



ANNO QUADRAGESIMO NONO

GEORGI III. REGIS.

Cap. 174.

An Act for extending and enlarging the Powers or Authorities given by an Act passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled, *An Act for the Enfranchisement of Copyhold and Customary Lands, Parcel of the Manor of Arundel, and other Manors entailed by the Act of Parliament of the Third of Charles the First, and for the Sale of Tythes also entailed by the said Act.* [15th June 1809.]

WHEREAS by an Act of Parliament made and passed in the Third Year of the Reign of his late Majesty King *Charles the First*, intituled, *An Act concerning the Title, Name, and Dignity* ^{3 C. 2.} *of Earl of Arundel, and for the annexing of the Castle, Honour, Manor, and Lordship of Arundel, in the County of Suffex, with the Titles and Dignities of the Baronies of Fitzallen, Clunn, and Oswaldstree, and Maltravers, and with divers other Lands, Tenements, and Hereditaments hereafter in this Act mentioned, being now Parcel of the Possessions of Thomas Earl of Arundel and Surrey, Earl Marshal of England, to the same Title, Name; and Dignity of Earl of Arundel,* it was enacted (among other Things) that the said Castle, Honour, and Lordship of *Arundel*, and the Borough and Manor of *Arundel* aforesaid, with the Rights, Members, and Appurtenances thereof, and several other Manors, Rectories, Lands, and Hereditaments

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ments, situate in the said County of *Suffex*, and the Manor, Rectory, and *Iſle of Haling*, in the County of *Southampton*, and ſeveral other Hereditaments in the ſaid County of *Southampton*, in the ſaid Act particularly mentioned, with the Rights, Members, and Appurtenances thereof, ſhould for ever, by virtue of the ſaid Act, be and remain eſtated, conveyed, aſſured, limited, and ſettled to *Thomas* Earl of *Arundel* and *Surrey*, and the Heirs Males of his Body; and for Default of ſuch Iſſue, then to the Heirs of the Body of the ſaid Earl; and for Default of ſuch Iſſue, to the Right Honourable the Lord *William Howard*, Uncle of the ſaid Earl, and Son of the Right Noble Prince *Thomas*, then late Duke of *Norfolk*, and the Heirs Males of the Body of the ſaid Lord *William Howard*; and for Default of ſuch Iſſue, to the Heirs of the Body of the ſaid Lord *William Howard*; and for Default of ſuch Iſſue, to the ſaid *Thomas* Earl of *Arundel* and *Surrey*, and his Heirs for ever: And it was further enacted, that neither the ſaid *Thomas* Earl of *Arundel* and *Surrey*, nor any of the Heirs Male or other Heirs of his Body, nor any other Perſon or Perſons, his or their Heirs Male of his or their Bodies iſſuing, to whom any Eſtate of Inheritance of or in the Premises or any Part thereof, ſhould come, deſcend, or accrue by Force or Means of the ſaid Act, ſhould thereafter alien, give, grant, bargain, and ſell, or otherwiſe convey away any of the ſaid Caſtles, Honours, Manors, Lands, Tenements, and Hereditaments, or any other the Premises, or any Part thereof, or any other Thing do, which ſhould or might be to the Diſheriſon of the Heirs inheritable by Force of the ſaid Act, or of any of them in the Remainder as aforeſaid reſpectively, or whereby any of them ſhould be barred or put from Entry into the Premises: And whereas by an Act of Parliament made and paſſed in the Thirty-ſeventh Year of the Reign of His preſent Maſteſty King *George* the Third, intituled, *An Act for the Enfranchiſement of Copyhold and Cuſtomary Lands, Parcel of the Manor of Arundel, and other Manors, entailed by the Act of Parliament of the Third of Charles the Firſt, and for the Sale of Tythes alſo entailed by the ſaid Act*, after reciting the ſaid Act of the Third Year of King *Charles* the Firſt, and further reciting that the Moſt Noble *Charles* Duke of *Norfolk*, Hereditary Earl Marſhal of *England*, was Heir Male of the Body of the ſaid *Thomas* Earl of *Arundel* and *Surrey*, and as ſuch, by virtue of the Limitations contained in the ſaid Act of the Third of King *Charles* the Firſt, was in Poſſeſſion of the ſeveral Eſtates thereby entailed, and alſo reciting that within ſeveral of the Manors entailed by the ſaid Act of King *Charles* the Firſt were divers Meſſuages, Cottages, Lands, and Tenements, Parcel of or within the ſaid ſeveral Manors or Lordſhips, and held by the Tenants of the Lord of the ſame Manors or Lordſhips, by Copy of Court-Roll or other Cuſtomary Tenures; and alſo reciting that a conſiderable Number of the ſaid Tenants were deſirous to purchaſe, for a full and adequate Conſideration in Money, the Freehold and Inheritance of their reſpective Copyhold and Cuſtomary Tenements, and the Timber thereupon, ſo as the ſame might be enfranchiſed and diſcharged from all Copyhold and Cuſtomary Tenures, and of and from the Payment of all Fines, Rents, Sums of Money, and Heriots, payable for or in reſpect of the ſame; and alſo reciting that within the ſaid ſeveral Pariſhes of *Arundel*, *Ruſtington*, and *North* and *South Haling*, there were conſiderable Quantities of Land not comprized in, or entailed by the ſaid Act of King *Charles* the Firſt, and the ſame were liable to pay Tythes to the ſaid *Charles* Duke of *Norfolk*, and the Perſons intituled for the Time being to the Eſtates entailed by the ſaid Act, as Lay Impropriators of the ſaid Rectories of *Arundel*, *Ruſtington*, and *North* and *South Haling*;

