



ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 155:

An Act for vesting an Estate called *Killingworth Farm*, in the County of *Northumberland*, (being an Estate devised by the Will of *Thomas Bonner* Esquire, deceased) in Trustees, to be sold for the Payment of Legacies, and for laying out the Residue of the Money, in the Purchase of other Estates, to be settled to the same Uses.

[2d July 1808.]

WHEREAS *Thomas Bonner* late of *High Callerton*, in the County of *Northumberland*, Esquire, deceased, by his last Will and Testament in Writing, bearing Date the Fourteenth Day of *June* One thousand seven hundred and ninety-four, duly executed and attested; after giving Directions respecting his Funeral, gave to his eldest Son *Robert Bonner Warwick* (he being otherwise sufficiently provided for) the Sum of Five hundred Pounds, on Condition that he kept the Testator indemnified against the Payment of Seven hundred Pounds, for which the Testator became his Surety by Bond to the late *Mr. Snow Clayton*, and not otherwise; and also gave to his Daughter *Isabella Losh*, whom he stated to have received her Portion, Twenty Guineas; also he gave to his Daughter *Sarah Bonner*, the Sum of Twelve hundred Pounds, and to his Daughter *Ann Bonner*, the Sum of Twelve hundred Pounds, to be paid to them respectively within Six Months after his Decease, with Interest

Will of
Tho. Bonner
recited.

[Loc. & Per.]

terest at Four *per Centum*; and gave to his Daughter *Maria Grace Bonner*, the Sum of Twelve hundred Pounds, to be paid at her Age of Twenty-one Years or Day of Marriage, with Interest in the mean Time from the Testator's Death at Four Pounds *per Centum*; and if his said Daughter *Maria Grace Bonner* should die under the age of Twenty-one Years and unmarried, in such case the said Testator directed that the said Legacy of Twelve hundred Pounds so given to her should vest in and belong to his Daughters *Sarah* and *Ann* in equal Proportions; and he gave and devised all his Messuages, Lands, Tenements, and Hereditaments whatsoever, situate, lying, and being in the Counties of *Northumberland* and *Durham*, to *William Darnell*, of *Newcastle-upon-Tyne*, Merchant, and *Robert Rayne*, of the same Place, Gentleman, (who is since deceased) their Executors, Administrators, and Assigns, for the Term of One thousand Years, to be computed from the said Testator's Death, without Impeachment of Waste, upon such Trusts, and for such Intent's and Purposes, and subject to such Proviso's as were therein-after expressed concerning the same Term, and subject to the said Term and to the Trusts thereof, the said Testator gave and devised all his said Messuages, Lands, Tenements, and Hereditaments whatsoever in the said Counties of *Northumberland* and *Durham*, with their several Rights, Members, and Appurtenances, unto and to the Use and Behoof of his Son *Thomas Bonner* and his Assigns during the Term of his natural Life, without Impeachment of Waste, with Remainder to *Thomas Blackett*, of *Oak Wood House*, in the said County of *Northumberland*, Esquire, and *Richard Brown*, of *Wylam*, in the said County, Gentleman, and their Heirs, during the Life of the said *Thomas Bonner*, the Son, in Trust to preserve the Contingent Remainders therein-after limited, but nevertheless to permit the said *Thomas Bonner* and his Assigns to receive the Rents and Profits thereof during his Life, subject to the Proviso thereafter contained, in case of his living and residing in *America*, and from and after the Decease of the said *Thomas Bonner*, to the Use of the first and every other Son of the said *Thomas Bonner* the Son, severally and successively according to Priority of Birth, in Tail Male; Remainder to the Use of the second and every other younger Son of his the said Testator's Son *Robert Bonner Warwick*, severally and successively according to Priority of Birth, in Tail Male; with Remainder to the Testator's own right Heirs; and the said Testator declared his Will to be, that his said Estates were so devised to the Use of the Second and other Son and Sons of the said *Robert Bonner Warwick*, and the several and respective Heirs Male of their respective Bodies, in Succession as aforesaid, upon Condition that such Son and Sons of the said *Robert Bonner Warwick*, and the respective Heirs Male of their respective Bodies, should, when they should respectively come into or be entitled unto the Possession of his Estates, take upon themselves and continue to use the Sirname of *Bonner*, and no other Sirname; and the said Testator declared his Will to be that, if it should happen that his said Son *Thomas Bonner* should die without leaving Male Issue, and before his said Son *Robert Bonner Warwick* should have a Son capable of taking his said Estates, under and by virtue of his said Will, then he gave all his said Messuages, Lands, Tenements, and Hereditaments, and the Rents, Issues, and Profits thereof, subject as aforesaid, to and for the Use of his said Three Daughters *Sarah*, *Ann*, and *Maria Grace Bonner*, and their Assigns, as Tenants in common, from the Death of his said Son *Thomas*, till the Birth of a Son of his said Son *Robert Bonner Warwick*, capable of taking the same under his said Will, or until the Possibility

