



ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

Cap. 5.

An Act for authorizing certain Agreements between the Chancellor and Council of Her Majesty's Duchy of *Lancaster* and Sir *Peter Hesketh Fleetwood* Baronet to be carried into effect ; and for other Purposes. [15th July 1850.]

WHEREAS by an Indenture bearing Date the Tenth Day of *October* One thousand eight hundred and forty-five, and made or expressed to be made between the Chancellor and Council of Her Majesty's Duchy of *Lancaster* of the one Part, and Sir *Peter Hesketh Fleetwood* of *Rossall Hall* in the County Palatine of *Lancaster* of the other Part, after reciting that Her most Gracious Majesty, in right of Her Duchy and County Palatine of *Lancaster*, being entitled to and Owner of all such Parts of the Sea Shore and Harbours as are between High-water Mark and Low-water Mark in Her County Palatine of *Lancaster*, and all Land in the said County Palatine won from the Sea by the perceptible receding of the Sea, or by the Exclusion of the Sea flowing over the same, in consideration of the Premises, and of the Rent or Sum therein-after mentioned, the

[Private.] said

Indenture of Agreement, dated 10th October 1845.

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

said Chancellor and Council, for and on behalf of Her Majesty, Her Heirs and Successors, had agreed with the said Sir *Peter Hesketh Fleetwood*, that they the said Chancellor and Council would at any Time after the Completion of the Inclosure and Reclaim, to the Satisfaction of the Surveyor for the Time being of the Lands within the North Parts of the said Duchy, of the Lands therein described, and thereby agreed to be granted, upon the Application of the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, grant unto the said Sir *Peter Hesketh Fleetwood* and his Heirs, or to such Person or Persons as he or they should nominate and appoint in that Behalf, the Part or Parcel of the Bay called *Kirkscar Bay* situate in the said County Palatine delineated in the Map or Plan drawn in the Margin of the same Indenture, and therein coloured Brown, or so much and such Portion or Portions thereof as should have been for the Time being inclosed and reclaimed, and the Fee Simple and Inheritance thereof respectively, at or for such Price or Consideration as therein-after mentioned, (that is to say,) at or for an annual Sum or yearly Fee-farm Rent equal in Amount to One Twentieth Part of the full annual Rack-rent Value of the Lands, when reclaimed, so to be granted as aforesaid, or of the Portion or Portions thereof to be for the Time being granted as aforesaid, such Rack-rent Value to be computed in the Manner and with such Deductions as in the said Indenture now in recital are mentioned; and in the same Indenture it was provided, that the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, should be at liberty at any Time to redeem or purchase such Fee-farm Rent or Rents, upon Payment of such a Sum of Money as should be equivalent or amount to Twenty Years Purchase of such Fee-farm Rent or Rents respectively which should be so required to be redeemed or purchased as aforesaid: And whereas by an Indenture bearing Date the Second Day of *March* One thousand eight hundred and forty-eight, and made or expressed to be made between the said Chancellor and Council of the Duchy of *Lancaster* of the one Part, and the said Sir *Peter Hesketh Fleetwood* of the other Part, after reciting, that in consideration of the Expense which would be incurred by the said Sir *Peter Hesketh Fleetwood*, his Heirs, Executors, Administrators, or Assigns, in or about the inclosing and reclaiming from the Sea of the Part of the Sea Shore between High-water Mark and Low-water Mark therein-after mentioned, and agreed to be granted in the Manner therein-after mentioned, and of the Fee-farm Rent or annual Sum and other the Rent therein-after mentioned and made payable in respect of the same Premises, the said Chancellor and Council had agreed with the said Sir *Peter Hesketh Fleetwood* to grant to him the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, in the Manner therein-after mentioned, the Part of the Sea Shore therein-after mentioned, (that is to say,) the Part of the Sea Shore commencing at the Lighthouse then erected on the
Shore

Indenture of Agreement,
dated 2d
March 1848.

