſecuring the ſame, yet nevertheleſs the ſaid Annuity or Yearly Rent Charge ſhall be, remain, and continue charged

The Reſidue of the Eſtates deviſed by the Will to remain ſubject to the Annuities to Elizabeth Maſſingberd and Emily Maſſingberd.

charged upon and payable out of the Reſidue of the Manors and other Hereditaments originally charged therewith, and not hereby veſted in Truſt to be ſold as aforeſaid, with all Powers, Authorities, and Remedies for recovering and compelling Payment of the ſame, from and out of ſuch Reſidue of the ſame Manors and other Hereditaments, in ſuch and the ſame Manner as if the ſaid Reſidue of the ſaid Manors and other Hereditaments had been originally the only Hereditaments ſubject to the Payment of the ſame Annuity or Yearly Rent Charge.

Power to appoint new Truſtees of the Act.

VIII. Provided alſo, and it is hereby further enacted and declared, That if the ſaid *Alexander Johnſon* and *John Skynner*, or either of them, or any future Truſtee or Truſtees to be appointed as herein-after mentioned, ſhall die, or be deſirous of being diſcharged from, or ſhall refuſe or decline, or become incapable to act in the Truſts hereby in them or him repoſed as aforeſaid, or ſhall go out of *Great Britain* before the ſaid Truſts ſhall be fully performed and executed, then, and as often as any ſuch Caſe ſhall happen, it ſhall and may be lawful for the High Court of Chancery, in a ſummary Way, upon the Petition of the Perſon or Perſons who under or by virtue of the ſaid Will of the ſaid *Henry Maſſingberd* would for the Time being be beneficially entitled in Poſſeſſion, or to the Rents and Profits of the ſaid Meſſuages, Farms, Lands, Tenements, and Hereditaments hereby made ſaleable as aforeſaid, if ſuch Perſon or Perſons ſhall be of the Age of Twenty-one Years, and if under that Age, then upon the Petition of his, her, or their Guardian or Guardians, during his, her, or their Minority, or reſpective Minorities, from Time to Time to nominate and appoint any Perſon or Perſons propoſed in the ſaid Petition, or named by the ſaid Court to be a Truſtee or Truſtees in the Place and Stead of the Truſtee or Truſtees ſo dying or deſiring to be diſcharged, or refuſing, declining, or becoming incapable to act, or going out of *Great Britain* as aforeſaid, and thereupon all ſuch Meſſuages, Farms, Lands, and Hereditaments, or ſuch of them as ſhall remain unſold, ſhall with all convenient Speed be conveyed ſo and in ſuch Manner as that the ſame may be legally and effectually veſted in the ſurviving or continuing Truſtee, and ſuch new Truſtee, or in ſuch new Truſtees wholly, as the Caſe may require, upon the Truſts herein-before declared of and concerning the ſame Truſt Eſtates and Premiſes reſpectively, or ſuch of the ſame Truſts as ſhall be then ſubſiſting or capable of taking Effect; and that every ſuch new Truſtee or Truſtees ſhall and may in all Things act and aſſiſt in the Management and Execution of the Truſts to which he or they ſhall be ſo appointed, as fully and effectually, and with all the Powers and Authorities, to all Intents, Effects, Conſtructions, and Purpoſes whatſoever, as if he or they had been originally appointed a Truſtee or Truſtees of this Act.

General Saving.

IX. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon or Perſons, Bodies Politic and Corporate, and their reſpective Heirs, Succeſſors, Executors, and Adminiſtrators, (other than and except the ſaid *Peregrine Maſſingberd* and *Elizabeth Mary Ann* his Wife, and the firſt and other Sons of the ſaid *Elizabeth Mary Ann Maſſingberd*, and the Heirs Male of the Body and reſpective Bodies of ſuch Son and Sons, and the Daughter and Daughters of the ſaid *Elizabeth Mary Ann Maſſingberd*, and the Heirs of the Body and