sibility of the Birth of such Son should be extinguished, with a Proviso, that in case *Margaret*, the Wife of his said Son *Thomas*, should survive him, then all his said Messuages, Lands, Tenements, and Hereditaments should stand charged with an Annuity of Fifty Pounds to her and her Assigns for her natural Life, payable as therein mentioned; and the said Testator declared, that the Messuages, Lands, Tenements, Hereditaments, and Premises so limited to the said *William Darnell* and *Robert Rayne*, their Executors, Administrators, and Assigns, for the Term of One thousand Years, were so limited to them upon Trust, that they or the Survivor of them, should out of the Rents and Profits of the said Messuages, Lands, Tenements, and Hereditaments, or by Mortgage thereof, or a competent Part thereof, for all or any Part of the said Term of One thousand Years, raise and pay to his said Son *Robert Bonner Warwick*, and the Testator's said Daughters, the several Legacies or Sums of Money thereby given to them respectively, with Interest for the same as aforesaid; and also the several other Legacies thereafter bequeathed, and also an Annuity of Fifty Pounds given to his Daughter-in-Law *Margaret Bonner* for her Life, (which Annuity is now determined by her Death); and upon further Trust, that in case his said Son *Thomas Bonner* should at any Time or Times thereafter live and reside in any Part of *America*, then and in such Case the said *William Darnell* and *Robert Rayne*, and the Survivor of them, should, for and during all such Time and Times as the said *Thomas Bonner* should live and reside in *America*, pay, and apply to and for the Use of his said Three Daughters, and the Survivors, and Survivor of them, all the Rents and Profits of the said Messuages, Lands, Tenements, and Hereditaments, comprised in the said Term of One thousand Years, as otherwise would have been payable to his said Son and his Assigns; and the said Testator thereby directed, that as soon as the Trusts of the said Term should have been performed, then the said Term, or so much thereof as should remain undisposed of, should cease and become void; and the said Testator thereby willed and declared, that it should be lawful for his said Son *Thomas Bonner*, and for such other Persons as were thereby made Tenants for Life, being in Possession of the Hereditaments and Premises limited to them for Life, to make such Leases thereof as therein mentioned; and after giving several small Legacies, the said Testator gave, devised, and bequeathed all the Rest, Residue, and Remainder of his Estate and Effects not thereby otherwise disposed of, to his Son *Thomas Bonner*, his Heirs, Executors, Administrators, and Assigns, and appointed him sole Executor of his said Will: And whereas the said Testator *Thomas Bonner*, on or about the Twenty-second Day of *November* One thousand seven hundred and ninety-seven, made a Codicil to his said Will, but unattested, whereby he gave, and bequeathed unto his said Three Daughters *Sarah Bonner*, *Ann Bonner*, *Maria Grace Bonner*, Eight hundred Pounds each, in addition to the said Legacies given them respectively by his said Will, to be paid to them respectively within Six Months after his Decease, with Interest at Four *per Centum* from the Time of his Death, and directed that the said Codicil or Writing should be taken and considered as Part of his Will: And whereas, the said Testator departed this Life in the Month of *January* One thousand seven hundred and ninety-eight, without revoking or altering his said Will and Codicil, which have been duly proved by the said *Thomas Bonner* the Son, who entred into Possession and Receipt of the Rents and Profits of the Real Estates devised by the said Testator as aforesaid, and possessed himself of Personal

Codicil, 22d
 Nov. 1797.

