

ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

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CAP. XXX.

An Act to facilitate the Exchange of Lands lying in Common Fields. [25th *July* 1834.]

WHEREAS it is expedient to facilitate the Exchange of Pieces of Land lying intermixed and dispersed in Common Fields, Meadows, or Pastures, for other Pieces of Land, either lying therein, or being Part of the inclosed Lands in the same or any adjoining Parish: 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 after the passing of this Act it shall be lawful for any Person who shall be seised or possessed of or entitled in possession to any Land in any Common Field, as Tenant in Fee Simple, or in Fee Tail, General or Special, or for Life or Lives, or by the Curtesy of *England*, or for any other Estate of Freehold, or for Years determinable on any Life or Lives, or for any Term of Years whereof One hundred Years shall be unexpired, and for the Guardian, Trustee, Feoffee for charitable or other Uses, Husband, or Committee of such Person who at the Time of making any Exchange authorized by this Act shall be an Infant, Idiot, Lunatic, or Feme Covert, or under any other Disability, by such Deed and with such Consent as herein-after mentioned to grant and convey such Land or any Part thereof to any other Person in lieu of and in exchange for any other Land, whether lying in the same or any other Common Field, or for any

Proprietors of Lands in Common Fields may exchange the same.

inclosed Land lying within the same or any adjoining Parish, and to accept and take from such other Person any Land in lieu of and in exchange for the Land in such Common Field.

All Persons enabled to give Land in exchange for such Common Field Land.

II. And be it further enacted, That it shall be lawful for any Person who shall be seised or possessed of or entitled in possession to any Land which it may be desirable to exchange for the Land in such Common Field, whether such Person shall be Tenant in Fee Simple, or in Fee Tail, General or Special, or for Life or Lives, or by the Curtesy of *England*, or for any other Estate of Freehold, or for Years determinable on any Life or Lives, or for any Term of Years whereof One hundred Years shall be unexpired, and for the Guardian, Trustee, Feoffee for charitable or other Uses, Husband, or Committee of such Person who shall be an Infant, Idiot, Lunatic, or Feme Covert, or under any other Disability, to consent and agree to such Exchange, and to grant and convey such Land to the Person proposing to make such Exchange in lieu of and in exchange for the Land lying in such Common Field, subject to the Provisions herein-after contained.

Land given in exchange by Persons having limited Interests to be of equal Value with Lands taken.

III. Provided always, and be it further enacted, That when any such Exchange shall be made by any Person having a less Estate or Interest than in Fee Simple in the Land to be by him granted or conveyed in exchange, or shall be made by any Person under any Disability, the Land to be so taken in exchange shall at the Time of making such Exchange be, or shall by the Payment of a sufficient Sum for Equality of Exchange be made, of equal Value with or not of less Value than the Land to be granted or conveyed in exchange.

If Exchange made by any Person having only a limited Interest, or being under Disability, the Consent of the Person next in Remainder to be obtained.

IV. And be it further enacted, That whenever any Exchange shall be proposed to be made under the Authority of this Act, and either of the Parties thereto shall have a less Estate or Interest in the Land to be by him granted or conveyed in exchange than a Fee Simple, or shall be under any Disability, such Exchange shall not be completed unless the Person to whom the next immediate vested Estate of Freehold in Remainder or Reversion shall have been limited (provided such Person shall be of the full Age of Twenty-one Years, and being a Female shall be unmarried,) shall consent thereto, and shall testify such Consent by signing the Draft Deed of Exchange herein-after mentioned, and such Consent shall be sufficient for the Purpose of authorizing such Exchange notwithstanding the Person giving the same may have an Equitable Estate only in the Land intended to be conveyed in exchange, or may have previously disposed of or charged or incumbered his Reversionary Estate therein: Provided always, that if the Person to whom such next immediate vested Estate in Remainder or Reversion may have been limited shall at the Time of such Exchange happen to be an Infant or Feme Covert, or an Idiot or Lunatic, then and in such Case it shall be lawful for the Guardian or Husband or Committee of such Infant, Feme Covert, Idiot, or Lunatic (such Guardian, Husband, or Committee not being himself the Person by whom the Exchange is proposed to be made) to consent to such Exchange,

In case the Person next in Remainder should be an Infant, &c.