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

Shore at the Entrance to *Fleetwood* Harbour in the said County Palatine of *Lancaster*, and continuing, first in a Westerly and then in a Southerly Direction, down to and as far as the Southern Boundary of the Estate of the said *Sir Peter Hesketh Fleetwood* at or near the Farm-house in *Old Angersholme* otherwise *Lamb House* in the Township of *Bispham* in the said County Palatine, the Coast Line of that Portion of the Sea Shore which was by the same Indenture agreed to be granted being delineated in the Map or Plan on the Back of the last Skin of the same Indenture, and therein delineated by a Red Line, subject nevertheless to the Fee-farm Rent or annual Sum and other the Rent therein-after mentioned, and also subject to the Provisions therein-after contained; and also reciting, that for the Purpose of enabling and facilitating the Inclosure and reclaiming by the said *Sir Peter Hesketh Fleetwood*, his Heirs and Assigns, of the said Part of the Sea Shore thereby agreed to be granted in the Manner therein-after mentioned, or any Part thereof, and the Construction, Maintenance, and Preservation of the Embankments, Groins, Weirs, and Works which it might be considered necessary or convenient to make, erect, construct, or maintain for the Purposes of such Reclaim and Inclosure, the said Chancellor and Council had agreed with the said *Sir Peter Hesketh Fleetwood* (subject to the Act of Parliament therein-after mentioned being first obtained, provided such Act should be deemed necessary,) to grant to him, his Heirs and Assigns, such Right, Privilege, and Easement as were therein-after mentioned; the said Chancellor and Council, in consideration of the Premises, and of the Fee-farm Rent or annual Sum and other the Rent therein-after mentioned, did, for and on behalf of Her Majesty, Her Heirs and Successors, agree with the said *Sir Peter Hesketh Fleetwood*, that they the said Chancellor and Council would, so far as they lawfully could or might, but not further or otherwise, at any Time after the Completion of the Reclaim and Inclosure of the said Part or Parcel of the Sea Shore between High-water Mark and Low-water Mark delineated in the said Map or Plan, and therein coloured Red, or any Part or Parts thereof, to the Satisfaction of the Surveyor for the Time being of the Lands within the North Parts of the said Duchy, upon the Application of the said *Sir Peter Hesketh Fleetwood*, his Heirs or Assigns, (subject to the Act of Parliament therein-after mentioned being first obtained, should such Act be deemed necessary,) grant and convey to the said *Sir Peter Hesketh Fleetwood* and his Heirs, or to such Person or Persons as he or they should nominate or appoint in that Behalf, the said Part or Parcel of the Sea Shore the Coast Line whereof is delineated in the said Map or Plan on the Back of the last Skin of the said Indenture now in recital, and therein coloured Red, or so much and such Portion or Portions thereof as should have been for the Time being inclosed and reclaimed, and the Fee Simple and Inheritance thereof respectively,

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Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

at or for such Price or Consideration as therein and herein-after mentioned, (that is to say,) at or for the annual Rent of a Peppercorn, if demanded, and at and for an annual Sum or yearly Fee-farm Rent equal in Amount to One Twentieth Part of the full annual Rack-rent Value of the Lands, when reclaimed, so to be granted pursuant to the said Indenture now in recital, or of the Portion or Portions thereof to be for the Time granted as aforesaid, such Rack-rent Value to be computed in manner and with such Reduction as therein and herein-after mentioned, that is to say, an Estimate should be made of the annual Rack Rent at or for which the Land, or Portion or Portions of Land, so to be granted as aforesaid, might be reasonably let upon Lease for the Term of Twenty-one Years, commencing from the Time of the Execution of such Grant or Grants respectively, and an Estimate should also be made of the Costs and Expenses incurred and to be incurred by the said *Sir Peter Hesketh Fleetwood* in making and completing the reclaiming and Inclosure of the said Lands, or the Portion or Portions thereof so to be granted pursuant to the said Indenture now in recital, up to the Period of the Execution of such Grant or Grants respectively, and an Allowance in the Way of an annual Sum equal to Interest after the Rate of Five Pounds *per Centum per Annum* upon the Amount of such Costs and Expenses should be deducted from the estimated Amount of Rack-rent Value, for the said Period of Twenty-one Years, and the Fee-farm Rent so to be reserved upon such Grant or respective Grants as aforesaid should be equal in Amount to One Twentieth Part of the annual Rack-rent Value (after such Deduction as aforesaid of the Land, or Portion or Portions of the Land, so to be granted as aforesaid), and such Fee-farm Rent and other Rent should be reserved and made payable to the Receiver General for the Time being of the Revenues of the said Duchy, on behalf of Her said Majesty, Her Heirs and Successors, in manner and form as the Attorney General for the Time being of the said Duchy should approve; and it was thereby further agreed by and between the said Parties thereto, that such Grant and Conveyance, and any other Instrument concerning the Premises, and the Enrolment thereof in the Court of the Duchy Chamber of *Lancaster*, should be made and executed at the Expense of the said *Sir Peter Hesketh Fleetwood*, his Heirs or Assigns; and also that the Estimates of such Rack-rent Value as aforesaid, and the Amount of the Expenses in respect whereof a Deduction was to be made as aforesaid, should be respectively ascertained and approved of by such Surveyor for the Time being as aforesaid; and also that not less than One hundred Acres of the Lands so to be granted as aforesaid should be comprised in each such Grant (if more than One); and further, that if the Lands should be conveyed by more than One such Grant, all such Powers of Distress (if any) as the said Attorney General for the Time being should think fit should be

