ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. LXIII.

An Act to enable His Majesty to grant to *Henry* Earl of *Exeter*, 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 *Westhay*, in the Forest of *Rockingham*, in the County of *Northampton*, upon a full and adequate Consideration to be paid for the same.

[26th *April* 1796.]

WHEREAS His late Majesty King *Charles* the First, in and by Letters Patent bearing Date the Fourth Day of *April*, in the Fourth Year of His Reign, in Consideration of Two hundred Pounds paid by *William* Earl of *Exeter*, at the Nomination and Request of the said Earl did give and grant unto *William Cooper* Esquire, his Heirs and Assigns, the Office of Forester and Keeper of the Laund of *Westhay*, within the Bailiwick of *Cliffe*, in the Forest of *Rockingham*, in the County of *Northampton*, and of all the Deer for hunting, and other wild Beasts, within the said Laund of *Westhay*, and all Lodges, Profits, Commodities, Fees, Advantages, and Sums of Money payable to the Forester of the Laund of *Westhay*, to hold to the said *William Cooper*, his Heirs and Assigns for ever: And whereas His said late Majesty King *Charles* the First, in and by other Letters Patent, bearing Date the Thirtieth Day of Preamble.

of *May* in the ſaid Fourth Year of His Reign, in Conſideration of the Sum of One thouſand five hundred Pounds, paid by *Francis* Earl of *Weſtmorland*, and at the Nomination and Requeſt of the ſaid Earl, did give and grant to *Nicholas Pay* Eſquire, and *Clement Bellamy* Gentleman, their Heirs and Aſſigns for ever (amongſt other Things therein contained) divers Woods and Underwoods, Woodlands, and Coppices of Wood and Underwood, and other Hereditaments, with the Appurtenances, therein particularly mentioned and deſcribed, with all their Rights, Members, and Appurtenances, lying and being in the ſaid Foreſt of *Rockingham*, and all the Wood, Underwood, Woodland, Coppices of Wood, and Underwood, growing in and upon the Premiſes, within the Limits, Bounds, and Precincts of the Haye or Walk called or known by the Name of *Weſthay*, in the ſaid Foreſt of *Rockingham*, and alſo all and all Manner of Woods, Underwoods, and Trees whatſoever, of, in, or upon the aforeſaid Woodlands and other Premiſes, and all the Land, Ground, and Soil, of all and ſingular the ſaid Woods, Underwoods, Woodlands, Coppices, and Hereditaments, and all Profits, Commodities, and Emoluments, ariſing and growing from the ſaid Woods, Underwoods, Trees, Woodlands, and Hereditaments, (excepting Oaks of a certain Size in and upon the Premiſes, being Timber, and alſo excepting Mines of Lead and Tin, and all Royal Mines, and alſo excepting the Herbage of the ſaid Woodlands for the King's Deer and wild Beaſts to feed upon according to Cuſtom), to hold all the ſame (except as aforeſaid) to and to the Uſe of the ſaid *Nicholas Pay*, and *Clement Bellamy*, their Heirs and Aſſigns for ever, to hold as of the Manor of *Eaſt Greenwich* in free and common Socage, at and under the Yearly Rent of One hundred Pounds, payable for the Whole of the Premiſes therein granted: And whereas His ſaid late Majeſty King *Charles* the Firſt, in and by certain other Letters Patent, bearing Date the Twenty-third Day of *July*, in the ſaid Fourth Year of His Reign, in Conſideration of the Sum of Two thouſand Pounds, paid by the ſaid *Francis* Earl of *Weſtmorland*, and by *John* Earl of *Peterborough*, and at their Nomination and Requeſt, did give and grant to the ſaid *Nicholas Pay*, and *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 and all Manner of other Trees of Timber whatſoever, and all Saplings of Oaks, Aſhes, and Elms, and all other Woods and Trees whatſover, growing and being, or thereafter to grow or be in and upon the Woods, Underwoods, Woodlands, Coppices of Wood and Underwood and Hereditaments, mentioned and deſcribed in the Letters Patent now in Recital, being (amongſt other Things) the ſame Woods, Underwoods, Woodlands, and Coppices of Wood and Underwood, and Hereditaments, ſituate, lying, and being in the ſaid Haye or Walk of *Weſthay*, which are particularly mentioned and deſcribed in the ſaid Letters Patent of the ſaid Thirtieth Day of *May*, in the ſame Fourth Year of the Reign of His ſaid late Majeſty King *Charles* the Firſt; and alſo all and all Manner of large Trees whatſoever, of Oaks, Aſhes, and Elms, being Timber, or which were accounted as Timber, or were fit or proper for Timber, and all and all Manner of other Trees of Timber whatſoever, and all and all Manner of Saplings of Oaks, Aſhes, and Elms, and all and all Manner of other Woods and Trees whatſoever, then growing or being, or thereafter

