

Whereas also George Earl of Kingston being  
entitled to the lay impropriate Tithes of the Townlands  
of said Parish hereinafter mentioned and coming to  
be entitled to the Vicarial Tithes of said Townlands  
on or about the twentieth day of June in the year  
one thousand Eight hundred and thirty three also  
presented his appeal to his Excellency the Lord  
Lieutenant in Council against the said Certificate  
And Whereas His Excellency the Lord Lieutenant by  
and with the advice of the said privy Council by the  
same order bearing date as aforesaid on or about the  
Twenty fifth day of October in the year one thousand  
Eight hundred and thirty three in like manner reversed  
the matter of the said last mentioned appeal to the  
then next going Judge of Assize for the County of  
Sligo And Whereas the Matter of the said Appeals  
respectively was proceeded upon and Counsel appeared  
before me as well on behalf of the said appellants  
respectively as on behalf of the Lessee of the Lay  
Impropriator of the remaining Lands of the said Parish  
and of the Reverend John Garrett the Vicar of said  
Parish when it was proposed on behalf of the said  
Earl's prayers and agreed to on behalf of the said Lessee  
and of said John Garrett as such Vicar that the  
said Composition for all the Tithes of the said Parish  
save and except the Tithes of the Townlands of  
Gargins Stonepark and Cloonmanagh as specified  
in the said Certificate should be reduced from the  
sum of Three hundred and sixty seven pounds sixteen  
shillings and two pence to the sum of Three  
hundred and forty seven pounds and it was also  
proposed on behalf of the said George Earl of Kingston

and agreed to on behalf of the said John Garrett  
as such Vicar that an action for Money had and  
received should be brought by the said George Earl of  
Kingston against the said John Garrett to which  
the said John Garrett should plead the "general issue"  
in which said action the only Question to be tried  
should be whether the said George Earl of Kingston  
was entitled to the Vicarial Tithes of the said Townlands  
of Gargins Stonepark and Cloonmanagh or any  
and what part thereof and that in case the said  
John Garrett should succeed in such action and  
obtain a Verdict or Judgment therein the sum of  
Thirty nine pounds eleven shillings and three  
pence half pence specified in said Certificate and  
whereby Certified to be the true and just amount  
of the Tithes of said Townlands should be applied  
thereon but that in case the said George Earl of  
Kingston should succeed in said action and  
obtain a Verdict in his favor then that no part  
of the said last mentioned sum nor any sum  
whatsoever should be applied thereon or paid  
thereat by the Vicar of said Parish

Now Therefore I Thomas B Vandeleur one  
of the Judges of Assize in and for the County of  
Sligo having heard the matters of the said appeals  
respectively and the said several parties having  
consented as aforesaid by their Counsel in open  
Court before me do hereby Order that the said  
Certificate bearing date the twenty first day of  
May one thousand Eight hundred and thirty  
three be varied in the following particulars that  
is to say that the said sum of Three hundred  
and sixty seven pounds sixteen shillings and