Haling; and also reciting that there was great Reason to believe the Owners of the Lands liable to the Payment of Tythes would pay a considerable Price for the Purchase of the Tythes issuing out of or payable in respect of their respective Lands; and also reciting, that it would be manifestly for the Advantage of the said *Charles Duke of Norfolk*, and all other Persons claiming under the said Act of King *Charles the First*, that the said Copyhold or Customary Estates should be enfranchised, and the said Tythes sold, and the Money arising thereby laid out and invested in the Purchase of Lands, Tenements, and Hereditaments, intermixed with or contiguous to the Estates entailed by the said Act, and settled to the Uses thereof; but by reason of the Limitations and restraining Clause contained in the said Act, the Purposes aforesaid could not be effected without the Aid and Authority of Parliament, it was enacted, that it should and might be lawful to and for the said *Charles Duke of Norfolk*, during his Life, and after his Decease to and for such Person or Persons as should for the Time being by virtue of and according to the said Limitations in the said therein recited Act be seized of or entitled to the Freehold of the said Castle, Manors, or Lordships, and other Hereditaments entailed by the said recited Act, or to receive the Rents, Issues, and Profits thereof; unless such Person or Persons should be under the Age of Twenty-one Years, and if such Person or Persons should be under the Age of Twenty-one Years, then to and for his, her, and their Guardian or Guardians respectively, from Time to Time, and at any Time, upon such Price and Consideration in Money, as he or they should think reasonable, being paid, as therein and herein-after is mentioned, by any Deed or Deeds to be sealed and delivered by him or them respectively, in the Presence of and attested by Two or more credible Witnesses, to make any Enfranchisement or Enfranchisements of any Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the said several Manors or Lordships entailed by the said in part recited Act, or any of them, and for that Purpose to grant, bargain, and sell unto or to the Use of or in Trust for any Person or Persons whomsoever, being Copyhold or Customary Tenant or Tenants, or Holder or Holders of any Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the said several Manors or Lordships, or any of them, the Freehold and Inheritance of any Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, by any such Person or Persons holden or reputed to be holden to him, her, or them, and to his, her, or their Heirs, for any Copyhold or Customary Estate or Interest, as Part or Parcel of the said Manors or Lordships, or any of them, or holden or reputed to be holden as of the said Manors or Lordships, or any of them, or holden or reputed to be holden of, from, or under the Lord or Lords of the said Manors or Lordships, or any of them, by Copy of Court Roll, or any Customary Tenure whatsoever, and the Timber Trees and Wood thereupon, and all such Common of Pasture, Common of Turbary, Rights of Common, and other Rights, Liberties, and Privileges in and upon all and every or any of the Commons and Waste Grounds, Parcel of the said Manors or Lordships, or any of them, by Copy of Court Roll, or any Customary Tenure whatsoever, and all such Common of Pasture, Common of Turbary, Rights of Common, and other Rights, Liberties, and Privileges, in and upon all and every or any of the Commons and Waste Grounds, Parcel of the said Manors or Lordships, or any of them,

