Devon by and under the Authority of the Warden of the Stannaries of the Counties of *Cornwall* and *Devon*, and his Special Deputy Wardens, and to the said Regiment of Miners, in like Manner as the same are applicable to and for the raising and Enrolment of the Militia of any County by and under the Authority of the Lieutenant and Deputy Lieutenants of such County, and to the Militia thereof, but so that in the event of Men being required under the Provisions of this Act to be raised by Ballot for the said Regiment the Provisions of the said Act of the Forty-second Year of King *George* the Third, Chapter Seventy-two, and of any Act amending the same, shall (subject to the Provisions of this Act) be applicable and put in force for the Purpose of raising such Men; and the Oath to be taken by Volunteers raised under this Act for such Regiment of Miners shall be the Oath appointed by the Act of the Fifty-first Year of King *George* the Third, Chapter One hundred and fourteen, to be taken by Men raised by Ballot for the said Regiment (inserting in such Oath the Name of the Sovereign for the Time being); and no Man shall be liable to be balloted for the said Regiment after Thirty-five Years of Age.

42 G. 3. c. 72.

51 G. 3. c. 114.

CAP. LI.

An Act to extend the Provisions of the Acts for the Commutation of Manorial Rights, and for the gradual Enfranchisement of Lands of Copyhold and Customary Tenure. [30th *June* 1852.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty Queen *Victoria*, intituled '*An Act for the Commutation of certain Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the Improvement of such Tenure:* And whereas the said Act was amended and explained by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of Her present Majesty, and by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty: And whereas it is expedient to extend the Provisions of the said Acts in manner herein-after provided:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows:

4 & 5 Vict. c. 35.

6 & 7 Vict. c. 23.

7 & 8 Vict. c. 55.

For effecting Enfranchisement after next Admittance.

I. At any Time after the next Admittance to any Lands which shall take place on or after the First Day of *July* One thousand eight hundred and fifty-three, in consequence of any Surrender, Bargain and Sale, or Assurance thereof (except upon or under a Mortgage in Cases where the Mortgagee is not in possession), or in consequence of any Descent, Gift, or Devise, and whether such Surrender, Bargain and Sale, or Assurance shall have been made, passed, or executed, or such Descent shall happen, or such Gift or Devise shall take effect before or after that Day, it shall be lawful for the Tenant so admitted or for the Lord to require and compel Enfranchisement in manner herein-after mentioned of the Lands to which there shall have been such Admittance as aforesaid; provided that no such Tenant shall be entitled to require such Enfranchisement until after Payment or Tender of the Fine or Fines and of the Fees consequent on such Admittance: Provided also, that if from any Cause such Enfranchisement shall not take place until some Event shall have happened which may require a second or any subsequent Admittance, such second or subsequent Admittance shall be made, with all the Rights incident thereto, as if this Act had not passed, and it shall be competent for the Lord or Tenant to require and compel Enfranchisement upon or after such second or subsequent Admittance in the Manner hereby provided for Enfranchisement upon the next Admittance.

Mode of effecting Enfranchisements.

II. In every Case where under the Powers of this Act any Lord or Tenant shall become entitled to require and shall require the Enfranchisement of any Copyhold Lands, he shall give

give Notice in Writing, the Lord to the Tenant, or the Tenant to the Lord, as the Case may be, of his Desire that such Lands should be enfranchised, and the Consideration to be paid to the Lord for such Enfranchisement shall, unless the Parties agree about the same, be ascertained under the Direction of the Copyhold Commissioners, upon Application to them in Writing in the Manner following, *viz.* by Two Valuers, One to be appointed by the Lord, and the other by the Tenant; and such Two Valuers before they proceed shall appoint an Umpire to whom any Points in dispute between them shall be referred; and in case the Valuers or Umpire, as the Case may be, shall not make their or his Decision, and deliver the Particulars thereof in Writing to the Lord and Tenant, or the Solicitor or Agent of such Lord and Tenant, within Forty-two Days after the Appointment of such Valuers, or after the Matter shall have been referred to such Umpire, as the Case may be, then the Commissioners shall act as Umpire in fixing the Consideration to be paid or rendered to the Lord; and in any Case where either Party shall neglect or refuse for Twenty-eight Days after being called on so to do to appoint his Valuer, the Commissioners shall appoint a Valuer for him as soon as may be after the Expiration of such Twenty-eight Days; and in any Case where any Valuers appointed under this Act, either originally or in the Place of any other Valuer, shall for the Space of One Week after their Appointment be unable to agree in the Appointment of such Umpire, the Commissioners shall appoint such Umpire; and such Umpire shall give in his Award in manner and within the Time aforesaid, and if he shall neglect or refuse or on any account fail so to do, the Commissioners shall act as such Umpire as aforesaid: Provided always, that it shall be lawful for the Lord and Tenant to appoint One and the same Person as Valuer, and in such Case the Valuations, Acts, and Award of such single Valuer shall have the same Effect as the Valuations, Acts, and Award of the Valuers or Umpire under the Provision herein contained: Provided also, that it shall be lawful for the said Commissioners, on Application to them in Writing by such Lord or Tenant, or such Umpire as aforesaid, if the said Commissioners shall see fit, to extend the Time within which a Valuer may be appointed, or any Decision or Award under this Act may be given.

Revoking Appointment of Valuer; Commissioners may remove for Misconduct, &c.

III. The Appointment of a Valuer by the Lord or by the Tenant shall not be afterwards revoked, except by the mutual Consent of the Lord and Tenant; provided always, that it shall be lawful for the Commissioners at any Time, on Complaint of either Party, to remove any Valuer or Umpire for Misconduct, or for Refusal or Omission to act.

In case of Death, &c. of Valuers, others to be appointed.

IV. Upon the Death, Incapacity, or Refusal to act, or Removal, from Time to Time, of any Valuer, another Valuer shall, by a Time to be fixed for such Purpose by the Commissioners, in the Manner and by the Means aforesaid, be appointed in his Stead; and in case such Death, Incapacity, or Refusal to act, or Removal, shall be of a Valuer who may have been chosen by the Lord and Tenant, then the Lord and the Tenant may in manner hereinbefore directed or authorized as regards them respectively substitute One other Person as Valuer, or the Lord may nominate One Valuer on his Behalf, and the Tenant another on his Behalf; and in any such Case where either Party shall neglect or refuse for Twenty-eight Days after being called on so to do to appoint his Valuer, the Commissioner shall appoint a Valuer for him as soon as may be after the Expiration of such Twenty-eight Days; and after every or any Substitution the new Valuer or Valuers for the Time being may adopt and act upon any Valuations and other Matters or Proceedings which shall have been completed or agreed upon by the Valuer or Valuers previously acting.

Commissioners, &c. may call for and enforce Production of Books and Documents.