and

and to sign the Draft Deed of Exchange in his or her Stead; Provided further, that whenever the Guardian or Husband or Committee of such Infant, Feme Covert, Idiot, or Lunatic shall himself be the Person by whom such Exchange is proposed to be made, then and in such Case it shall be lawful for the Court of Chancery, upon Petition, to be preferred to the said Court in a summary Way, to appoint a Person to act as Protector to such Infant, Feme Covert, Idiot, or Lunatic for the Purposes of this Act, and, if he shall think fit so to do, to consent to such Exchange, and to sign the Draft Deed of Exchange in the Stead of such Infant, Feme Covert, Idiot, or Lunatic, or of his or her Guardian, Husband, or Committee.

Consent of Patron and Bishop necessary for Exchange of Land held in right of a Church.

V. Provided always, and be it further enacted, That no Exchange shall be made of any Land held in right of any Benefice, without the Consent of the Patron thereof, and of the Archbishop or Bishop to whose ordinary or peculiar Jurisdiction the said Benefice may be subject, such Consent to be signified by the Patron and Archbishop or Bishop respectively signing the Draft Deed of Exchange herein-after mentioned; and such Consent, when so given and signified, shall be a sufficient Authority for such Exchange, any Law or Statute to the contrary notwithstanding: Provided always, that if the Patronage of such Benefice shall happen to be in the Crown, and the Benefice shall exceed the yearly Value of Twenty Pounds in the King's Books, it shall be lawful for the Lord High Treasurer or the First Lord Commissioner of the Treasury for the Time being, but if it shall not exceed the yearly Value of Twenty Pounds in the King's Books, then for the Lord High Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, to consent to such Exchange and to sign the Draft Deed of Exchange on behalf of the Crown, and if the Patronage of such Benefice shall happen to be in the Crown in right of the Duchy of *Lancaster* it shall be lawful for the Chancellor for the Time being of the said Duchy to consent to such Exchange and to sign the Draft Deed of Exchange on behalf of the Crown; and if the Patronage of such Benefice shall be Part of the Possessions of the Duchy of *Cornwall* it shall be lawful for the Duke of *Cornwall* for the Time being, if of full Age, but if not of full Age, or in case such Benefice shall be within the Patronage of the Crown in right of the Duchy of *Cornwall*, then for the same Person who is herein-before authorized to consent on behalf of the Crown in respect of a Benefice in the Patronage of the Crown to consent to such Exchange and to sign the Draft Deed of Exchange on behalf either of the Duke of *Cornwall*, or, as the Case may be, on behalf of the Crown in right of the Duchy of *Cornwall*; and if the Patron of such Benefice shall happen to be a Minor, Idiot, Lunatic, or Feme Covert, it shall and may be lawful for the Guardian, Committee, or Husband of such Patron to consent to such Exchange and to sign the Draft Deed of Exchange in the Stead of such Patron, and on his or her Behalf.

Draft Deed of Exchange to be signed or sealed by Ecclesiastical

VI. Provided always, and be it further enacted, That no Exchange shall be made under the Authority of this Act by any Bishop, Dean, or other Head of a Chapter, Archdeacon, Prebendary, or other Ecclesiastical Corporation sole, unless, in the Case of a Bishop, with the

Person or Corporation consenting.

the Consent of the Archbishop of the Province, to be signified by such Archbishop signing the Draft Deed of Exchange herein-after mentioned, or unless, in the Case of a Dean or other Head of a Chapter, with the Consent of the Chapter, to be signified by their affixing their Common Seal to the said Draft Deed of Exchange, or unless, in the Case of an Archdeacon, Prebendary, or other Ecclesiastical Corporation Sole, with the Consent of the Archbishop or Bishop of the Diocese, to be signified by such Archbishop or Bishop signing the said Draft Deed of Exchange.

Exchange to be made in the Form given in the Schedule.

VII. And be it further enacted, That every Exchange under the Authority of this Act shall be made according to the Form in the Schedule to this Act annexed, or as near thereto as the Number of Parties and the Circumstances of the Case will admit, and shall, when executed by the respective Parties, be valid and effectual in the Law to all Intents and Purposes, without Livery of Seisin made or taken, or any other Act done, by any Person or Party to perfect or complete the same.

In case of Copyholds, the Deed of Exchange to be entered on the Court Rolls.

