ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 177.

An Act for inclosing Lands in the Townships of *Crowle*, *Eastoft*, and *Ealand*, in the Parish of *Crowle*, in the County of *Lincoln*, and extending into the West Riding of the County of *York*.

[22d *June* 1813.]

WHEREAS there are within the Townships of *Crowle*, *Eastoft*, and *Ealand*, in the Parish and Manor of *Crowle* in the County of *Lincoln*, certain Open Arable Fields, Meadows, Pastures, Ings, Carrs, Moors, Commons, and Waste Grounds: And whereas there are certain Commons and Moors in the West Riding of the County of *York*, called *Crowle Yorkshire Common*, and *Yorkshire Moors*, appurtenant to or belonging to Estates within the said Parish of *Crowle*, or the Owners thereof: And whereas the Right Honourable *Charles* Earl *Manvers* is Lord of the Manor of *Crowle* aforesaid, and as such is seised of the Soil of such of the said Commons and Waste Grounds as lie within that Manor, and of all Timber and other Trees growing thereon, and of all Royalties whatsoever to the same belonging: And whereas *William Johnson* Esquire is the Impropriator of and entitled to all the Tithes of Corn, Grain and Hay, arising, renewing, happening, growing and increasing from and out of all the Lands and Grounds in the said Township of *Eastoft*, and from and out of certain specific Lands and Grounds in the said Township of *Crowle*, and the Titheable Places thereof respectively: And whereas *Robert Popplewell Steer* Esquire is the Impropriator of and entitled to all the Tithes of Corn, Grain, and Hay, arising, renewing, happening,

happening, growing and increasing from and out of all the Lands and Grounds in the Township of *Ealand*, and from and out of certain other specific Lands and Grounds in the said Township of *Crowle*: And whereas *Godfrey Egremont* Clerk is Patron and Vicar of the Parish and Parish Church of *Crowle* aforesaid, and as such is entitled to certain Glebe Lands, and also to all the Small Tithes and Ecclesiastical Dues and Payments of what Nature or Kind soever to the said Vicarage and Parish Church belonging: And whereas as well the said *Charles* Earl *Manvers*, *William Johnson*, *Robert Popplewell Steer*, and the Reverend *Godfrey Egremont*, as also *John Henry Maw*, *James Lister*, *Thomas Lightfoot*, *Thomas Peacock*, *William Chapman*, *John Brunyee Maw*, *William Scotchburn*, and several other Persons, are respectively Owners and Proprietors of ancient Messuages, Cottages, Frontsteads, Lands and Grounds in the said Townships of *Crowle*, *Eastoft* and *Ealand*, in the said Parish of *Crowle*; and in respect thereof are entitled to Rights of Common over and upon all the said Commons and Waste Grounds intended to be divided and inclosed; and also Owners and Proprietors of all the Inclosed and Open Fields, Ings, Carrs, Moors, Commons and Waste Grounds within the said several Townships of *Crowle*, *Eastoft* and *Ealand*, in the said Parish of *Crowle*; and also Owners and Proprietors of all such Moors and Commons in the said West Riding of the said County of *York*, as are appurtenant or belonging to Estates within the said Parish of *Crowle*, or the Owners thereof: And whereas an Act was passed in the Forty-first Year of the Reign of His present Majesty, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*: And whereas the Lands and Grounds of the respective Proprietors in the said Open and Common Fields, Ings, and Moors, lie intermixed, and the same and the said Commons and Waste Grounds are so circumstanced as to render the Cultivation and Management of them in the present State very inconvenient; and it would tend greatly to the Advantage not only of the several Proprietors thereof, and all Persons interested therein, but would be also of great public Utility, if the said Open Common Fields, Meadows, Pastures, Ings, Carrs, Moors, Commons and Waste Grounds were divided and inclosed, warped and embanked, and specific Parts thereof allotted to the several Persons interested therein, in Proportion to their respective Rights and Interests, and a Satisfaction made for the Tithes arising therefrom, and from all the Lands within the said Parish of *Crowle*; but such beneficial Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Anthony Bower* of *The Close of Lincoln*, in the County of *Lincoln*, Gentleman, *Jonathan Teal* of *Leeds*, in the County of *York*, Gentleman, and *Francis Raynes* of *Stone Hill*, in the Parish of *Everton*, in the County of *Nottingham*, Gentleman, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for dividing, allotting, inclosing, draining, warping, and embanking all the Open Arable Fields, Meadows, Pastures, Ings, Carrs, Moors, Commons and Waste Lands within the said several Townships of *Crowle*, *Eastoft* and *Ealand*, in the said Parish of *Crowle*; and also all such Commons and Moors within the said West Riding of the

