

IN THE LANDED ESTATES COURT, IRELAND.

COUNTY OF TIPPERARY.

SALE ON TUESDAY, THE 29TH DAY OF JUNE, 1869.

In the Matter of the Estate of WILLIAM HENRY HEAD, Esquire, Owner and Petitioner.

RENTAL AND PARTICULARS

OF

Part of the Lands of Modreeny,

Containing 205 acres and 26 perches, statute measure, partly held in fee, and partly held under lease, dated 8th February, 1794, for 999 years;

PART OF MODREENY, CALLED THE GLEBE LAND,

Containing 3 acres and 17 perches, statute measure, held under lease, dated the 22nd of September, 1831, during the incumbency of the Reverend William Travers Homan;

PART OF MODREENY, KNOWN AS THE COPPSED WOOD, OR GARRAUNORISH HILL,

Containing 26 acres 2 roods 30 perches, statute measure, held under lease, dated 18th January, 1825, for three lives, or thirty-one years, from the 1st of May, 1824;

PART OF THE LANDS OF KILLURANE,

Containing 3 roods and 8 perches, statute measure, held under lease, dated 30th April, 1841, for three lives;

PART OF THE LANDS OF BALLYSTEENA,

Containing 7 acres and 14 perches, statute measure, held under lease, dated the 22nd October, 1822, for lives renewable for ever in respect of which a Fee-farm Grant, has been approved of by the Lessor, will be executed by him to the Purchaser, at the expense of the funds in this matter. A yearly fee-farm rent of £2 6s. 2d. payable out of part of the said Lands of Modreeny, containing 1a. 1r. 3p., statute measure. Another part of said Lands of Modreeny, containing 38a. 0r. 26p., statute measure, held in fee-simple; and

PART OF THE LANDS OF BALLYHASTY, CALLED NORTHLANDS,

Containing 105 acres 3 roods 14 perches, with part of the Lands of Modreeny, containing 1 acre 1 rood 3 perches, statute measure, held under lease, dated 29th November, 1866, for two lives or 31 years;

ALL SITUATE IN THE BARONY OF LOWER ORMOND, AND COUNTY OF TIPPERARY.

WHICH WILL BE SOLD IN THREE LOTS,

BEFORE THE HON. JUDGE LYNCH, AT HIS COURT, LANDED ESTATES COURT, INNS-QUAY, DUBLIN,

On TUESDAY, the 29th day of JUNE, 1869, at the hour of Twelve o'Clock at Noon.

Private offers will be received by the Solicitor having Carriage of the Proceedings up to the 15th day of JUNE, 1869, and submitted to the Judge for approval.

For Rentals and further particulars apply at the Registrar's Office, Landed Estates Court, Inns-quay, Dublin; or to WILLIAM HENRY HEAD, Esq., D.L., the Owner, Derry-lahan Park, Parsonstown; or to JOHN JULIAN, Solicitor, having Carriage of the Proceedings for Sale, No. 52 Lower Sackville-street, Dublin and Parsonstown.

Particulars of Tenure as to Lot No. 1.

The fee-simple portion of this Lot comprises 201a. 3r. 22p., as hereinafter set forth.

A yearly fee-farm rent of £2 6s 2d., payable out of part of the Lands of Modreeny, containinig 1a. 1r. 3p. statute measure.

By Indenture of Lease, dated the 8th of February, 1794, Sir Amyrald Dancer, Baronet, demised unto Owen Keogh the old holding in Modreeny, then lately held by John Power, deceased, situate in the Barony of Lower Ormond, and County of Tipperary, containing one acre, or thereabouts, plantation measure, more or less, TO HOLD from the 1st of November then last for 999 years, at the yearly rent of £5 of the then currency, equal to £4 12s. 4d. present currency, payable half-yearly on the 1st of May and 1st of November.

By Indenture of Lease, dated the 22nd of September, 1831, the Reverend William Travers Homan demised to William H. Head (the owner), that part of the glebe land of the Parish of Modreeny, then in the possession of the said William Henry Head, containing about two acres, more or less, and situate within the demesne of Modreeny House, belonging to the said William Henry Head. TO HOLD so long as the lessor should be and continue Rector and Incumbent of the said Parish of Modreeny, at the yearly rent of £5, payable half-yearly on the 1st of November and 1st of May.