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inserted in each and every such Grant as should make each and every Part of the Lands to be so granted by the said Chancellor and Council liable for as well the aggregate Amount of the Rents to be reserved by all such Grants as for each and every of the Rents reserved by such Grants respectively, without Prejudice to any other Remedies for the recovering of such Rent or respective Rents; and it was thereby further agreed by and between the said Parties thereto, that it should be lawful for the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, at any Time to redeem or purchase such Fee-farm Rent or Fee-farm Rents respectively, if more than One, or any of them, as aforesaid, upon Payment (as the Price or Consideration for such Purchase or Redemption) of such Sum of Money as should be equivalent or amount to Twenty Years Purchase of such Fee-farm Rent or Fee-farm Rents respectively which should be required to be so redeemed or purchased as aforesaid; and that upon Payment of such Sum or Sums of Money, as and for the Price or Consideration of such Redemption respectively, and all Arrears (if any) of such redeemed Fee-farm Rent or Fee-farm Rents, the Fee-farm Rent or Fee-farm Rents redeemed as aforesaid should respectively thenceforth cease and determine and be no longer payable, and the Land charged therewith should, at the Costs and Charges of the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, be duly released and discharged therefrom; and by the said Indenture now in recital, and in consideration of the Premises, with a view to enabling and facilitating the Reclaim and Inclosure by the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, of the Land therein-before agreed to be granted, or any Part thereof, and the Construction, Maintenance, and Preservation of the Embankment, Groins, Weirs, and Works which it might be considered necessary or convenient to make, erect, construct, maintain, or preserve, for the Purposes of such Reclaim and Inclosure or any Part thereof, the said Chancellor and Council did thereby, as far as they lawfully could and might, but not further or otherwise, (subject to the Act of Parliament therein-after mentioned being first obtained, should the same be deemed necessary,) give and grant unto the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, full and free Liberty, Licence, and Authority, from Time to Time and at all Times after the Execution of the same Indenture, by himself and themselves, his and their Servants, Agents, and Workmen, to take, remove, and carry away, and dispose of and apply for the Purposes of inclosing and reclaiming the said Part of the Sea Shore therein-before agreed to be granted in the Manner aforesaid, or any Part thereof, and for the Construction, Maintenance, and Preservation of the Embankment, Groins, Weirs, and Works which it might be considered necessary or convenient to make, construct, or maintain for the Purpose of such Reclaim and Inclosure, or any Part thereof, and in such Manner as the