V. The Commissioners, Assistant Commissioners, and Valuers may, by Summons under the Seal of the Commissioners, call for the Production for any of the Purposes of this Act, at such Time and Place as the Commissioners shall appoint, of any Court Rolls or Copies of Court Roll in the Possession or Power of any Lord or Tenant, or of the Steward of any Manor, and may by Summons under such Seal summon and examine any Lord or Tenant, or other Person on Oath, and administer the Oath necessary for that Purpose; and every Person who shall have been summoned, and to whom a reasonable Sum shall have been paid or tendered for his Expenses, and who shall without lawful Excuse neglect or refuse to attend or to produce any such Documents so called for as aforesaid, shall, being convicted thereof before any Two Justices of the Peace for the County wherein such Proceedings were held,

held, forfeit the Sum of Five Pounds; and any Person who shall wilfully give false Evidence in any Proceeding under this Act shall be guilty of Perjury; provided always, that no Lord or Tenant so summoned shall be bound to answer any Questions as to his Title.

Power of Entry for Purposes of Act.

VI. It shall be lawful for the Commissioners, Assistant Commissioners, and Valuers, and their Agents or Servants respectively, upon giving reasonable Notice to the Occupier, to enter upon any of the Lands and Hereditaments proposed to be dealt with under the Provisions of this Act, and to make all necessary Admeasurements, Plans, and Valuations of the same, without being subject to any Action, Obstruction, or Hindrance, making Compensation for all Injury, if any, occasioned thereby.

Valuers how to proceed.

VII. The Valuers shall determine the Value of the Manorial Rights and Incidents of Tenure from which the Lands proposed to be dealt with are to be enfranchised, and shall determine the Compensation to be received by the Lord for such Enfranchisement in manner herein-after mentioned; that is to say, where such Enfranchisement shall have been effected at the Instance of the Tenant, the Compensation shall be a gross Sum of Money to be paid at the Time of the Completion of the Enfranchisement, or in Cases where the Compensation exceeds Twenty Pounds, the same, if the said Commissioners shall so direct, and if all Persons (if any) who shall have any Mortgage, Charge, or Incumbrance affecting the Lands enfranchised, and which shall have been in existence at the Time of the passing of this Act, shall consent thereto, may remain as a First Charge, under the Provisions of this Act, on the Lands enfranchised, until the Expiration of such Time from the Day of such Completion as the said Commissioners shall appoint, but not exceeding in any Case Ten Years; and Interest at the Rate of Four Pounds *per Centum per Annum* shall be payable thereon, or on such Part thereof as shall from Time to Time remain unpaid, from the Time of such Completion as aforesaid half-yearly until full Payment thereof; and where such Enfranchisement shall have been effected at the Instance of the Lord, the Compensation shall be an annual Rentcharge to be issuing out of the Lands enfranchised: Provided always, that the Parties to any Enfranchisement under this Act may in any Case, with the Sanction of the Commissioners, agree that the Compensation shall be either a gross Sum of Money to be paid or charged as aforesaid, or a yearly Rentcharge, or a Conveyance of Land to be settled to the same Uses as the Manor of which the enfranchised Lands are holden is settled, as provided in the said recited Acts with respect to Enfranchisements effected by virtue thereof; and in every Case the Valuers shall frame an Award, showing the Amount, Nature, and Particulars of the Compensation which shall be in full Satisfaction of all Manorial Rights whatsoever, save as herein-after mentioned.

Questions of Law or Fact may be referred to the Commissioners.

VIII. In case any Objection shall be made or Question shall arise upon or prior to any Admittance or in the course of such Valuations, in relation to any alleged Custom, or the Evidence thereof, or any Matter of Law or Fact material to such Valuation or arising on any Enfranchisement, the same shall, on the Request in Writing and at the Option of any One of the Parties on either Side of the Matter in difference, be referred to the Commissioners or Assistant Commissioner, who shall inquire into and ascertain the same; and the Decision of such Commissioners or Assistant Commissioners shall be final: Provided nevertheless, that where any One of the said Party or Parties dissatisfied with any Decision of such Commissioners or Assistant Commissioner on any Matter of Law shall be desirous to appeal, then the like Proceedings may and shall be had for obtaining the Decision of One of the Superior Courts of Law at *Westminster* thereon, and such Decision shall be binding in like Manner as is provided by the said Act of the Session of the Fourth and Fifth Years of Her Majesty, Chapter Thirty-five, where a Person is dissatisfied with a Decision of such Commissioners or an Assistant Commissioner which involves a Point of Law only, and the Parties in difference are agreed upon the Facts relating thereto: Provided always, that no such Proceedings as aforesaid shall be had unless a Request to the Commissioners to direct a Case to be stated as in the said Act mentioned be made within Twenty-eight Days after the Decision in respect of which the Appeal is desired.

Appeal to be had on Matter of Law on a Case stated. 4 & 5 Vict. c. 35. s. 40.

Award to be confirmed by the Commissioners.

IX. After all such Objections (if made) shall have been heard and determined, then the Commissioners shall, if they shall see fit, and after such Investigation by themselves or by an Assistant Commissioner as may seem to them necessary, confirm such Award under their

Hands and Seal as aforesaid, and such Award so confirmed shall be forthwith registered at the Office of the Commissioners, and a Copy thereof shall be entered on the Court Rolls of the Manor to which the same shall relate, but the same, whether so entered or not, shall, after Registration at the Office of the said Commissioners, be valid.

Charge under Act to be a First Charge.

X. Any Charge under this Act shall be a First Charge on such Lands, and shall have Priority over all Mortgages, Charges, and Incumbrances whatsoever affecting such Lands, (except Tithe Commutation Rentcharges, and any Charges or Rentcharges which may have been or shall be charged upon the same Lands for the Drainage thereof by virtue of any of the Statutes in that Behalf,) notwithstanding the actual Priority in point of Date or anterior Title of such Mortgages, Charges, and Incumbrances: Provided always, that, notwithstanding any such Charge, any Monies already invested or any Monies previously secured or charged thereon may be continued on the Security of the same, notwithstanding the Imposition of the said Charge under this Act: Provided also, that no such Charge shall have Priority over any Mortgage, Charge, or Incumbrance which at the Time of the passing of this Act may affect the Lands enfranchised, without the Consent of the Persons entitled to such Mortgage, Charge, or Incumbrance.

Enfranchisements to be according to Form in Schedule.

XI. Any Enfranchisement of Lands under this Act or the said recited Acts shall be by Deed according to the Form in the First Schedule to this Act annexed, or as near thereto as the Circumstances of the Case will admit, or by Deed in any other Form which the Parties, with the Consent of the Commissioners, may think fit, and which Deed the Lord shall be bound to execute within Twenty-eight Days after the same shall be approved by the Commissioners on the same being tendered to him for that Purpose; and all Enfranchisements so made shall take effect from the Time of the Execution of such Deed by the Lord, but not before, and shall be effectual to vest the Land thereby conveyed in the Tenant or other Person to whom the Lands shall be conveyed, free from any Estates, Rights, Titles to Dower and Free Bench, Interests, Incumbrances, Claims, or Demands affecting the Manor of which the same Lands are holden: Provided always, that in the meantime and until such Enfranchisement shall so take effect all the Rights, Remedies, Powers, Privileges, and Conditions of and affecting the Lord and Tenant respectively in regard to such Lands, with all the Incidents of Tenure, shall remain and continue unaffected.

