ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. XLVII.

An Act for discharging the Estates of *John Yeldham* Esquire, from certain Demands of the Crown, upon the Conditions therein mentioned.

[3d *May* 1797.]

Preamble, reciting Indentures between Mr. *Yeldham* and others, conveying to them certain Estates upon Trust to sell the same for Payment of his Debts.

WHEREAS *John Yeldham*, late of *Saling Grove*, in the County of *Essex*, Esquire, being indebted to *William Marsh* Esquire, and to *Henry Creed* Esquire, now deceased, in a considerable Sum of Money upon Mortgage, and owing various other Sums of Money, did by Indentures of Lease and Release, bearing Date respectively the Fifth and Sixth Days of *November* One thousand seven hundred and ninety-three, the Release being of Three Parts, and made between him the said *John Yeldham* of the First Part, *John Foot* Banker, *William Manning* Merchant, and *Alexander Cuthbert* Merchant, of the Second Part, and the several other Persons, Creditors or Partners of Creditors of him the said *John Yeldham*, of the Third Part, grant, release, and confirm, unto the said *John Foot*, *William Manning*, and *Alexander Cuthbert*, their Heirs and Assigns, the Manors and other Hereditaments therein mentioned, (being all the Freehold Estate of him the said *John Yeldham*), with their Rights, Members, and Appurtenances, to hold the same unto and to the Use of the said *John Foot*, *William Manning*, and *Alexander Cuthbert*, their Heirs, and Assigns, upon the Trusts in the said Indentures of Release, and in Part herein-after mentioned; and

by the ſame Indenture the ſaid *John Yeldham* covenanted to ſurrender the Copyhold Meſſuages and other Hereditaments therein mentioned (being all his Copyhold Eſtates) to the Uſe of the ſaid *John Foot*, *William Manning*, and *Alexander Cuthbert*, their Heirs and Aſſigns; and it was by the ſame Indenture agreed and declared, that the Grant, Releaſe, and Conveyance thereby made of the ſaid Freehold Hereditaments, and the Surrender thereby covenanted to be made of the ſaid Copyhold Lands and Hereditaments, were thereby made and covenanted to be made reſpectively upon Truſt that the ſaid *John Foot*, *William Manning*, and *Alexander Cuthbert*, and the Survivors and Survivor of them, and the Heirs and Aſſigns of ſuch Survivor, ſhould make Sale and abſolute Diſpoſe of the ſame Freehold and Copyhold Hereditaments reſpectively, and apply the Money ariſing from the Sale thereof in Diſcharge of the ſeveral Debts therein mentioned, and pay the Reſidue thereof (if any) to the ſaid *John Yeldham*, his Executors, Adminiſtrators, and Aſſigns:

Mr. *Yeldham*, being a Receiver of the Land Tax, &c. his Eſtates are liable, by

And whereas the ſaid *John Yeldham* was before, and at the Time of the Execution of the ſaid Indentures of Leaſe and Releaſe, and now is, one of the Receivers General of the Land Tax, and of the Taxes on Houſes, Windows, and Lights, the Transfer Duties, the Taxes upon Inhabited Houſes and Servants, and the additional Duties upon Inhabited Houſes, and conſequently an Officer or Accountant to the Crown: And whereas the ſaid *William Marſh*, *Henry Creed*, and *Alexander Cuthbert*, became jointly bound with the ſaid *John Yeldham* in the Bonds executed by him to His Majeſty for the due Execution of the ſaid Office of Receiver General, and for his accounting for and Payment to His Majeſty of all Monies received by him of the ſaid Taxes or Duties: And whereas under the Proviſions of an Act paſſed in the Thirteenth Year of the Reign of Queen *Elizabeth*, intituled, *An Act to make the Lands, Tenements, Goods, and Chattels of Tellers, Receivers*, &c. *liable to the Payment of their Debts*; and under the Proviſions of an Act, made and paſſed in the Twenty-fifth Year of the Reign of His preſent Majeſty, intituled, *An Act for the more eaſy and effectual Sale of Lands, Tenements, and Hereditaments of Crown Debtors, or of their Sureties*, all the Lands, Tenements, and Hereditaments, of which the ſaid *John Yeldham* was ſeiſed on the Day he firſt became Officer or Accountant to the Crown, or becomes ſeiſed at any Time afterwards, are, and during ſuch Time as he holds the ſaid Offices, or any of them, and until his ultimate Balance ſhall be paid into the Exchequer, and a Quietus obtained for the ſame, will be liable to be put and had in Execution, and ſold for the Payment of his Arrears in the Collection and Receipts of the ſaid Taxes and Duties: And whereas the ſaid *John Foot*, *William Manning*, and *Alexander Cuthbert*, have, in purſuance of the Truſt repoſed in them by the ſaid in Part recited Indentures of the Fifth and Sixth Days of *November* One thouſand ſeven hundred and ninety-three, contracted and agreed with *Bartlett Goodrich* Eſquire, for the Sale to him of a conſiderable Part of the Freehold and Copyhold Eſtate of the ſaid *John Yeldham*, and there is a great Probability of their finding Purchaſers of the other Part of the Eſtates: And whereas the ſaid *John Yeldham* hath duly accounted for all Monies received by him in virtue of his ſaid Office of Receiver General, for or in reſpect of the aforeſaid Taxes and Duties payable to His Majeſty prior to and on the Fifth Day of *April* in the Year One thouſand ſeven hundred and ninety-five, and thereupon it appears he owes and ſtands indebted to His Majeſty, upon the ſeveral Duties hereafter mentioned,