VIII. Provided always, and be it further enacted, That whenever any Land held by Copy of Court Roll shall be exchanged under the Authority of this Act, the Deed of Exchange, when executed by the respective Parties, shall be produced to the Lord of the Manor of which the Land may be Parcel, or to his Steward, or to the Deputy of such Steward, who shall cause the same to be entered on the Court Rolls of the Manor.

Fees to Stewards.

IX. And be it further enacted, That the Fees and Charges to be demanded by and paid to any Steward of a Manor for entering on the Court Rolls of such Manor any Deed of Exchange or other Instrument required by this Act to be entered thereon shall not exceed the Sum of Sixpence for every Law Folio of Seventy-two Words contained in such Deed or other Instrument.

In case of Church Lands, Deed to be entered in the proper Ecclesiastical Registry.

X. And be it further enacted, That whenever any Exchange shall be made under the Authority of this Act by any Archbishop, Bishop, Dean or other Head of a Chapter, Dean or other Head of a Chapter and Chapter, Archdeacon, Prebendary, or other Ecclesiastical Corporation, or by the Incumbent of any Benefice, the Deed of Exchange, when executed by the respective Parties, shall, in the Case of the Exchange being made by an Archbishop or Bishop, be entered in his own Registry, and in the Case of the Exchange being made by a Dean or other Head of a Chapter, or by a Dean or other Head of a Chapter and Chapter, be entered in the Registry of such Chapter, and in the Case of the Exchange being made by an Archdeacon, Prebendary, or other Ecclesiastical Corporation, or by the Incumbent of a Benefice, be entered in the Registry of the Bishop of the Diocese.

Office Copies of Instruments deposited in the Registry to be Evidence.

XI. And be it further enacted, That an Office Copy of any Deed of Exchange or other Instrument which under the Provisions of this Act shall be entered on any such Registry as aforesaid (such Office Copy being certified by the Registrar or his Deputy) shall be

allowed as Evidence thereof in all Courts and Places, and every Person shall be entitled to require any such Office Copy, and shall also be allowed at all usual and proper Times to search for and inspect any Deed of Exchange or other Instrument which shall be so entered; and the Registrar shall be entitled to charge for the Entry of every such Deed of Exchange or other Instrument after the Rate of Sixpence for every Law Folio of Seventy-two Words contained therein, and the Sum of One Shilling, and no more, for allowing any such Search or Inspection as aforesaid, and after the Rate of Sixpence for every Law Folio of Seventy-two Words in any Office Copy to be made and certified as aforesaid.

Draft of intended Exchange to be deposited with the Clerk of the Peace, and Notice thereof inserted in some Newspaper circulating in the County.

XII. And be it further enacted, That before any Exchange shall be made under the Authority of this Act a Draft of the intended Deed of Exchange, containing a correct Description of the several Lands proposed to be exchanged, and signed by the respective Parties, and also by the several Persons whose Consent to such Exchange is herein-before required to be given, and accompanied by an Estimate of the Value as well of the Land proposed to be given as of the Land proposed to be taken in exchange, and whenever the Exchange shall be proposed to be made by or with any Person under Disability, then accompanied also by a Copy of the several Limitations contained in the Deed or Will under which such Person may be entitled, shall be deposited with the Clerk of the Peace of the County in which the greater Part of the Land may be situated; and a Notice of such Draft and Estimate having been so deposited (such Notice containing a Description of the Land intended to be exchanged) shall be published in some Newspaper usually circulated in the County wherein such Land is situated at Three several Times in Three successive Months after such Draft and Estimate shall have been so deposited: Provided always, that whenever a Corporation Aggregate shall be one of the Parties to such proposed Exchange, or the Consent of a Corporation Aggregate shall be necessary thereto, the affixing of the Common Seal of such Corporation to such Draft Deed of Exchange shall be deemed a sufficient Compliance with the Provisions of this Act.

Proviso as to certain Corporations.

Persons having any Objections to deposit them with the Clerk of the Peace within a certain Time.

XIII. And be it further enacted, That if any Person claiming to have an Interest in the Land proposed to be exchanged shall object to such Exchange, it shall be lawful for him to state such Objection in Writing, and to deposit the same with the Clerk of the Peace at any Time not less than Fourteen Days before the holding of the Assizes at which such proposed Exchange shall be taken into consideration as herein-after mentioned; and such Draft Deed of Exchange, and Estimate, and Copy of Limitations, and the said Statement of Objection, shall be open to the Inspection of any Person.