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said

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said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, should think proper, the Stones, Sand, Shingle, and all other Materials in, under, or upon the Part of the Sea Shore therein-before agreed to be granted, or any Part or Parts thereof, and with full Power for them and him, the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, and his and their Servants, Agents, and Workmen, to work and manufacture the same, in or upon the same Premises or any Part thereof, in such Manner as he or they, the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, should think fit: Provided always, and it was thereby agreed, that in case the said Chancellor and Council should be advised that an Act of Parliament should be obtained for carrying into effect the Objects and Purposes of the said Agreement now in recital, the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, should apply for such Act of Parliament, and the said Chancellor and Council, for and on behalf of Her Majesty, Her Heirs and Successors, should consent to such Act of Parliament, to enable the Agreement or respective Agreements therein-before contained, and the said Grant therein-before expressed to be made, to be carried into effect, upon the Terms therein-before mentioned of and concerning the same Premises respectively, and as respects the said Lands so agreed to be granted, at the Fee-farm Rent or annual Sum and other the Rent therein-before mentioned, such Act nevertheless to be obtained, and the Consent of the said Chancellor and Council, for and on behalf of Her Majesty, Her Heirs and Successors, thereto, to be given or procured, at the proper Costs, Charges, and Expenses of the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, in all respects, and such Act to contain all such Provisions, Conditions, and Restrictions as the said Chancellor and Council should deem fitting and proper for preserving and protecting the Rights of Her said Majesty, Her Heirs and Successors, in, over, and upon all other Estates of Her said Majesty in right of Her said Duchy, and for limiting the Use of the said Stones, Sand, Shingle, and Materials therein-before agreed (subject as aforesaid) to be granted to the Purposes therein-before mentioned: And whereas by an Indenture bearing Date the Third Day of *March* One thousand eight hundred and forty-eight, and made between the said Chancellor and Council of the Duchy of *Lancaster* of the one Part, and the said Sir *Peter Hesketh Fleetwood* of the other Part, after reciting the said respectively herein-before recited Agreements of the Tenth Day of *October* One thousand eight hundred and forty-five and the Second Day of *March* One thousand eight hundred and forty-eight, between the said Chancellor and Council and the said Sir *Peter Hesketh Fleetwood*, and that the said Sir *Peter Hesketh Fleetwood* was the Owner of the Estate and Lands delineated or the Map or Plan endorsed and numbered 3 on the Third Skin of the said Indenture now in recital, and therein coloured Yellow, which said Estate and Lands were situate in the said County Palatine,

Indenture of Agreement, dated 3d March 1848.

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

Palatine, and that the said Sir *Peter Hesketh Fleetwood*, in virtue of such Ownership, had been accustomed to use the Stones, Sand, Shingle, and other Materials of the Shore or Beach of the River *Wyre*, for the Purpose of maintaining and repairing the Part of the said Embankments or Cops which were constructed along the Line or Course of the said Estate and Lands, and that the said Chancellor and Council had agreed with the said Sir *Peter Hesketh Fleetwood* to grant to him such Right, Liberty, or Easement of taking and using the Stones, Sand, Shingle, and other Materials of the Shore or Beach of the said River *Wyre* for the Purpose of maintaining and repairing the said Part of the Embankments or Cops, with such further Right or Liberty of using the said Stones, Sand, Shingle, and other Materials for the Purposes in the said recited Indentures and therein-after mentioned, in consideration of the Premises the said Chancellor and Council, for and on behalf of Her said Majesty, Her Heirs and Successors, and so far as they lawfully could or might, but not further or otherwise, did give and grant unto the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, full and free and exclusive Liberty, Licence, and Authority, by themselves and himself, his and their Servants, Agents, and Workmen, from Time to Time and at all Times thereafter, at his and their Will and Pleasure, to take, remove, employ, use, and apply all or any Part of the Stones, Soil, Sand, Shingle, and other Materials lying and being in, under, or upon any Part of the Shore or Beach lying between ordinary High and Low Water Mark between the Points respectively marked A and B in the Map or Plan endorsed on the same Indenture, and therein numbered 3, and also all or any Part of the Stones, Soil, Sand, Shingle, and other Materials lying and being in, under, or upon any Part of the Shore or Beach between High and Low Water Mark in the Part of *Kirkscar Bay* aforesaid agreed to be granted by the said first therein-before mentioned Indenture, and to use and employ all or any of the said Stones, Soil, Sand, Shingle, and other Materials therein-before expressed to be granted by the same Indenture for the Purposes therein-after mentioned, (that is to say,) for the Purpose of maintaining and repairing the said Cops or Embankments between the said Points respectively marked A and B in the said Map or Plan thereto numbered 3, for the Purpose of completing and for maintaining and repairing the Embankment, Fences, Sea Walls, Groins, Weirs, and other Works already made and constructed, or thereafter to be made or constructed, in or about the reclaiming and Inclosure of the said Lands so agreed to be granted, as in the said first therein and herein-before recited Indenture is mentioned, and which said Lands were delineated in the said Map or Plan endorsed and numbered 1 on the Third Skin of the said Indenture now in recital, and therein coloured Brown, and for the Purpose of making, constructing, completing, maintaining, and repairing all or any of the Embankments, Fences, Sea Walls, Groins, Weirs,