By Indenture of Lease, dated the 18th of January, 1825, Thomas Ely, junior, Esquire, demised to Major-General Michael Head the Town and Lands of Modreeny, known by the name of the Coppesd Wood, or Garrawn Orish Hill, bounded on the north by the demesne lands of Modreeny, on the east by the said Thomas Ely's land, on the south by the Right Honorable Lord Dunally's land, and on the west by Mr. Thomas Dancer's land, containing, by a survey then lately made thereof, 16a. 1r. 30p., subject to a survey. TO HOLD from the 1st of May then last, for the lives of William Henry Head (the owner in this matter), and John Head (since deceased), and Michael Head (now aged about 46 years), or thirty-one years, from 1st May, at the yearly rent of £1 1s. 10d. sterling, then currency, equal to £1 0s. 2d., present currency, and so in proportion for roods and perches, payable half-yearly on the 1st November and 1st May. This lease, in addition to the usual covenants, contains a covenant that the lessee, his heirs, &c., should have liberty during said demise to cut and carry away the whole or any part of the oak or any other timber then growing or to grow on the demised premises; also a covenant that the lessee, his heirs, &c., should be allowed in the yearly rent the clergyman's receipt for tythes, agreeable to the then present composition; also that they should only pay half the county cess or taxes during the then present system, and, if charged more, the overplus to be allowed in the said yearly rent.

PARTICULARS OF TENURE AS TO LOT No. 1--continued.

By Indenture of Lease, dated the 30th of April, 1841, Thomas Ely demised to William Henry Head (the owner in this matter), that part of Killurane, then in the possession of the said William Henry Head, containing, by estimation, 1r. 25p., British statute measure, being equivalent to 1r. 0½p., late Irish plantation measure, more or less, bounded on the south by other land in possession of said William Henry Head, on the north by the river, on the east by the high road, and on the west by the Lands of Killurane.

This lease reserves to the lessor, his heirs and assigns, liberty to hunt, fish, &c. TO HOLD for the lives of Henry Frederick Winchelsea Ely and Robert, second and third sons of lessor, and Edwin Barnes, second son of Thomas Barnes, Ely, of Tennessee, at the yearly rent of 17s. 9d., payable half-yearly on the 1st of May and 1st of November.

By Indenture of Lease, dated the 22nd of October, 1822, the Right Honorable Henry Sadlier, Lord Baron Dunally, demised unto Michael Head ALL THAT AND THOSE that part of the Lands of Ballysteena, then being in the actual possession of the said Michael Head, and as then lately let to Richard Perry, Esq., late of Modreeny, and assigned by him to the aforesaid Michael Head, containing, by estimation, 3a. 2r. 8p., more or less, reserving to lessor all royalties, mines, &c., and also right of hunting, hawking, fishing, and fowling. TO HOLD for three lives (two of which, viz., William Henry Head, the owner, and John Thules, son of the late Major Thules, are still living), with covenant for perpetual renewal on payment of a renewal fine of one shilling on the fall of each life, subject to the yearly rent of £8 6s. 2d., late currency, equal to £7 14s. 4½d., present currency, in respect of which a Fee-farm Grant, under the Renewable Leasehold Conversion Act, has been approved of by the lessor, and will be executed by him to the purchaser at the expense of the funds in this matter.

All the lands comprised in this Lot are situate in the Barony of Lower Ormond, and County of Tipperary.

The purchaser of this Lot will be entitled, under an agreement dated the 8th of December, 1840, to a right of cutting turf on thirteen acres of the Bog of Killurane, as set out in a deed-poll of the 22nd day of December, 1852, from the Commissioners of Incumbered Estates in Ireland to M. C. Maude, and such right will be conveyed to the purchaser out of Court.

Particulars of Tenure as to Lot No. 2.

The entire of this Lot is held in fee-simple, and consists of 38a. 0r. 26p., statute measure, of the Lands of Modreeny, situate in the Barony of Lower Ormond, and County of Tipperary.

Particulars of Tenure as to Lot No 3.