Form of Charge.

XII. Every Charge under this Act shall be made by a Certificate under the Hands and Seal of the Commissioners, to be called a Certificate of Charge; and such Certificate shall specify the whole Amount of Principal Money to be charged on the Lands, enfranchised under the Powers of this Act, subject to which the Land is enfranchised, and may specify any Place, to be agreed upon between the Parties, as the Place of Payment of the Principal Money and Interest charged by such Certificate; and, if the Parties so agree, or the said Commissioners shall so direct as aforesaid, such Certificate may provide that such Principal Money, or any Part or Parts thereof, shall continue upon the Security of such Certificate for any Term or Terms of Years, Period or Periods, in such Certificate mentioned, not exceeding Ten Years, and the Lands charged thereby may be described by Reference to the Enfranchisement thereof under the said Acts, or otherwise, as the Commissioners may think fit; and such Certificate may be in the Form set forth in the Schedule to this Act, or in such other Form as the Parties, with the Consent of the Commissioners, may think proper, and shall be entered on the Court Rolls of the Manor.

Certificates to be transferable by Endorsement.

XIII. Such Certificate, and the Charge thereby made, shall be transferable by Endorsement of such Certificate, and such Endorsement may be in the Form set forth in the Schedule to this Act, or to the like Effect.

Stamp on Certificates.

XIV. Every Certificate of Charge and Transfer thereof issued or made under this Act shall be chargeable with the like Stamp Duties as are chargeable in respect of other Mortgages and Transfers thereof.

Commissioners may correct any Error in Award, &c. after Notice

XV. It shall be lawful for the said Commissioners to correct and supply any manifest Error or Omission in any Award, or in any Deed of Enfranchisement or Charge under this Act, or any other Instrument authorized by this Act to be made or issued by the said Commissioners,

missioners, after such Notice to the Parties interested as the said Commissioners shall deem sufficient; provided that no such Error or Omission shall be corrected or supplied more than Five Years after the Execution of any such Award, Deed, or Instrument. to Parties interested.

XVI. In making any Valuation under this Act the Valuers shall take into account the Facilities for Improvement, Customs of the Manor, Fines, Heriots, Reliefs, Quit-rents, Chief-rents, Escheats, Forfeitures, and all other Incidents whatever of Copyhold or Customary Tenure, and all other Circumstances affecting or relating to the Land which shall be included in such Enfranchisement, and all Advantages to arise therefrom, and shall make due Allowance for the same. Valuer to take particular Circumstances of the Cases into consideration.

XVII. In case such Enfranchisement Consideration, or the Interest thereon, shall not be paid at the Time stipulated or provided for Payment thereof respectively, the Lord or other Person for the Time being entitled to the Benefit thereof shall become entitled to the Rents and Profits of the Land in respect of which the same Enfranchisement Consideration or Interest shall be due; and it shall be lawful for such Lord or other Person to proceed to obtain Possession of the said Land, or the Rents and Profits thereof, in like Manner as if the Land had remained unenfranchised, and been lawfully seised into the Hands of the Lord for some Default of a Tenant; and all the Rights and Remedies by the said recited Acts or any of them given for the Recovery of Rentcharges, Sums of Money, and other Payments, shall be applicable to the Sums of Money, Interest, and Payments payable under this Act, in the same Manner as if such Consideration had been a Consideration for an Enfranchisement under the said Acts. If Consideration not paid, the Lord may take possession.

XVIII. Where any Lord or other Person for the Time being entitled to the Benefit of any Enfranchisement Consideration, or the Interest thereon, shall have obtained Possession of the Land under the Powers and Provisions of the said recited Acts or this Act, it shall be lawful for the said Lord or other Person as aforesaid to let such Land, or any Portion thereof, for any Period not exceeding Seven Years, in possession, at such Rent as can be reasonably obtained for the same; and the Restitution of such Land, on Payment or Satisfaction of the Money due, and of all Costs and Expenses, shall be subject and without Prejudice to any such Lease. Land so obtained by Lord may be let for not exceeding Seven Years.

XIX. The Steward for the Time being of any Manor of which any Lands enfranchised under this Act shall be Parcel shall, on every such Enfranchisement, be entitled to receive from the Tenant, as a Compensation for the Trouble of such Steward about such Enfranchisement, and for the Extinguishment of his Office with respect to such Lands, such a Sum as the said Commissioners may direct, and, in the Absence of such Direction on this Subject, such a Sum as will amount to One Set of Fees on Surrender and Admittance for each of the Tenements included in such Enfranchisement, such Fees to be calculated according to the reasonable Custom or Usage prevalent in the Manor whereof such Lands shall be Parcel, and in case the Parties shall differ about the same the Amount shall be ascertained by the Commissioners; and the Steward, in consideration of such Compensation, shall prepare and deliver to the Tenant a proper Deed of Enfranchisement, duly executed by the Lord, without making any Charge for the same, or for completing the Enfranchisement, save Stamp Duty and Parchment: Provided always, that if more than One Set of Fees is demanded by the Steward, it shall be lawful for the said Commissioners to moderate and tax the Amount of such Fees to such Sum as shall appear to them just and reasonable. Steward's Compensation to include Preparation of Deed of Enfranchisement.

XX. At any Time after any Enfranchisement effected under the said recited Acts or this Act, it shall be lawful for any Persons seised of or interested in the Lands which have been so enfranchised to have Access to and to inspect the Court Rolls of the Manor of which the said Lands were holden, and to demand and have Copies thereof, on Payment of a reasonable Sum for the same; and the said Commissioners, if they shall think it necessary or expedient, may fix a Scale of Fees to be payable to the Steward or other Person having Custody of the Court Rolls for such Inspection of the Court Rolls, and for making all necessary Extracts or Copies thereof. Inspection, &c. of Court Rolls of the Manor.

XXI. When and as soon as all the Lands held of any Manor shall be enfranchised, the Lord or other Person having Custody of the Court Rolls of such Manor may, if he thinks fit, give After Enfranchisement, the Lord may give

up to the Commissioners all the Court Rolls. Inspection, &c. thereof.

give up and hand over to the said Commissioners all such Court Rolls; and from thenceforth all Persons seised of or interested in such Lands shall have Access to and may inspect such Court Rolls, and obtain Copies thereof, on the Payment of such reasonable Fees as to the said Commissioners may seem fit and proper.

Title of Lord to be made for the Purpose of Enfranchisement.