Appointment of Commissioners.

said County of *York*, (which said Commons and Moors are situate within the said Parish of *Crowle*, and the several Parishes of *Hatfield*, *Adling fleet*, *Thorne* and *Fishlake*, in the County of *York*, some or one of them), as are appurtenant to or belonging to Estates within the said Parish of *Crowle*, or the Owners thereof, and for carrying this Act and the said recited Act into Execution, subject to such of the Regulations, Directions, Restrictions and Provisions contained in the said recited Act, as are not varied, altered or controuled by or repugnant to any of the Powers or Provisions contained in this Act; and that all and every the Powers and Authorities by this Act given to the said Commissioners, and all Acts, Matters or Things, Orders, Rules and Regulations, authorized and necessary for the Execution thereof, shall be deemed and considered to be vested in the said *Anthony Bower*, *Jonathan Teal*, and *Francis Raynes*, and their Successors, or any Two of them, and the said Commissioners may adjourn from Time to Time; and if Two Commissioners shall not appear at any Meeting or adjourned Meeting appointed to be holden by virtue of this and the said herein-before recited Act, then and in such Case the Commissioner then present may adjourn such Meeting to a future Day, not exceeding Ten Days from the Time of Adjournment, and shall give Notice thereof to the absent Commissioners; any thing herein contained to the contrary thereof in anywise notwithstanding.

Power vested in Two Commissioners.

II. And be it further enacted, That if the said *Anthony Bower*, or any Commissioner to be appointed in his Stead as herein-after mentioned, shall die, refuse, or be disabled to act, then and in every such Case it shall and may be lawful to and for the said *Charles* Earl *Manvers*, or his Heirs, within Two Calendar Months next after such Death, Refusal or Disability shall be signified in Writing to the said *Charles* Earl *Manvers*, or his Heirs, by the surviving or remaining Commissioners, or either of them, to elect and appoint a new Commissioner, not interested in the said Inclosure, in the Stead of the said *Anthony Bower*, or such other Commissioner so dying, refusing, or becoming disabled to act as aforesaid; and if the said *Jonathan Teal*, or any Commissioner to be appointed in his Stead as herein-after mentioned, shall die, refuse, or become disabled to act, then and in every such Case it shall and may be lawful to and for the said Impropriators for the Time being, and the said Vicar or his Successors, within Two Calendar Months next after such Death, Refusal or Disability shall be signified in Writing to the said Impropriators or their respective Heirs, and the said Vicar or his Successors, by the surviving or remaining Commissioners, or either of them, to elect and appoint a new Commissioner, not interested in the said Inclosure, in the Stead of the said *Jonathan Teal*, or such other Commissioner so dying, refusing, or becoming disabled to act as aforesaid; and also if the said *Francis Raynes*, or any Commissioner to be appointed in his Stead as herein-after mentioned, shall die, refuse, or become disabled to act, then and in every such Case it shall and may be lawful to and for the major Part in Value (such Value to be ascertained by the Land Tax Assessment) of the said Proprietors of Commonright Houses and Land within the said several Townships of *Crowle*, *Eastoft* and *Ealand*, in the Parish of *Crowle* aforesaid, (except the said *Charles* Earl *Manvers* and his Heirs, and the said Impropriators and Vicar for the Time being as aforesaid), who shall be present at a Meeting convened for that Purpose within Two Calendar Months next after such Death, Refusal, or Disability as aforesaid, to elect

New Commissioners to be appointed upon Vacancies.