By Indenture of Lease, dated the 29th of November, 1866, the Right Honorable Henry Lord Baron Dunally demised to William Henry Head (the Owner in this matter), that part of the lands of Ballyhasty, commonly called Northlands, formerly in the possession of Richard Hammersly, Esq., deceased, containing 97a. 0r. 30p., or thereabouts, statute measure, equivalent to 60a., or thereabouts, late Irish plantation measure, more or less, together with part of the Lands of Modreeny, containing 1a. 0r. 35½p., or thereabouts, statute measure, equivalent to 3 roods of the late Irish plantation measure, more or less, formerly part of the demesne of Northlands, also formerly in the possession of the said Richard Hammersly, situate in the Barony of Lower Ormond, and County of Tipperary, reserving to the Lessor, from and after the death of the said William Henry Head, all timber and timber trees which were standing and growing on the said premises, with liberty for the said William Henry Head, during his life, to cut down so much of said timber as might be necessary for thinning and improving the plantation; also excepting all wood and underwood, quarries, mines and minerals, and all royalties, with liberty to enter, cut, raise manufacture, and carry away the same, at all times during the continuance of said demise, making reasonable compensation to the occupying tenant for loss and damage and also liberty to hunt, &c.; To Hold from the 1st of November then last, for the lives of the Lessee and his Royal Highness the Duke of Cambridge, and the survivor of them, or 31 years from the 1st of November, 1850, whichever should last longest, at the yearly rent of £62 6s. 2d., payable half-yearly on the 1st of May and 1st of November; and said lease contains covenants by the Lessee not to sub-let without the consent of the Lessor, his heirs, or assigns, and not to build more than three dwelling-houses being then the number built thereon, but to be at liberty to re-build any of them that might be thrown down.



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

The locality in which the Estate of WILLIAM HENRY HEAD is situated is marked by a Green color.

Colonel Sir Harry James R.E. F.R.S. Director of the Ordnance Survey.

Scale of One Inch to a Statute Mile 6350

Descriptive Particulars.

The Lands of Modreeny are of prime quality, all in hand, and have been in grass for a long time past; the greater part of them superior meadow and feeding land. The timber is of great beauty and value. Attached to Lot 2 is an oak wood, about an acre in extent, of considerable value.

A fine trout stream runs through the grounds. The Mansion-house (situate on Lot No. 1), is commodious, and in all respects suitable to a gentleman's family. The offices are extensive and complete, with an excellent walled-in garden.

The pleasure grounds and shrubberies are tastefully laid out, and embrace the interesting ruins of a fine old castle.

Altogether it would be difficult to meet with a more complete and beautiful residence. To be appreciated it should be seen.

Modreeny is situate in a highly improved locality, one mile from the Market and Post Town of Cloughjordan, a Station on the Parsonstown and Nenagh branch of the Great Southern and Western Railway between Nenagh and Roscrea, thus affording rapid communication with Dublin and Limerick. The Parish Church adjoins the demesne. The poor-rates are almost nominal.

The Lands of Ballyhasty are all in grass, much of it feeding and meadow land, and form, with Modreeny, one of the finest grazing farms in the district. These lands, which are beautifully situated and enclosed by a demesne wall, form an important addition to the estate of Modreeny.

Descriptive Particulars.

Conditions of Sale.

That the purchasers or purchaser shall not be at liberty to object by reason of any incumbrance appearing to affect the estate or interest of any of the lessors in the lands held under lease, or by reason of the said lands being liable, in conjunction with other lands, to a greater rent than reserved in the leases under which the owner in this matter holds said lands, or by reason of any slight inaccuracy in the statement of the contents, or the amount of tithe rent-charge to which the said lands are respectively liable, or any other slight inaccuracy.

The purchaser of Lot No. 1 shall be bound to pay the entire rent-charge (about £12 16s. per annum), payable out of all the lands, and to indemnify the purchasers of the other lots therefrom.

The original lease of the 8th of February, 1794, is not forthcoming, but a copy procured from the landlord will be handed to the purchaser.



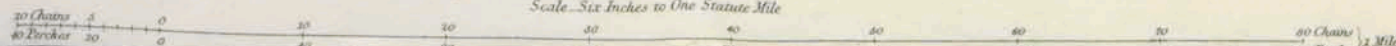
The Estate of WILLIAM HENRY HEAD is Colored

Colonel 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. F.B. Face of Bank. C.D.D. Centre of Double Ditch.

R.H. Root of Hedge. F.W. Face of Wall. C.W. Centre of Wall. UND. Undefined.

Scale Six Inches to One Statute Mile



LOT 1.