Fees to be taken by Clerks of the Peace.

XIV. And be it further enacted, That the Justices of the Peace for the several Counties, Ridings, Divisions, Cities, Towns, Liberties, and Precincts within *England* and *Wales*, shall in the Manner directed by an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to enable Justices of the Peace to settle the Fees to be taken by the Clerks of the Peace of the respective*

Counties and other Divisions of England *and* Wales, ascertain, make, and settle a Table of Fees and Allowances to be taken by the Clerks of the Peace for such Counties, Ridings, Divisions, Cities, Towns, Liberties, and Precincts, for their Trouble in the Execution of the Duties imposed upon them by this Act, and such Fees shall be subject to Alteration and Regulation in the Manner by the said Act directed.

Clerk of the Peace to cause the Draft Deed, &c. to be laid before a Judge of Assize, who shall appoint a Barrister to consider the same.

XV. And be it further enacted, That the Clerk of the Peace shall cause the said Draft Deed of Exchange, Estimate, and Statement of Objection (if any), and all other Papers relating thereto, to be laid before the senior Judge of Nisi Prius at the Assizes to be holden next after the Expiration of Three Months from the Time of the Deposit of such Draft Deed of Exchange with the Clerk of the Peace as aforesaid; and such Judge shall appoint a Barrister, of not less than Five Years standing, for taking into consideration the said Draft Deed and Statement, who shall forthwith appoint a Time for that Purpose.

Barrister may summon Witnesses. False swearing Perjury.

XVI. And be it further enacted, That such Barrister shall be empowered to summon and to compel the Attendance of Witnesses, and to administer an Oath; and that any Person wilfully swearing falsely before such Barrister shall be liable to all the Penalties of wilful Perjury.

Barrister to examine Witnesses, and determine Objections.

XVII. And be it further enacted, That such Barrister shall satisfy himself, by the Production of Deeds, the Examination of Witnesses, or by such other Evidence as he shall think fit to require, of the Value of the Lands proposed to be exchanged, and that the Person proposing to make such Exchange is not under any Disability, or if he is that the Person stated to have the next immediate vested Estate of Freehold in Reversion or Remainder has such Estate, and that the Notices and the Consents required by this Act have been duly given; and such Barrister shall hear and determine all Objections (if any) which may have been made by any Person claiming to have an Interest in the Land proposed to be exchanged.

After Inquiry the Barrister to certify as the Case may be.

XVIII. And be it further enacted, That after such Inquiry shall have been had before such Barrister he shall grant a Certificate under his Hand, in which he shall state that the Parties proposing to make such Exchange are not under any Disability, or if they are, or either of them is under Disability, that the Persons or Person having the next immediate vested Estate of Freehold in Remainder or Reversion have concurred therein, that the Persons whose Consents are required under this Act have consented to the Exchange, and that the Equality and Fairness of the proposed Exchange have been proved, or otherwise, as the Case may be; and he shall suggest in such Certificate such Alterations as to him may seem expedient for the better protecting the Rights of Parties having an Interest in the Lands proposed to be exchanged.

In case of an Exchange in which there shall

XIX. And be it further enacted, That in any Case of an Exchange to be made under this Act in which there shall be a Difference of not more than One Fifth in the Value of the Lands proposed to be

 exchanged

exchanged, it shall be lawful for the said Barrister to allow or insert a Provision in such Exchange for the Payment in Money of such Difference in Value: Provided always, that no Exchange shall be made under the Authority of this Act in which there shall be a Difference of more than One Fifth Part in the Value of the Lands proposed to be exchanged.

be a Difference in Value of not more than One Fifth.

XX. And be it further enacted, That the said Certificate, together with the said Draft Deed of Exchange, and Estimate, and such Statement of Objections, if any, and all other Papers relating thereto, shall be laid before the said Judge of Assize, who shall thereupon make such Order therein, either for confirming the said Exchange, or for annulling the same, or for altering the same, as to him may seem expedient; and the said Draft Deed of Exchange when so confirmed or altered by the said Order shall be immediately engrossed and executed by the necessary Parties, and shall, when so executed, be binding upon the Owners and Proprietors of the Pieces of Land so exchanged, and all other Parties interested therein: Provided always, that before making such final Order it shall be lawful for such Judge to institute or cause to be instituted such further Inquiry, by the Means aforesaid, into the several Matters relating to any such Agreement, as he may think necessary.

