

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. CI.

An Act for confirming an Agreement for the Purchase of the Priſage and Butlerage of Wines in *Ireland*, entered into by the Commiſſioners of His Majeſty's Treaſury in *Ireland*, and the Right Honourable *Walter* Earl of *Ormonde* and *Oſſory* and his Truſtees, in purſuance of an Act made in the Forty-ſixth Year of His preſent Majeſty's Reign. [20th *June* 1810.]

WHEREAS by an Act made in the Forty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act to enable the Commiſſioners for executing the Office of Lord High Treaſurer of* Ireland *to contract for the Duties of Priſage and Butlerage in* Ireland, reciting that the Right Honourable Earl of *Ormonde* and *Oſſory* was or claimed to be entitled to the Priſage and Butlerage of all Wines brought into any of the Ports, Havens, Creeks, Rivers, and other Places within *Ireland*; and reciting alſo that it would tend to Uniformity in the Collection and Application of the Revenue of Cuſtoms in *Ireland* if the ſaid Duties of Priſage and Butlerage were, by the Conſent of the ſaid Earl, to be reveſted in the Crown for the public Service; it was enacted, that it ſhould and might be lawful for the Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland* for the Time being, or any Three or more of them, or the Lord High Treaſurer of *Ireland* for the Time being, on Behalf of His Majeſty, His Heirs and Succeſſors, to treat, contract, and agree with the ſaid *Walter* Earl of *Ormonde* and *Oſſory*, or any other Perſon or Perſons claiming or to claim under or by virtue of the reſpective Grants or Letters Patent under which the ſaid Earl was or claimed to be entitled to the ſame, for the abſolute Purchaſe or Surrender of all ſuch Eſtate, Right, Title, and Intereſt, as he or they had or ſhould be entitled to claim in and to the Priſage and Butlerage of Wines brought into any of the Ports, Havens, Creeks, Rivers, and other Places in *Ireland*, and of all the Rights, Privileges, Profits, and other Advantages whatſoever thereunto belonging, for ſuch Annuity or Sum of Money or both, to be charged upon and payable out of the Conſolidated Fund of *Ireland*, at ſuch Times and in ſuch Manner, and upon and ſubject to ſuch Terms and Conditions of Redemption thereof, or otherwiſe relating thereto, as the ſaid Commiſſioners for executing the Office of Lord High Treaſurer of *Ireland* for the Time being,