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Weirs, or other Works which might be thereafter constructed or made for or in or about the reclaiming and Inclosure of the said Part of the Sea Shore in and by the said recited Agreement of the Second Day of *March* One thousand eight hundred and forty-eight agreed to be granted in the Manner aforesaid, the Coast Line of which said last-mentioned Lands is delineated by a Red Line on the said Map or Plan endorsed and numbered 2 on the Third Skin of the said Indenture now in recital, to have and to hold the said Right, Privilege, or Easement, or Rights, Privileges, or Easements, by the said Indenture now in recital granted, or expressed or intended so to be, in the Manner aforesaid, unto the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, for ever: Provided always, and it was by the said Indenture now in recital agreed, that in case the said Chancellor and Council should be advised that an Act of Parliament should be obtained for carrying into effect the Objects and Purposes of the same Indenture, the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, should and would apply for such Act of Parliament, and the said Chancellor and Council, for and on behalf of Her Majesty, Her Heirs and Successors, should and would consent to such Act of Parliament, to enable the Agreement or respective Agreements therein-before contained, and the said Grant therein-before expressed to be made, to be carried into effect, upon the Terms therein-before mentioned of and concerning the same Premises, such Act nevertheless to be obtained, and the Consent of the said Chancellor and Council, for and on behalf of Her Majesty, Her Heirs and Successors, thereto, to be given or procured, at the proper Costs, Charges, and Expenses of the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns; in all respects, and such Act to contain all such Provisions, Conditions, and Restrictions as the said Chancellor and Council should deem fitting and proper for preserving and protecting the Rights of Her said Majesty, Her Heirs and Successors, in, over, and upon all other Estates of Her said Majesty in right of Her said Duchy, and for limiting the Use of the said Stones, Sand, Shingle, and Materials therein-before agreed, subject as aforesaid, to be granted, to the Purposes therein-before mentioned, and in such Manner as to the said Chancellor and Council should seem fit: And whereas the said Chancellor and Council are advised that an Act of Parliament is necessary and should be obtained for carrying into effect the said several herein-before recited Agreements between the said Chancellor and Council and the said Sir *Peter Hesketh Fleetwood*, and it would be highly beneficial to the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, if the said Chancellor and Council of Her Majesty's Duchy of *Lancaster* were authorized, for and on behalf of Her said Majesty, to carry into effect the aforesaid Agreements in the Manner herein-after mentioned accordingly: Therefore Your Majesty's most dutiful and loyal Subject the said Sir *Peter Hesketh Fleetwood*, with the