Estate

Decree of the
Court of
Chancery,
7th Feb. 1804.

Estate and Effects: And whereas the said *Robert Rayne* departed this Life in the Month of *November* One thousand seven hundred and ninety-six: And whereas the said *Margaret Bonner* departed this Life on the Tenth of *August* One thousand eight hundred and six: And whereas the said *Sarah Bonner*, *Ann Bonner*, and *Maria Grace Bonner*, are all living, and have all attained the Age of Twenty-one Years: And whereas the said *Thomas Bonner* the Son intermarried with *Margaret Fraser*, and hath Issue by her, *Thomas Bonner*, now an Infant of the Age of Eleven Years, or thereabouts, and no other Child: And whereas the said *Robert Bonner Warwick* intermarried with *Mary Atkinson*, on or about the Thirteenth Day of *February* One thousand seven hundred and ninety-two, and has Issue by her three Sons, *videlicet*, *Francis* his eldest Son, aged Six Years or thereabouts, *John* his second Son, aged about Three Years, and *Ralph Maddison*, aged about Two Years: And whereas, by a Decree made by the Lord High Chancellor, on the Seventh Day of *February* One thousand eight hundred and four, in a certain Cause depending in the Court of Chancery, wherein the said *Sarah Bonner* and *Maria Grace Bonner* were Plaintiffs, and the said *Thomas Bonner* the Son and *Margaret* his Wife and the said *Thomas Bonner*, their Infant Son by the said *Thomas Bonner* his Father and Guardian, the said *Robert Bonner Warwick*, *Ann Bonner*, and *William Darnell*, were Defendants (the said *Robert Bonner Warwick* the elder Son and Heir at Law of the Testator *Thomas Bonner* by his Answer admitting the Will of the said Testator) it was declared, that the same ought to be established, and the Fruits thereof performed and carried into Execution; and the same was decreed accordingly; and it was ordered, that it should be referred to Master *Simon*, one of the Masters of the said Court, to take an Account of the Personal Estate of the said Testator, not specifically bequeathed, come to the Hands of the said *Thomas Bonner*; his sole Executor; and it was further ordered, that the Master should take an Account of the said Testator's Debts, Funeral Expences, and Legacies, and enquire whether the Sum of Seven hundred Pounds, for which the said Testator became bound as Surety for his Son *Robert Bonner Warwick*, was paid; and it was ordered, that the said Testator's Personal Estate, not specifically bequeathed, should be applied in Payment of his Debts and Funeral Expences, and then in Payment of the Legacies given by the Codicil of the said Testator; and it was further ordered, that the said Master should enquire what Real Estates, in the Counties of *Northumberland* and *Durham*, the said Testator was seized of at the Time of making his said Will: And whereas the said Master, by his Report made in the said Cause on the Sixteenth Day of *July* One thousand eight hundred and six, certified (amongst other Things) that he found that the said Bond given by the said Testator as Surety for his Son, had been satisfied by his said Son in the Life-time of his Father, and that the said Testator, at the Time of making his Will, and at the Time of his Death, was seized of several Real Estates in the Counties of *Northumberland* and *Durham*, set forth in the Fourth Schedule to such Report: And whereas, by an Order made by the Lord Chancellor on the Twenty-seventh Day of *February* One thousand eight hundred and seven, in the said Cause, it was declared, that the Legacies given by the Codicil of the said Testator were not well charged on his Real Estates, that the said *Robert Bonner Warwick* was entitled to be paid his Legacy of Five hundred Pounds so given to him by the Will of the said Testator, and that the Costs of all Parties to this Suit should be taxed, and that the Master should ascertain what Part thereof ought to be paid out