and respective Bodies of such Daughter and Daughters, and the said *Thomas Massingberd*, and his first and other Sons, and the Heirs Male of the Body and respective Bodies of such Son and Sons, and the said *Charles Bolle Massingberd*, and his first and other Sons, and the Heirs Male of the Body and respective Bodies of such Son and Sons, and the said *Emily Massingberd*, and her first and other Sons, and the Heirs Male of the Body and respective Bodies of such Son and Sons, and the said *Edward Walls*, as surviving Trustee in the said Will appointed for preserving Contingent Remainders, and his Heirs, and the right Heirs of the said *Henry Massingberd*, deceased, and all and every other Person and Persons (except the said *Elizabeth Massingberd* the Annuitant, and *Edward Walls*, and other Person or Persons, if any, who are entitled to recover any Debt or Debts charged by the Will of the said *Henry Massingberd*) having or lawfully claiming, or who shall or may have or lawfully claim any Estate, Right, Title, or Interest, of, in, to, or out of the said Messuages, Lands, Tenements, and other Hereditaments, hereby vested in Trust to be sold as aforesaid under the said Will of the said *Henry Massingberd*, deceased, all such Estate, Right, Title, Interest, Property, Claim, and Demand whatsoever, of, in, to, or out of the said Messuages, Farms, Lands, Tenements, and Hereditaments hereby made saleable, as they or any of them had before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

To be printed by the King's Printer.

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

The SCHEDULE referred to by this Act.

Parish or Hamlet where situate.	TENANTS NAMES.	Name of each Close.	Quantity.	Yearly Rent of each Close.	Total Quantity	Total Yearly Rent.
			A. R. P.	£. s. d.	A. R. P.	£. s. d.
Asfordby	Deforges, Abraham	Six Acres -	6 1 4	6 11 9		
		Eleven Acres -	11 1 12	10 3 10		
		Ten Acres -	10 1 7	10 5 10		
	Young, Joseph - -	New Field -	14 3 9	18 10 2		
		White Croft -	19 2 0	26 6 6		
					62 0 32	71 18 1
Candlesby	Clayworth, Joseph -	Three Acres -	2 0 4	2 16 8		
		Close - -	2 2 38	4 15 9		
		Four Acre -	4 2 3	4 19 5		
					9 1 5	12 11 10
	Massingberd, Tho. Esq.	New Inclosure -	3 3 30	4 6 7		
		Close - -	6 2 23	11 12 6		
					10 2 13	15 19 1
	Hewison, Samuel -	Twelve Acre -	11 2 8	13 5 8		
		Plantations -	- - -	- - -	2 2 3	
		Six Acre -	6 1 29	7 7 11		
					17 3 37	20 13 7
	Wright - -	Townsend Close	1 1 11	2 4 10		
					1 1 11	2 4 10
	Bush, Samuel -	Gowdam Close -	- - -	- - -	2 3 3	3 15 4
Croft - -	Scarby, John -	Croft Six Acre	6 0 25	9 4 8		
		Nineteen Acres	19 1 13	28 19 11		
		Ten Acres -	10 1 0	15 7 6		
		Engine Five Acres	5 0 20	10 5 0		
		Three Acre -	3 2 24	15 3 9		
		Four Acre -	4 3 6			
	Hill, James - -	Pasture - -	5 1 18	10 14 6		
					54 2 26	89 15 4
Firsby - -	Hewison, Joseph -	Four Acre -	4 1 4	5 2 7		
		Close - -	6 1 8	6 6 0		
	Rutter, John - -	Firsby Sixteen Acre	17 3 21	17 17 7		
	Young, Thomas -	Firsby Six Acre	6 1 23	6 14 3		
		Ings Two Acre Vale - -	1 3 0	1 2 9		
					36 2 16	37 3 2
Friskney -	Brakenbury, John -	House, Homestead, &c.	3 1 16	5 7 2		
		Three Acres -	2 2 35	2 19 9		
		Stripe - -	1 0 19	1 0 1		
		Corn Close -	5 1 7	4 15 3		
		Acre - -	1 0 31	1 11 0		
					13 2 28	15 13 3
Huttoft -	Young, Joseph -	Eighteen Acre -	17 2 16	23 15 2		
		Six Acres -	11 3 10	16 10 9		
		Forty Acre -	35 1 14	30 0 9		
		Little Part of D°	4 0 34	3 11 7		
		Three Acre -	3 0 36	3 1 3		
					72 0 30	76 19 6
Irby - -	Hewison, Samuel -	Two Closes -	18 0 37	20 1 1		
	Vere, John - -	Ings - -	1 1 1	0 17 7		
		Ditto - -	1 1 14	0 18 8		
	Wray, William -	Two Acre -	2 1 13	2 6 7		
		Sandland Ings -	2 2 0	2 10 0		
		Sandland Field -	0 3 9	0 19 4		
		Low Two Acre	1 3 11	1 16 4		
					28 1 5	29 9 7

