ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CXXIV.

An Act for veſting in His Majeſty, His Heirs and Succeſſors, certain Lands or Grounds, formerly Part of the Waſtes of the Manor of *Sandhurſt*, in the County of *Berks*, freed and diſcharged of Commonable and other Rights.

[13th *July* 1812.]

WHEREAS the King's moſt Excellent Majeſty, in the Year One thouſand ſeven hundred and ninety-nine, was graciouſly pleaſed to eſtabliſh a Royal Military College; and by His Warrant under His Royal Sign Manual, bearing Date the Twenty-ſeventh Day of *May* One thouſand eight hundred and eight, His Majeſty was graciouſly pleaſed to direct that the ſaid Military College ſhould be under the Controul and Superintendence of certain Perſons therein named, to be Commiſſioners of the ſaid Royal Military College, and to compoſe and form from Time to Time a Board for the Controul, Direction and Management of all Affairs belonging thereto; and that a Collegiate Board ſhould be formed, as therein mentioned and directed, for the Purpoſe of taking under its Cognizance all Matters relating to the interior Regulations and Œconomy of the ſaid Department, and which ſhould conſiſt of the Governor of the ſaid College and the ſeveral other Perſons therein named; and His Majeſty was alſo moſt graciouſly pleaſed, by His ſaid Warrant, to direct that the Lands and Property belonging to the ſaid Royal Military College ſhould be under the Care of the Governor and Collegiate Board, ſubject to the Directions of the Board of Commiſſioners: And whereas the King's moſt Excellent Majeſty is, under and by virtue of an ancient Grant from the former Lords of the Manor of *Sandhurſt* in the County of *Berks*, bearing Date the Twenty-ſixth Day of *May* which was in the Year One thouſand ſix hundred and forty-ſeven, and made or expreſſed to be made between *John Geale* the younger, of *Oveinberinge* in the County of *Southampton*, Gentleman, and *John Geale* the elder of *Sandhurſt* in the County of *Berks*, Gentleman, Father of the ſaid *John Geale*, of the One Part, and *Richard Lodge* the younger, then of *Winkfield* in the ſaid County of *Berks* Gentleman, and *Thomas*

Dymarſh, then of *Sandhurſt* aforeſaid Yeoman, of the other Part, ſeized to himſelf, his Heirs and Succeſſors, of the Soil of Two Pieces of Land or Ground Parcel of the Waſte or Common of the ſaid Manor of *Sandhurſt*, and lying within the ſaid Manor and Pariſh of *Sandhurſt*, therein and herein-after particularly deſcribed, ſubject to the yearly Rent of Ten Shillings, payable to the Lord of the Manor of *Sandhurſt* aforeſaid, in the Nature of a Quit Rent, and doing Suit to the Court Baron of the Lord of the ſaid Manor, and upon Default thereof to forfeit for every Time the Sum of Two Shillings and Sixpence; and alſo ſubject to the Sum of Ten Shillings, payable to the ſaid Lord of the Manor of *Sandhurſt*, upon every Alienation and dying ſeiſed of the Inheritance of the ſaid Premiſes, in the Name and Nature of a Relief; and ſubject alſo to Powers of Entry and Diſtreſs for Recovery of the ſaid Quit Rent, Fine, and Relief, when and in caſe the ſame or either of them ſhall be in Arrear, as in the ſaid Indenture are reſerved and expreſſed: And whereas *Richard Heaviſide* Eſquire, is Lord of the ſaid Manor of *Sandhurſt*, and in Right thereof is entitled to the ſaid Quit Rent, Suit, and Relief, ſo reſerved by the ſaid Indenture in reſpect of the ſaid Pieces or Parcels of Land or Ground herein-after mentioned and deſcribed: And whereas the King's moſt Excellent Majeſty, and *John Moſeley* Eſquire, *William Blackall Simonds*, *Charles Simonds*, *William Simonds*, *William Giles*, *John Rackſtraw*, and ſeveral other Perſons, are Owners and Proprietors of all the Lands lying and being within the ſaid Manor and Pariſh of *Sandhurſt*, and claim to be entitled to Commonable Rights on and over the ſaid Two Pieces of Land or Ground: And whereas by an Order under the Hands and Seals of Sir *Nathaniel Dukinfield* Baronet, and Major General *John Leveſon Gower*, Two of His Majeſty's Juſtices of the Peace for the County of *Berks*, and *John Tekell* and *Richard Birt* Eſquires, Two of His Majeſty's Juſtices of the Peace for the County of *Surrey*, made at a ſpecial Seſſions held on the Eleventh Day of *November* One thouſand eight hundred and eleven, after reciting that having upon View found that a certain Part of a Highway lying Part in the ſaid Pariſh of *Sandhurſt* in the Hundred of *Suning* in the ſaid County of *Berks*, and Part in the Pariſh or Hamlet of *Frimley* in the Hundred of *Woking* in the County of *Surrey*, and lying between the South Eaſt End of the Village of *Sandhurſt*, near to a Farm Houſe the Property of the ſaid *William Blackhall Simonds* Eſquire, and the High Turnpike Road between *Bagſhot* and *Blackwater*, for the Length of One thouſand five hundred and ninety-five Yards or thereabouts, and particularly deſcribed in the Plan thereunto annexed, might be diverted and turned ſo as to make the ſame more commodious to the Public; and that having viewed a Courſe propoſed for the new Highway in lieu thereof over the open Lands and Grounds of the ſaid *Richard Heaviſide* Eſquire, Lord of the Manor of *Sandhurſt* aforeſaid, and of the ſaid Governor and Collegiate Board of the Royal Military College at *Sandhurſt* aforeſaid, of the Length of One thouſand two hundred and eighty-ſeven Yards or thereabouts, and of the Breadth of Thirty Feet or thereabouts, particularly deſcribed in the Plan thereunto annexed; and that having received Evidence of the Conſent of the ſaid *Richard Heaviſide* and of the ſaid Governor and Collegiate Board to the ſaid new Highway being made through their reſpective Lands, thereinbefore deſcribed by Writing under the Hand and Seal of the ſaid *Richard Heaviſide*, and under the Hand and Seal of the Honourable *Alexander Hope* the Governor of the ſaid College, they the ſaid Juſtices did thereby order that the ſaid Highway ſhould be diverted and turned through