thereafter to grow or be within the Lawns, Ridings, Limits, Bounds, and Precincts, of the ſaid Haye or Walk called or known by the Name of *Weſthay* aforeſaid, in the ſaid Foreſt of *Rockingham*, to have, hold, and enjoy, the ſaid Woods, Timber Trees, Saplings, and other Trees, and all and ſingular other the Premiſes, and the whole and entire Benefit and Advantage thereof, with their Appurtenances, 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 and Deeds in the Law, the ſaid Offices, Woods, Underwoods, Timber, and other Hereditaments and Premiſes mentioned and contained in, and granted by the ſaid ſeveral Letters Patent, ſo far as the ſame relate to the ſaid Haye or Walk of *Weſthay*, became and are now veſted in the Right Honourable *Henry* Earl of *Exeter*: And whereas the ſaid Woods and Coppices in the ſaid Haye or Walk of *Weſthay* are divided into divers Portions or Sales, One of which is cut in every Year, ſo that the Underwood growing upon the Whole of the ſaid Woods and Coppices are cut in a Round of Eighteen Years, or thereabouts; and at every Cutting of the Underwood a Portion of the Timber growing in the Sale is alſo cut, and a proper Number of young Plants or Staddils are left, in order to obtain a regular Succeſſion of Timber: And whereas, for the firſt Four Years after the cutting 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, and by the great Number of Cattle turned upon the ſaid Woods, Underwoods, Coppices, and other Lands and Grounds within the ſaid Haye or Walk of *Weſthay*, under a Claim of Right of Common thereon, the young Saplings and Staddils left at the Time of cutting the Underwood, in order to obtain a proper Succeſſion of Timber, are in great Meaſure deſtroyed, and the Underwood much injured and reduced, ſo that it is impoſſible for the ſaid Earl of *Exeter* to keep up a proper Succeſſion of Timber or Underwood within the ſaid Woods and Premiſes, if the preſent Uſages thereon are continued: And whereas the ſaid Woods, Underwoods, Coppices, Lands, Grounds, and Premiſes are capable of Improvement, and ſo much and ſuch Parts thereof as are Woodlands would produce a large Quantity of Timber; and other Parts thereof, not materially covered with Wood, might be converted into and uſed as Farms, if the Deer and commonable Cattle were excluded therefrom, and the ſaid *Henry* Earl of *Exeter* enabled to hold the ſame in Severalty: And whereas, in order to enable him ſo to do, the ſaid *Henry* Earl of *Exeter* is willing and deſirous to make a full Compenſation to all Perſons whomſoever entitled to Right of Common upon the ſaid Woods, Underwoods, Woodlands, Coppices, and other Lands and Grounds in the ſaid Haye or Walk of *Weſthay*, upon which the commonable Cattle have Right to feed and depaſture, and is alſo deſirous of purchaſing His Majeſty's Right and Intereſt within the ſaid Haye or Walk; wherefore the ſaid *Henry* Earl of *Exeter* 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 *Henry* Earl of *Exeter*, 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, Woodlands, Coppices, and other Lands and Grounds, within the ſaid Haye or Walk of *Weſt-*