(*continued.*)

SCHEDULE—*continued.*

Parish or Hamlet where situate.	TENANTS NAMES.	Name of each Close.	Quantity.	Yearly Rent of each Close.	Total Quantity.	Total Yearly Rent.
			A. R. P.	£ s. d.	A. R. P	£ s. d.
Scremby -	Hewison, Samuel -	Back Close -	3 0 24	3 12 5	3 0 24	3 12 5
Sutton -	Bush, Robert - -	Seven Acre -	7 3 4	6 19 11		
	Butler, Jasper - -	Twelve Acre -	13 2 18	16 6 8		
	Holden, Benjamin -	Eight Acre -	7 2 35	8 9 9		
	Young, Joseph -	Twelve Acre -	16 0 8	20 17 3		
		Ings, 20 A. Dale	18 2 6	15 15 1		
		D° Ten Acre -	8 2 7	7 5 3		
					72 0 38	75 13 11
Thorp -	Foster, Nathaniel -	Close (Edward's)	5 3 30	7 8 5		
		D° D° -	5 0 3	6 10 6		
	Maidens, Jacob -	House, Homestead, &c.	1 2 34	2 11 4		
		Sunkin Gowt Three Acre	2 3 34	2 7 4		
		Four Acre -	3 3 6	3 15 9		
		Six Acre - -	6 0 7	9 4 7		
		Four Acre -	3 3 34			
		Five Acre -	4 3 6			
		Three Acre -	3 2 34	4 16 6		
		Acre Piece -	1 1 38	1 18 8		
	Searby, John - - -	House, Homestead, &c.	1 0 0	2 0 0		
		Holt - -	0 2 14	0 11 9		
		Bull Close - -	3 0 6	5 9 4		
		Thoroughfare -	8 0 19	14 12 3		
		Ditto - -	3 3 18	6 11 3		
		Square Four Acre	4 1 22	7 0 4		
		Long D° - -	4 1 30	7 19 9		
		Five Acre -	5 0 22	9 4 11		
		Thirteen Acre -	13 2 16	21 15 2		
		Acre - -	1 0 28	1 15 3		
		Fen Dales -	10 0 26	5 1 7		
		River Four Acre	3 1 28	2 14 9		
					98 1 15	123 9 5
Wainfleet	Booth, George - -	House and Toft in Ming, with the Duke of Ancaster -	10 2 0	18 7 6		
		Toft D° with D°	2 3 16	3 10 9		
		Halfpenny Hill D° Duke of Ancaster -	1 2 19	3 1 6		
		Ming Seven Acre	2 0 9	2 13 5		
		Peperthorp, or Rects Stripe -	4 1 9	5 11 11		
		Two Acre -	1 3 0	2 16 0		
	Hill, James - -	Two Acre -	2 1 13	2 11 3		
		Ditto - -	2 2 10	3 1 6		
	Martin, James - -	A Piece of Ming Land with Mr. Badcock -	4 0 16	5 14 9		
					32 0 12	47 8 7
		Total -	- £		517 3 19	626 7 11

JN° BURCHAM.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1809.