ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. III.

An Act for extinguiſhing all Right of Common over certain Parcels of Land in the Pariſh of *Chiſwick*, in the County of *Middleſex*. [3d *July* 1806.]

WHEREAS the Moſt Noble *William* Duke of *Devonſhire* is Owner or Proprietor of certain Pieces or Parcels of Land within the Pariſh of *Chiſwick*, in the County of *Middleſex*, commonly called *Half-year* or *Lammas Lands*, and known by the Names and containing by Admeaſurement the Quantities herein-after mentioned, that is to ſay, *Dicky Mead* containing Nine Acres and One Rood; the *Two Slips* containing reſpectively Eight Acres and Three Roods, and Seven Acres and Three Roods; the *Three Thames Meadows* containing reſpectively Eleven Acres and One Rood, Four Acres and Three Roods, and Three Acres and One Rood; *Corney Meadow* containing Nine Acres; and the ſaid Duke is or claims to be Owner or Proprietor of a Piece of Land in the Field called *Chiſwick Field*, Fourteen Acres and Two Roods, which ſaid ſeveral Quantities amount together to Sixty-eight Acres and Two Roods: And whereas the Reverend *James Trebeck*, as Vicar of the ſaid Pariſh of *Chiſwick*, claims to be entitled to ſome Portion of the ſaid Piece of Land in *Chiſwick Field*, and it is alleged that ſome other Portion of the ſaid laſt-mentioned Piece of Land, or ſome Rent iſſuing out of the ſame, belongs to the Poor of the ſaid Pariſh of *Chiſwick*, or to ſome Perſon or Perſons in Truſt for the Poor of the ſame Pariſh: And whereas the Owners and Occupiers of Lands and Tenements within the ſaid Pariſh are, in reſpect

of such Lands and Tenements, entitled or claim to be entitled to certain Rights of Common in and over the said Pieces or Parcels of Land, from the Twelfth Day of *August* in each Year to the Thirteenth Day of *February* in the then next following Year, being from *Lammas* to *Candlemas*, Old Style: And whereas the said *William* Duke of *Devonshire* is also Owner or Proprietor of a Piece or Parcel of Arable Land in the said Parish of *Chiswick*, called *Warren Wall Field*, containing Twelve Acres or thereabouts, and also of another Piece or Parcel of Arable Land in the same Parish called *Sheep Leys*, containing Twenty Acres, or thereabouts, whereon the said Owners and Occupiers of Lands and Tenements in the Parish of *Chiswick* are or claim to be entitled to Right of Common from the Time the Crop is carried off the said Two Pieces or Parcels of Land until the same are sown again: And whereas the Extinguishment of all such Right of Common as aforesaid on the said Lands would be of Advantage not only to the said Duke, and the other Proprietors thereof, if any, but also to the Owners and Occupiers of the Lands and Tenements entitled to the said Right of Common, if a proper and adequate Compensation were made for the same; and the said *William* Duke of *Devonshire* is willing to take upon himself the Whole of such Compensation; but as such Purposes cannot be effected without the 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, from and immediately after the passing of this Act all Rights of Common in, upon, or over the said several Lands and Grounds, or any of them, shall cease, determine, and be for ever extinguished to all Intents and Purposes whatsoever.

Rights of Common to be extinguished.

II. And be it further enacted, That from and immediately after the passing of this Act the present Churchwardens and Overseers of the Poor of the Parish of *Chiswick* aforesaid, and their Successors Churchwardens and Overseers of the Poor of the said Parish, for ever, shall and may have, receive, and take one perpetual Annuity or Yearly Rent Charge of One hundred and seven Pounds Fourteen Shillings of lawful Money of *Great Britain*, to be issuing, payable, had, received, and taken by, from, and out of all and singular the said Lands and Grounds (except the said Lands in *Chiswick Field*) with the Appurtenances, and which said Annuity or Yearly Rent Charge shall be paid and payable to the said Churchwardens and Overseers of the Poor of the Parish of *Chiswick* aforesaid, and their Successors, at or in the Porch of the Parish Church of *Chiswick* aforesaid, by Four equal Quarterly Payments on the Twenty-ninth Day of *September*, the Twenty-fifth Day of *December*, the Twenty-fifth Day of *March*, and the Twenty-fourth Day of *June* in every Year, between the Hours of Ten and Twelve in the Forenoon, free and clear of and from all Rates, Taxes, Charges, Assessments, and Impositions whatsoever, now taxed, charged, or imposed, or hereafter to be taxed, charged, or imposed upon the said Lands and Grounds, or any Part thereof, or upon the said Annuity or Yearly Rent Charge, or any Part thereof, or upon the said Churchwardens and Overseers of the Poor of the Parish of *Chiswick* aforesaid, or their Successors, for or in respect of the same; the First Quarterly Payment thereof to be made on the Twenty-ninth Day of *September* now next ensuing.

For paying a Rent Charge to the Churchwardens and Overseers of the Poor out of the Lands upon which the Right of Common shall be extinguished.

