ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. XL.

An Act to enable His Majeſty to grant to the Right Honourable *John* Earl of *Upper Oſſory* in the Kingdom of *Ireland*, Baron *Upper Oſſory*, of *Ampthill*, in the County of *Bedford*, his Heirs and Aſſigns, in Fee Simple, all the Eſtate, Right, Title, and Intereſt, remaining in His Majeſty, in and upon the Haye or Walk of *Farming Woods*, in the Foreſt of *Rockingham*, in the County of *Northampton*, and alſo the Reverſion of certain Offices, Rents, and other Hereditaments in the ſaid County of *Northampton*, to which the ſaid Earl of *Upper Oſſory* is entitled for Three Lives, under a Grant from His preſent Majeſty, upon a full and adequate Conſideration to be paid for the ſame.

[28th *April* 1795.]

WHEREAS

Preamble recites Earl of *Upper Ossory*'s Claim to *Farming Woods*, in the Forest of *Rockingham*.



WHEREAS His late Majesty King *Charles* the First, in and by Letters Patent bearing Date the Twenty-fifth Day of *February* in the Third Year of His Reign, in Consideration of One thousand five hundred Pounds paid by *John* Lord *Mordaunt*, of *Turvey*, did give and grant to the said *John* Lord *Mordaunt*, his Heirs and Assigns, for ever, divers Coppices, Woods, Underwoods, and Woodlands, with the Appurtenances therein particularly mentioned, lying and being within the Bailiwick of *Farming Woods*, in the Forest of *Rockingham*, in the County of *Northampton*, and containing together Seven hundred and four Acres and Three Roods, and also all and all Manner of Woods, Underwoods, and Trees whatsoever, growing or to grow or be upon the said Woodlands or any Part thereof, and all the Land, Ground, and Soil, of the said Woods, Underwoods, Woodlands, and Trees, and all Profits, Commodities, and Emoluments whatsoever arising and growing from the same Woods, Underwoods, Woodlands, Trees, Ground, and Soil, (except all large Trees being Timber, and all fair Saplings of Oak, Ash, and Elm, growing or to grow in the said Coppices, Woods, Underwoods, and Woodlands, to be reserved and left for Staddils, and also excepting the Herbage for the King's Deer and Wild Beasts, and all Mines and Quarries upon the Premises), to hold all the same (except as aforesaid) to and to the Use of the said *John* Lord *Mordaunt*, his Heirs and Assigns, for ever, to hold of the Manor of *East Greenwich*, in Free and Common Socage, at and under the Yearly Rent of Ten Pounds; and in and by the same Letters Patent His said Majesty did give and grant unto the said *John* Lord *Mordaunt*, his Heirs and Assigns, the Office of Valet Forester of *Farming Woods* aforesaid, and of the said Woods, Underwoods, Coppices, and Woodlands, within the said Bailiwick of *Farming Woods* aforesaid, in the said Forest of *Rockingham*, to be held and enjoyed by the said *John* Lord *Mordaunt*, his Heirs and Assigns, by himself or his sufficient Deputy or Deputies, with all Fees, Profits, Commodities, and Advantages, to the said Office belonging or appertaining: And whereas the said *John* Lord *Mordaunt* was soon afterwards created Earl of *Peterborough*: And whereas His said late Majesty King *Charles* the First, by certain other Letters Patent bearing Date the Twenty-third Day of *July*, in the Fourth Year of His Reign, in Consideration of the Sum of Two thousand Pounds, paid by *Francis* Earl of *Westmoreland*, and the said *John* Earl of *Peterborough*, and at their Nomination or Request, did give and grant to *Nicholas Pay*, *Clement Bellamy*, and to *Francis Pickering* and *Edward Stanton*, their Heirs and Assigns, for ever, (amongst other Things), all and all Manner of large Trees whatsoever, of Oak, Ash, and Elm, being Timber, or which were accounted as Timber, or proper for Timber, and all other Trees of Timber whatsoever, and all Saplings of Oaks, Ashes, and Elms, and all other Woods and Trees whatsoever, growing or being, or thereafter to grow or be in and upon the said Woods, Underwoods, Woodlands, Coppices of Wood and Underwood, and Hereditaments mentioned and described in the same Letters Patent, (being the same Woods, Underwoods, and Hereditaments which are particularly mentioned and described in the said Letters Patent of the Twenty-fifth Day of *February*, in the said Third Year of the Reign of His said late Majesty), and also all and all Manner of Trees whatsoever, being Timber, Saplings, and