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as the Copyhold or Customary Tenant or Tenants, to whom or for whose Benefit such Grants, Bargains, and Sales should be so respectively made as aforesaid, was or were entitled to, for or in respect of, or as appendant or appurtenant to his, her, or their said Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Tenement or Tenements, immediately before the Time of such Enfranchisement thereof, so and in such Manner that the Person and Persons to whom or to whose Benefit such Grants, Bargains, and Sales should be so respectively made, and his, her, and their Heirs and Assigns, should and might respectively hold and enjoy the said Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, so to be enfranchised, and all such Common of Pasture, Common of Turbary, Rights of Common, and other Rights, Liberties, and Privileges as aforesaid, freed and discharged of and from all Fines, and all other Payments by way of Fines for Admittance, and of and from all Heriots thenceforth to grow due to the Lord or Lords, Lady or Ladies of the said Manors or Lordships for or in respect of the said Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, which should be so granted, bargained, and sold as aforesaid; but nevertheless, after any such Enfranchisement or Enfranchisements, the Lands or Tenements to be thereby enfranchised should be held in free and common Soccage, of the Lord or Lords of which they should be held at the Time of such Enfranchisement or Enfranchisements, and in and by every such Grant, Bargain, and Sale as aforesaid, there should be excepted and reserved thereout to the Lord for the Time being of the Manors or Lordships wherein or of which the Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, which should be so enfranchised as aforesaid, was or were situate, lying or being, or holden at the Time of such Enfranchisement or Enfranchisements as aforesaid, all such Franchises, Royalties, Rights, Liberties, and Privileges of Chase and free Warren, Hunting, Hawking, Fowling, and of chasing and killing of Game and Beasts of Chase, and free Warren, and all such ancient Piscaries, Fishings, and Rights of Fishing, as should have been then before anciently used, exercised, and enjoyed by the Lord or Lords of the same Manors or Lordships respectively, and such other Exceptions and Reservations as therein mentioned: And, after some other Enactments, including particularly a Provision enabling the Sale of any such Tythes as aforesaid, it was farther enacted that the Money arising by the Enfranchisement or Enfranchisements thereby authorized to be made, and by the Sale or Sales of Tythes thereby authorized to be sold, which should be made in pursuance thereof, should be paid by the Person or Persons to or in whose Favour such Enfranchisement or Enfranchisements, Sale or Sales, should be made, 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 Person or Persons paying the same, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter Thirty-two, and the general Orders of the said Court, and without Fee or Reward according to the Act of the Twelfth Year of King *George* the Second, Chapter Twenty-four, and so soon as conveniently might be after the same should have been so paid as aforesaid, should under the Direction of the said Court of Chancery, be laid out and invested in the Purchase of such Manors, Messuages, Lands, Tenements, or Hereditaments as are therein mentioned, which should be conveyed, settled, and assured
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to the Uses, upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Limitations, and Restrictions, which by the said first in Part recited Act, were limited or declared of or concerning the said Castle of *Arundel*, and the other Estates thereby settled, or such or so many of them as should be then subsisting undetermined and capable of taking Effect: And also, that in the mean Time, and until a proper Purchase or proper Purchases could be found, whereupon such Money should be laid out, the Money so paid into the Bank as aforesaid, should be by the said Accountant General laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills, and the Interest arising from the Money so laid out in the said Navy or Victualling Bills, or Exchequer Bills, and the Money received for the same, as they should be respectively paid off by Government, should be laid out in the Name of the said Accountant General in the Purchase of other Navy or Victualling Bills, or Exchequer Bills, all which said Navy and Victualling Bills, and Exchequer Bills should be deposited in the Bank, in the Name of the said Accountant General; and should there remain until, on a proper Purchase or Purchases being made as therein-before was mentioned, the same should be ordered to be sold by the said Accountant General for the completing such Purchase or Purchases: And whereas, in the Forty-first Year of the Reign of His present Majesty, there was made and passed an Act, intituled, *An Act for enlarging the Powers or Authorities given by an Act passed in the* 41 G. 3.
Thirty-seventh Year of the Reign of His present Majesty, intituled, 'An Act for the Enfranchisement of Copyhold and Customary Lands, Parcel of the Manor of Arundel, and other Manors entailed by the Act of Parliament of the Third of Charles the First, and for the Sale of Tithes also entailed by the said Act, in order to facilitate the Sale of Tithes therein mentioned:' And whereas the said *Charles Duke of Norfolk*, in pursuance of the Powers given to him by the said in Part recited Acts of Parliament of the Thirty-seventh and Forty-first Years of the Reign of His present Majesty, sold Parts of the Tythes, and enfranchised several Copyhold Estates, authorized by the same Acts to be sold and enfranchised, and the Monies arising therefrom were, according to the Directions of the said Acts, paid into the Bank of *England*; and under and by virtue of the same Acts, and of an Act passed in the Twenty-third Year of the Reign of His present Majesty, intituled, *An Act to enable Charles Duke of Norfolk, and others, to* 23 G. 3.
grant building or repairing Leases of certain Tenements, Houses, and Grounds, in the Parish of Saint Clement Danes, in the County of Middlesex, and in or near the Town of Arundel, in the County of Sussex; and also of an Act passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled, *An Act to enable the Trustees therein named, to make Exchange of* 37 G. 3.
certain Estates comprized in the Act of the Third of Charles the First, for entailing the Castle and Manor of Arundel, in the County of Sussex, and certain other Estates in the said Act mentioned; and of an Act passed in the Forty-fifth Year of His present Majesty's Reign, intituled, *An Act for vesting a Farm and* 45 G. 3.
Hereditaments in the Parish of Petworth, in the County of Sussex, and in the Parish of Ealing, in the County of Southampton, (Parcel of the Estates entailed with the Castle and Manor of Arundel; by the Act of Parliament made in the Third Year of the Reign of King Charles the First), in Trustees upon Trust, to sell, and for laying out the Monies in the Purchase of a more convenient Estate, the several Manors of Southstoke, Calceto, Dedisham, and other Manors in the said County of Sussex, have been settled, and now stand limited to the same Uses, and under the like