46 G. 3. c. 94.

being, or any Three or more of them, or the Lord High Treaſurer of *Ireland* for the Time being ſhould think fit, and as ſhould be agreed upon in that Behalf: And it was by the ſaid Act provided and further enacted, that no ſuch Contract which ſhould be entered into as aforeſaid ſhould be binding on His Majeſty's Heirs or Succeſſors, or ſhould be carried into Effect unleſs and until the ſame ſhould be ſanctioned and confirmed by Act of Parliament: And whereas by an Act made in the Forty-eighth Year of the Reign of His preſent Majeſty, intituled, *An Act for veſting in new Truſtees certain Eſtates and Property in* Ireland *of the Right Honourable* Walter *Earl of* Ormonde *and* Oſſory *in* Ireland, *and Baron* Butler *in* England, *which have not been ſold or diſpoſed of under and by virtue of Two Acts of Parliament made in the Thirty-fifth and Forty-fifth Years of His preſent Majeſty's Reign*, (by which ſaid Act of the Thirty-fifth Year of His preſent Majeſty certain Eſtates and Effects of the ſaid *Walter* Earl of *Ormonde* and *Oſſory* in *Ireland*, including the ſaid Butlerage and Priſage, were veſted in Truſtees, and by which ſaid Act of the Forty-fifth Year of His preſent Majeſty the Right Honourable *John* Earl of *Enniſkillen* and the Right Honourable *Maurice Fitzgerald* were ſubſtituted Truſtees in the Room of the Truſtees of the ſaid former Act); after reciting that the Truſts of the ſaid laſt mentioned Act were not then completed, and that the ſaid *John* Earl of *Enniſkillen* and the ſaid *Maurice Fitzgerald*, the Truſtees therein named, were deſirous of being diſcharged therefrom, and that the ſaid Earl of *Ormonde* and *Oſſory* was deſirous that new Truſtees ſhould be appointed to act in the Truſts of the ſaid recited Acts of Parliament, in the Room of the ſaid *John* Earl of *Enniſkillen* and *Maurice Fitzgerald*, but that no Proviſion had been made in either of the ſaid Acts of the Thirty-fifth and Forty-fifth Years of His preſent Majeſty for that Purpoſe: It was, therefore, by the ſaid Act of the Forty-eighth Year of the Reign of His preſent Majeſty enacted, That the ſaid *John* Earl of *Enniſkillen* and *Maurice Fitzgerald* ſhould be, and they the ſaid *John* Earl of *Enniſkillen* and *Maurice Fitzgerald* were thereby from thenceforth abſolutely and for ever releaſed and diſcharged of and from all and every the Uſes, Truſts, Powers, and Authorities then veſted in them by virtue of the ſaid Act of the Thirty-fifth of His preſent Majeſty, and the ſaid Act of the Forty-fifth Year of His ſaid preſent Majeſty, ſo far as it affected or concerned the ſaid *John* Earl of *Enniſkillen* and *Maurice Fitzgerald* and their Heirs, was thereby repealed and declared null and void: And it was by the ſaid Act of the Forty-eighth Year of His preſent Majeſty further enacted, that *William Morland* and *John Hoſier* of *Pall Mall*, in the County of *Middleſex*, Eſquires, *Charles Butler* of *Lincoln's Inn*, in the ſame County, Barriſter at Law, and *Job Hart Price Clarke*, then of *Montague Street*, in the ſame County, Eſquire, and their Heirs, ſhould be, and they the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, were thereby appointed Truſtees in the Place and Stead of the ſaid *John* Earl of *Enniſkillen* and *Maurice Fitzgerald*; and all ſuch Parts of the Eſtates, Manors, Lands, Tenements, Priſage and Butlerage of Wines, Eſtates, Effects, Hereditaments, and Premiſes of what Nature and Kind ſoever, comprized in the ſaid recited Acts or either of them, which had not been ſold or diſpoſed of for the Purpoſes of the ſaid recited Acts or either of them, were thereby veſted in the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, and their Heirs, upon ſuch and the ſame Truſts, and to and for ſuch and the ſame Uſes, and for ſuch and the ſame Eſtates and Intereſts, and with ſuch and the ſame Powers and Proviſoes, and to and for the ſame Intents and Purpoſes as in the ſaid recited Act of the Thirty-fifth of His preſent Majeſty are mentioned or declared concerning the Hereditaments and Premiſes therein mentioned, and in as full, extenſive,