XXII. Previous to any Enfranchisement under this Act, it shall be lawful for the Lord and Steward, if they shall see fit, and if there shall be no Steward then for the Lord alone, to make a solemn Declaration, in such Form as the said Commissioners shall direct, and to be taken and subscribed as solemn Declarations are by an Act made and passed in a Session held in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, Chapter Sixty-two, directed to be taken and subscribed, stating therein the Nature and Extent of the Estate and Interest of the Lord in the Manor of which he is such Lord, and the Date and short Particulars of the Deed, Will, or other Instrument under which he claims or derives Title, and the Name and Style or other Designation or Description of the Person in whose Name the Court of any such Manor was then last holden, and the Date or Time of the Holding of such Court, and the Incumbrances, if any, whether by Mortgage, Judgment, or otherwise, which affect such Manor; and it shall be lawful for the said Commissioners and they are hereby directed to approve of such Title for the Purposes of this Act, which Approval shall be testified under their Hands and Seal, upon such Evidence alone, unless they shall be of opinion that further Information is necessary in the respects aforesaid; but if the said Commissioners shall consider that such Evidence does not fully and truly disclose all such Particulars as are necessary, or if no such Declaration shall be made, or if the Lord shall refuse or decline or fail to give such Information and Evidence as they shall deem proper and necessary to show a satisfactory *primâ facie* Title in the Lord, or in Persons claiming under or in trust for him, and if the said Commissioners shall consider either that the Title of the Lord is not satisfactory, or that the Incumbrancers should be protected, then, if they think the Justice of the Case requires it, they may direct that the Enfranchisement Consideration shall be invested as herein-after directed in case of Lords under Disability.

After an Application for Enfranchisement, Tenant may require Commissioners to inquire into the Lord's Title.

XXIII. In all Cases in which the Lord shall apply to the Commissioners to effect an Enfranchisement as aforesaid, it shall be lawful for the Tenant of the Lands so proposed to be enfranchised to require that the said Commissioners shall satisfy themselves, in such Way and by such Evidence as they shall see fit, of the Title of such Lord to the Manor of which the Lands are held.

Identity of Lands.

XXIV. In Cases where the Identity of any Lands described as to Quantity in the Court Books or Rolls of any Manor cannot be ascertained to the Satisfaction of the Valuers, such Lands shall be taken at the Quantities mentioned in the Court Books or Rolls of the Manor, and as to any Lands the Quantities of which are not specified in the Court Books or Rolls of any Manor, the same shall be taken at such Quantities as such Valuers may determine; and it shall be lawful for the Lord of any Manor, or for any Tenant of any Manor, at any Time hereafter, in case of any Doubt or Difference of Opinion as to the Identity of any Lands, to apply to the Commissioners to define the Boundaries thereof for the Purpose of any Enfranchisement under this Act or the said recited Acts; and the Expenses of Identification shall be borne by the Party making such Application, unless the Commissioners shall otherwise direct; and the Commissioners shall proceed, in such Manner as they shall see fit, to ascertain, identify, and define such Boundaries; and such Identification and Definition of Boundaries to be made by the Commissioners shall be final and conclusive on all Parties for the Purposes of any such Enfranchisement.

As to Purchase by the Lord in certain Cases.

XXV. With respect to any Land proposed by any Tenant to be enfranchised under this Act, in case the Lord shall show to the Satisfaction of the Commissioners that any Change in the Condition of such Land, which but for this Act would or might have been prevented by the Incidents or Conditions of the Tenure thereof, will prejudicially affect in Enjoyment or Value the Mansion House, Park, Gardens, or Pleasure Grounds of such Lord, and in case such Lord shall by Writing under his Hand offer to purchase the Tenant's Interest in such Land so proposed to be enfranchised, and shall give Notice to the Tenant of such Offer, then, unless the Tenant shall accept such Offer within Twenty-eight Days after receiving Notice thereof, such Land shall remain unenfranchised, unless the Commissioners shall think fit

fit to impose such Terms and Conditions, in case of Enfranchisement, as shall in their Judgment be sufficient to protect the Interests of the Lord; and in case the Tenant shall within Twenty-eight Days as aforesaid signify in Writing to the Commissioners his Acceptance of the said Offer, such Offer by the Lord and Acceptance by the Tenant shall be binding both upon Lord and Tenant; and in case the Lord and Tenant shall not within such Time as the Commissioners shall limit agree on the Value of the Rights and Interest of the Tenant, it shall be lawful for the Commissioners to appoint a Valuer for the Purpose of ascertaining such Value, or to refer the same to the Valuers, if any, then acting in the Enfranchisement; and all the Costs, Charges, and Expenses of such Valuation and attending such Purchase shall be borne by the Lord; and when such Value shall have been agreed upon or ascertained as aforesaid the Commissioners shall issue a Certificate under their Hands and Seal, which shall state the Land which shall have been sold to the Lord, and the Consideration Money for the same, and shall declare that upon Payment of the Consideration Money therein mentioned within a Time to be therein limited such Land shall at the Time of such Payment be surrendered or released by the Tenant (at the Expense of the Lord) to the Lord, and thereupon such Land shall vest in such Lord accordingly: Provided always, that in case such Consideration Money shall not be paid within the Time limited by the Commissioners, or within such further Time as the Commissioners may have granted in that Behalf, and it shall appear to the Commissioners that the same shall have remained unpaid by the Default of the Lord, it shall be lawful for the Commissioners to cancel such Certificate, and such Enfranchisement may be proceeded with as if such Offer and Acceptance as aforesaid had not been made, and all Costs which the Commissioners shall certify to have been incurred by the Tenant in consequence of such Offer, Acceptance, and Default shall be paid by the Lord to the Tenant.

Power to Lord having a limited Interest to charge Purchase Money on Manor, &c.

XXVI. Provided also, That where the Lord of a Manor by whom any Purchase is hereby authorized to be made shall not be seised in Fee Simple or Fee Tail of and in or otherwise entitled to an absolute Power of Disposition over the Manor, it shall be lawful for such Lord, with the Consent of the Commissioners, to raise the Consideration for such Purchase, and the Expenses of the same, by a Charge of or upon the same Manor, or any Lands settled therewith to the same Uses, such Charge to be made in such Form, and upon such Terms, and at such Rate of Interest, as the Commissioners shall direct from Time to Time.

After 1st July 1853, when a Heriot shall be due and payable, the Lord or Tenant may require or compel Enfranchisement.

XXVII. 'And whereas in many Manors Heriots are by Custom due and payable to 'the Lord by Tenants of Freehold or Customary Freehold Lands holden of such Manors:' Be it therefore enacted, That at any Time after any such Heriot shall be due or payable with respect to any such Freehold Lands on or after the First Day of *July* One thousand eight hundred and fifty-three, it shall be lawful for the Lord or the Tenant to require and compel the Extinguishment of all such Claim to Heriots, and the Enfranchisement of the Lands subject thereto, in the same Way as if such Lands were Copyhold, and the same Proceedings shall thereupon be had as are herein mentioned with reference to the Enfranchisement of Copyhold Lands, or as near thereto as the Nature of the Case will admit.