elect and appoint a new Commissioner, not interested in the said Inclosure, in the Stead of the said *Francis Raynes*, or such other Commissioner so dying, refusing, or becoming disabled to act as aforesaid, of which Meeting Ten Days Notice at the least in Writing shall be given and fixed upon the most public Door of the Parish Church of *Crowle* aforesaid; and such Elections and Appointments shall be made in Writing under the Hand or Hands of the respective Parties making the same, and shall be delivered to the surviving or remaining Commissioner or Commissioners; and in case the said respective Parties, or any of them, shall make Default in appointing any such new Commisioner or Commissioners within Two Calendar Months next after any such Death, Refusal or Disability shall happen, and shall be known and signified to them respectively as aforesaid, then the surviving or remaining Commissioner or Commissioners shall and he and they are hereby required from Time to Time, by Writing under his or their Hand or Hands, within One Calendar Month next after the Expiration of the said Two Calendar Months allowed to the respective Parties for naming such new Commissioner or Commissioners respectively to be appointed as aforesaid, to appoint One other Commissioner or Commissioners, not interested in the said Inclosure, in the Place of such Commissioner or Commissioners so dying, refusing, or becoming disabled to act as aforesaid; and every such other new Commissioner or Commissioners so to be appointed shall have the like Powers and Authorities for carrying this Act into Execution in all Respects whatsoever, as the Commissioner or Commissioners in whose Place he or they shall have been so appointed and chosen as aforesaid, was or were invested with under and by virtue of this and the said herein-before recited Act.

If Vacancies of Commissioners not filled up by Parties in Two Months, the remaining Commissioners to elect.

Notice of First and every other Meeting.

III. And be it further enacted, That the said Commissioners shall and they are hereby empowered and required to give or cause to be given public Notice in the Parish Church of *Crowle* aforesaid, upon some *Sunday* immediately before Divine Service, or by Writing under their Hands, to be affixed upon the principal Outer Door of the said Church, of the Time and Place of their First Meeting for executing the Powers hereby and by the said herein-before recited Act vested in them, Ten Days at least before such Meeting, and the like Notice in some Newspaper usually circulated in the Counties of *Lincoln* and *York*, of every subsequent Meeting of the said Commissioners to be by them held in pursuance of the Directions of this or the said herein-before recited Act, at least Ten Days before such Meeting, (Meetings by Adjournment, which it shall and may be lawful to and for the said Commissioners, or any One of them, from Time to Time to make, only excepted): Provided always, that all the Meetings of the said Commissioners shall be held at some convenient Place within the said Parish of *Crowle*.

Other Notices how to be given.

IV. And be it further enacted, That all other Notices requisite and necessary to be made and given by the said Commissioners, shall be so made and given by Advertisement in some Newspaper usually circulated in the said Counties of *Lincoln* and *York*.

Commissioners to settle Disputes.

V. And be it further enacted, That if any Dispute or Difference shall arise between any of the Parties interested or claiming to be interested in the said Division and Inclosure touching or concerning the respective Rights and Interests which they or any of them shall have or claim to have

have in the same, or touching or concerning any other Matter or Thing relating to the said Division and Inclosure, or any Allotment or Allotments to be made in consequence thereof, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, to examine and enquire into, hear, and determine the same.

Not to determine Titles.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to enable or authorize the said Commissioners to determine the Title to any Messuages, Cottages, Lands, Tenements, or Hereditaments whatsoever, nor to determine any Right between any Parties contrary to the Possession of any of such Parties, (except in respect of Encroachments); but in case the said Commissioners shall be of Opinion against the Right of the Person or Persons so in Possession, they shall forbear to make any Determination thereupon until the Possession shall have been given up by such Person or Persons, or recovered from such Person or Persons by Ejectment, or other due Course of Law.

Power to assess Costs.

VII. And be it further enacted, That in case the said Commissioners shall, upon the hearing and determining of any Claim or Claims, Objection or Objections, to be delivered to them in pursuance of this and the said herein-before recited Act, see Cause to award any Costs, it shall be lawful for the said Commissioners and they are hereby empowered, upon Application made to them for that Purpose, to settle, assess, and award such Costs and Charges as they shall think reasonable, to be paid to the Party in whose Favour any Determination of the said Commissioners shall be made, by the Person or Persons whose Claim or Claims, Objection or Objections, shall be thereby disallowed or over-ruled; and in case the Person or Persons who shall be liable to pay such Costs and Charges shall neglect or refuse to pay the same upon Demand, then and in such Case it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands and Seals, directed to any Person or Persons whomsoever, to cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus, if any, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale.

Allowing Parties to try their Rights by an Issue at Law.