48 G. 3. c. 93. (Loc. & Per.)

extenſive, and abſolute Manner, to all Intents and Purpoſes, as the ſame were veſted in the ſaid *John* Earl of *Enniſkillen* and *Mauricæ Fitzgerald* and their Heirs, or ſuch and ſo many of them as ſhould be then ſubſiſting, undetermined and capable of taking Effect: And whereas by Indenture bearing Date the Fourteenth Day of *May* in the Year of our Lord One thouſand eight hundred and ten, and made or expreſſed to be made between the Right Honourable *John Foſter*, Chancellor of His Majeſty's Exchequer, in that Part of the United Kingdom of *Great Britain*, called *Ireland*, the Right Honourable Sir *George Fitzgerald Hill*, Baronet, and the Right Honourable *John Barry*, Commiſſioners of His Majeſty's Treaſury of *Ireland*, of the Firſt Part; the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, of the Second Part; and the ſaid *Walter* Earl of *Ormonde* and *Oſſory* of the Third Part; reciting the ſeveral Matters herein-before recited, they the ſaid *John Foſter*, Sir *George Fitzgerald Hill*, and *John Barry*, as Commiſſioners of the Treaſury of *Ireland*, in purſuance of the herein-before recited Act of Parliament paſſed in the Forty-ſixth Year of the Reign of His preſent Majeſty, did, on Behalf of His Majeſty, His Heirs and Succeſſors, contract and agree with the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, by and with the Conſent of the ſaid *Walter* Earl of *Ormonde* and *Oſſory* (ſignified by his being a Party to and executing the ſaid Indenture), for the abſolute Purchaſe and Surrender from the Day of the Execution of the Deed of Conveyance by the ſaid Commiſſioners of ſuch Eſtate, Right, Title, and Intereſt, as the ſaid Earl of *Ormonde* and *Oſſory*, or his ſaid Truſtees, hath or have in the aforeſaid Priſage and Butlerage of Wines in all *Ireland*, for the Price or Sum of Two hundred and ſixteen thouſand Pounds Sterling, *Iriſh* Currency: And it was by the ſaid Indenture agreed and declared by and between the Parties to the ſaid Indenture, that the ſaid Earl of *Ormonde* and *Oſſory*, *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, ſhould forthwith, after the ſaid Contract ſhould be approved of by Parliament, produce a good and ſatisfactory Title to the ſaid Priſage and Butlerage; and by proper Deeds, Conveyances, and Aſſurances convey or ſurrender the ſame, or cauſe the ſame to be conveyed or ſurrendered to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, abſolutely and free from all Charges and Incumbrances whatſoever; and it is by the ſaid Indenture declared and agreed by and between the Parties to the ſaid Indenture, that the ſaid Sum of Two hundred and ſixteen thouſand Pounds Sterling ſhould be paid to the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, their Executors, Adminiſtrators, and Aſſigns, by the Commiſſioners of the Treaſury on the Day of the Execution of the ſaid Deed of Conveyance by the ſaid *John Foſter*, Sir *George Fitzgerald Hill*, and *John Barry*; and that until the Execution of the ſaid Conveyance and Surrender the ſaid Priſage and Butlerage, and the accruing Income and Profits of the ſame, ſhould belong to and be received by the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, their Executors, Adminiſtrators, and Aſſigns, as Truſtees under the ſaid recited Act of the Forty-eighth Year aforeſaid: And it is by the ſaid Indenture provided and declared by and between the Parties thereto, that nothing therein contained ſhall be binding upon them or any of them, unleſs the ſame ſhould, within the Space of Two Years, to be computed from the Twentieth Day of *December* then laſt, be ſanctioned and confirmed by Parliament: And whereas the Mayor, Sheriffs, and Commonalty of the City of *Cork* have, by their Petition to the Houſe of Commons, claimed all the Priſage of Wines in all Bays, Creeks, and Strands within the

Contract for Sale and Surrender of Priſage, by the Earl of Ormonde and his Truſtees, May 14, 1810, for 216,000l.

Claim of Corporation of Cork to Priſage.

the Port of the ſaid City; and it is poſſible that ſimilar Claims may be made within other Ports of *Ireland*: And whereas it would be of great public Benefit that the Priſage and Butlerage of Wines ſhould be forthwith extinguiſhed within and through every Port in *Ireland*, and within and through every Creek, Bay, and Strand thereof; be it therefore 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 ſaid herein-before recited Contract and Agreement for the Purchaſe and Surrender of the Eſtate, Right, Title, and Intereſt of the ſaid *Walter* Earl of *Ormonde* and *Oſſory*, and his ſaid Truſtees, of, in, and to the Priſage and Butlerage of Wines in all *Ireland* ſhall be, and the ſame is hereby ſanctioned, ratified, confirmed, and eſtabliſhed, ſubject nevertheleſs to the Proviſions and Regulations in this preſent Act contained; and that immediately from and after the Execution of the Conveyance in the ſaid recited Contract mentioned, which Conveyance ſhall contain a full Conveyance of the Priſage and Butlerage of Wines brought into all or any Port, Haven, Creek, River, or other Place in *Ireland*, all Priſage and Butlerage of Wines brought into any of the Ports, Havens, Creeks, Rivers, and other Places in *Ireland*, and all Compoſitions, Duties, and other Payments in lieu of or on Account of ſuch Priſage and Butlerage ſhall for ever thenceforth be abſolutely veſted in His Majeſty, His Heirs and Succeſſors, free and clear, and for ever exempted, exonerated, and diſcharged of and from all Rights, Titles, Intereſts, Claim, and Demand whatſoever of any Body, Politic or Corporate, or other Perſon or Perſons whomſoever; and that immediately from and after the Execution of ſuch Conveyance, the Sum of Two hundred and ſixteen thouſand Pounds, *Iriſh* Currency, ſhall be iſſuing out of, and ſhall be charged and chargeable on the Conſolidated Fund of *Ireland*, and ſhall be iſſued and paid accordingly in Manner and under the Regulations in this Act contained.