out of the Personal Estate, and what Part out of the Real Estate of the said Testator, and out of the Sum of Two thousand two hundred and forty-six Pounds Seventeen Shillings and Eight-pence, Cash in the Bank, placed to the Credit of the said Cause, and that what should be reported due to the several Legatees, given by the said Testator's Will, in respect of their Legacies and Interests, or so much thereof as his Personal Estate would not satisfy, and so much of the Costs of the said Suit as are to be paid out of the Real Estates of the said Testator, should be raised by Mortgage or Sale of the Estates comprized in the said Term of One thousand Years: And whereas the said *Thomas Bonner* the Son, on the Sixth Day of *February* One thousand eight hundred and seven, paid the said Sum of Two thousand two hundred and forty-six Pounds Seventeen Shillings and Eight-pence, being the full Sum reported due from him on Account of the Personal Estate of the said Testator *Thomas Bonner*, into the Bank, to the Credit of the Cause: And whereas the Legacies given by the Codicil of the said Testator amount to Two thousand four hundred Pounds, which the Balance so paid in by the said *Thomas Bonner* the Son was insufficient to cover and satisfy, so that the Whole of the Legacies due to the several Legatees under the said Testator's Will, and which are more particularly set forth in the Third Schedule to this Act annexed, and amounting to Four thousand one hundred and eighty-four Pounds One Shilling, remained to be raised by Mortgage or Sale of the Estates comprized in the said Term of One thousand Years, limited by the said Testator's Will: And whereas the Sum necessary for the Discharge of the said Legacies given by the said Will cannot be raised either by Mortgage of the said devised Hereditaments, or any Part thereof, or by the Sale of the same, or of any Part thereof for the said Term of One thousand Years, in so advantageous a Manner as by Sale of a sufficient Part thereof in Fee: And whereas a certain Messuage, Tenement, and Farm, called *Killingworth Farm*, situate in the Parish of *Long Benton*, in the said County of *Northumberland*, and Part of the Real Estates set forth in the Fourth Schedule to the said Master's Report, and also in the First Schedule to this Act annexed, lies detached, and at a considerable Distance from the Residue of the said devised Estates, and is also the smallest of such Estates equal to the Payment of the Legacies given by the said Will, and is therefore the Estate best adapted to be sold for the Purposes of the said Will; and it would be more advantageous to all Persons interested under the said Will, that the Fee-simple thereof should be sold, than that the same should be sold for any Term of Years: And whereas the said Estate called *Killingworth Farm* would produce by such Sale of the Fee-simple thereof, more Money than would be sufficient for the Payment of the said Legacies so given by the said Will, as aforesaid, and the Interest and Costs mentioned in the above recited Orders: And whereas the said *Thomas Bonner* claims to be seized in Fee-simple of certain Freehold Estates situate in the Townships of *Collierly* and *Kyo*, in the said County of *Durham*, and now in the Possession of the said *Thomas Bonner* containing by Estimation Three hundred and seventy-four Acres or thereabouts, and more particularly described and set forth in the Second Schedule to this Act, certain Parts whereof are contiguous to and convenient to be occupied with the Estates devised by the said Will of the said Testator; and it would be very advantageous to the Persons interested under the said Will, in the said devised Estates, if the Whole of the said Estate called *Killingworth Farm*, were sold, and if, after paying out of the Money