Declaration to be taken by Valuers.

XXVIII. Before any Valuer shall enter upon the Valuation under this Act he shall in the Presence of a Justice of the Peace make and subscribe the following Declaration; (that is to say,)

'I *A.B.* do declare, That I will faithfully, to the best of my Ability, value, hear, and determine the Matters referred to me under the Copyhold Acts. *A.B.*

'Made and subscribed in the Presence of'

And such Declaration shall be annexed to the Schedule of Valuation, when made; and if any Valuer, having made such Declaration, shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

As to Recovery of Interest in Enfranchisement Considerations.

XXIX. In case the Interest payable in respect of any gross Sum of Money, pursuant to any Award under this Act, or any Part of the same, shall be in arrear for Thirty Days after the same shall become due, it shall be lawful for the Person for the Time being entitled to receive such Interest to levy the same by the same Means and Remedies and in the same

same Manner in all respects as if the same had been Rent in arrear upon a Lease for Years.

As to Expense of Proceedings under this Act.

XXX. The Expenses of the Proceedings for effecting any Enfranchisement under this Act, and all Expenses which in the Judgment of the said Commissioners may be incidental thereto, whether for the Proof of Title, the Production of Documents, Expenses of Witnesses, or otherwise, shall be borne by the Party, whether Lord or Tenant, who shall have required the Enfranchisement, but no Costs or Expenses shall be due or recoverable from any Person until the same shall have been certified, under the Hands and Seal of the said Commissioners, or of an Assistant Commissioner, to have been reasonably and properly incurred; and in case any Dispute or Difference shall arise as to the Amount of such Expenses, the Certificate of the Commissioners or Assistant Commissioner shall be final, and any Person to whom such Certificate shall be granted shall have the same Means and Remedies for the Recovery of the Sum mentioned therein as are provided by the said recited Acts or by this Act for the Recovery of the Consideration for an Enfranchisement under this Act.

How Expenses of Enfranchisement to be borne where the Lord has but a limited Interest in a Manor, or is Trustee thereof.

XXXI. In every Case in which the Lord shall require and compel an Enfranchisement under this Act, where such Lord shall be an Ecclesiastical Corporation or a Corporation sole not having an absolute Power of Sale, or shall have only a limited Interest in the Manor or be a Trustee thereof, the Expenses of the Proceedings for effecting such Enfranchisement, and all Expenses which in the Judgment of the said Commissioners may be incidental thereto, whether for the Proof of Title, the Production of Documents, Expenses of Witnesses, or otherwise, (the Amount of such Expenses being subject to the Approval and Certificate of the said Commissioners as herein-before is mentioned,) shall be paid out of the First Monies to be received for any Enfranchisement to be effected under this Act, when the Consideration for such Enfranchisement shall be a gross Sum of Money; and in Cases where such Consideration shall not be a gross Sum of Money, then the said Expenses shall be charged, together with Interest for the same, at the Rate of not exceeding Four Pounds *per Centum per Annum*, on the said Manor or other Lands settled or held therewith, in such Manner as to the said Commissioners may seem fit and proper.

How Tenants Expenses of Enfranchisement are to be borne.

XXXII. In every Case in which the Tenant shall require and compel an Enfranchisement under this Act, where such Tenant shall have only a limited Interest in the Lands enfranchised, or be a Trustee thereof, he shall be entitled to charge the Expenses of the Proceedings for effecting such Enfranchisement, and all Expenses which in the Judgment of the said Commissioners may be incidental thereto, whether for the Proof of Title, the Production of Documents, Expenses of Witnesses, or otherwise, (the Amount of such Expenses being subject to the Approval of the said Commissioners as herein-before is mentioned,) on the Lands enfranchised, and such Expenses, and also the Consideration Money for such Enfranchisement, whenever such Consideration shall be a gross Sum of Money, may, by a simple Entry on the Court Rolls of the Manor, and for which Entry the Steward shall only charge such a Sum as the said Commissioners shall direct, be charged, together with Interest for the same at the Rate of not exceeding Four Pounds *per Centum per Annum*, on the Lands enfranchised, in such Manner as to the said Commissioners shall seem fit and proper: Provided always, that any gross Sum or Rentcharge constituting the Consideration for any such Enfranchisement shall have Priority over any Sum so charged for Expenses.

Confirmation of Award by Commissioners to be Proof of prior Proceedings being regular.

XXXIII. The Confirmation under the Hands and Seal of the Commissioners of any Award, or the Execution by the Commissioners of any Deed or Instrument whereby any Enfranchisement shall be effected under the said Acts or this Act, shall be conclusive Evidence that all the Directions in relation to the Enfranchisement intended to be effected by means of such Award, Deed, or Instrument, which ought respectively to have been obeyed or performed previously to such Confirmation or Execution respectively, have been obeyed and performed; and no such Award, Deed, or Instrument shall be impeached by reason of any Omission, Mistake, or Informality therein, or in any Proceeding relating thereunto, or on account of any Want of any Notices or Consents required by the said Acts or this Act, or on account of any Defects or Omissions in any previous Proceedings whatever in the Matter of such Enfranchisement.

XXXIV. From

After Confirmation of Apportionment, &c. in Cases of Enfranchisement, the customary Modes of Descent to cease, and the Lands to descend and to be subject to Dower and Curtesy in like Manner as Freehold Lands.

XXXIV. From and after the final Confirmation of any Schedule of Apportionment under the said recited Acts, and from and after the final Enfranchisement of any Lands under this Act or the said recited Acts, the several Lands included in any such Enfranchisement shall thenceforth cease to be subject to the Customs of Borough *English* or Gavelkind, or to any other Customary Mode of Descent, or to any Custom relating to Dower or Freebench or Tenancy by the Curtesy of *England*, or to any other Custom whatever; and all the Laws relating to Descents or to Estates of Dower or Estates by the Curtesy of *England* which shall for the Time being affect and be applicable to Lands held in Free and Common Soccage shall thenceforth affect and be applicable to the Lands included in every such Enfranchisement: Provided always, that nothing herein contained as to Curtesy or Dower or Freebench shall extend or be applicable to the Case of any Person who shall have been married before such Enfranchisement shall have been completed: Provided always, that nothing in this Act shall affect the Custom of Gavelkind as the same now exists and prevails in the County of *Kent*.

Proviso.

Proviso as to Gavelkind.

Commissioners to have Power to suspend Proceedings.