Contract with Lord Ormonde confirmed, ſubject to Proviſions of this Act.

Priſage veſted in His Majeſty free of all Claim.

Purchaſe Money chargeable on Conſolidated Fund.

II. And be it further enacted, That immediately after the Execution of the Deed of Conveyance and Surrender of the ſaid Priſage and Butlerage from the ſaid Earl of *Ormonde* and *Oſſory* and his Truſtees, by the ſaid Earl of *Ormonde* and *Oſſory*, and his Truſtees, or the Survivor of ſuch Truſtees, and by the Lord High Treaſurer or Commiſſioners of the Treaſury for the Time being, or any Three of them, the Whole of the ſaid Sum of Two hundred and ſixteen thouſand Pounds ſhall, by the Lord High Treaſurer of *Ireland* or the Commiſſioners for executing the ſaid Office of Lord High Treaſurer for the Time being, with the Conſent of the ſaid Earl of *Ormonde* and *Oſſory*, and his ſaid Truſtees, or the Survivor of them, be inveſted at Intereſt in Treaſury Bills, or in ſuch other Government Securities as the ſaid Earl of *Ormonde* and *Oſſory*, and his ſaid Truſtees, or the Survivor of them, ſhall approve, in the Name or Names of the ſaid Lord High Treaſurer or Commiſſioners, or any Three of them for the Time being, and the Principal, Intereſt and Proceeds of the ſaid Treaſury Bills, or other Government Securities, ſhall be accounted for, applied, and paid over by the ſaid Lord High Treaſurer or Commiſſioners for the Time being for the Purpoſes of this Act, in Manner and under the Regulations and at the Times in this Act in that Behalf mentioned and directed.

On Execution of the Conveyance 216,000l. ſhall be inveſted in Treaſury Bills, &c. for the Purpoſe of this Act, with Conſent of Earl of Ormonde and his Truſtees.

III. And be it further enacted, That the Acquittance or Acquittances, or Receipt or Receipts of the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, or the Perſon or Perſons who ſhall be entitled to receive the ſaid Sum of Two hundred and ſixteen thouſand Pounds, under the Proviſions of this Act contained, ſhall be a good

Acquittance of Truſtees, &c. for the Conſideration of 216,000l. to be a valid Diſcharge.

a good and sufficient Discharge for the Payment of the said Sum, or of so much thereof as shall be thereby acknowledged to be by them or him received, without any further or other Warrant to be sued for or obtained in that Behalf; and that the said Sum and every Part thereof shall be free and clear from all Taxes, Impositions, Fees, and other Charges whatsoever.

For ascertaining the Right of the Corporation of Cork, or other Corporations or Persons, &c.

IV. Provided always, and be it further enacted, That for trying or ascertaining any Right or Claim which the said Mayor, Sheriffs, and Commonalty of the said City of *Cork*, or any other Person or Persons, Body or Bodies Politick or Corporate, may alledge or make of or to the Prisage or Butlerage of Wines, or any Part, Share, or Proportion thereof, in any Port or Ports of *Ireland*, or in any Bay, Creek, or Strand within any Part or in any Place or Places in *Ireland*, it shall and may be lawful to and for the said Mayor, Sheriffs, and Commonalty of the said City of *Cork*, and to and for all and every or any Person or Persons, or Body or Bodies Politick or Corporate, who shall alledge any such Right or make any such Claim, to have the Subject of such Claim tried at Law in His Majesty's Court of King's Bench, Common Pleas, or Exchequer, in *Ireland*, at the Option of the Claimant or Claimants, by an Action to be brought by such Claimant or Claimants against the Lord High Treasurer or Commissioners of the Treasury of *Ireland* for the Time being; and the said Earl of *Ormonde* and *Ossory* and his said Trustees, or the Survivor of them, upon an Issue whether the said Mayor, Sheriffs, and Commonalty of the City of *Cork*, or other Person or Persons, or Body or Bodies Politick or Corporate, who shall alledge any such Right or make any such Claim respectively, are or is entitled to any Prisage or Butlerage of Wines in any Bays, Creeks, or Strands within the Port of the said City of *Cork*, any way happening, or in any other Port or Ports of *Ireland*, or in any Bay, Creek, or Strand thereof, or in any Place or Places in *Ireland* to be named in such Issue, as the Case may require; and that in any such Action the said Mayor, Sheriffs, and Commonalty of the said City of *Cork* or other Person or Persons, or Body or Bodies Politick or Corporate, who shall alledge any such Right or make any such Claim as aforesaid, shall be Plaintiffs at Law; and the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer for the Time being, together with the said Earl of *Ormonde* and *Ossory*, and his said Trustees or the Survivor of them, shall be Defendants at Law; and such Defendants shall without Delay name an Attorney or Attornies respectively to appear to and to accept a Declaration and plead to Issue; and such Issue, if the Parties shall differ, shall be settled by the Master or the proper Officer of the Court in which any such Proceedings shall be had; and all and every such Plaintiff or Plaintiffs shall proceed in every such Action for the Trial of such Claim, so as to have the same tried and determined before a special Jury of the County of the City of *Dublin*, at any Time before the First Day of *January* One thousand eight hundred and twelve, as the Court shall think fit to appoint; and after Verdict on any such Issue, Judgement shall be given by such Court with Costs as usual in common Cases.