VIII. Provided always, and be it further enacted, That in case any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, interested or claiming to be interested in the said Division and Inclosure, shall be dissatisfied with any Determination of the said Commissioners, touching or concerning any Claim or Claims to the Right of Soil, or other Rights or Interests in, over, or upon the Lands and Grounds hereby intended to be divided and inclosed, or any Part thereof, it shall and may be lawful to and for the Person or Persons so dissatisfied to proceed to a Trial at Law of the Matter so determined by the said Commissioners, at the then next Assizes, or the Assizes following, to be holden for the said County of *Lincoln*; and for that Purpose the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall be dissatisfied with the Determination of the said Commissioners, shall cause an Action to be brought upon a feigned Issue against the Person or Persons in whose Favour any such Determination shall have been made, within Six Calendar Months

Months next after the Determination of the said Commissioners; and the Defendant or Defendants in such Action or Actions shall and they are hereby required to name an Attorney or Attornies, who shall appear thereto or file common Bail, and accept One or more Issue or Issues, whereby such Claim or Claims and the Right or Rights thereby insisted upon may be tried and determined (such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions may be commenced, in case the Parties shall differ about the same), and the Verdict or Verdicts which shall be given in such Action or Actions shall be final, binding, and conclusive upon all and every Person and Persons, Body and Bodies Politic, Corporate, or Collegiate whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, and order a new Trial to be had therein, which it shall and may be lawful for such Court so to do, as is usual in other Cases; and after such Verdict or Verdicts shall be obtained and not set aside by the Court, the said Commissioners shall and they are hereby required to act in Conformity thereto, and to allow or disallow the Claim or Claims thereby determined, according to the Event of such Trial and Trials: Provided always, that the Determination of the said Commissioners, touching such Claim or Claims to the Right of Soil and other Rights and Interests in, over, and upon the said Lands and Grounds hereby directed to be divided and inclosed, or any Part thereof, which shall not be objected to, or being objected to, the Party or Parties shall not cause such Action or Actions at Law as aforesaid to be brought and proceeded in within the Time aforesaid, shall be final and conclusive upon all Parties.

Death of Parties not to stay Proceedings at Law.

IX. And be it further enacted, That if any of the Parties, Plaintiffs or Defendants in any Action or Actions to be brought in pursuance of this Act, shall die pending the same, such Action or Actions shall not abate by reason thereof, but shall be proceeded in as if no such Death had happened.

In Cases of Death of Parties before Actions brought, the same to be carried on and defended in their Names.

X. Provided always, and be it further enacted, That if any Person or Persons in whose Favour any such Determination of the said Commissioners shall have been made, and against whom any such Action or Actions might have been brought if living, shall die before any such Action or Actions shall have been brought, and before the Expiration of the Time herein-before limited for bringing such Action or Actions, it shall and may be lawful to and for the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who might have brought such Action or Actions against the Person or Persons so dying, to bring the same, within the Time so limited as aforesaid, against such Person or Persons as if actually living, and to serve the Clerk to the Commissioners with Process for commencing such Action or Actions, in the same Manner as the Party or Parties might have been served therewith if living; and it shall thereupon be incumbent upon the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead, and Proceedings shall be had therein in the same Manner as if such Person or Persons had been actually living, and the Rights of all such Parties shall be equally bound and concluded by the Event of such Action or Actions.

XI. And

Trials not to suspend the Execution of the Powers of this Act.

XI. And be it further enacted, That if any Action or Actions shall be commenced or prosecuted, touching or concerning the Title to any of the said Messuages, Lands, Tenements and Hereditaments, or any Part thereof, such Action or Actions shall not delay, impede or hinder the said Commissioners from proceeding in the Powers vested in them by this and the said recited Act, but the said Allotments shall be proceeded in notwithstanding such Action or Actions, and may be had and taken by the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, who upon the Determination of such Action or Actions shall become entitled to the same.

The Death of Persons not to hinder the Commissioners from proceeding in the Inclosure.