Consent

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

Consent of the said Chancellor and Council of Her Majesty's Duchy of *Lancaster*, doth hereby most humbly beseech 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, That it shall and may be lawful to and for the said Chancellor and Council of Her said Majesty's Duchy of *Lancaster*, and the said Chancellor and Council are hereby fully authorized and empowered, by all and every such Deed or Deeds, Instrument or Instruments in Writing, to be respectively executed under the Seal of the said Duchy, as the Attorney General for the Time being of the said Duchy shall deem necessary, proper, or convenient, to grant, convey, and assure unto the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, or to such Person or Persons as he or they shall nominate or appoint in that Behalf, the said Part of *Kirkscar Bay* in the said recited Indenture of the Tenth Day of *October* One thousand eight hundred and forty-five and herein-before mentioned and described, and thereby agreed to be granted, at and under such Fee-farm and other Rent or Rents, and subject to such Provisions and Conditions, and with such Powers and Restrictions, as well to, for, in favour of, and against the said Chancellor and Council, as also to, for, in favour of, or against the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, as are in and by the same Indenture agreed to be reserved, made, and contained, and also the said Part or Parts of the said Sea Shore or Fore Shore in and by the said recited Indenture of the Second Day of *March* One thousand eight hundred and forty-eight agreed to be granted, together with such Right and Privilege as in the same Indenture is also agreed to be granted of taking and using the said Stones, Sand, Shingle, and other Materials for the Purposes in the same Indenture and herein-before mentioned or referred to, at and under such Fee-farm and other Rent or Rents, and subject to such Provisions and Conditions, and with such Powers and Restrictions, as well to, for, in favour of, or against the said Chancellor and Council, as also to, for, in favour of, or against the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, as in and by the same Indenture are agreed to be made, reserved, and contained, and also the Rights and Privileges in and by the said recited Indenture of the Third Day of *March* One thousand eight hundred and forty-eight agreed to be granted of taking and using the said Stones, Sand, Shingle, and other Materials for the several Purposes in the same Indenture mentioned or referred to, without the Payment of any Rent or Consideration for such last-mentioned Grant, but subject to such Provisions and Restrictions, and with such Powers and Restrictions, as well to, for, in favour of, or against the said Chancellor and Council, as also to, for, in favour of, or against the said

Chancellor and Council of the Duchy of Lancaster authorized to convey the Parts of Sea Shore, Rights and Privileges, mentioned in the recited Indentures.

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Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns, as in and by the same Indenture also agreed to be made and executed, and also by any such Deed or Deeds, Instrument or Instruments in Writing as aforesaid, or by any other Deed or Deeds, Instrument or Instruments in Writing, to grant to the said Sir *Peter Hesketh Fleetwood*, his Heirs, Executors, or Administrators, or to such other Person or Persons as aforesaid, all such other Rights, Privileges, and Easements in, over, or upon the said Bay called *Kirkscar Bay*, and in, over, and upon the said Part of the Sea Shore or Fore Shore between the Points in the said recited Agreements of the Second and Third Days of *March* One thousand eight hundred and forty-eight and hereinbefore mentioned, and the said Embankment or Cops and Shore of the said River *Wyre*, with such Powers and Restrictions as the said Chancellor and Council may think proper, and as may be mutually agreed upon by the said Chancellor and Council and the said Sir *Peter Hesketh Fleetwood*, his Heirs and Assigns.

Agreements may be altered, or new Agreements entered into.

II. And be it enacted, That it shall and may be lawful to and for the said Chancellor and Council to make all such Alterations and Variations in the Terms or Provisions in the said recited Indentures or Agreements contained as shall be mutually agreed upon between the said Chancellor and Council and the said Sir *Peter Hesketh Fleetwood*, his Heirs or Assigns, and also in like Manner wholly or partially to abandon the same Agreements or any of them, or any of the Provisions therein respectively contained, and to enter into any new or other Agreements relating to the said Hereditaments, Rights, Privileges, and Easements thereby respectively expressed or agreed to be granted in lieu and stead of the Agreements or Provisions which may be so wholly or partially altered, varied, or abandoned.

Recited Agreements to be binding until Grants shall be executed.

III. And be it enacted, That in the meantime and until such Grants, Conveyances, and Assurances as are herein-before authorized to be made, done, and executed as aforesaid shall be so made, done, and executed, or until any new or other Agreement or Agreements shall be entered into in lieu and stead of the said Agreements hereinbefore recited or referred to, or any of the Terms or Provisions of the same Agreements shall be altered or varied, pursuant to the Powers and Authorities in that Behalf herein-before contained, the said hereinbefore recited Agreements, and the Terms and Provisions thereof, shall, so far as the same shall not be so altered or varied by any such new or other Agreement or Agreements, and also any such new or other Agreement or Agreements, shall be good, valid, binding, and effectual, to all Intents and Purposes, any Law, Statute, or Usage herein mentioned or referred to to the contrary thereof in anywise notwithstanding.