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Restrictions.

Restrictions, and in like Manner as the aforesaid Castle of *Arundel* and Estates entailed therewith are, and stand limited to, for, and upon, under and by virtue of the same Act of the Third of *Charles* the First: And whereas several Copyhold or Customary Tenants of the aforesaid Manors or Lordships, to which the Power of Enfranchisement given by the said Act of the Thirty-seventh Year of His present Majesty extends, though not prepared or at present disposed to purchase an entire Enfranchisement of their respective Copyhold or Customary Lands or Tenements, are desirous of purchasing an Exoneration of their respective Copyhold or Customary Lands and Tenements from all Right of the Lord to Timber Trees and Wood, or any Share thereof, and also from Heriots, and from other particular Services, at such Prices as shall appear to be reasonable and advantageous; and some of such Copyhold or Customary Tenants have accordingly applied to the said *Charles* Duke of *Norfolk* for Purchase of such limited Exoneration: And whereas it would be for the Advantage of the said *Charles* Duke of *Norfolk*, and all other Persons claiming under the said recited Act of the Third Year of the Reign of His late Majesty King *Charles* the First, that the Powers given by the said Act of Parliament of the Thirty-seventh Year of the Reign of His present Majesty, for the Enfranchisement of Copyhold and Customary Lands, Parcel of the Manor of *Arundel*, and other Manors entailed by the Act of Parliament of the Third Year of the Reign of King *Charles* the First, should be extended to the Copyhold and Customary Lands within such Manors as under or by virtue of the said recited Acts, or any of them, have been or shall be purchased or taken in Exchange, and settled and limited to the same Uses and in like Manner as the said Castle of *Arundel*, and Estates entailed therewith, by the said recited Act of the Third Year of the Reign of King *Charles* the First, stand limited: And it would also be for the Benefit of the said *Charles* Duke of *Norfolk*, and the other Person or Persons who for the Time being shall be entitled to the said Castle and Manors entailed by the said Act of the Third of King *Charles* the First, and the said other Manors so already brought or hereafter to be brought under the same Entail, that he and they respectively should, besides the Power of entire Enfranchisement herein-before mentioned, have a Power of selling, from Time to Time, such an Exoneration of the Copyhold or Customary Lands and Tenements within the said respective Manors, from particular Rights of and Services to the Lord, as aforesaid, under the Restriction of not extending such Exoneration to Fealty, Suit of Court, or any Yearly Quit Rent; on the same Footing, in respect to the Payment and Application of the Purchase Monies for the said Exoneration, as the aforesaid Power of entire Enfranchisement under the said Act of the Thirty-seventh Year of His present Majesty: And whereas the said *Charles* Duke of *Norfolk* is Heir Male of the Body of the said *Thomas* Earl of *Arundel* and *Surrey*, and as such, by virtue of the Limitations contained in the said recited Act of the Third Year of His late Majesty King *Charles* the First, is in Possession of the several Estates entailed thereby: And whereas the said *Charles* Duke of *Norfolk* hath not at present any Issue: And whereas *Bernard Edward Howard* Esquire, hath Issue one Son named *Henry*, who is an Infant, and no other Issue, and *Henry Thomas Howard* Esquire, hath Issue one Son named *Henry*, who is an Infant, and no other Son, and *Edward Charles Howard* Esquire, hath Issue one Son named *Edward*, who is an Infant, and no other Son: And whereas the said *Bernard Edward Howard*, and *Henry Howard* his Infant Son, *Henry Thomas Howard*, and *Henry Howard*.