produced by such Sale, the several Legacies charged upon the said devised Estates, and making such other Payments as ought to be made out of the Purchase Money of the said Estate, by virtue of the said recited Decree and Orders, the Residue or Surplus of such Purchase Money were laid out in the Purchase of so much or such Part or Parts of the said Freehold Estates, situated at *Collierly* and *Kyo* (whereof the said *Thomas Bonner* so claims to be seized in Fee-simple as aforesaid), as is or are equal in Value to such Residue, the said *Thomas Bonner* being willing to convey the same at a fair Price, and if such Part or Parts of the said Freehold Estates, so to be purchased with such Residue or Surplus as aforesaid, were conveyed to, for, and upon the subsisting Uses and Trusts of the said Will: And whereas in the said Cause herein-before mentioned to be depending in the said Court of Chancery, the said *Thomas Bonner*, on the Twenty-second Day of *February* One thousand eight hundred and eight, preferred his Petition to the Right Honourable the Master of the Rolls, praying that it might be referred to the Master, to whom the said Cause stood referred, to enquire whether it would or not be for the Advantage of the Infant in that Cause to obtain an Act of Parliament for effectuating the Purposes above-mentioned: And whereas, by an Order made at the Rolls, by the Right Honourable the Master of the Rolls, in the same Cause, bearing Date the Twenty-fifth Day of *February* One thousand eight hundred and eight, upon the said Petition of the said *Thomas Bonner* being heard, it was ordered that it should be referred to the said Master, to enquire and state to the Court whether it would be for the Benefit of the Defendant, the Infant, that an Application should be made to Parliament for an Act to sell the said Estate called the *Killingworth Farm*, in Fee, and after Payment of the Legacies charged upon the said devised Estates, and the Payments which ought to be made out of the Purchase Money of the said Estate, by virtue of the said Decree, to lay out the Residue of the Money to arise by the said Sale in the Purchase of such Part or Parts of the said Freehold Estates in the Petition mentioned, situate at *Collierly* and *Kyo*, whereof the said *Thomas Bonner* was seized as therein mentioned, as was or were equal in Value to the same, to be conveyed to and upon the subsisting Uses and Trusts in the said Will of the said *Thomas Bonner* deceased; and it was thereby ordered that the said Master should state the Result of the said Enquiry, with his Opinion thereon, to the Court: And whereas, in pursuance of the said last-mentioned Order, the said Master made his Report, bearing Date the Twenty-ninth Day of *March* One thousand eight hundred and eight, wherein, after stating that he had considered the same, he certified his Opinion to be that it would be for the Benefit of the said Defendant, the Infant, that an Application should be made to Parliament, for an Act to effectuate the Purposes in the said Petition mentioned: Wherefore Your Majesty's most dutiful and loyal Subjects, the said *Thomas Bonner*, on Behalf of himself and his said Infant Son *Thomas Bonner*, most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all that the said Messuage, Tenement, and Farm, called *Killingworth Farm*, situated in the Parish of *Long Benton*, in the said County of *Northumberland*, heretofore in the Tenure or Occupation of *Michael Charlton*, and now of *Roger Brown*, containing by Estimation One hundred and eighty-six Acres, be the same more or less, more particularly

Premises
vested in
Trustees.