XXXV. Notwithstanding anything herein contained, it shall be lawful for the Commissioners from Time to Time to suspend any Proceedings under this Act for the Enfranchisement of any Land, where any peculiar Circumstances render it impossible, in the Opinion of the said Commissioners, to decide on the prospective Value of the Lands to be affected by such proposed Enfranchisement, or where any especial Hardship or Injustice would unavoidably result from any compulsory Proceeding: Provided always, that when the said Commissioners shall so suspend any proposed Enfranchisement they shall state the Reasons of such Suspension in their General Report, which shall be laid before Parliament as directed by the first-recited Act.

Power to Lord to sell Rentcharge.

XXXVI. In all Cases in which the Person for the Time being entitled to the Receipt of any Rentcharge under the said recited Acts or this Act shall be entitled thereto for a limited Estate or Interest only, or shall be a Corporation not authorized to make an absolute Sale of such Rentcharge otherwise than under the Provisions of this Act, it shall be lawful for such Person, with the Consent of the said Commissioners, testified under their Hands and Seal, or, in the Case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Consent of the Husband, Guardian, Committee, or Trustee of such Person so under Disability, to sell and transfer such Rentcharge, the Payment for which shall be made in manner herein-after mentioned.

Commissioners to certify the Amount of Consideration Money for Redemption.

XXXVII. In every Case in which a Rentcharge is payable under the Provisions of the recited Acts or this Act, the Commissioners shall, upon the Request of the Owners of Land chargeable with such Rentcharge, or any of them, certify under the Hands and Seal of the Commissioners the Sum of Money in consideration of which such Rentcharge may be redeemed; and when it shall appear to the Commissioners that Payment or Tender of such Consideration Money has been duly made, it shall be lawful for the Commissioners to certify that such Rentcharge has been redeemed under the Provisions of this Act, and such Certificate shall be final and conclusive: Provided always, that no such Redemption shall be effected in the Case of Rentcharges created before the passing of this Act, under the Provisions of the said recited Acts, except with the Consent in Writing of the Person or Persons entitled to the Receipt of such Rentcharge.

Consideration Money for Redemption of Sale, how payable.

XXXVIII. Where the Person entitled to a Rentcharge redeemable under the Provisions of this Act shall be absolutely entitled thereto in Fee Simple in possession, or shall be enabled to dispose of the Fee Simple in possession independently of the Provisions of this Act, and shall not be a Spiritual Person entitled in respect of his Benefice or Cure, or a Corporation prevented from aliening such Rentcharge otherwise than under the Provisions of this Act, a Payment or Tender to the Person so entitled of the Sum of Money certified by the Commissioners as aforesaid after Six Months Notice to the Person entitled to such Rentcharge shall be deemed a due Payment of the Consideration Money, and in every other Case the Payment of the Sum of Money so certified according to the Provisions herein-after contained shall be deemed a due Payment of the Consideration Money.

XXXIX. In

Consideration Money in Cases of Owners under Disability, how payable.

XXXIX. In all Cases in which the Person for the Time being entitled to any Rentcharge subject to be redeemed or sold under the Provisions of this Act, or entitled to any gross Sum payable by way of Compensation for Enfranchisement, shall be only entitled thereto for a limited Estate or Interest therein, or as Trustee for Sale or otherwise, without Power to give an effectual Discharge for the same, or shall be under any Disability, or shall be a Corporation not authorized to make an absolute Sale of such Rentcharge otherwise than under the Provisions of this Act, the Consideration Money to be paid for the Redemption or Sale of such Rentcharge, or as Compensation for such Enfranchisement, shall be applied in manner hereafter provided; (that is to say,) shall, at the Option of the Person for the Time being entitled as aforesaid, be paid 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 Copyhold Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Monies paid into the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes, (that is to say,) in the Purchase or Redemption of the Land Tax, or the Discharge of any Rent or Incumbrance affecting the Rentcharge in respect of which such Money shall have been paid, or the Manorial Incidents for which the same shall have been substituted, or affecting other Hereditaments settled therewith to the same or the like Uses, Trusts, or Purposes, or in the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, Purposes, and in the same Manner, as the Rentcharge for the Redemption of which such Money shall have been paid stood settled, or in Payment to any Party becoming absolutely entitled to such Money; and such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Receipt of the Rentcharge in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities, and the Dividends, Interest, or annual Income thereof paid to the Party who would for the Time being have been entitled to the Rentcharge in case the same had not been redeemed; or otherwise such Consideration Money may be paid, at the like Option of the Person for the Time being so entitled, to Trustees acting under the Will, Conveyance, or Settlement under which such Person having such limited Interest shall be entitled to or interested in such Rentcharge, or to such One or more of such Trustees as the said Commissioners may approve of and direct, or if there are no such Trustees, then into the Hands of Trustees to be nominated under the Hands and Seal of the said Commissioners; and the Money, when so paid to such Trustees, shall be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner herein-before directed concerning any Money to be paid for Redemption or Sale into the Bank of *England* in the Name and with the Privity of the said Accountant General; and upon every Vacancy in the Office of any Trustee appointed by the said Commissioners some other fit Person shall be appointed by them in like Manner.

As to Consideration Money under 20*l*.

XL. When any Consideration Money so to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds for the Redemption or Sale of all the Rentcharge which shall be redeemable under this Act in any One Manor, the same shall be paid, if the said Commissioners shall so direct, to the Person for the Time being entitled to the Rentcharge, for his own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of the Person for the Time being entitled, then such Money shall be paid, for the Use of the Person so entitled, to the Husband, Guardian, Committee, or Trustee of such Person.

Power to commute or enfranchise at fixed Fines or Rentcharges.

XLI. In any Commutation or Enfranchisement to be hereafter effected under or by virtue of the said recited Acts it shall not be imperative to make the Commutation Fines or Rentcharge, or Enfranchisement Rentcharge, variable with the Prices of Grain, but the same or any of them may, at the Option of the Parties effecting such Commutation or Enfranchisement, or at the Discretion of the Commissioners, as the Case may require, be fixed in Money or be made so variable as aforesaid.

XLII. Any

Tenants may deduct Rentcharges, &c. payable to Landlord.

XLII. Any occupying Tenant of any Lands to be enfranchised under this Act who shall pay any Rentcharge or Interest which may become payable under this Act shall be entitled to deduct the Amount thereof from the Rent payable by him to his Landlord, and shall be allowed the same in account with the said Landlord.

Surrenderee by way of Mortgage, &c. to be deemed a Tenant for certain Purposes.

XLIII. A Surrenderee by way of Mortgage under a Surrender entered on the Court Rolls in possession, or in the Receipt of the Rents and Profits of Land, shall be deemed a Tenant within the Meaning of this Act, entitled to obtain or join in obtaining and effecting Enfranchisement, and redeeming a Rentcharge, under this and the said recited Acts, by and with the Approbation of the said Commissioners; and any Money paid by any Mortgagee for or in respect of the Consideration or Costs of Enfranchisement or Redemption of Rentcharge under this and the said recited Acts shall be added to the Amount due to him as Mortgagee, and the Land shall not be redeemable without Payment of such Money, with Interest thereon.