Howard his Infant Son, and *Edward Charles Howard*, and *Edward Howard* his Infant Son, are the only other Issue Male of the Body of the said *Thomas* Earl of *Arundel* and *Surrey*, and respectively interested under the Limitations contained in the said last-mentioned Act: Wherefore Your Majesty's most dutiful and loyal Subjects, the said *Charles* Duke of *Norfolk*, *Bernard Edward Howard*, on Behalf of himself and his said Infant Son, and the said *Henry Thomas Howard*, on Behalf of himself and his Infant Son, and *Edward Charles Howard* on Behalf of himself and his said Infant Son, do humbly beseech Your most Excellent 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 it shall and may be lawful to and for the said *Charles* Duke of *Norfolk*, during his Life, and, after his Decease, to and for such Person or Persons as shall for the Time being, by virtue of and according to the Limitations in the said recited Act of the Third Year of the Reign of His Majesty King *Charles* the First, be seised of or entitled to the Freehold of the said Castle, Manors, or Lordships, and other Hereditaments entailed by the same Act, or to receive the Rents, Issues, and Profits thereof, unless such Person or Persons should be under the Age of Twenty-one Years, and, if such Person or Persons shall be under the Age of Twenty-one Years, then to and for his, her, and their Guardian or Guardians respectively from Time to Time, and at any Time, upon having such Price or Consideration in Money as he or they shall think reasonable, paid in Manner herein-after mentioned, by any Deed or Deeds, to be sealed and delivered by him or them respectively, in the Presence of and attested by Two or more credible Witnesses, to make any Enfranchisement or Enfranchisements of any Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the several Manors, which under or by virtue of the said recited Acts, or any of them, passed subsequently to the said Act of the Third Year of the Reign of King *Charles* the First, have been or shall be purchased, or taken in Exchange, or which under this Act shall be purchased, and settled and limited to the same Uses and in like Manner as the said Castle of *Arundel*, and Estates therewith entailed by the said Act, or any of them stand limited, in such and the same Manner in all Respects as he and they are authorized and empowered to make of the Copyhold or Customary Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the said several Manors or Lordships, entailed by the said recited Act of the Third Year of the Reign of King *Charles* the First: And that all and every Person and Persons, to whom and for whose Benefit any such Enfranchisement or Enfranchisements shall be made, and the respective Heirs and Assigns of such Person and Persons shall, upon his, her, or their paying his, her, or their respective Consideration Monies, in Manner herein-after mentioned, have, hold, and enjoy all and singular the Messuages, Cottages, Lands, Tenements, and Hereditaments, whereof such Enfranchisement or Enfranchisements as are hereby authorized, shall be so made as aforesaid, in like Manner as Persons to whom or for whose Benefit Enfranchisements have been made under the said Act of the Thirty-seventh Year of His present Majesty's Reign, as to Messuages, Cottages, Lands, Tenements, and Hereditaments enfranchised under and by virtue of the said last-mentioned Act.

Duke of Norfolk, &c. seised in the Premises entailed by recited Act, 3 C. 1. and empowered to make Enfranchisements, &c.

II. And

Duke of
Norfolk, &c.
empowered
to release and
exonerate
Copyholds,
&c.

