

IN THE LANDED ESTATES COURT, IRELAND.

COUNTY OF TIPPERARY.

JOHN FALKINER, In the Matter of the Estate of Owner; JOHN STEPHEN DWYER, Petitioner.

Rental and Particulars

OF

PART OF THE LANDS OF BALLYLUSKEY, CALLED NOWLAN'S DIVISION,
In the Barony of Lower Ormond and County of Tipperary,

HELD IN FEE-FARM; ALSO OF

AN UNDIVIDED MOIETY OF PART OF THE LANDS OF TERRYGLASS,
IN THE BARONY OF LOWER ORMOND AND COUNTY OF TIPPERARY,

HELD IN FEE;

And the Life Estate of the Owner in this Matter as Tenant by the courtesy in the other Undivided Moiety of said
Lands of Terryglass,

To be Sold in Two Lots,
On TUESDAY, the EIGHTEENTH day of JUNE, 1872,

AT THE HOUR OF TWELVE O'CLOCK, NOON,

BEFORE THE HONORABLE JUDGE LYNCH,

AT THE LANDED ESTATES COURT, INNS QUAY, IN THE CITY OF DUBLIN.

For Rentals, Maps, and further particulars apply at the Landed Estates Court, Inns-quay, Dublin; to LYNN CAREW, Esq., Solicitor for the Owner, No. 97 Lower Mount-street, Dublin; to SAMUEL STANLEY, Esq., Borrisokane; or to EDWARD HARTIGAN, Solicitor, having Carriage of the Proceedings, No. 34 Kildare-street, Dublin.



Prepared at the Ordnance Survey Office, Phoenix Park
under the direction of T. Colman Wilkinson, R.E.

The locality in which the Estate of JOHN FALKNER is situated is marked by a Green color.

Major-General Sir Henry James R.E. F.R.S. Director of the Ordnance Survey.

Scale of One Inch to a Statute Mile.

1 Mile

Descriptive Particulars.

The Lands of Ballyluskey, of which a portion is to be sold, are situate within two and a-half miles of the Market and Post Town of Borrisokane, and within six miles of the Market and Post Town of Nenagh, and two and a-half miles of the Town of Cloughjordan, both being stations on the Great Southern and Western Railway.

The Lands of Terryglass, of which part is to be sold, are of a fee-simple tenure, and are also situate within four miles of the said Market and Post Town of Borrisokane, two and a-half miles of the Portumna Station, on the Great Southern and Western Railway, and within ten miles of the said Market and Post Town of Nenagh, and are bounded on the North by Lough Derg; and a portion of said Lands of Terryglass consists of seven islands in said Lough. There are good farm offices at Oldecourt, on that part of said Lands of Terryglass, in the occupation of Captain Stoney.

The Lands of Ballyluskey are held under a fee-farm grant dated the 16th day of April, 1861, made between Patrick Lewis, Cole Paget and the Reverend Edward Henege Paget of the one part, and John Falkiner, Rebecca Falkiner, Frederick Baldwin Falkiner, and the Reverend William Molloy of the other part, at the yearly rent of £21 1s. 4d. The portion of the lands to be sold together with other premises not for sale herein, are subject to the said yearly rent of £21 1s. 4d., but by partition deed, next hereinafter stated, are primarily liable to one-fourth, that being £5 5s. 8d. in exoneration of the other premises liable thereto, and are entitled to be exonerated from £15 15s. 8d., the residue of said rent as provided by said partition deed; said lands are in the Parish of Arderony, Barony of Lower Ormond and County of Tipperary. In said fee-farm grant is excepted all royalties, and that part of the Lands of Ballyluskey, formerly in the possession of Thomas Lalor and his under-tenants, with liberty to said John Falkiner, Rebecca Falkiner, Frederick Baldwin Falkiner, and William Molloy, their heirs and assigns, to draw and carry away the water of the lough or lake of Ballyluskey, they the said John Falkiner, Rebecca Falkiner, Frederick Baldwin Falkiner, and William Molloy satisfying all such damages or trespass as may be committed by reason thereof.