III. Provided

Empwering the Churchwardens and Overſeers to diſtrain for Rent Charge in Caſes of Non-payment for the Space of 20 Days;

III. Provided always, and be it enacted, That if any Quarterly Payment of the ſaid Annuity or Yearly Rent Charge ſhall be behind and unpaid by the Space of Twenty Days after any of the ſaid Days of Payment whereon the ſame is hereby appointed to be paid as aforeſaid, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Churchwardens and Overſeers of the Poor of the Pariſh of *Chiſwick* aforeſaid, and their Succeſſors, into and upon the ſaid Lands and Grounds, or any Part thereof, to enter and diſtrain for all Arrears of the ſame Annuity or Yearly Rent Charge, and the Diſtreſs and Diſtreſſes then and there found to take, lead, drive, carry away, and impound, and in Pound to detain and keep, or otherwiſe to ſell and diſpoſe of, according to due Courſe of Law, until or ſo that they the ſaid Churchwardens and Overſeers, and their Succeſſors, ſhall be thereby or otherwiſe fully ſatisfied and paid, the ſaid Annuity or Yearly Rent Charge and all Arrears thereof, and all Coſts, Charges, Damages, and Expences occaſioned by the Non-payment thereof, at the Days and Times herein-before appointed for that Purpoſe.

and if unpaid for 30 Days, then to enter upon and receive the Rents and Profits of the Lands until the ſame is fully paid and ſatisfied.

IV. And be it further enacted, That if any Quarterly Payment of the ſaid Annuity or Yearly Rent Charge ſhall be behind and unpaid by the Space of Thirty Days after any of the ſaid Days of Payment whereon the ſame ought to be paid as aforeſaid, then and in ſuch Caſe, and when and ſo often as the ſame ſhall happen (although no formal Demand ſhall have been made of the ſame), it ſhall and may be lawful to and for the ſaid Churchwardens and Overſeers of the Poor of the Pariſh of *Chiſwick* aforeſaid, and their Succeſſors, into and upon the ſaid Lands and Grounds hereby charged with the ſaid Annuity or Yearly Rent Charge, or any Part thereof, in the Name of the Whole to enter, and the ſame to have, hold, and enjoy, and to receive and take the Rents, Iſſues, and Profits thereof, and of every Part thereof, until they ſhall be thereby or therewith, or otherwiſe fully ſatisfied and paid, all Arrears of the ſaid Annuity or Yearly Rent Charge, and alſo ſo much of the ſaid Annuity or Yearly Rent Charge as ſhall incur and grow due while they ſhall continue in Poſſeſſion of the ſaid Lands and Grounds ſo charged as aforeſaid, or any Part thereof, after ſuch Entries as aforeſaid, together with all Coſts, Charges, Damages, and Expences which ſhall be occaſioned by the Non-payment thereof at the Days and Times herein-before appointed for that Purpoſe, which Poſſeſſion when taken ſhall always be without Impeachment of Waſte.

Rent Charge to be applied for the Relief of the Poor.

V. And be it further enacted, That the ſaid Perpetual Annuity or Yearly Rent Charge of One hundred and ſeven Pounds Fourteen Shillings hereby limited to the ſaid Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Chiſwick*, and their Succeſſors as aforeſaid, ſhall from Time to Time upon the Receipts thereof be applied and diſpoſed of by them for or towards the Relief and Maintenance of the Poor of the ſaid Pariſh of *Chiſwick*, in ſuch and the ſame Manner as the Rates for the Relief and Maintenance of the Poor are by Law directed to be applied.

Expences of the Act to be paid by the Duke of Devonſhire; and the Act not to

VI. And be it further enacted, That all the Coſts, Charges, and Expences of applying for and obtaining and paſſing this Act ſhall be paid and diſcharged by the ſaid *William* Duke of *Devonſhire*, his Heirs, Executors, or Adminiſtrators:

affect the Waste Lands in Chiswick.

Administrators: Provided always, that nothing herein contained shall extend to, or be construed to extend to or in any Manner to affect any Waste Lands or Grounds within the said Parish of *Chiswick*.

For Saving the Rights of Lords of Manors.

VII. Provided always, and be it enacted, That nothing herein contained shall prejudice, lessen, or defeat the Rights of the present or any future Lord or Lords of any Manor or Manors wherein the aforesaid Lands are situate, to any Rents, Services, Courts, and Profits of Courts, Waifs, Estrays, Deodands, Seigniories or other Royalties (if any) incident or appendant, appurtenant or belonging to such Manor or Manors respectively (other than and except any Common or Right of Pasturage in, over, or upon the same), but such Lord or Lords shall and may from Time to Time, and at all Times hereafter, hold and enjoy the same, except as aforesaid, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as they might or ought to have held or enjoyed the same before the passing of this Act, or in case the same had not been made.

General Saving.

VIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every Person and Persons whomsoever, and his, her, and their Heirs, Executors, and Administrators, and to all Bodies Politick and Corporate, and their Successors (other than and except the said Duke as the Owner of the Lands and Grounds exonerated from such Right of Common as aforesaid, or of any Part thereof, and the Owner or Owners of any Rights of Common in, over, upon, or out of the said Lands and Grounds, their respective Heirs, Executors, Administrators, Successors, and Assigns, and all Persons claiming under them, or in Remainder or Reversion after them respectively, in respect of such Rights of Common as aforesaid) all such Estates, Rights, and Interests respectively, as they or any of them have or hath, or could or might have had or claimed in, to, or out of the Lands or Grounds hereby intended to be exonerated and discharged from such Rights of Common respectively as aforesaid, or any of them, or any Part or Parts thereof respectively, in case this Act had not been made.

Publick Act.

IX. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1806.