IV. And

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

IV. And whereas it may be desirable that Grants should be made of Parts of the Lands comprised in the said recited Agreements of the Tenth Day of *October* One thousand eight hundred and forty-five and the Second Day of *March* One thousand eight hundred and forty-eight, either previously to or after any Inclosure of the same Lands, also that a less Quantity than One hundred Acres of the same Lands should be authorized to be so granted, and also that such Grants should be made without reference to and irrespective of such Inclosure, and that such Grants as aforesaid should be made for and in consideration of a gross Sum of Money instead of an annual Rent-charge or yearly Sum : Be it therefore enacted, That it shall be lawful for the said Chancellor and Council, and the said Chancellor and Council are hereby fully authorized and empowered, if they shall think fit, but not otherwise, by any such Deed or Deeds, Instrument or Instruments in Writing as aforesaid, to grant, convey, and assure unto the said *Sir Peter Hesketh Fleetwood*, his Heirs and Assigns, or to such Person or Persons as he or they shall nominate or appoint in that Behalf, any Part or Parts of the said Lands comprised in the said recited Agreements of the Tenth Day of *October* One thousand eight hundred and forty-five and the Second Day of *March* One thousand eight hundred and forty-eight, either previously to or after any Inclosure thereof, and notwithstanding that the Land so to be granted shall be less in Quantity than One hundred Acres of the same Lands, and that no Inclosure of the Lands so granted shall be proposed to be made, and at or for such Price or Sum as herein-after is mentioned or referred to ; and such Grant or Grants as last aforesaid may be made freed and discharged of and from all Rents-charge or other Rents or annual Sums, and all Conditions and Powers in and by the said recited Agreements provided to be made payable reserved or contained in Grants to be made pursuant thereto respectively ; and no Purchaser or Purchasers from the said *Sir Peter Hesketh Fleetwood*, his Heirs, Appointees, or Assigns, of any Lands comprised in any such Grant shall be bound to see to or inquire into the Sufficiency or Adequacy of the Purchase Money to be paid by the said *Sir Peter Hesketh Fleetwood* to the said Chancellor and Council for the Lands to be comprised in any such Grants, or to the Application of such Purchase Money in the Manner required by this Act, but the Purchase Money expressed to be paid in the Deed or Deeds whereby such Grants shall be effected shall, so far as relates to any Purchaser or Purchasers from the said *Sir Peter Hesketh Fleetwood*, his Heirs, Appointees, or Assigns, be deemed to be the full Consideration required by this Act to be paid for the same, nor shall any such Purchaser be bound to inquire whether the Provisions of this Act have been complied with.

Empowering
Chancellor
and Council
to make
Grants of
Parts of
Lands com-
prised in
Agreements.

V. And

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

As to the
Price to be
paid for such
Land.

48G.3. c. 73.

Rights of
Her Majesty
in right of
Her Duchy
of Lancaster
over adjoining
Estates
not to be
affected.

V. And be it enacted, That the Price or Sum to be paid by the said Sir *Peter Hesketh Fleetwood*, his Heirs, Appointees, or Assigns, for the Lands comprised in any such Grant or Grants as last aforesaid, shall be One Twentieth Part of the actual Value of the same Lands, such Value to be estimated and ascertained by the Surveyor for the Time being of the Lands within the North Part of the said Duchy of *Lancaster*, or other Person to be appointed for that Purpose by the Chancellor and Council of the said Duchy; and in estimating and determining the Amount of the Purchase Money to be paid by the said Sir *Peter Hesketh Fleetwood*, his Heirs, Appointees, and Assigns, for the same Lands, it shall be lawful for the said Chancellor and Council to take into consideration and make a proportionate Deduction of Purchase Money in consideration of the Expenses, Costs, and Charges (if any) which will be incurred by the said Sir *Peter Hesketh Fleetwood*, his Heirs, Appointees, and Assigns, or which he or they will be at or be put to, either directly or indirectly, in or about the Inclosure (if any) of the Lands so proposed to be granted; and the Purchase Money for the Lands comprised in any such Grant or Grants shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and Receipts and Acquittances shall be given by him for the same, and the same shall and may be invested in the Purchase of Bank Annuities, according to the Powers and Provisions contained or referred to in an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to improve the Land Revenue of the Crown in England, and also of His Majesty's Duchy of Lancaster*, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy under the therein recited Acts.