The Lands of Terryglass are in the Parish of Terryglass; and said Lands of Ballyluskey and Terryglass are delineated on the map annexed hereto.

By indenture of partition bearing date the 2nd day of October, 1818, made between Daniel Falkiner of the first part, John Falkiner (the owner in this matter) of the second part, Joseph Falkiner of the third part, and Nathaniel Falkiner of the fourth part, the said Daniel Falkiner, Joseph Falkiner, and Nathaniel Falkiner, granted and confirmed unto said John Falkiner, his heirs and assigns, that part of said Lands of Ballyluskey, called Nowlan's Division, subject to one-fourth of the head-rent of said lands, which rent has by said fee-farm grant been ascertained to the sum of £21 1s. 4d. Each of the remaining three-fourths of said premises is also by the said deed granted in like manner, subject to one-fourth of said rent. And it was by said deed agreed that said several parties, and their respective heirs and assigns, should and would join and contribute in equal shares and proportions to the necessary expenses which should from time to time for ever thereafter attend the cleaning of the canal from said lands and premises. And also the main drain through said lands leading to said canal, and keeping same in proper repair for the purpose of keeping said lands drained; and that in default of one or more of said parties, his or their assigns, refusing cleaning, or neglecting to contribute to such expenses as aforesaid, it should be lawful for the other or others of said parties, his or their assigns, to employ labourers to clean and repair said drain and canal, and to recover by action at law or otherwise from the party so making default, his or their heirs or assigns, said parties share of such expenses.

Conditions of Sale.

The quantities stated in the rental shall be taken as correct; and no purchaser shall be at liberty to object by reason of any trifling inaccuracy therein.

A counterpart of the fee-farm grant under which said Lands of Ballyluskey are held will be handed to the purchaser.

The several rights of way herein stated will be expressly preserved.

The owner in this matter is now aged about eighty-four years.

LOT 1.

Part of the Lands of BALLYLUSKEY, situate in the Barony of Lower Ormond, and County of Tipperary, held, with other s under Fee-farm Grant, dated 16th April, 1861.