Certificate, with Draft Deed, &c. to be laid before the Judge, who shall make Order thereupon.

Judge may institute further Inquiry.

XXI. Provided also, and be it enacted, That such Barrister shall further certify to the said Judge by whom and in what Proportions the Costs and Charges of such Proceedings relative to such Agreement ought to be borne, and thereupon the said Judge shall make such Order for Payment of such Costs and Charges as he may think right: Provided always, that in the Case of any Disagreement respecting the Amount of such Costs, such Costs shall be taxed by the Master or Secondary of the Court of King's Bench.

Costs and Charges of Proceedings.

XXII. And be it further enacted, That every Barrister before whom any Inquiry shall be had under the Authority of this Act shall be entitled to be paid at the Rate of Five Guineas for every Day that he shall be employed in making such Inquiry, over and above his travelling and all other Expences; and every such Barrister shall after the Termination of such Inquiry transmit a Statement of the Number of Days during which he shall have been so employed, and an Account of the travelling and all other Expences incurred by him in respect of such Employment, to the Judge by whom he shall have been appointed, or, in case of the Death or Illness or Retirement of such Judge, to any other Judge of the Superior Courts of Record at *Westminster*, who shall examine and allow the same, or so much or such Parts thereof as he shall see fit; and the same when so allowed shall be paid in the same Manner as the other Costs and Charges incident to such Exchange are hereinbefore directed to be paid: Provided always, that if more than One Case of Exchange shall be referred to the same Barrister, the Remuneration to such Barrister shall not be cumulative, but shall be considered as fixed for the Day and not for the Case.

Remuneration to Barrister.

XXIII. And

Application of Money paid for Equality of Exchange when Party entitled to same under Disability.

XXIII. And be it further enacted, That in case any Money shall be directed to be paid by either Party to the other of them for Equality of Exchange, and the Party to whom such Money shall be directed to be paid shall (in case it shall exceed the Sum of Twenty Pounds) be paid with all convenient Speed into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Person entitled to the Rents and Profits of the Land for or in respect of which such Money shall be payable, to the Intent that such Money shall be applied, under the Direction of the Court, to be signified by an Order made in a summary Way upon a Petition to be preferred by or on behalf of the Person who would have been entitled to the Rents and Profits of the said Land, either in the Purchase or Redemption of the Land Tax, or in discharging any Debt or Incumbrance affecting the said Land, or affecting any other Lands standing settled therewith to the same or the like Uses, or in the Purchase of other Lands, which shall be conveyed to the same or the like Uses, or such of them as shall be then subsisting and 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, upon Application thereto, be invested by the said Accountant General in his Name in some of the Public Funds, and the Dividends thereof shall from Time to Time be paid to the Person who would have been entitled to the Rents of the Land so to be purchased and settled; but in case such Money shall not exceed the Sum of Twenty Pounds, then the same shall be paid to the Person entitled to the Rents and Profits of the Land for or in respect of which the same may be payable, or in case of Infancy, Lunacy, Idiotcy, or Coverture, to his or her Guardian, Committee, or Husband, as the Case may be.

Lands given in exchange to be exonerated from the Uses affecting them at the Time, and to become subject to such Uses as affected the Lands taken.

XXIV. And be it further enacted, That from and immediately after such Deed of Exchange as herein-before is mentioned shall have been duly executed by the necessary Parties, the Land which by such Deed is given in exchange shall be exonerated and discharged from the Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances then affecting the same, and shall be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances, as affected the Land taken in exchange at the same Date; and the Land so taken in exchange shall be exonerated and discharged from all Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances then affecting the same, and shall be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations and Restrictions, Charges and Incumbrances as affected the Lands given in exchange at the same Time.

After Exchange Party not to be evicted.