II. And be it further enacted, That it shall and may be lawful to and for the said *Charles Duke of Norfolk*, during his Life, and after his Decease, to and for such Person and Persons as shall, for the Time being, by virtue of and according to the said Limitations in the said recited Act be seised of or entitled to the Freehold of the said Castle, Manors, or Lordships, and other Hereditaments, entailed by the said recited Act, or to receive the Rents, Issues, and Profits thereof, unless such Person or Persons should be under the Age of Twenty-one Years, and if such Person or Persons shall be under the Age of Twenty-one Years, then to and for his, her, and their Guardian or Guardians respectively, from Time to Time, and at any Time, upon having such Price or Consideration, in Money, as he or they shall think reasonable, paid in Manner herein-after mentioned, by any Purchaser or Purchasers to whom it shall be agreed to sell any such Exoneration as is authorised by this Act, by any Deed or Deeds, to be sealed and delivered by the said *Charles Duke of Norfolk*, or such Person or Persons as aforesaid, Lord or Lords of the said Manors, or of any of them, or any such Guardian or Guardians as aforesaid respectively, in the Presence of, and attested by Two or more credible Witnesses, to release, exonerate, and discharge any of the Copyhold or Customary Messuages, Cottages, Lands, Tenements, or Hereditaments, Parcel or reputed Parcel of or within the said several Manors or Lordships entailed by the said in Part recited Act of the Third of King *Charles the First*, or by virtue of any subsequent Act of Parliament, settled or entailed to the same Uses as the said Castle of *Arundel*, and Estates therewith entailed, are and stand settled, or any of them, from and of all Right, Title, Interest, Claim, and Demand whatsoever, which the said *Charles Duke of Norfolk* now hath, or any other such Person or Persons as aforesaid, who, for the Time being, by virtue of and according to the Limitations in the said recited Act of the Third of King *Charles the First*, shall be seised of or entitled to the Freehold of the said Castle, Manors, or Lordships, and other Hereditaments thereby entailed, shall or may have, as Lord or Lords of the said Manors or Lordship, or any of them, to, in, out of, or in respect of, the Timber-Trees, and other Wood now growing and being, or to grow and be, upon any of the said Copyhold or Customary Lands, Tenements, and Hereditaments, so held of, or reputed Parcel of or within the said Manors or Lordships, or any of them, by Copy of Court Roll, or any customary Tenure whatsoever, and of and from all Heriots, Boons, and other Services, except Fealty, Suit of Court, and Yearly Quit Rents, thenceforth to grow due or to be performed to or for the Lord or Lords of the said Manors or Lordships, for or in respect of any Messuage or Messuages, Cottage or Cottages, Lands, Tenements, or Hereditaments being Copyhold or Customary, or held of, or reputed Parcel of, or within the said Manors or Lordships, or any of them, by Copy of Court Roll, or from and of any of such Dues or Services except as aforesaid: And that when and as often as any such Release, Exoneration, and Discharge as aforesaid, shall be made by virtue and in pursuance of this Act, and the Consideration Money for the same shall have been paid in Manner herein-after mentioned, then, and from thenceforth, all and singular the Copyhold and Customary Messuages, Cottages, Lands, Tenements, and Hereditaments, comprised in any such Release, Exoneration, and Discharge, shall stand, and be for ever released, exonerated, and discharged accordingly.