hay, with the Rights, Members, and Appurtenances, and all Mines and Quarries within the ſame, or any Part thereof, with the Herbage and Deer Browſe therein, upon a full and adequate Conſideration to be paid by the ſaid *Henry* Earl of *Exeter* 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 *Henry* Earl of *Exeter*) 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 *Henry* Earl of *Exeter*, his Heirs and Aſſigns, or to ſuch Perſon or Perſons as he or they ſhall appoint, his or their Heirs and Aſſigns, upon or for an adequate Conſideration in Money, to be paid by the ſaid *Henry* Earl of *Exeter*, 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, in or upon the ſaid Woods, Underwoods, Woodlands, Coppices of Wood, and Underwood, and all other Lands and Grounds whatſoever, within the ſaid Haye or Walk called or known by the Name of *Weſthay*, within the ſaid Foreſt of *Rockingham*, with all and ſingular the Rights, Members, and Appurtenances, and all Mines and Quarries within the ſame, or any Part thereof, with all the Herbage and Deer Browſe therein, and all the Deer and wild Beaſts in and upon the Premiſes, together with all and every the Profits, Privileges, Tythes, Rights, Members, Hereditaments, and Appurtenances whatſoever to the ſaid Premiſes, or any of them, or any Part thereof reſpectively belonging, or in anywiſe appertaining, and the Reverſion and Reverſions, Remainder and Remainders, Rents, Iſſues, and other Profits of all and ſingular the ſaid Hereditaments and Premiſes, and every Part thereof, in as full and ample Manner, to all Intents and Purpoſes, as the ſame are now veſted in His ſaid Majeſty, or as His ſaid Majeſty can or may, or otherwiſe might have or enjoy the ſame, or any Part thereof; to have and to hold all and ſingular the ſaid Hereditaments and Premiſes unto and to the Uſe of the ſaid *Henry* Earl of *Exeter*, His Heirs and Aſſigns, or to ſuch Perſon or Perſons as he or they ſhall appoint, his or their 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, Underwoods, Coppices, Lands and Grounds, or any Part thereof, are by the Laws and Cuſtoms of the Foreſt now ſubject and liable, and from all Claims, 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 might otherwiſe have or claim therein.

His Majeſty enabled to grant to the Earl of *Exeter* His Right and Intereſt in the Woods, &c. of *Weſthay*, for an adequate Conſideration.

II. And be it further enacted by the Authority aforeſaid, That ſuch Conſideration in Money as ſhall be aſcertained as aforeſaid, ſhall be paid into the Bank of *England* in the Name of the Lord High Treaſurer of *England*, and ſhall be forthwith laid out, by the Order of the Surveyor General of His Majeſty's Land Revenue for the Time being, in the Pur-

Diſpoſal of the Conſideration Money.

chaſe of Three *per Centum* Conſolidated Bank Annuities, in the ſame Manner, and to and for the ſame Uſes and Purpoſes, as the Monies ariſing or to ariſe by the Sale of Fee Farm Rents are directed to be laid out by an Act, paſſed in the Thirty-fourth Year of His Majeſty's Reign, intituled, *An Act for the better Management of the Land Revenue of the Crown, and for the Sale of Fee Farm and other unimproveable Rents*; and that all and ſingular the Annuities to be purchaſed by virtue of this Act, ſhall be and remain inveſted, and the Intereſts or Yearly Dividends thereof ſhall be from Time to Time received, anſwered, accounted for, applied, and appropriated, in ſuch and the ſame Manner as by the ſaid recited Act is directed and enacted in reſpect of the Annuities to be purchaſed in purſuance of the ſaid Act.