13 *Eliz.* c. 4. and

25 *Geo.* III. c. 35, to be put in Execution till Arrears are paid.

Debt due to the Crown, and other Debts, more than the Produce of his ſaid Eſtates will anſwer.

mentioned, payable to His Majeſty in and for the Year ending the ſaid Fifth Day of *April*, in the ſeveral Sums hereafter mentioned; that is to ſay, the Sum of Six thouſand ſeven hundred and twenty-one Pounds Sixteen Shillings and Five-pence Halfpenny on the Land Tax; the Sum of Twenty-ſix Pounds Nineteen Shillings and One Penny Halfpenny on the Duty upon Houſes, Windows, and Lights; the Sum of Three hundred and forty-three Pounds Five Shillings and Two-pence Halfpenny on the Duty upon Inhabited Houſes; the Sum of One hundred and twelve Pounds Nineteen Shillings and Three-pence on the additional Duty upon Inhabited Houſes; the Sum of One hundred and twenty-five Pounds Fourteen Shillings and Three-pence Halfpenny on the Duty upon Male Servants; the Sum of Two hundred and fifty-ſeven Pounds Six Shillings and Eight-pence Halfpenny on the Duty upon Four Wheel Carriages; the Sum of Two hundred and thirty-ſix Pounds Six Shillings and One Penny on the Duty upon Two Wheel Carriages; the Sum of Two hundred Pounds Eight Shillings and Sixpence Halfpenny on the Duty upon Horſes; the Sum of One hundred Pounds Eighteen Shillings on the additional Duties upon Horſes; the Sum of Sixty Pounds Eleven Shillings on the additional Duty upon Four Wheel Carriages; and the Sum of Two hundred and thirty-ſix Pounds One Shilling and Nine-pence on the Duty of Ten *per Centum*; all which Sums amount together to the Sum of Eight thouſand four hundred and twenty-two Pounds Six Shillings and Five-pence: And whereas the ſaid *William Marſh* and *Henry Creed*, being deſirous to be relieved from their ſaid Bonds ſo by them given to His Majeſty as aforeſaid, the ſaid *John Yeldham* propoſed other Perſons to be Securities to His Majeſty for the due Execution of his ſaid Office from and after the ſaid Fifth Day of *April* in the Year One thouſand ſeven hundred and ninety-five, who, being approved by the Right Honourable the Lords Commiſſioners of the Treaſury, have executed the proper Bonds in that Behalf: And whereas the Money agreed to be paid by the ſaid *Bartlett Goodrich* for the Purchaſe of the ſaid Eſtate, and the Sum or Sums of Money likely to be produced by the Sale or Sales of the other Eſtates of the ſaid *John Yeldam*, will fall conſiderably ſhort of the Amount of the Debts owing by him the ſaid *John Yeldham*, and intended to be provided for under the ſaid Deed of Truſt: And whereas, by Reaſon that all the ſaid Eſtates of the ſaid *John Yeldham* are liable, as herein-before is mentioned, for the Anſwering and Payment of all his Arrears and Debts in the Collection of the aforeſaid Taxes or Duties, or any of them, a good Title cannot be made to the ſaid Eſtates, whereby the Creditors of the ſaid *John Yeldham*, intended to be provided for by the ſaid Truſt Deed, incur great Loſs, and are put to much Hardſhip and Inconvenience, at the ſame Time that the Payment of the ſaid Arrears or Debts is ſecured to the Crown by the ſaid Bonds of the ſaid *John Yeldham* and his Sureties: To the End therefore a good Title may be made to the ſaid Eſtates, and a Sale thereof made for the Benefit of the Creditors of the ſaid *John Yeldham*, notwithſtanding the ſaid Arrears and Debts due or to become due from the ſaid *John Yeldham* to the Crown in reſpect of the ſaid Offices: May it pleaſe Your moſt Excellent Majeſty (at the humble Petition of the ſaid *John Foot*, *William Manning*, and *Alexander Cuthbert*, on Behalf of themſelves and of the other Creditors of the ſaid *John Yeldham*, and of the ſaid *William Marſh*, and alſo of him the ſaid *John Yeldham*, and of his preſent Sureties) that it may be enacted; and be it