VI. And be it enacted, That nothing in this Act contained, or in any Grant, Conveyance, Agreement, Matter, or Thing which may be hereafter made, done, or pursuant thereto executed, shall extend or operate to affect prejudicially the Right or Title or any Privilege or Power of or belonging to Her said Majesty or Her Successors in right of Her said Duchy and County Palatine, or the said Chancellor and Council, or their Successors, on behalf of Her said Majesty, Her Heirs or Successors, into, out of, over, or upon any Part of the said Shore between High and Low Water Mark, near to or adjoining or bordering upon the Estates or Possessions of or belonging to or in the Occupation of the said Sir *Peter Hesketh Fleetwood* in the County Palatine of *Lancaster* aforesaid, other than and except so far as respects the said Part of the said Bay called *Kirkscar Bay*, and the said Part of the Sea Shore or Fore Shore, and the said Rights, Liberties, Privileges, or Easements, hereby authorized to be granted or agreed to be granted.

VII. And

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

VII. And be it enacted, That every Deed or Writing whereby any Lands, Rights, Privileges, or Easements, or other Hereditaments, shall be granted, conveyed, or assured by the said Chancellor and Council of Her said Majesty's Duchy of *Lancaster*, by virtue of the Powers of this Act, or any of them, shall, at the Costs, Charges, and Expenses of the said *Sir Peter Hesketh Fleetwood*, his Heirs or Assigns, be enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, and shall be effectual to vest in the said *Sir Peter Hesketh Fleetwood*, his Heirs or Assigns, the Lands, Rights, Privileges, Easements, and Hereditaments thereby expressed to be granted, conveyed, or assured, anything contained in the Act passed in the First Year of Her Majesty Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and the Honour and Dignity of the Crown*, or in any other Act, or any Law, Statute, or Usage, to the contrary thereof in anywise notwithstanding.

Deeds, &c. to be enrolled in the Court of the Duchy Chamber of Lancaster.

13 W. 3. & 1 Ann. c. 7.

VIII. And be it enacted, That all and every the Costs, Charges, and Expenses incurred preparatory to or in passing this Act into a Law, or to be hereafter incurred in or about the same, and all and every the Costs, Charges, and Expenses of all Deeds, Instruments, and Assurances, Acts, Matters, and Things, for carrying into effect the said recited Agreements or any of them, or any other Agreements which may be entered into pursuant to this Act, and of such last-mentioned Agreements, or any Grants, Conveyances, or Assurances which may be made pursuant to this Act, or in any ways incident thereto respectively, and of the Matters and Expenses of all Counterparts or Duplicates (if any) of such Deeds, Instruments, and Assurances, and all other (if any) the Costs, Charges, and Expenses to arise or be incurred in consequence of this Act, whether such Costs, Charges, and Expenses shall be such as are usually borne by a Grantor or Grantors, or otherwise, shall be borne and paid by the said *Sir Peter Hesketh Fleetwood*, his Executors or Administrators, with and out of his own proper Monies, and shall be paid within Three Calendar Months after the same shall be respectively ascertained.

As to Expenses of this Act and of Proceedings thereunder.

IX. And be it enacted, That in citing this Act in other Acts of Parliament, and in all legal Instruments and Proceedings, it shall be sufficient to use the Expression, "*Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.*"

Short Title.

X. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*,

Saving the Rights of the Crown.

[*Private.*]

b b

other

Sir Hesketh Fleetwood's Lancashire Estate Act, 1850.

other than and except so far as such Rights, Privileges, Powers, or Authorities of Her said Majesty in respect of Her said Duchy of *Lancaster* will be necessarily diminished, altered, or taken away by and in the carrying into effect of the Objects and Purposes of this Act.

Act as
printed by
Queen's
Printers to
be Evidence.

XI. And be it enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1850.