III. Provided always, and it is hereby further enacted, That the Money to arise by or from the Enfranchisement or Enfranchisements which shall be made in pursuance of this Act, and the Money to arise by or from any Sale or Sales of any Exoneration, in pursuance of this Act, shall be paid by the Person or Persons to or in whose Favour such Enfranchisement or Enfranchisements shall be made, and by the Person or Persons with whom it shall be agreed to make any such Sale or Sales as aforesaid, into the Bank of *England*, and shall (subject to the Payment of the Costs and Expences herein-after mentioned) be laid out, applied, and disposed of, in such and the same Way and Manner, and to and for such Uses, Intents, and Purposes, as in and by the herein-before recited Act of the Thirty-seventh Year of the Reign of His present Majesty are mentioned, directed, or declared, touching or concerning the Payment, Application, and Disposition of the Money to arise by or from the Enfranchisement or Enfranchisements, or Sale or Sales, so thereby authorized to be made as aforesaid; save and except that, instead of having the Money which, under and by virtue of this Act, or the said recited Acts, or any of them, shall be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, placed to the said Accountant General's Account there, *ex parte* the Person or Persons paying the same, the said Money shall be placed to his Account there, *ex parte* the Purchasers of the Settled Estates of the Duke of *Norfolk* at *Arundel*.

Application of the Money arising from Enfranchisements and Sales of Exoneration.

IV. And be it also enacted, That the Certificates or Certificate of the Accountant General of the said Court of Chancery, together with the Receipt or Receipts of One of the Cashiers of the Bank, of or for the Payment into the Bank, by the Purchaser or Purchasers of any such Enfranchisement or Exoneration as is by this Act authorized to be sold, and made, of his, her, or their Purchase Money or Purchase Monies, or any Part or Parts thereof, shall, from Time to Time, be good and effectual Discharges to such Purchasers, and to their respective Heirs, Executors, Administrators, and Assigns, for the said Purchase Monies, or so much thereof for which such Certificates and Receipts shall be so given and obtained; and such Purchasers shall be accordingly acquitted and discharged of and from the same Monies, and shall not be answerable or accountable for any Loss, Misapplication, or Non-application thereof: Provided always, that it shall be lawful for the said Court of Chancery, upon Petition, in a summary Way, to make One or more Order or Orders for taxing and settling the Costs, Charges, and Expences of obtaining and passing this present Act, and of the several Applications to be made to the said Court in pursuance thereof respectively, and also the Costs attending or incident to the making any Enfranchisement or Enfranchisements, or Sale or Sales, under or by virtue of this Act, and of taking out and investing in a Purchase or Purchases, all or any of the Monies paid or to be paid into the Bank of *England*, pursuant to the Directions herein contained, and for the Payment of all such Costs, Charges, and Expences as aforesaid, out of the said Monies, or out of the Monies arising by Sale of the Navy, Victualling, or Exchequer Bills, to be so purchased as herein-before is recited.