Enfranchisement not to affect previous Leases or Demises.

XLIV. Where Land enfranchised under this or the said recited Acts was immediately before such Enfranchisement subject to any subsisting Lease or Demise at Will or for any greater Interest, the Freehold into which such Estate is so converted shall be the Reversion immediately expectant upon such Lease or Demise at Will, and the Rents and Services reserved and made payable upon such Lease or Demise shall be incident and annexed to such Reversion; and the Covenants or Agreements, whether expressed or implied, on the Part of both the Lessor and Lessee, shall run with the Land and with the Reversion respectively; and such Enfranchisement shall not prejudice or affect any Right of Distress, Entry, or Action accruing in respect of such Lease or Demise.

Not to affect Commonable Rights in respect of Lands enfranchised.

XLV. Nothing herein contained shall operate to deprive any Tenant of any Commonable Right to which he may be entitled in respect of such Lands, but such Right shall continue attached thereto, notwithstanding the same shall have become Freehold.

Enfranchisement not to affect Rights under any Will, Settlement, &c.

XLVI. No Enfranchisement under this Act shall, except as herein is mentioned, affect the Rights or Interests of any Person in, to, or out of the Lands enfranchised under any Will, Settlement, Mortgage, or otherwise, but the Right of every such Person shall continue to attach upon the Lands enfranchised, in the same Way, as nearly as may be, as if the Freehold had been comprised in and had been devised, conveyed, charged, or otherwise disposed of by the Will, Settlement, Mortgage, or other Instrument or Disposition under which any such Person shall claim.

Defective Titles of Lords and Tenants.

XLVII. Provided always, That if any Enfranchisement Consideration Money shall be paid to any Lord whose Title shall thereafter prove to be bad or insufficient, the rightful Owner of the Manor or his Representatives shall be entitled to recover against such Lord or his Representatives the Amount or Value of such Consideration Money as Money had and received to the Use of such rightful Owner, and Interest thereon at the Rate of Five Pounds *per Centum per Annum* from the Time of such Title so proving to be bad or insufficient; and that if any Tenant or Person claiming to be Tenant shall, after Payment by him of any Enfranchisement Consideration Money, be evicted from the Lands enfranchised, by an adverse Claimant, such Tenant or Person shall be entitled to claim the Repayment of such Consideration Money against the Lands enfranchised, and the Amount thereof shall be a Charge upon the Lands enfranchised, and shall carry Interest at the Rate of Four Pounds *per Centum per Annum* from the Time of such Eviction.

Act not to extend to Mines or Minerals, &c., nor to Copyholds for Lives where Tenants have not a Right of Renewal.

XLVIII. No Enfranchisement under this Act shall extend to or affect the Estate or Rights of any Lord or Tenant in or to any Mines, Minerals, Limestone, Lime, Clay, Stone, Gravel, Pits, or Quarries within or under the Lands enfranchised, or within or under any other Lands, or any Rights of Entry, Rights of Way and Search, or other Easements of any Lord or Tenant in, upon, through, over, or under any Lands, or any Powers which in respect of Property in the Soil might but for such Enfranchisement have been exercised, for the Purpose of enabling the said Lord or Tenant, their or his Agents, Workmen, or Assigns, more effectually to search for, win, and work any Mines, Minerals, Pits, or Quarries, or to remove and carry away any Minerals, Limestone, Lime, Stones, Clay, Gravel, or other Substances had or gotten therefrom, or the Rights, Franchises, Royalties, or Privileges of

any Lord in respect of any Fairs, Markets, Rights of Chase or Warren, Piscaries, or other Rights of Hunting, Shooting, Fishing, Fowling, or otherwise taking Game, Fish, or Fowl, unless with the express Consent in Writing of such Lord or Tenant; and nothing in this Act shall be held or construed to extend to any Copyhold Lands held for a Life or Lives or for Years, where the Tenant thereof hath not a Right of Renewal.

Copies registered at the Office of Commissioners to be Evidence.

XLIX. Copies of and Extracts from every Award under this Act which shall be registered under this Act at the Office of the Commissioners, purporting to be sealed or stamped with the Seal of the Commissioners, shall respectively be received in Evidence without any further Proof thereof; and a Copy entered under this Act on the Court Rolls of every such Award shall be as available for the Purposes of Evidence as any Entry on the Court Rolls, and a Copy of or Extract from any such enrolled Copy shall be as available for the Purposes of Evidence as a Copy of an Entry on the Court Rolls.

Agreements, &c. exempt from Stamp Duty.

L. No Agreement, Valuation, Schedule, Award, or Power of Attorney under this Act shall be chargeable with Stamp Duty.

Penalty on Persons obstructing Commissioner, Valuer, or Umpire.

LI. Any Person obstructing or hindering any Commissioner, Assistant Commissioner, Valuer, or Umpire acting under the Powers granted by the said recited Acts or by this Act, being convicted thereof before Two Justices of the Peace, shall forfeit the Sum of Five Pounds.

Construction of Words.

LII. In this Act, unless where the Context shows that the Words herein-after mentioned are used in a different or more restricted Sense, they shall be understood in manner herein-after mentioned; that is to say, the Word "Lands" shall extend to and include Messuages, Tenements, and corporeal or incorporeal Hereditaments, subject to any Manorial Rights, or any undivided Part or Share therein; the Word "Valuers" shall apply to and include a single Valuer, where authorized to act alone, or any Umpire to be appointed as herein mentioned, and also the Commissioners or the Commissioner or Assistant Commissioner proceeding upon or with any Valuation under this Act in Cases where such single Valuer, Umpire, Commissioner, or Assistant Commissioner respectively shall act in any such Valuation; the Word "Manor" shall extend to such Portion or Portions of a Manor as the said Commissioners shall by any Order in Writing under their Hands and Seal direct to be considered as a Manor for the Purpose of effecting any Enfranchisement under this Act; the Word "Lord" shall extend to and include the Lord or Lords of any Manor, whether seised for Life or in Tail or in Fee Simple, and all Ecclesiastical Lords seised in right of the Church or otherwise, and Lords Farmers holding under them, and any Body Politic, Corporate, or Collegiate, and all Lords seised of any Manor, whether they have or have not an absolute Power of selling or disposing of the same; and the Word "Steward" shall extend to and include a Deputy Steward or Clerk acting as such for the Time being.

This Act to be deemed Part of first-recited Act.

LIII. This Act shall be taken and construed as Part of the first-recited Act, and the Acts amending and explaining the same; and all the Enactments therein contained as to Enfranchisements effected under the Provisions thereof shall be deemed and taken to apply to Enfranchisements under this Act, and to the Rights of all Parties thereto, as if such Enactments were here again repeated, except so far as is herein-before otherwise provided for; and all Enfranchisements which may have taken place under such Acts or any of them, and all Matters and Things incident thereto, shall be of the same Force, Validity, and Effect as if the Provisions of this Act had been contained in the said first-recited Act.