and over the Lands aforesaid: And whereas the Commissioners of His Majesty's said Royal Military College have erected and built the said College on Part of the said Pieces or Parcels of Land or Ground hereinbefore mentioned and herein-after described, and are desirous of converting the Remainder thereof to the Uses and Purposes of the said Institution exclusively: And whereas the Commissioners of His Majesty's said Royal Military College have, in Behalf of His Majesty, agreed with the said *John Moseley*, *William Blackall Simonds*, *Charles Simonds*, *William Simonds*, and the several other Owners and Proprietors of Lands and Hereditaments within the said Manor and Parish of *Sandhurst*, for the Purchase of all their Commonable and other Rights and Interests in, upon, and over the said Two Pieces of Land or Ground: And whereas the said Commissioners have also agreed with the said *Richard Heavisides*, as Lord of the said Manor of *Sandhurst*, for the Purchase of the said Quit Rent, Suit, and Relief, and all such other Rights and Immunities as he the said *Richard Heavisides* hath as such Lord, in, out of, upon, or in respect of the said Two Pieces or Parcels of Land or Ground: And whereas the Inclosure of the said Two Pieces of Land or Ground, freed and discharged from all Commonable and other Rights, will not only be very beneficial for the Purposes of the said Royal Military College, but also of great public Utility: Yet forasmuch as the same cannot be effectually done without the Aid and Authority of Parliament: May it therefore please Your Majesty 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 all that Piece or Parcel of Waste or Common Parcel of the Manor of *Sandhurst* called *Barres Green*, containing by Estimation Ten Acres, be the same more or less, lying near to a capital Messuage of His Majesty, called *Tichine*, otherwise *Twitchenor*, within the said Manor, and all the Pond within the same Parcel of Waste or Common, and all the Fishings in the same Pond; and also all that Piece of Waste or Common, containing by Estimation Two hundred Acres (be the same more or less) Parcel of the Waste or Common of the Manor of *Sandhurst* aforesaid, next adjoining to the said Green called *Barres Green*, and also to *Inhams* and *Butts*, and *Calves Lease Closes*, and against the Pond formerly made by *William Chislett* in *Wishmore Stream*, and to be accounted and taken from the said *Wishmore Stream*, which is the Bound that parts the Parishes or Hamlets of *Frimley* and *Sandhurst*, along by the said Bound Eastward, and from the North Corner of *Barres Green* upright North-east, and so accounted and bounded with Marks and Bounds from the other Part of the Waste Ground belonging to the said Manor, and as the same are now inclosed, set out, and known, and by whatsoever other Names, Quantities, Abuttals, Boundaries, or other Descriptions, the said Two Pieces or Parcels of Land or Ground are now or at any Time or Times heretofore have been called, known, or distinguished, shall be and the same are hereby vested in His Majesty, His Heirs and Successors for ever, freed, acquitted, and absolutely exonerated and discharged, of and from all and all Manner of Commonable Rights and other Rights whatsoever, as well of the Owners and Occupiers of Lands and Tenements within the said Manor and Parish of *Sandhurst*, as also for ever freed, acquitted, and absolutely exonerated and discharged of and from all Quit Rents, Suit, Service, Fines, Reliefs, and all other Rights, Royalties, Immunities, and Privileges whatsoever, of the Lord or Lords, or Owner or Owners of the said Manor of *Sandhurst* for the Time being.