particularly described and set forth in the First Schedule to this Act, together with all Ways, Paths, Passages, Watercourses, Yards, Gardens, Orchards, Barns, Stables, Edifices, Buildings, Outhouses, Pastures, Commons, Common of Pasture, Woods, Underwoods, Easements, Profits, Commodities, Advantages, and Appurtenances whatsoever, to the said Messuage or Tenement, Hereditaments and Premises, or any of them, or any Part or Parts thereof belonging or in anywise appertaining, or with the same, or any Part thereof, held, used, occupied or enjoyed, or accepted, reputed, deemed, taken, or known as Part, Parcel, or Member thereof; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, and of every Part and Parcel thereof, shall, from and after the passing of this Act, be vested in, and the same are hereby from thenceforth vested in *William Roberts* of *Lincoln's Inn*, in the County of *Middlesex*, Esquire, and *John Richards*, of *Red Lion Square*, in the said County, Gentleman, their Heirs and Assigns for ever, freed and absolutely acquitted, exempted, exonerated, and discharged of, from, and against all and every the Uses, Trusts, Estates, Limitations, Powers, Provisoes, and Declarations in and by the said Will of the said Testator *Thomas Bonner* limited, created, expressed, and declared of and concerning the same; but nevertheless upon the Trusts, and to and for the Ends, Intents, and Purposes, and subject to the Provisoes and Agreements herein after mentioned, expressed, and declared of and concerning the same, that is to say, Upon Trust that they the said *William Roberts* and *John Richards*, or the Survivor of them, or the Heirs or Assigns of such Survivor, do and shall with all convenient Speed absolutely make Sale and dispose of the said Messuage, Tenement, and Farm, called *Killingworth Farm*, with the Rights, Members, and Appurtenances thereunto belonging, and the Fee Simple and Inheritance thereof, either together or in Lots, unto any Person or Persons whomsoever, and by Public Auction or by Private Contract, for the best Price or Prices, and for the most Money which can be reasonably obtained for the same; and upon Payment by such Purchaser or Purchasers of his, her, or their Purchase-Money or Monies into the Bank of *England*, as hereinafter-mentioned, do and shall, at the Costs and Charges of such Purchaser or Purchasers, his, her, or their Heirs, Executors, or Administrators, convey and assure the said Messuage, Tenement, and Farm, called *Killingworth Farm*, with the Appurtenances hereby so vested in them the said *William Roberts* and *John Richards*, their Heirs and Assigns as aforesaid, unto and for the Use of such Purchaser or Purchasers, his, her, or their Heirs and Assigns for ever; or to such Uses upon such Trusts, and in such Manner as he or they shall direct, absolutely freed and discharged as herein-before mentioned.

II. And be it further enacted, That the Money to arise by the Sale of all or any Part or Parts of the said Messuage, Tenement, and Farm, to 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 High Court of Chancery, and placed to his Account there, "ex-parte the Purchaser or Purchasers of Part of the devised Estates of *Thomas Bonner* deceased," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court; and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter

Monies to arise by the Sale to be paid into the Bank in the Accountant General's Name, and to be applied in Payment of Legacies and Costs,

Chapter Twenty-four, and as soon as conveniently may be, after the Money to arise by such Sale or Sales as aforesaid shall have been so paid into the Bank of *England* as aforesaid, the same shall, under the Direction of the said Court, in the first Place be applied in or towards Payment to the said several Legatees, under the said Will of the said *Thomas Bonner* deceased, of their several Legacies charged by his said Will on the said devised Estates as aforesaid, and more particularly set forth in the said Third Schedule to this Act annexed, and all Interest (if any) due upon or for the same, or any of them; and then in Payment of all Costs under the Orders of the said Court, heretofore made in the said Cause or to be made from Time to Time, and also of the Costs incurred and to be incurred in and about the obtaining and passing of this Act, and by making such Sale or Sales, and other Applications to the said Court in pursuance thereof as herein directed, and upon a Petition to the said Court of Chancery to be presented in a summary way by the Person or Persons who for the Time being shall be entitled under or by virtue of the said Will or of this Act to the Rents and Profits of the said Farm, and other Hereditaments to be sold as aforesaid, if such Person or Persons shall be of full Age, but if not, then by his, her, or their Guardian or Guardians, the Residue or Surplus of the Money to arise by the Sale or Sales to be made in pursuance of this Act, shall, in such Manner as the said Court of Chancery may think fit to direct, be laid out in the Purchase of so much and such Part or Parts of the said Freehold Estates situate at *Collierly* and *Kyo* as aforesaid, and comprized in the said Second Schedule to this Act annexed, as shall be deemed by the said Court adequate in Amount to such Residue, or otherwise in the Purchase of any Messuages, Lands, Tenements, and Hereditaments, in Fee Simple, in Possession, free from Incumbrances (except Fee Farm, Chief, or Quit Rents) and to be situate in *England*; and the Hereditaments so to be purchased as aforesaid shall as soon as may be after such Purchase thereof, be conveyed, settled and assured, to the Uses upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Provisoes, and Declarations, which, under and by virtue of the said recited Will of the said *Thomas Bonner* deceased, were, previously to the passing of this Act, subsisting or capable of taking effect of or in the said Farm and other Hereditaments hereby vested in the said *William Roberts* and *John Richards*, and their Heirs, or to, upon, for, with, under and subject to such, or so many of the same Uses, Trusts, Intents, Purposes, Powers, Provisoes, and Limitations, as shall be then subsisting and capable of taking Effect; and in the mean Time until such Surplus of the Money to be paid into the Bank as aforesaid shall be ordered to be paid or applied by the said Court of Chancery as aforesaid, the same shall, by the Direction of the said Court, be 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, 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 Purchase or Purchases shall be found and approved as herein-before directed for the Investment thereof, and until the same shall, under the Direction of the said Court of Chancery, be ordered by