Titles of Acts.

LIV. In citing or referring to the said recited Acts and this Act, or any of them, in other Acts or legal Instruments, it shall be sufficient to use the Expression "The Copyhold Acts," or "The Copyhold Act, 1841," "The Copyhold Act, 1843," "The Copyhold Act, 1844," or "The Copyhold Act, 1852," as the Case may be.

Not to impede Enfranchisement irrespective of this Act, or Powers in other Acts of Parliament.

LV. Provided always, That nothing herein contained shall interfere with or prevent or impede the Enfranchisement of any Lands whatsoever which may be enfranchised irrespective of this Act, where Parties competent to do so shall agree on such Enfranchisement, or the Exercise of any Powers contained in any other Acts of Parliament.

SCHE-

SCHEDULE.

No. 1.

FORM of DEED of ENFRANCHISEMENT.

This Indenture, made the Day of in the Year between *A.B.*, Lord of the Manor of of the One Part, and *C.D.* of in the County of a Tenant of the said Manor, of the other Part: Whereas on or about the Day of the said [*Tenant*] was admitted Tenant to the Lands Parcel of the said Manor described in the Schedule hereto, upon an absolute Surrender passed to his Use by [*or* by virtue of a Bargain and Sale from *or* by virtue of the Will of *or* as Customary Heir of *as the Case may be*]: Now this Indenture witnesseth, That in consideration of the Sum of Pounds Sterling by the said [*Tenant*] to the said [*Lord*] now paid, the Receipt of which the said [*Lord*] hereby acknowledges [*or* in consideration of the Rentcharge to be reserved, *as the Case may be*], he the said [*Lord*], in exercise of any Power given him by the said Copyhold Acts, or any other Power whatsoever, and with the Consent of the Copyhold Commissioners, hereby enfranchises and releases unto the said [*Tenant*], his Heirs and Assigns, all the Lands to which the said [*Tenant*] was so admitted Tenant as herein-before recited, and which are described in the Schedule hereto, together with their Appurtenances, To hold the said Lands (subject to the [*here state the gross Sum of Money or Rentcharge*] secured to the said by the Certificate of the Copyhold Commissioners, *as the Case may require*,) unto the said [*Tenant*], his Heirs and Assigns [*here state any Uses which may be required*], as Freehold, henceforth and for ever, discharged by these Presents from all Fines, Heriots, Reliefs, Quitrents, and all other Incidents whatsoever of Copyhold or Customary Tenure: Provided always, that nothing in this Deed contained shall prejudice or affect the Rights or Remedies of the said [*Lord*] in respect of any Lands held of the said Manor, other than those comprised in the Schedule hereto, nor any of the Rights reserved by the Copyhold Act, 1852, Section Forty-eight. In witness, *&c.*

THE SCHEDULE.

No. 2.

CERTIFICATE of CHARGE affecting LANDS comprised in an Enfranchisement in the Manor of

's Enfranchisement.

WE, the Copyhold Commissioners, do hereby certify, That the [*here state the gross Sum of Money, or the annual Rentcharge, which is the Consideration for the Enfranchisement, as the Case may be*] has been awarded on account of the Enfranchisement of the Lands described in the Schedule hereto, and we hereby charge the same Lands with the Payment of the [*here state the gross Sum of Money, or annual Rentcharge, as the Case may be; and, if a gross Sum of Money, add,* with Interest thereon at the Rate of Pounds per Centum per Annum] [*here insert the Terms of Payment of the Principal and Interest* (*if any*), *and the Place* (*if any*) *agreed on for Payment thereof*]; and we certify, that the whole Principal Money charged on the said Lands under Certificates of Charge amounts to the Sum of Pounds, and that the said Lands were enfranchised subject to [*mention any gross Sums or annual*

Rentcharges (other than Tithe Rentcharges) subject to which the Lands were enfranchised].
In witness whereof we the said and have
hereunto set our Hands and the Seal of the said Commissioners, this Day
of in the Year of our Lord 185 .

THE SCHEDULE.

E. F.
G. H.

[*Seal of the said Commissioners.*]

[*Here may follow Receipts for Principal and Interest respectively.*]

No. 3.

FORM of ENDORSEMENT of TRANSFER of CERTIFICATE.

I *A.B.* of hereby transfer the within-written Certificate to *C.D.*
of . Dated this Day of 18 .

A.B.

CAP. LII.

An Act to enable Colonial and other Bishops to perform certain Episcopal Functions under Commission from Bishops of *England* and *Ireland*.

[30th *June* 1852.]

'WHEREAS by an Act passed in the Fifty-third Year of the Reign of His Majesty
53 G. 3. c. 155. 'King *George* the Third, intituled *An Act for continuing in the* East India *Company*
'*for a further Term the Possession of the* British *Territories in* India, *with certain exclusive*
'*Privileges, for establishing further Regulations for the Government of the said Territories*
'*and the better Administration of Justice within the same, and for regulating the Trade to and*
'*from the Places within the Limits of the said Company's Charter*, it was provided and
'enacted, that in case it shall please His Majesty, by His Royal Letters Patent under the
'Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to found and constitute
'One Bishoprick for the whole of the said *British* Territories in the *East Indies* and other
'Parts within the Limits of the said Company's Charter, and from Time to Time to nomi-
'nate and appoint a Bishop to such Bishoprick, that such Bishop shall not have or use any
'Jurisdiction or exercise any Episcopal Functions whatsoever, either in the *East Indies* or
'elsewhere, but only such Jurisdiction and Functions as shall or may from Time to Time
'be limited to him by His Majesty, by Letters Patent under the Great Seal of the said
'United Kingdom: And whereas by an Act passed in the Third and Fourth Years of the
3 & 4 W. 4. c. 85. 'Reign of His Majesty King *William* the Fourth, intituled *An Act for effecting an*
'*Arrangement with the* East India *Company, and for the better Government of His Majesty's*
'Indian *Territories, till the Thirtieth Day of* April *One thousand eight hundred and fifty-*
'*four*, it was provided and enacted, that in case it shall please His Majesty to erect, found,
'and constitute Two Bishopricks, One to be styled the Bishoprick of *Madras*, and the other
'the Bishoprick of *Bombay*, and from Time to Time to nominate and appoint Bishops to
'such Bishopricks, under the Style and Title of Bishop of *Madras* and *Bombay* respectively,
'that such Bishops shall not have or use any Jurisdiction or exercise any Episcopal
'Functions whatsoever, either in the said Territories or elsewhere, but only such Juris-
'diction and Functions as shall and may from Time to Time be limited to them respectively
'by His Majesty by His Royal Letters Patent under the Great Seal of the said United
'Kingdom:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice
and