Consisting of part of the Lands of MODREENY, containing 201a. 3r. 22p., statute measure, held in fee. Another part of said Lands of MODREENY, containing 2a. 0r. 1p., statute measure, held under lease dated the 8th of February, 1794, for 999 years from 1st November, 1793, at the yearly rent of £5, late currency, equivalent to £4 12s. 4d., present currency. Another part of said Lands of MODREENY, called the Glebe Land, held under lease dated the 22nd of September, 1831, for so long as the Rev. William Travers Homan should continue Rector of the Parish of Modreeny, at the yearly rent of £5. Another part of said lands called the COPPSED WOOD or GARARUNORISH HILL, held under lease dated the 18th of January, 1825, for three lives (two of whom are still in being), and 31 years from the 1st May, 1824, at the yearly rent of £1 1s. 10d., late currency, equivalent to £1 0s. 2d., present currency, per acre, and so in proportion for roods and perches. Part of the Lands of KILLURANE, held under lease dated the 30th April, 1841, for three lives, two of whom are still in being, at the yearly rent of 17s. 9d. And part of the Lands of BALLYSTEENA, held under lease dated the 22nd of October, 1822, for three lives renewable for ever, on payment of a renewal fine of 1s. on the fall of each life, subject to the yearly rent of £8 6s. 2d., late currency, equal to £7 14s. 4½d., present currency, (which last-mentioned lease will be converted into a Fee-farm Grant at the expense of the estate, as before stated), and a yearly fee-farm rent of £2 6s. 2d., payable out of said Lands of Modreeny, containing 1a 1r 3p. statute measure, all situate in the Barony of Lower Ormond and County of Tipperary.

No.	Denominations.	Tenants' Names.	Yearly Rents or estimated annual value.	Quantity of Land Statute Measure.	Gale Days.	Tenure.	Observations.
			£ s. d.	A R. P.			
	Part of MODREENY,	In Owner's possession,	312 16 0	203 3 23			The purchaser will be entitled to the immediate possession of this portion of the lands. The landlord's part of this lease is not forthcoming; a copy thereof obtained from the tenant will be handed to the purchaser.
	Another part of Modreeny,	Lord Dunally,	2 6 2	1 1 3	1st May and 1st Nov.	Lease dated the 30th day of April, 1831, from the Owner in this matter to Frederick Hammersly for ever.	
	Another part of Modreeny called the Glebe Land,	In Owner's possession.	6 0 0	3 0 17			The purchaser will be entitled to the immediate possession of these portions of the lands.
	Coppesd Wood, or part of Garraunorish Hill,	In Owner's possession,	20 0 0	26 0 30			
	Killurane,	In Owner's possession,	1 0 0	0 3 8			
	Ballysteena,	In Owner's possession,	10 0 0	7 0 14			
			352 2 2	242 1 15			
	Deduct head-rent under lease of 8th February, 1794, £4 12 4						
	Like under lease of 22nd September, 1831, 5 0 0						
	Like under lease of 18th January, 1825, 16 11 5						
	Like under lease of 30th April, 1841, 0 17 9						
	Like under lease of 22nd October, 1822, 7 14 4½						
	Tithe-rent charge, 12 16 0						
			47 11 10½				
			304 10 3¼				

The Ordnance valuation of this Lot is £208 0s. 11d., or thereabouts. This Lot will be sold subject to payment of £12 16s., tithe-rent charge, in exoneration of the other lands in this rental, and bound to indemnify them therefrom. See Conditions of Sale. The purchaser of this Lot will be entitled to a right of cutting turf on the Bog of Killurane, as stated in the Particulars of Tenure. The right of the public to use the county roads leading from Nenagh to Birr, and from Borrisokane to Cloughjordan, and passing along the western, south-western, and eastern sides, and through the northern, and part of the eastern sides of this Lot, will be preserved in the conveyance to the purchaser. The public have a right of way on foot through this property along the footpaths lettered A, B, C, and D on the map. The rights of all persons in respect of the water of the stream which passes through the eastern side of this property, and along a portion of its northern boundary, and which is the water supply of a distillery on the townland of Mullenkeagh, and the water power of mills both above and below the property, will be preserved as they at present exist.

LOT 2.