III. And be it further enacted, 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 *Henry* Earl of *Exeter*, his Heirs and Aſſigns, ſhall from thenceforth have, hold, and enjoy, the ſaid Woods, Underwoods, Woodlands, Coppices of Wood and Underwood, Lands, Grounds, and other the Hereditaments and Premiſes in or appertaining to, or within the Bounds, Limits, or Precincts of the ſaid Haye or Walk of *Weſthay*, and that in as full, ample, and beneficial Manner, to all Intents and Purpoſes whatſoever, and with, under, and ſubject to all ſuch Rights, Privileges, Immunities, Freedoms, and Exemptions, as the ſame Premiſes reſpectively would be entitled to and have enjoyed if the ſame had remained in and been and continued the Eſtate of His Majeſty, His Heirs and Succeſſors; but freed and diſcharged of and from the feeding or depaſturing of the Deer and wild Beaſts of the ſaid Foreſt, and of and from all Courts of Swainmote and Attachment, and other Foreſt Courts, which have been at any Time 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 of and from all Rights, Prerogatives, Claims, Demands, and Privileges of His ſaid Majeſty, His Heirs and Succeſſors, in or over the ſame.

Such Grant to be valid.

IV. And be it further enacted, That when any ſuch Grant or Grants as aforeſaid ſhall be made by His ſaid preſent Majeſty, His Heirs or Succeſſors,

The Woods, &c. to be Part of the Manor of *Duddington*.

ceſſors, by any ſuch Letters Patent, Indenture or Indentures as aforeſaid, the Woods, Woodlands, Hereditaments, and Premiſes, to be compriſed therein, ſhall immediately thereupon become and be Part or Parcel of his the ſaid *Henry* Earl of *Exeter*'s Manor of *Duddington*, in the ſaid County of *Northampton*; and that if the ſame ſhall, in and by the ſaid Letters Patent, Indenture or Indentures, be granted to any Perſon or Perſons, to be named by the ſaid *Henry* Earl of *Exeter* as aforeſaid, the Perſon or Perſons to whom the ſame ſhall be ſo granted, his or their Heirs and Aſſigns, ſhall hold the ſame as Part or Parcel of the ſaid Manor of *Duddington*, by Suit and Service of Court, and by the Service of Fealty; and that if the ſame ſhall, in and by the ſaid Letters Patent, Indenture or Indentures, be granted to the ſaid *Henry* Earl of *Exeter*, or his Heirs, it ſhall and may be lawful to and for the ſaid Earl, his Heirs and Aſſigns, to grant over the ſame, in One or more Parcel or Parcels, to any Perſon or Perſons whomſoever, his or their Heirs or Aſſigns, to be held of him the ſaid Earl, his Heirs or Aſſigns, or other the Perſon or Perſons, Lord or Lords for the Time being, of the ſaid Manor of *Duddington*, and as Parcel thereof, by Suit and Service of Court, and the Service of Fealty; and that ſuch Rent or Rents ſhall or may be reſerved on ſuch Grant or Grants as ſhall be agreed upon by the ſaid Earl, his Heirs or Aſſigns, or other the Perſon or Perſons, Lord or Lords for the Time being of the ſaid Manor of *Duddington* aforeſaid, and that the Rent or Rents ſo to be reſerved ſhall be in the Nature of Rent Service, and that the ſaid Rents and Services ſhall be Parcel of the ſaid Manor of *Duddington*; and that the ſaid *Henry* Earl of *Exeter*, his Heirs and Aſſigns, and other the Perſon or Perſons, Lord or Lords for the Time being of the ſaid Manor of *Duddington*, ſhall, from and after the making of ſuch Letters Patent, Indenture or Indentures as aforeſaid, have and enjoy Free Hay and Free Warren in and over the ſame, and ſhall alſo have and enjoy ſuch and the ſame Manerial Rights in, upon, and over the ſame, as he the ſaid Earl now has and enjoys in, over, or upon the other Lands, which are Part or Parcel, or reputed to be Part or Parcel, of the ſaid Manor of *Duddington*.

9 FINIS.