If any such Right be established, then the Value shall be ascertained either by Agreement or by Verdict of a Jury,

V. And be it further enacted, That if such Person or Persons, Body or Bodies Politick or Corporate, shall fully and satisfactorily establish such Right, or any Right in the Premises, though not to the full Extent; then, and in every such Case, the Price and Value of such Prisage or Butlerage, or of such Part, Share, or Proportion thereof, the Right to which shall be so established as aforesaid, shall be also ascertained at the said Trial in Case all the Parties at such Trial shall so agree; but in case all the said Parties shall not so agree, then the said Price and Value shall be ascertained as follows, that is to say; if by any Instrument in

Writing, to be made and executed by and between the Perſon or Perſons, or Body or Bodies Politick or Corporate, ſo eſtabliſhing his, her, or their Right as aforeſaid, of the Firſt Part; the ſaid *William Morland*, *John Hoſier*, *Charles Butler*, and *Job Hart Price Clarke*, or the Survivors and Survivor of them, or the Heirs or Aſſigns of ſuch Survivor, with the Conſent of the ſaid Earl of *Ormonde* and *Oſſory* or his Heirs, of the Second Part; and any Three Commiſſioners of the Treaſury of *Ireland*, or the Lord High Treaſurer of *Ireland* for the Time being, of the Third Part; the Price and Value thereof ſhall be aſcertained, declared, and agreed upon under their reſpective Hands and Seals; then the ſame ſhall from thenceforth be deemed and taken as and for the Price and Value thereof to all Intents and Purpoſes, and ſhall be paid in Manner hereinafter mentioned, together with the Coſts (if any); but if the ſaid Parties ſhould not ſo agree, then the ſame ſhall in every ſuch Caſe be aſcertained as follows, that is to ſay; an Action ſhall be brought by the Perſon or Perſons, Body or Bodies Politick or Corporate, having ſo eſtabliſhed ſuch Right as aforeſaid, for the aſcertaining of the Amount of ſuch Price or Value againſt the Perſon or Perſons being Defendants in the ſaid firſt-mentioned Action, in which Action for aſcertaining ſuch Price or Value, the Venue ſhall be laid in the County of the City of *Dublin*; and it ſhall be lawful for all Parties to proceed in ſuch Action for aſcertaining ſuch Price or Value as aforeſaid, in like Manner as in the former Caſe of the Action for the Trial of the Right as aforeſaid, or as nearly thereto as the Caſe will admit; and upon ſuch Trial it ſhall be lawful for the Jury to give a Verdict for the Defendants, or for the Plaintiff or Plaintiffs, with Damages, and the Court ſhall give Judgement thereon with Coſts as uſual in common Caſes.

On ſuch Agreement or Verdict the Treaſury ſhall pay the Amount of the Damages.