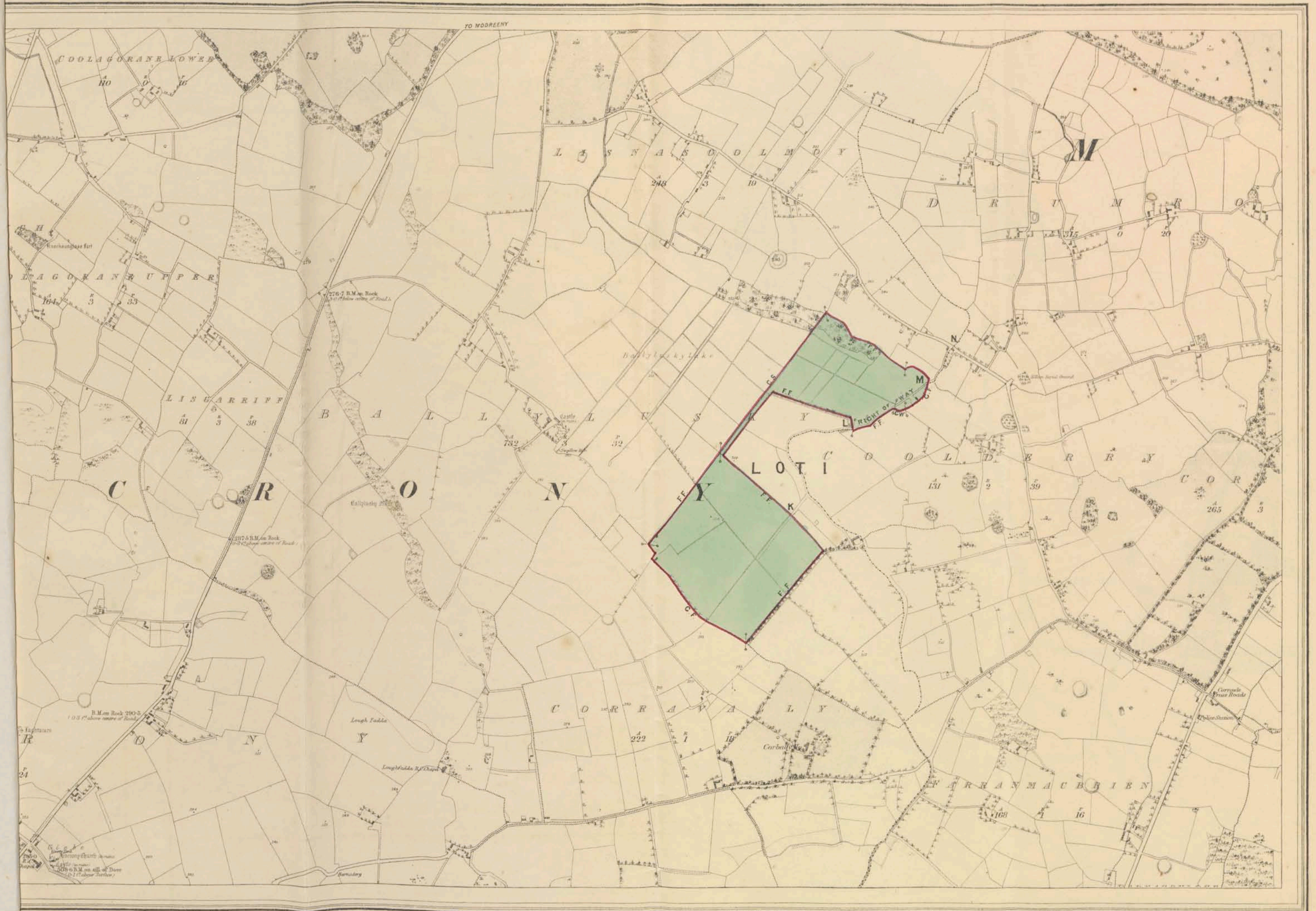
No.	Denominations.	Tenants' names.	Gale Days.	Yearly Rent.	Quantity of Land, Statute Measure.	Tenure of Tenants.	Observations, Rights, and Easements.
1	BALLYLUSKEY, in the Barony of Lower Ormond, and County of Tipperary.	Michael Kenna,	1st May and 1st Nov.	<div>£ s. d.</div> <div>45 0 0</div>	<div>A. R. P.</div> <div>70 2 8</div>	Tenant from year to year; determinable on 1st November in each year.	The tenants on the adjoining lands exercise a right of way on foot, and with horses, cars, cattle, &c., through this property along the road from the point L to the point M, and this estate will be sold subject thereto. The several small streams on the Townland of Ballyluskey contribute to the water power of Kilganny Mill on an adjoining property. Neither the owner nor the tenants on this estate can reduce, divert, or otherwise interfere with the free flow of the waters of these streams to the injury of said mill, and the rights of all persons in respect of the waters of these streams will be reserved as they at present exist.
	Proportion of Head-rent,	....	£5 5 8				
	Rent-charge,	....	£0 12 0				
	Do.	....	1 2 1				
			<u>1 14 1</u>				
				6 19 9			
	Net Profit-rent,	....	....	38 0 3			

Griffith's Valuation of this Lot is £31 10s.

TRANSFER OF PROPERTY
under the
LANDED ESTATES COURT.

MAP 2 SHEETS 10 & 21 part of COTIPPERARY.

ANCE SURVEY OF IRELAND



The Ordnance Survey Office, Phoenix Park
Section of Lt. Colonel Wilkinson, R.E.