other Wood and Trees growing or to grow or be within the Lawns, Ridings, Limits, Bounds, or Precincts, of the ſaid Haye or Walk, called or known by the Name of *Farming Woods*, in the ſaid Foreſt of *Rockingham*, to hold the ſame unto and to the Uſe of the ſaid *Nicholas Pay*, *Clement Bellamy*, *Francis Pickering*, and *Edward Stanton*, their Heirs and Aſſigns, for ever: And whereas by ſeveral Meſne Conveyances, and other Acts in the Law, the ſaid Woods, Underwoods, and Timber, and other Hereditaments, ſo far as the ſame relate to the ſaid Haye or Walk of *Farming Woods*, and the ſaid Office of Valet Foreſter, and other Offices, are now veſted in the Right Honourable *John* Earl of *Upper Oſſory* in the Kingdom of *Ireland*, Baron *Upper Oſſory*, of *Ampthill*, in the County of *Bedford*: And whereas His preſent Majeſty, by Letters Patent bearing Date the Twenty-eighth Day of *Auguſt* in the Twelfth Year of His Reign, did give and grant to the ſaid *John* Earl of *Upper Oſſory*, his Executors, Adminiſtrators, and Aſſigns, the Office of Maſter Foreſter and Keeper of *Farming Woods* aforeſaid, in the ſaid Foreſt of *Rockingham*, with the Office of Superviſor, as well of Vert as Veniſon, of all and ſingular the ſaid Woods, and the Office of Receiver of all Fines, Iſſues, and Amerciaments, to be loſt and forfeited by all Manner of Perſons whatſoever, growing and ariſing within the Woods aforeſaid, and the Office of Receiver of all Rents called *Caſtleward Rents*, as alſo the Office of Bailiff of *Brigſtock*, (except *Geddington Woods*), and alſo the Herbage and Pannage of the Land called *The New Land of Farming Woods*, and alſo all that the Hundred of *Orlingbere* and *Melleſey*, with the Appurtenances, in the ſaid County of *Northampton*, and all the Profits and Rents of Aid of the Sheriffs within the Hundred aforeſaid, and the Arrears of the ſame, and the Office and Offices of Steward and Stewardſhip, Bailiff and Bailiwick of the ſaid Hundred, with the Rights, Members, and Appurtenances, and all Courts Leet, and View of Frankpledge of the ſaid Hundred, and Sheriffs Turns within the ſame, and all Goods of Felons and Fugitives, and Eſtrays within the ſaid Hundred, (except as therein is excepted), to have, enjoy, and occupy, the ſaid Offices and Premiſes unto the ſaid *John* Earl of *Upper Oſſory*, his Executors, Adminiſtrators, and Aſſigns, during the Term of Ninety-nine Years, if the ſaid *John* Earl of *Upper Oſſory*, *Granville Leveſon* Earl *Gower*, (now Marquis of *Stafford*), and *Richard Fitzpatrick* Eſquire, or either of them, ſhould ſo long live: And whereas the ſaid Woods and Coppices in the ſaid Haye or Walk of *Farming Woods* are divided into Sixteen Portions called *Sales*, One of which is cut in every Year, ſo that the Underwood growing upon the Whole of them is cut in a Round of Sixteen Years, and at every cutting of the Underwood a Portion of the Timber growing in the Sale is cut, and a proper Number of young Plants or Staddils are left, or endeavoured to be left, in order to obtain a regular Succeſſion of Timber, and for the Firſt Four Years after each Sale the Deer are excluded therefrom; but after the Expiration of the ſaid Four Years, the ſaid Woods and Coppices are open to the Deer until the next cutting of the Underwood: And whereas, by the early Admiſſion of the Deer into the ſaid Woods, the young Saplings and Staddils left at the Time of cutting the Underwood, in order to obtain a proper Succeſſion of Timber, are in a great Meaſure deſtroyed, ſo that it is impoſſible for the ſaid Earl of *Upper Oſſory* to keep up a proper Succeſſion either of Timber or Underwood, within the ſaid Woods and Coppices, if the preſent

Common injurious to the Wood.