VI. And be it further enacted, That whenever ſuch Agreement ſhall be made, or ſuch Verdict and Judgements ſhall be given for ſuch Price or Value, then within Fourteen Days after the Execution of ſuch Agreement, or after the Production and Delivery of a Certificate under the Hand of the proper Officer or Officers of the Court in which any ſuch Trial ſhall be had, ſignifying that ſuch Verdict and Judgement had been given, and the Amount of the Damages thereon, which ſaid Certificate the ſaid Officer or Officers is and are hereby required to give, it ſhall be lawful for the Lord High Treaſurer of *Ireland*, or the Commiſſioners for executing the ſaid Office of Lord High Treaſurer for the Time being, and he and they is and are hereby required to iſſue and pay to and to the Uſe of the ſaid Mayor, Sheriffs, and Commonalty of the City of *Cork*, or to and to the Uſe of ſuch other Perſon or Perſons, or Body or Bodies Politick or Corporate, as by virtue of any ſuch Agreement or Verdict and Judgement ſhall be entitled to any ſuch Damages or Sum or Sums of Money, the Amount of ſuch Damages and Sum and Sums of Money reſpectively.

New Trial allowed.

VII. Provided always, and be it enacted, That if the Court before whom any Trials ſhall be had under this Act ſhall be diſſatisfied with any Verdict to be given on any ſuch Trial, then, and in every ſuch Caſe, and ſo often as the ſame ſhall happen, it ſhall be lawful for ſuch Court to grant a new or further Trial upon the ſame Iſſue, upon Application of the Party complaining of ſuch Verdict within the Time allowed in common Caſes for Motions for new Trials; and that if any of the Defendants in any Action to be brought and proſecuted in purſuance of this Act ſhall die, or ceaſe to hold their Offices, pending the ſame, ſuch Action ſhall not abate by Reaſon thereof, but ſhall be proceeded in as if no ſuch Event had happened.

VIII. And

VIII. And be it further enacted, That every such Verdict and Judgement thereon shall be binding and conclusive upon and against the Parties on the Trial of any such Issue, and upon and against all and every Person and Persons, and Body and Bodies Politick and Corporate whomsoever, claiming or to claim Prisage or Butlerage of Wines in the Port or Place relating to which any such Issue shall be tried as aforesaid; and that if the said Mayor, Sheriffs, and Commonalty of the City of *Cork*, or any other Person or Persons, Body or Bodies Politick or Corporate whatever, claiming or to claim any Right, Title, or Interest in or to the Prisage or Butlerage of Wines in *Ireland*, or any Parts, Share or Proportion thereof, shall omit or neglect to proceed to the Trial of the several Issues for determining their Right therein in Manner aforesaid, and also for ascertaining the Price or Value as aforesaid if necessary; and if such Trials shall not be had, and Verdicts and Judgements thereon respectively given, or Agreement made for ascertaining such Price or Value as aforesaid, before the said First Day of *January* One thousand eight hundred and twelve, the said Mayor, Sheriffs, and Commonalty of the City of *Cork*, and all and every other Person and Persons, Body and Bodies Politick and Corporate, respecting whose Right and Damages Trials shall not be had, and Verdicts and Judgements shall not be given, or Agreement made as aforesaid, before the said First Day of *January* One thousand eight hundred and twelve, shall be deemed and taken to have abandoned all Claim, Right and Title to such Prisage and Butlerage of Wines, or any Share or Proportion thereof, and shall be for ever thenceforth barred and precluded from all Benefit of any such Claim; and from demanding, taking, or receiving any Prisage or Butlerage of Wines in any Port or Place in *Ireland*; any Law, Charter, Usage or Custom to the contrary in anywise notwithstanding.

Verdicts binding.

All Claims of Prisage not determined before Jan. 1, 1812, to be barred.

IX. And be it further enacted, That in case no such Trial shall be had, nor any Verdict given for any Plaintiff or Plaintiffs on any such Issue as aforesaid, before the said First Day of *January* One thousand eight hundred and twelve; then, and in such Case, it shall and may be lawful for the Lord High Treasurer of *Ireland*, or the Commissioners for executing the said Office of Lord High Treasurer for the Time being, and they are hereby authorized and required to issue and pay, and to deliver over to the said *William Morland*, *John Hosier*, *Charles Butler*, and *Job Hart Price Clarke*, and the Survivor of them, his Executors, Administrators, or Assigns, the Whole of the said Sum of Two hundred and sixteen thousand Pounds, or the Securities (if any) in which the same shall have been invested as aforesaid, together with such Interest as may have accrued on such Securities up to the Time of their paying and delivering over the same as aforesaid; and in case any such Trial or Trials shall have been had, and a Verdict and Judgement given for Damages to the Plaintiff or Plaintiffs therein, at any Time before the said First Day of *January* One thousand eight hundred and twelve; then, and in such Case, it shall and may be lawful for the said Lord High Treasurer or Commissioners for the Time being respectively, to issue and pay and deliver over to the said *William Morland*, *John Hosier*, *Charles Butler*, and *Job Hart Price Clarke*, or the Survivor of them, his Executors, Administrators, and Assigns, so much and such Sum or Sums of Money or Securities as aforesaid, as together with any Sum or Sums of Money paid or payable to any such Plaintiff or Plaintiffs as aforesaid in consequence of any such Verdict and Judgement for Damages as aforesaid, or of any Agreement to be made as aforesaid, shall amount to the Whole of the said Sum of Two hundred and sixteen thousand Pounds, or to the whole Produce of the Securities in which the same shall have been invested in Manner aforesaid, with Interest on such Securities as aforesaid.