The Estate of **JOHN FALKINER** is Colored

Major General Sir Henry James R.E. F.R.S. Director of the Ordnance Survey.

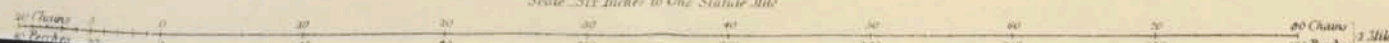
Explanation: C.S. Centre of Stream. S.S. Side of Stream. C.R. Centre of Road. S.R. Side of Road. F.F. Face of Fence. C.F. Centre of Fence. E.B. Face of Bank. C.D.D. Centre of Double Ditch.

R.H. Root of Hedge. E.W. Face of Wall. C.W. Centre of Wall. U.N.D. Undefined.

Scale: Six Inches to One Statute Mile

20 Chains

MAP I SHEET 6 (*part of*) COTIPPERARY.



LOT 2.

An undivided moiety of part of the Lands of TERRYGLASS, and of the SEVEN ISLANDS adjoining, shown on map, held in fee, and the Life Estate of the Owner as tenant by the courtesy in the other undivided moiety of said part of said Lands and Islands, situate in the Barony of Lower Ormond and County of Tipperary.

No.	Denominations.	Tenant's names.	Gale days.	Yearly Rent.	Quantity of Land Statute Measure.	Tenure of Tenant.	Observations, Rights, and Easements.
1	TERRYGLASS, in the Barony of Lower Or- mond and County of Tipperary.	Captain Francis Stoney	25th March and 29th September	£ s. d. 65 0 0	A. R. P. 80 1 10	Tenant from year to year ; tenancy determin- able on 29th of September in each year.	The public in general exercise a right of way on foot, and for horses, cars, &c., through part of this estate delineated on map hereunto annexed along the road lettered A B and C D, which leads from the county road at A to the landing-place on the shore of Lough Derg at D. The foot-paths lettered E F and F G on map are public rights of way on foot only, and are used by the public as paths, to the well at F, from which they have the right to draw water. The pub- lic in general have a right of way on foot only through this estate from A to St. Columb's well at H on map, from which they have a right to draw water. The right of the public to use the county road bounding the premises for sale on the south will also be preserved in the con- veyance to a purchaser.
2		Catherine Griffin,	1st May and 1st Nov.	10 5 8	7 2 9	Tenant from year to year ; tenancy determin- able on 1st of November in each year.	
3		Mary Griffin, widow....	1st May and 1st Nov.	2 15 5	3 1 14	Tenant from year to year ; tenancy determin- able 1st of November in each year.	
4		Anne Howe, widow	1st May and 1st Nov.	4 10 0	2 3 37	Tenant from year to year ; tenancy determin- able 1st of November in each year.	
		Rent-charge,	....	82 11 1 3 13 9	94 0 30	
		Net profit rent,	78 17 4			

Griffith's Valuation of this Lot is £54 15s. 0d.

LANDED ESTATES COURT, IRELAND.

COUNTY OF TIPPERARY.

SALE

ON TUESDAY, THE 18TH DAY OF JUNE, 1872.

In the Matter of the Estate of

JOHN FALKINER, Owner;

JOHN STEPHEN DWYER, Petitioner.

RENTAL AND PARTICULARS

OF THE

LANDS OF BALLYLUSKEY,

AND

TERRYGLASS,

BOTH IN THE

BARONY OF LOWER ORMOND,

AND

COUNTY OF TIPPERARY,

Held under Fee-farm Grant and in Fee,

TO BE SOLD,

BY THE HON. JUDGE LYNCH,

At the Landed Estates Court, Inns Quay, Dublin,

On TUESDAY, the 18th day of JUNE, 1872,

At Twelve o'Clock, noon.

EDWARD HARTIGAN,

Solicitor having Carriage of the Proceedings,

No. 34 Kildare-street, Dublin.