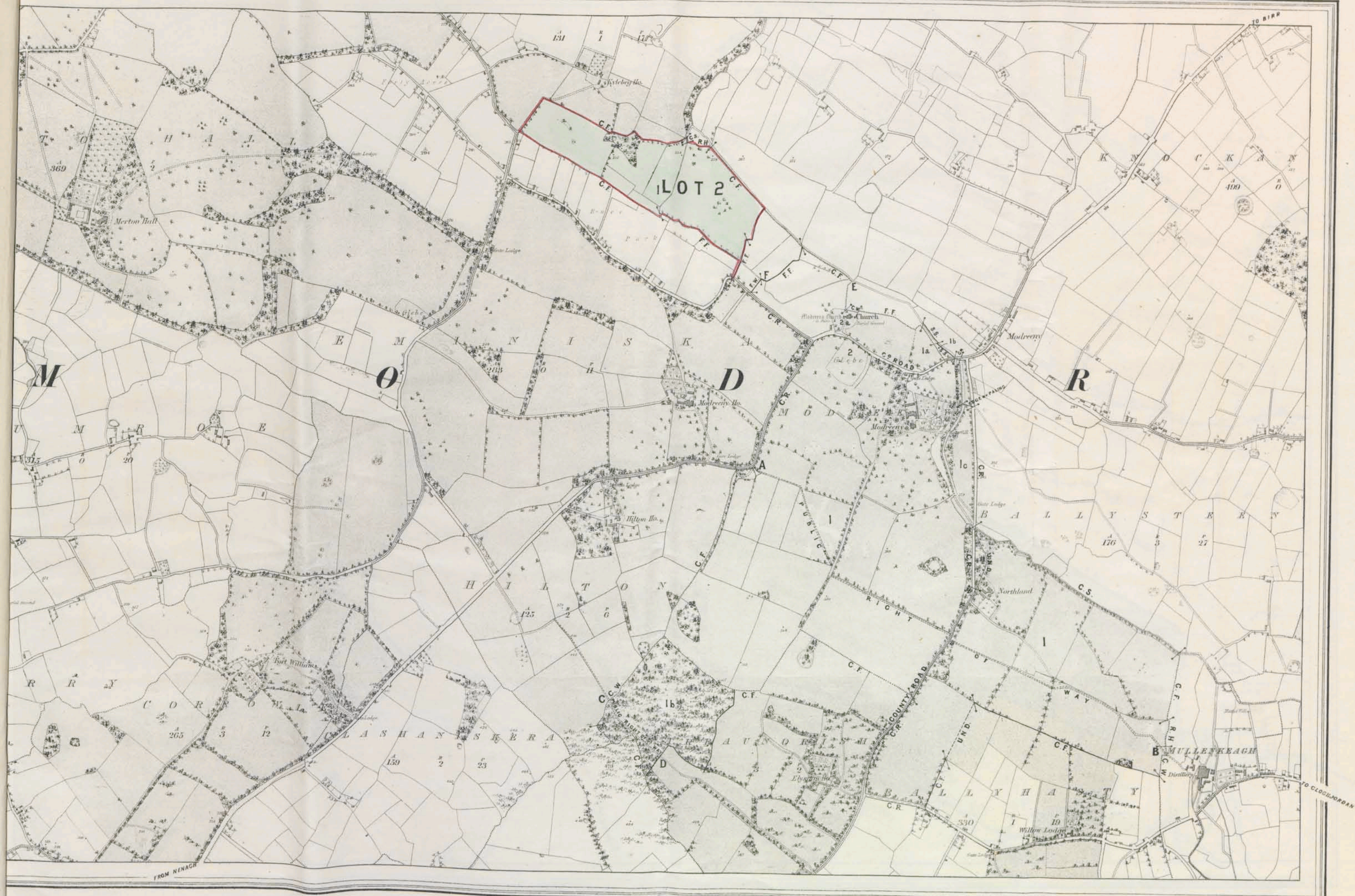
Part of the Lands of MODREENY, situate in the Barony of Lower Ormond, and County of Tipperary. Held in fee.

No.	Denomination.	Tenants' Names.	Yearly Rent or Estimated Value.	Quantity of Land, Statute Measure.	Gale Days.	Tenure.	Observations.
1	MODREENY.	In Owner's possession,	£ s. d. 50 0 0	A. R. P. 38 0 26			The purchaser will be entitled to immediate possession of these lands.

The Ordnance Valuation of this Lot is £36 14s. 9d., or thereabouts.

This Lot will be sold indemnified by Lot No. 1 against tithe rent-charge, See conditions of Sale.