Residue to be laid out in the Purchase of other Lands, and settled to the subsisting Uses of the Estates so sold.

the said Court to be sold by the said Accountant General, for the completing of such Purchase or Purchases; and if the Money to arise by the Sale of such Bills exceed the Amount of the original Purchase Money, so to be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills, as aforesaid, then and in such case only, the Surplus which shall remain, after discharging all Costs and Expences to be incurred by Application to be made to the said Court in anywise relating to the Premises, shall be paid to such Person or Persons respectively, his, her, or their Executors, Administrators, or Assigns, as would have been entitled to receive the Rents and Profits of the Hereditaments to be purchased as aforesaid, in case the same had been purchased pursuant to this Act.

III. Provided also, and it is hereby further enacted, 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*, to be annexed thereto, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of all or any Part of the Money to arise by the Sale of the said Farm and Hereditaments hereby directed to be sold as aforesaid, of his, her, or their Purchase Money, shall be a good Discharge or good Discharges for such Sums of Money as in such Certificates or Receipts respectively shall be expressed to have been paid or received, and that such Purchaser or Purchasers, his, her, or their Heirs, Executors, Administrators, or Assigns, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money, or any Part thereof.

Certificate of the Accountant General, &c. a good Discharge to Purchasers.

IV. Provided also, and it is hereby further enacted, That it shall be lawful for the said Court of Chancery from Time to Time to make such Orders as the said Court shall think proper for taxing or settling all Costs under the Orders of the said Court, heretofore made or to be made in the said Cause, and all the Costs and Expences to be incurred by soliciting and obtaining this Act, and by making the several Applications to be made to the said Court in pursuance thereof, and by making and completing the Sales of the said Farm and other Hereditaments hereby made saleable as aforesaid, and by 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 or Sale of Navy, Victualling, or Exchequer Bills, or in the Purchase of Lands and Hereditaments, according to the Directions hereinbefore given, or otherwise by carrying the Trusts and Purposes of this Act into Effect, and also for the Payment of all such Costs and Expences as to the said Court shall seem fit, out of the Monies to arise by any Sale or Sales to be made in pursuance of this Act.

Power for the Court of Chancery to tax Costs.

V. Provided also, and it is hereby further enacted, That in the mean Time, and until such Sale or Sales as aforesaid shall be made of the said Farm and other Hereditaments hereby vested in Trust to be sold as aforesaid, the said *William Roberts* and *John Richards*, and the Survivor of them, and the Heirs of such Survivor, shall permit and suffer the Rents and Profits of the same Farm and other Hereditaments 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.

Till Sale of Premises Rent to be applied to the Persons entitled.

[*Lac. & Per.*]

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VI. Provided

Trustees only
answerable for
their own
Acts.

VI. Provided always, and be it further enacted by the Authority afore^d said, That the said *William Roberts* and *John Richards*, or either of them, their or either of their Heirs, Executors, Administrators, or Assigns, shall not be answerable or accountable the one for the other, or for the Acts, Receipts, Neglects, or Defaults of the other, but each of them for himself and his own Acts, Receipts, Neglects, and Defaults only.