XXV. And be it further enacted, That no Person to whom any Land shall have been granted or conveyed in exchange according to the Provisions of this Act shall at any Time thereafter be evicted from the peaceable and quiet Possession of such Land by reason or in consequence of any Person claiming Right thereto through any Title prior to that of, or through any Defect of Title in, the Person by

by whom such Land may have been granted or conveyed; but nevertheless it shall be lawful for the Person claiming such Right, and he is hereby authorized and empowered, to use, exercise, and enjoy all such and the same Powers and Remedies in trying his Right to and in obtaining and recovering Possession of the Land which shall have been granted or conveyed in exchange as the Person so claiming would in case this Act had not been made have been enabled to use, exercise, or enjoy in trying the Right to and recovering the Possession of the Land in exchange for which the same shall have been so granted or conveyed under the Authority of this Act.

General Saving.

XXVI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person, Bodies Politic, Corporate, and Collegiate, his and their Heirs, Successors, Executors, and Administrators, (other than and except the several Owners and Proprietors of the said exchanged Lands, and the several Persons and Parties who shall have consented to such Exchange, and all other Persons claiming under them, or under the same Will or Deed or other Conveyance as the said Owners and Proprietors, any Right, Title, Estate, or Interest to or in the said exchanged Lands,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever as they, every or any of them had before the making and confirming of any such Exchange, or could or might have had or enjoyed in case such Exchange had not been made.

Meaning of Words in the Act.

XXVII. And be it further enacted, That the Words and Expressions herein-after mentioned, which in their ordinary Signification have a more confined or a different Meaning, shall in the Construction of this Act, except where the Nature of the Provision or the Context of the Act shall exclude such Construction, be interpreted as follows; that is to say, the Word "Person" shall extend as well to an Individual as to a Body Politic, Corporate, or Collegiate, and to a Corporation as well Aggregate as Sole, whether such Corporation be Eleemosynary or Civil, Ecclesiastical or Lay; the Word "Benefice" shall extend to and be taken to comprehend Rectories, Vicarages, Donatives, Perpetual Curacies, Parochial and Consolidated Chapelries, District Parishes and District Chapelries, and Churches and Chapels having a District assigned thereto; the Word "Land" shall extend to every Species of Land, whether Arable, Meadow, or Pasture, and whether Freehold, Copyhold, or Customary, or held by any other Tenure, and as well to one Piece or Parcel as to any Number of Pieces or Parcels of Land; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

To extend to England and Wales.

XXVIII. And be it further enacted, That this Act shall extend only to that Part of the United Kingdom called *England* and *Wales*.

Act may be altered this Session.

XXIX. And be it further enacted, That this Act or any of the Provisions thereof may be altered or repealed by any Act to be passed in this present Session of Parliament.

The SCHEDULE to which the foregoing Act refers.

This Indenture, made the Day of in the Year between *A.B.* of of the one Part, and *C.D.* of of the other Part, witnesseth, that in pursuance and under the Authority of an Act passed in the Year of the Reign of His Majesty King William the Fourth, intituled [*here set forth the Title of this Act*], the said *A.B.* doth grant and convey all the Land comprised in the First Schedule hereunder written, marked with the Letter A., unto the said *C.D.*, in lieu of and in exchange for the Land comprised in the Second Schedule hereunder written, marked with the Letter B., to the End and Intent that the Land comprised in the First Schedule may be held and enjoyed by the said *C.D.* and the Person or Persons who for the Time being shall be entitled thereto, and be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations, Restrictions, Charges, and Incumbrances as the Land comprised in the Second Schedule now is or may be subject or liable to: And this Indenture further witnesseth, that in pursuance of the said Act the said *C.D.* doth grant and convey all the Land comprised in the Second Schedule hereunder written, marked with the Letter B., unto the said *A.B.*, in lieu of and in exchange for the Land comprised in the First Schedule hereunder written, marked with the Letter A., to the End and Intent that the Land comprised in the Second Schedule may be held and enjoyed by the said *A.B.* and the Person or Persons who for the Time being shall be entitled thereto, and be and become subject to such and the same Uses, Trusts, Powers, Conditions, Limitations, Restrictions, Charges, and Incumbrances as the Land comprised in the First Schedule now is or may be subject or liable to. In witness, *&c.*

Schedule A. containing the Land conveyed by *A.B.* to *C.D.*

Schedule B. containing the Land conveyed by *C.D.* to *A.B.*

Witness
E.F.
G.H.

A.B. (L.S.)
C.D. (L.S.)

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