Vesting in His Majesty, discharged from Commonable Rights, certain Lands in Sandhurst.

II. Provided

Not to have any Commonable Rights over the Reſidue.

II. Provided always, and be it further enacted, That His Majeſty Heirs and Succeſſors, ſhall not be entitled to, or have or claim any Commonable Rights in or over any Part or Parts of the Reſidue of the Waſtes of the ſaid Manor of *Sandhurſt*, for or in reſpect of or as appurtenant to the ſaid Two Pieces of Land or Ground by this Act veſted in His Majeſty as aforeſaid.

Commonable Rights in reſpect of the old incloſed Lands not to be affected.

III. Provided alſo, and it is hereby declared and enacted, That nothing in this Act contained ſhall deſtroy, or in anywiſe abridge or leſſen the Right of His Majeſty, His Heirs and Succeſſors, to all or any ſuch Commonable and other Rights as His Majeſty is now entitled to, in, over and upon the reſt of the Commons or Waſtes of the ſaid Manor of *Sandhurſt*, for or in reſpect of the old incloſed Lands called *Lodges Farm*, or any other old incloſed Lands of His Majeſty, within the ſaid Manor and Pariſh, but that His Majeſty, His Heirs and Succeſſors, and the Owner and Owners for the Time being of the ſaid old incloſed Lands, ſhall have and be entitled to all ſuch Commonable and other Rights in, upon, and over all the Reſidue of the Waſtes of the ſaid Manor of *Sandhurſt*, for and in reſpect of ſuch old incloſed Lands, in as large and ample Manner to all Intents and Purpoſes as any of the Tenants of the ſame Manor have or uſe there; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Application of Compenſation Money when amounting to 200l.

IV. And be it further enacted, That the Principal Money to ariſe from the Sale of any Lands, Tenements or Hereditaments, which ſhall be purchaſed for the Purpoſes of this Act, of any Body Corporate, Eccleſiaſtical or Civil, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees or other Truſtees, or from any Feme or Femes Covert, or other incapacitated Perſon or Perſons, ſuch Money ſhall, in caſe the ſame amount to or exceed the Sum of Two hundred Pounds, with all convenient ſpeed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Governor of the ſaid College, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith to the ſame or the like Uſes, Intents, and Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined or capable of taking effect; and in the Meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds

per Centum Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the Meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement was made.

When less than 200l.

V. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any such Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Governor of the said College, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money and the Dividend arising thereon may be applied in Manner herein-before directed, so far as the case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When less than 20l.

VI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Governor of the said College shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When the New Road is certified by the Justices to be in good Repair, the Old Road shall be stopped up and the Soil vested in His Majesty.

VII. And whereas the said Road so intended to be diverted and stopped runs through and dissects the said Two Pieces or Parcels of Land or ...nd, and so near to the said Royal Military College as to be a great ...venience to the same, and it is therefore expedient that the aforesaid ... of the said Justices for diverting and turning the same should be ...iately carried into Execution, and the Soil of the said old Road ...ed in His Majesty, His Heirs and Successors; be it therefore further ... That the said Order of the Justices aforesaid shall forthwith be ...nto Execution, and when and so soon as the said Justices or any ...tices of the Peace shall have certified, that the new Road proposed

posed to be substituted and used in lieu thereof, shall have been made and put into good Repair, the said old Road be from thenceforth for ever stopped up and no longer used as a Road, and the Soil of so much thereof as runs through the said Two Pieces or Parcels of Land or Ground, or any other of the Lands of His said Majesty, be and the same is hereby vested in His Majesty, His Heirs and Successors.

By whom the New Road shall be kept in Repair.

VIII. Provided always, and it is hereby enacted, That His Majesty, His Heirs and Successors, in respect of the said Farm called *Lodges Farm*, or the Owner or Owners thereof for the Time being, shall for ever thereafter, at his and their own Costs and Charges, amend and repair the said new Road to the Extent of One thousand two hundred and eighty-seven Yards, to be computed from the Turnpike Gate across the South End of the said new Road, according to and as mentioned in the said Order of the said Justices, together with any Bridge or Bridges that may hereafter be erected on or across the said new Road.

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