Certificate of the Accountant General, and the Receipt of the Cashier, to be good for Payment of Money paid into the Bank by the Purchasers.

V. And whereas the said *Charles* Duke of *Norfolk* hath enfranchised certain Copyhold or Customary Estates held of the Manors which have been purchased or obtained by Exchange under or by virtue of the said recited Acts of

All Agreements and Releases for enfranchising

and exonerating Premises made by the Duke of Norfolk, in pursuance of the recited Acts, valid.

Parliament passed subsequently to the said Act of the Third Year of the Reign of King *Charles* the First, and settled to the Uses of that Act, and the said *Charles* Duke of *Norfolk* hath exonerated certain of the Copyhold or Customary Lands and Tenements holden of the Manors settled to the Uses of the said Act of the Third Year of the Reign of King *Charles* the First, from all Share, Right, Title, and Interest of the Lords of the aforesaid Manors, in Timber Trees and Wood growing or to grow upon such Copyhold or Customary Lands, and from all Heriots and Boons, and other particular Services: And whereas Doubts have arisen whether such Powers were vested in the said *Charles* Duke of *Norfolk*, by virtue of the said recited Act made in the Thirty-seventh Year of the Reign of His present Majesty, intituled, *An Act for the Enfranchisement of Copyhold and Customary Lands, Parcel of the Manor of Arundel, and other Manors entailed by the Act of Parliament of the Third of King Charles the First, and for the Sale of Tithes also entailed by the said Act*; be it therefore enacted, That all Agreements, Releases, Conveyances, and other Assurances, for enfranchising any Copyhold or Customary Estates held of any Manor purchased or obtained by Exchange, in pursuance of the said recited Acts, or any of them, passed subsequently to the said Act of the Third Year of the Reign of King *Charles* the First, and settled to the Uses of that Act, and for selling and granting such Exoneration from all Share, Right, Title, and Interest of the Lords of the aforesaid Manors, in Timber, Trees, and Wood, growing or to grow upon such Copyhold or Customary Lands, and from all Heriots and Boons, and other particular Services as is last herein-before recited, which, before the Commencement of this Act, shall have been made by the said *Charles* Duke of *Norfolk*, in the Manner prescribed by the said Act of the said Thirty-seventh Year of His present Majesty's Reign for an Enfranchisement, and upon which the Purchase Monies shall have been paid into the Bank, in the Name of the Accountant General of the High Court of Chancery, according to the Directions of the said last mentioned Act, shall operate as Enfranchisements, where the same are expressed to be such, made under the Power of making Enfranchisements contained in the said Act of the Thirty seventh Year of the Reign of His present Majesty, and as Exonerations, where the same are expressed to be such, made under the Power of exonerating granted by this Act, and shall be good and valid accordingly, in the same Extent in which they would be so if they had been actually made under such Powers respectively, but not farther.

General Saving.

VI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Persons and Person, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than and except the said *Charles* Duke of *Norfolk*, and all and every the Person and Persons claiming or to claim under or by virtue of the said recited Act of the Third Year of the Reign of His Majesty King *Charles* the First), all such Estate, Right, Title, Interest, Benefit, Property, Claim, and Demand whatsoever, either at Law or in Equity, of, in, to, upon, from, or out of the Premises which are hereby made saleable, or of which the Sales are hereby made operative, or any of them, or any Part thereof, as they, every or any of them had before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

VII. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof, so printed, shall be admitted as Evidence thereof, by all Judges, Justices, and others. Evidence Clause.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1809.