The public have a right of way on foot from the county road on the west, along the southern or south-western boundary of these lands, to the Race-park. The right of the public to the use of the county road leading from Nenagh to Birr, and passing through a small portion of the southern boundary of the lands, will be preserved. The rights of all persons in respect of the water of the stream which flows along the northern boundary of this property, and which is the water supply of a distillery on the Townland of Mullenkeagh, and the water power of mills both above and below the property will be preserved as they at present exist.



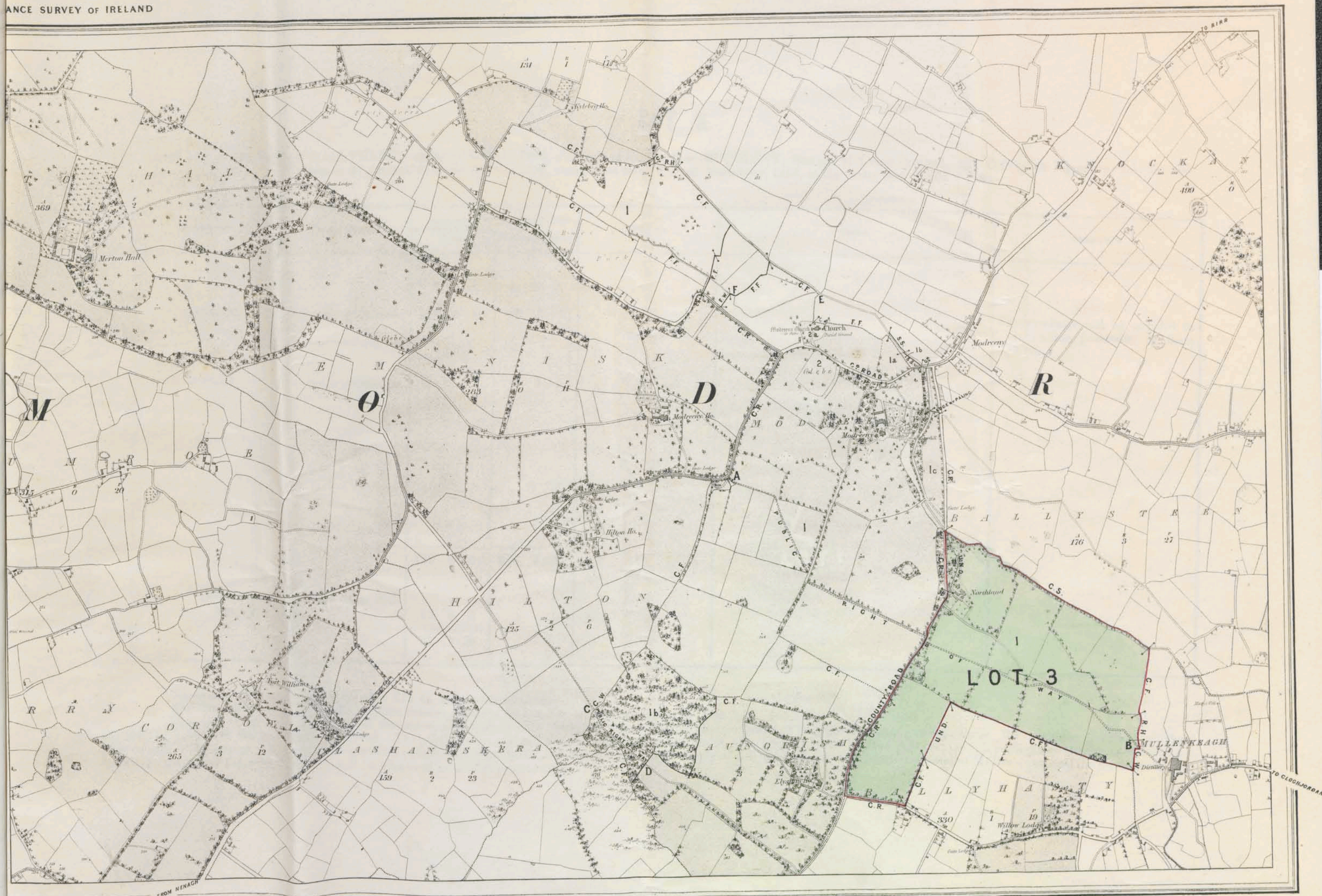
red at the Ordnance Survey Office, Phoenix Park
in the direction of Captain Wilkinson, R.E.