Farming Woods.

Uſages thereon are continued: And whereas no very conſiderable and laſting Improvement can be effectually made in the ſaid Haye or Walk of *Farming Woods*, ſo long as the Deer are at Liberty to go into the ſaid Woods, Underwoods, and Coppices, in the ſaid Haye or Walk, ſo ſoon after the ſame are cut, as hath been hitherto the Uſage and Cuſtom, and are permitted to feed thereon, and upon the Lawns and Ridings in the ſaid Haye or Walk; the ſaid *John* Earl of *Upper Oſſory* hath made his humble Suit to Your Majeſty, that Your Majeſty will be graciouſly pleaſed to give Leave that a Bill may be brought into Parliament, to enable Your Majeſty to grant to the ſaid *John* Earl of *Upper Oſſory*, his Heirs and Aſſigns, in Fee Simple, all the Eſtate, Right, Title, and Intereſt, now remaining in Your Majeſty, in, over, and upon, the ſaid Woods, Underwoods, Woodland, and Coppices of Wood, and Underwood, called or known by the Name of *The Haye* or *Walk of Farming Woods*, with the Rights, Members, and Appurtenances, and all the Lawns and Lodges therein or belonging thereto, and all Mines and Quarries within the ſame, or any Part thereof, with the Herbage, Deer Browſe, and Pannage therein, and alſo the ſaid Caſtle Ward Rents and Hundred, with the Profits and Appurtenances thereto belonging, upon a full and adequate Conſideration to be paid for the ſame; and Your Majeſty hath been graciouſly pleaſed to ſignify Your Conſent thereto: May it therefore pleaſe Your Majeſty (at the humble Petition of the ſaid *John* Earl of *Upper Oſſory*) that it may be enacted; and be 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, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, His Heirs and Succeſſors, at any Time or Times hereafter, by any Letters Patent, Indenture or Indentures, under the Great Seal of *Great Britain*, hereafter to be made, to give and grant unto the ſaid *John* Earl of *Upper Oſſory*, his Heirs and Aſſigns, upon a full and adequate Conſideration to be paid by the ſaid *John* Earl of *Upper Oſſory*, his Heirs or Aſſigns, for the ſame, to be valued and aſcertained by the proper Officers of the Crown for the Time being, all the Eſtate, Right, Title, and Intereſt, now remaining in His ſaid Majeſty, by virtue of the Exception contained in the firſt herein-recited Letters Patent, or otherwiſe howſoever, in and upon the ſaid Woods, Underwoods, Woodlands, Coppices of Wood, and Underwood, called or known by the Name of *The Haye* or *Walk of Farming Woods*, within the ſaid Foreſt of *Rockingham*, with all the Rights, Members, and Appurtenances, and alſo all the Lawns and Lodges therein or belonging thereto, or uſually held therewith, and all Mines and Quarries within the ſame, or any Part thereof, with all the Herbage, Deer Browſe, and Pannage therein, and all the Deer and Wild Beaſts in and upon the Premiſes; and alſo all the ſaid Caſtle Ward Rents, the ſaid Hundred of *Orlingbury* and *Melleſey*, with the Appurtenances, and the Profits and Rents of Aid of the Sheriffs within the Hundred aforeſaid, and the Arrears of the ſame, and the Office and Offices of Steward or Stewardſhip, Bailiff and Bailiwick of the ſaid Hundred, with the Rights, Members, and Appurtenances, and all Courts Leet and View of Frankpledge of the ſaid Hundred, and Sheriffs Turn, and all Goods of Felons and Fugitives, and Eſtrays within the ſaid Hundred, together with all and ſingular other the Premiſes, and every or any Part thereof, mentioned and contained in the ſaid herein-before recited

Power for His Majeſty to grant to the Earl of *Upper Oſſory* in Fee, for a valuable Conſideration, the Eſtate and Intereſt remaining in His Majeſty in *Farming Woods*.