Securities approved for the due Execution of the Office of Receiver.

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,

On Payment into the Exchequer of the Balance of 8,422 *l.* 6 *s.* 5 *d.* due by Mr. *Yeldham* on *April* 5, 1795, the Eſtates comprized in the recited Indentures ſhall not be liable to any ſubſequent Arrears, by reaſon of his ſaid Office of Receiver.

That upon Payment into the Receipt of His Majeſty's Exchequer at *Weſtminſter*, out of the Money ariſing by the Sale of the Eſtates of the ſaid *John Yeldham*, of the ſaid ſeveral Balances ſo amounting to the aforeſaid Sum of Eight thouſand four hundred and twenty-two Pounds Six Shillings and Five-pence, due from him upon the Account of his ſaid Receipt or Collection for the Year ending the Fifth Day of *April* in the Year One thouſand ſeven hundred and ninety-five, the Eſtates of the ſaid *John Yeldham*, compriſed in the ſaid recited Indentures of the Fifth and Sixth Days of *November* One thouſand ſeven hundred and ninety-three, or the Money to ariſe from the Sale or Sales thereof, ſhall not in anywiſe be liable for the Anſwering and Payment of the Arrears and Debts which have become due, or which may accrue or ſhall become due to His Majeſty, His Heirs or Succeſſors, by or from him the ſaid *John Yeldham*, on or in reſpect of any of the ſaid Offices, or any Matter, Cauſe, or Thing, in anywiſe relating thereto; and that the ſaid *John Foot*, *William Manning*, and *Alexander Cuthbert*, their Heirs and Aſſigns, and all Perſons claiming or to claim by, from, or under them, the Freehold and Copyhold Eſtates comprized in the ſaid Indentures of the Fifth and Sixth of *November* One thouſand ſeven hundred and ninety-three, or thereby directed to be ſold, or any Part or Parts thereof, ſhall, from and after ſuch Payment, hold and enjoy the ſaid Eſtates, and every of them, and every Part thereof, acquitted and abſolutely diſcharged of and from the ſaid Arrears and Debts, and of and from all Bonds and Obligations to His Majeſty, made or to be made during ſuch Time as the ſaid *John Yeldham* ſhall be or remain an Accountant to His Majeſty, His Heirs or Succeſſors, and all Actions, Suits, Claims, and Demands whatſoever of His ſaid Majeſty, His Heirs or Succeſſors, which His Majeſty, His Heirs or Succeſſors, might have or be entitled unto if this Act had not been made, on Account or in reſpect of the ſame, or any of them, and of and from all Right, Title, Intereſt, Property, Claim, and Demand whatſoever of His Majeſty, His Heirs or Succeſſors, unto, from, out of, or upon, the ſaid Freehold or Copyhold Eſtates, or any Part thereof; and that the ſaid *John Foot*, *William Manning*, and *Alexander Cuthbert*, their Heirs, Executors, Adminiſtrators, and Aſſigns, ſhall and may pay, apply, and diſpoſe of the Reſidue of the Money to ariſe from the Sale of the ſaid Eſtates, or any Part or Parts thereof, upon the Truſts, and in Manner directed by the ſaid Indenture of the Sixth Day of *November* One thouſand ſeven hundred and ninety-three, freed and diſcharged of and from all Right, Title, Intereſt, Property, Claim, and Demand whatſoever of His Majeſty, His Heirs and Succeſſors, into, from, out of, or upon, the ſame, or any Part thereof; any Thing in the ſaid Act of Parliament of Her ſaid Majeſty Queen *Elizabeth*, or in any other Act of Parliament relating to Accountants to the Crown, in anywiſe notwithſtanding.

5 FINIS.