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, her, and their Heirs, Executors, Administrators, and Successors, (other than and except the said *Thomas Bonner* and his Infant Son, the said *Thomas Bonner*, and his Issue, and the Second and other younger Sons of the said *Robert Bonner Warwick* and their Issue) and all other Persons claiming any Estate or Interest in the said Messuage, Tenement, and Farm, called *Killingworth Farm*, under the said Will of the said *Thomas Bonner* deceased, all such Estate, Right, Title, and Interest, of, in, to, or out of the said Hereditaments and Premises, so hereby vested in Trust as aforesaid, as they respectively had before the passing of this Act, or would, could, or might have had, in case the same had not been made: Provided always nevertheless, that nothing in this Act contained shall extend, or be deemed or construed to extend, to prevent the Legatees under the Will of the said *Thomas Bonner*, or any of them, from proceeding in the said Court of Chancery, or prosecuting any other legal Means for compelling a Mortgage or Sale of the Hereditaments comprised in the said Term of One thousand Years (other than the said Messuage, Tenement, and Farm, called *Killingworth Farm*) to be made according to the Directions of the said Will, for raising and paying their said several Legacies, together with all Interest and Costs which shall or may be due or payable for the same, or in respect thereof.

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 First SCHEDULE.

Of the Estate called Killingworth Farm, referred to in the foregoing Act.

	A.	R.	P.
A Messuage.			
1 Back Clofe	7	1	36
2 Garden and Stack-yard	0	2	24
3 Ridges	7	2	12
4 Bank Head	14	1	7
5 Long Bank Foot	17	0	22
6 Middle Bank	20	3	16
7 East Bank	14	3	0
8 Low Hathery Nook	7	3	6
9 High Hathery Nook	9	0	5
10 Low Rushey Reins	10	1	24
11 High Rushey Reins	10	0	20
12 North Moor Field	16	3	20
13 East Moor Field	16	1	15
14 Middle Moor Field	17	0	0
15 West Moor Field	16	0	18
	<hr/>	<hr/>	<hr/>
	186	1	25
	<hr/>	<hr/>	<hr/>

The annual Rent of the above Estate is estimated at £275.
a Year.

JOHN FRYER.

48° GEORGII III. Cap. 155.

The SECOND SCHEDULE.

Of the Freehold Lands in Collierly and Kyo, referred to in the foregoing Act.

IN COLLIERLY.		A.	R.	P.		
1	South Field	48	0	0		
2	East Horne Field	36	0	18		
3	Calf Clofe	3	3	20		
4	Houfes and Stack-yard	1	0	6		
5	Part of West Horne Field	32	1	18		
6	Part of Barn Field	1	2	34		
7	Part of East Horne Field	21	3	26		
				145	1	2
IN KYO.		A.	R.	P.		
8	Part of Horne Field	17	3	0		
9	Part of Barn Field	43	2	8		
10	Part of West Horne Field	8	0	28		
11	West Park	70	1	10		
12	East Park	60	3	30		
13	Part of South Burn-field	24	2	8		
14	Part of North Burn-field	4	1	16		
				229	2	20
Total		374 3 22				

The annual Rent of the above Estate is estimated at £295. a Year.

JOHN FRYER:

The THIRD SCHEDULE.

Of the Legacies referred to in the foregoing Act, and charged upon the Real Estates devised by the Will of the said Thomas Bonner.

	£	s.	d.
To Robert Bonner Warwick	500	0	0
Isabella Losh	21	0	0
Sarah Bonner	1,200	0	0
Ann Bonner	1,200	0	0
Maria Grace Bonner	1,200	0	0
William Darnell	21	0	0
Robert Rayne	21	0	0
Mathew Charlton	10	0	0
Prudence Rain	10	0	0
Elizabeth Wood	1	1	0
4,184 1 0			

I have carefully examined the above Schedule with the said Will.

JOHN RICHARDS.