The Estate of WILLIAM HENRY HEAD is Colored

Colonel 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. F.B. Face of Bank. C.D.D. Centre of Double Ditch.
R.H. Root of Hedge. F.W. Face of Wall. C.W. Centre of Wall. UND. Undefined.

Scale Six Inches to One Statute Mile



pared at the Ordnance Survey Office, Phoenix Park,
for the direction of Captain Wilkinson R.E.

The Estate of WILLIAM HENRY HEAD is Colored

Colonel Sir Henry James R.E. F.R.S. Director of the Ordnance Surveys.

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.—F.B. Face of Bank.—C.D.D. Centre of Double Ditch.

R.H. Root of Hedge.—F.W. Face of Wall.—C.W. Centre of Wall.—UND. Undefined.

Scale Six Inches to One Statute Mile

20 Chains 0 20 40 60 80 100 120 140 160 180 200 220 240 260 280 300 320 340 360 380 400 420 440 460 480 500 520 540 560 580 600 620 640 660 680 700 720 740 760 780 800 820 840 860 880 900 920 940 960 980 1000

LOT 3.

Consisting of part of the Lands of BALLYHASTY, called NORTHLANDS, with part of the Lands of MODREENY, Barony of Lower Ormond, and County of Tipperary, held for two lives or 31 years from 1st November, 1850, under lease dated 29th of November, 1866, at the yearly rent of £62 6s. 2d.

No.	Denominations.	Tenants' Names.	Yearly Rent or Estimated Annual Value.	Quantity of Land Statute Measure.	Gale Days.	Tenure.	Observations.
1	BALLYHASTY.	In Owner's possession,	£ s. d. 110 0 0	A. R. P. 105 3 14			The purchaser will be entitled to immediate possession of these lands.
2	MOODREENY.	In Owner's possession,		1 1 3			
			110 0 0	106 3 14			
		Deduct Head-rent under Lease 29th November, 1866,	62 6 2				
			47 13 10				

The Ordnance Valuation of this Lot is £72 4s. 3d., or thereabouts.

This Lot will be sold indemnified against tithe rent-charge by Lot No 1. See conditions of Sale.

The right of the public to the use of the county road leading from Nenagh to Birr, and from Borrisokane to Cloughjordan, and passing along the western portion of the southern boundaries of this Lot will be preserved. The public have a right of way on foot through these lands, along the footpath lettered A B on map. The Rights of all persons in respect of the water of the stream which forms the northern boundary of these lands, and which is the water supply of a distillery on the adjoining Townland of Mullenkeagh, and the water-power of mills both above and below the property, will be preserved as they at present exist.

Sale on TUESDAY, the 29th day of JUNE, 1869.

In the Matter of the Estate of

WILLIAM HENRY HEAD, Esq., *Owner and Petitioner.*

Rental and Particulars

OF THE

LANDS OF MODREENY,

Held partly in fee and partly under lease for 999 years; and
other part of said

LANDS OF MODREENY,

CALLED THE

GLEBE LAND,

Held under lease during the Incumbency of the present Incumbent of the Parish of Modreeny; other portion of said lands, called or known as the

COPPED WOOD, OR GARRAUNORISH HILL,

Held for three lives or thirty-one years; the

LANDS OF KILLURANE

HELD UNDER LEASE FOR THREE LIVES; THE

LANDS OF BALLYSTEENA,

Held under lease for lives renewable for ever; a Fee-farm Rent of £2 6s. 2d., payable out of part of Modreeny; and part of the

LANDS OF BALLYHASTY,

AND PART OF THE

LANDS OF MODREENY,

Held under lease for 2 lives, or 31 years, all situate in the

BARONY OF LOWER ORMOND

ANE

COUNTY OF TIPPERARY,

WHICH WILL BE

SOLD BY AUCTION,

IN THREE LOTS,

BEFORE THE HONORABLE JUDGE LYNCH,

AT HIS COURT,

At the Landed Estates Court, Inns'-quay, Dublin,

On Tuesday, the 29th day of June, 1869,

AT TWELVE O'CLOCK, NOON.

JOHN JULIAN, Solicitor, having Carriage of the Proceedings,
52 Lower Sackville-street, Dublin, and Parsonstown.

KING, Printer, 36 Upper Ormond-quay, and 1 Charles-street, West, Dublin.
200—27—5—'69.