After Jan. 1, 1812, Treasury shall pay the whole 216,000l. to the Trustees, or so much thereof as shall remain after Payment of Damages, to any Claimants.

Treasury, on Execution of Conveyance, may advance not exceeding Two Thirds of said 216,000l. taking Indemnity against any Claim, &c.

X. Provided always, and be it enacted, That at any Time after the Execution as aforesaid of such Deed of Conveyance and Surrender of the said Prisage and Butlerage from the said Earl of *Ormonde* and *Ossory*, and his said Trustees, or the Survivor of them, his Executors, Administrators and Assigns, it shall be lawful for the said Lord High Treasurer of *Ireland*, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, to pay and advance to the said *William Morland*, *John Hosier*, *Charles Butler*, and *Job Hart Price Clarke*, or the Survivor of them, his Executors, Administrators, or Assigns, any Sum or Sums of Money not exceeding in the Whole the Amount of Two Third Parts of the said Sum of Two hundred and sixteen thousand Pounds, upon receiving from the said Earl of *Ormonde* and *Ossory*, and his said Trustees, or the Survivor of them, his Executors, Administrators, or Assigns, such Security or Securities as the said Lord High Treasurer or Commissioners as aforesaid shall think sufficient, fully and amply to indemnify the said Lord High Treasurer or Commissioners from and against all and every Claim and Claims of any and every Person and Persons, Body or Bodies Politick or Corporate, to any Prisage or Butlerage of Wines in any Port or Place in *Ireland*, or any Part, Share, or Proportion thereof, and from and against any Sum or Sums of Money, Damages or Costs to be paid to any such Person or Persons, Body or Bodies Politick or Corporate, in Recompence of any such Claim beyond the Amount of such Part of the said Sum of Two hundred and sixteen thousand Pounds as shall not be paid and advanced to the said Trustees in Manner aforesaid; and in case it shall happen that any Sum or Sums of Money, Damages or Costs to be paid on Account of or in Recompence for any such Claim or Claims in consequence of any Verdict or Judgement or Agreement as herein-before mentioned, shall exceed the Amount of such Part of the said Sum of Two hundred and sixteen thousand Pounds as shall not be paid and advanced to the said Trustees; then, and in such Case, such Excess of the Sum and Sums so to be paid, with Interest thereon from the Time of Payment thereof respectively, shall stand and be a Charge on all and every the Estates now vested in the said *William Morland*, *John Hosier*, *Charles Butler*, and *Job Hart Price Clarke*, under the aforesaid Acts of Parliament, or any of them, except such Part of the said Estates of the said Earl of *Ormonde* and *Ossory* as may be excepted from or not included in the Security to be required by the said Lord High Treasurer or Commissioners as aforesaid, in Priority to any Debts or Debt in the said Acts or any of them mentioned and provided to be paid as aforesaid which shall then remain unpaid, and shall and may be sued for and recovered thereout, with Interest and Costs, by and in the Names of the Commissioners of the Treasury of *Ireland*, or the Lord High Treasurer for the Time being, by their said Name of Office respectively, either at Law or in Equity, in the same Manner in all Respects as any Mortgagee in Fee Simple may proceed for Recovery of his Principal, Interest, and Costs; and no Change of any of the said Commissioners pending any such Suit or Proceeding shall in any way affect the same; and the net Sum recovered shall be paid into His Majesty's Treasury of *Ireland*, and shall become and be Part of the Consolidated Fund of *Ireland*.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1810.