Letters Patent of the Twenty-eighth Day of *Auguſt*, in the Twelfth Year of His ſaid Majeſty's Reign, with their and every of their Appurtenances, and the Rents, Iſſues, and Profits thereof, in as full and ample Manner, to all Intents and Purpoſes, as the ſaid Premiſes, or any Part thereof, are in and by the ſame Letters Patent deſcribed or mentioned, (except as in the ſame laſt-mentioned Letters Patent is excepted), and the Reverſion and Reverſions, Remainder and Remainders, of all and ſingular the ſaid Hereditaments and Premiſes, to have and to hold all and ſingular the ſaid Hereditaments and Premiſes (except as laſt before excepted) unto and to the Uſe of the ſaid *John* Earl of *Upper Oſſory*, his Heirs and Aſſigns, for ever, freed, releaſed, and diſcharged of, from, and againſt, all and every the Duties and Burthens to which the ſaid Woods, Coppices, and Lands are by the Laws and Cuſtoms of the Foreſt now ſubject and liable, and from all Rights, Prerogatives, and Privileges, which any of His ſaid Majeſty's Royal Predeceſſors, Kings and Queens of *England*, at any Time heretofore had or claimed, or which His ſaid Majeſty, His Heirs or Succeſſors, may or otherwiſe might have or claim therein.

To be held diſcharged of Foreſt Rights.

II. And be it further enacted, by the Authority aforeſaid, That ſuch Grant of the ſaid Premiſes, or any Part thereof, as ſhall be made by His ſaid Majeſty, His Heirs or Succeſſors, by any ſuch Letters Patent, Indenture or Indentures as aforeſaid, in purſuance of this Act, ſhall be, and is and are hereby declared and enacted to be good, valid, and effectual in the Law, according to the Tenor and Purport thereof, in the ſaid Letters Patent, Indenture or Indentures, to be expreſſed, notwithſtanding any Reſtriction, Matter, or Thing, contained in an Act of Parliament, made in the Firſt Year of the Reign of Her late Majeſty Queen *Anne*, intituled, *An Act for the better Support of Her Majeſty's Houſehold, and of the Honour and Dignity of the Crown*; or in an Act, made in the Firſt Year of His preſent Majeſty's Reign, intituled, *An Act for the Support of His Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, or any other Law or Statute to the contrary, or any Miſ-recital or Non-recital, Omiſſion, or other Defect, in the ſaid Letters Patent, Indenture or Indentures, hereafter to be made, in anywiſe notwithſtanding; and that, from and after ſuch Letters Patent, Indenture or Indentures, ſhall be made, the ſaid *John* Earl of *Upper Oſſory*, his Heirs and Aſſigns, ſhall from thenceforth have, hold, and enjoy, the ſaid Woods, Underwoods, Coppices of Wood and Underwoods, Lawns, Lodges, or other the Hereditaments and Premiſes in or appertaining to the ſaid Haye or Walk of *Farming Woods*, freed and diſcharged of and from the Feeding or Depaſturing of the Deer, and of and from all Courts of Swainmote and Attachment, and other Foreſt Courts, which have at any Time been held, or could or might be otherwiſe hereafter held within or over the ſaid Haye or Walk, and Premiſes, and which may, can, or otherwiſe might, affect the ſame, and of and from all Foreſterial and other Duties, Services, and Burthens, to be paid, done, and performed in reſpect thereof, or otherwiſe howſoever, at any of the Courts of the Foreſt, and from all Rights, Prerogatives, Claims, and Privileges of His ſaid Majeſty, His Heirs and Succeſſors, in or over the ſame.

Such Grant to be valid.

FINIS.