XII. And be it further enacted, That if any Person or Persons, by or for whom any Claim or Claims of Right of Common shall be made, as by the said recited Act is directed, shall happen to die before the said intended Division and Inclosure shall be made and perfected, and the said Commissioners shall not have made their Award touching the same, then and in such Case the Powers and Authorities hereby and by the said recited Act given and vested in the said Commissioners shall not be in anywise determined, suspended, or affected by such Death or Deaths; but that the said Commissioners shall and may proceed in and execute the said Powers and Authorities and every of them in such and the like Manner as they could or might have done if such Person or Persons had not died; and that the Part or Parts, Share or Shares of the said Open Common Fields, Moors, Commons, and Waste Grounds, which any Person or Persons so dying would have been so entitled unto, shall be allotted and set out to the Person or Persons who shall be entitled to the same, according to the best of the Information or Knowledge of the said Commissioners; and such Person or Persons shall accordingly accept and fence, have, hold, and enjoy the same, according to the several Limitations, Trusts, Provisoes and Interests anyways limited, declared, appointed or provided of and concerning the Premises, in respect whereof he, she, or they shall be entitled to such Part or Parts, Share or Shares of the said Lands and Grounds hereby directed to be divided and inclosed.

Appointment of Surveyor, &c.

XIII. And be it further enacted, That the said Commissioners shall and they are hereby empowered to appoint a Clerk to assist them in the Execution of this and the said recited Act; and that *Joseph Heywood* of *Barnby-upon-Dunn*, in the said County of *York*, Gentleman, shall be employed by the said Commissioners as their Surveyor in the Execution of this and the said recited Act; and in case of the Death, Incapacity, or declining to act of such Clerk so to be appointed as aforesaid, and of the Death, Incapacity, or declining to act of the said Surveyor, then and in either or any of such Cases, the said Commissioners shall and may appoint any other Person or Persons they may think proper to be their Clerk or Surveyor as aforesaid.

Surveyor to take an Oath.

XIV. Provided always, and be it further enacted, That no Person or Persons so to be appointed Surveyor as aforesaid, shall be capable of acting in the Execution of this or the said recited Act as a Surveyor, until he or they shall have taken and subscribed the Oath or Affirmation following; (that is to say),

'I ..... do swear, [*or*, being one of the People called *Quakers*, 'I do solemnly declare and affirm], That I will faithfully, impartially, 'and honestly, according to the best of my Skill and Ability, execute

'and

' and perform the several Duties incumbent on me as a Surveyor, by vir-
' tue of an Act, passed in the Fifty-third Year of the Reign of His Majesty
' King *George* the Third, intituled [*here set forth the Title of this Act*],
' according to Equity and good Conscience, and without Partiality,
' Favour, or Affection, Prejudice or Malice, to any Person or Persons
' whomsoever. So help me GOD.'

Which Oath or Affirmation it shall be lawful for the said Commissioners to administer to each and every Surveyor as aforesaid; and such Oath, so taken and subscribed, shall be enrolled, annexed to, and deposited with the Award of the said Commissioners.

Boundaries to be ascertained of Lands to be inclosed.

XV. And whereas Disputes or Doubts may arise concerning the Boundaries of the Lands and Grounds hereby directed to be inclosed, where the same adjoin on and lay open to other Lands and Grounds; be it therefore further enacted, That the said Commissioners shall and they are hereby authorized and required, by Examination of Witnesses upon Oath or Affirmation (which Oath or Affirmation any One of the said Commissioners is hereby empowered to administer), and by such other legal Ways and Means as they shall think proper, to enquire into the Boundaries of such Lands and Grounds hereby directed to be divided and inclosed; and in case it shall appear to the said Commissioners that the Boundaries of the same Lands and Grounds are not then sufficiently ascertained and distinguished, the said Commissioners shall and they are hereby authorized and required to ascertain, set out, determine, and fix the same respectively; and after the said Boundaries shall be so ascertained, set out, determined, and affixed, the same shall and they are hereby declared to be the Boundaries of the said Lands and Grounds hereby directed to be divided and inclosed: Provided always, that the said Commissioners (before they proceed to ascertain and set out such Boundaries) shall and they are hereby required to give public Notices of their Intention so to do, in such and the like Manner, to all Intents and Purposes, as is directed by the Third Section of the said recited Act with regard to ascertaining the Boundaries of Parishes, Manors, Hamlets or Districts; and any Determination or Determinations of the said Commissioners shall be subject to the like Power of Appeal in all Cases, as is given by the said recited Act in regard to the Determination of Commissioners as to the Boundaries of Parishes, Manors, Hamlets, or Districts.

Not to cut Turf, Trees, or Whins, until Allotments set out.

XVI. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, to cut or dig any Turves, nor to fell, cut down, strip or destroy any of the Trees, Wood, Underwood, Bushes, Furze or Whins which are now standing or growing upon any of the Lands and Grounds hereby intended to be divided and inclosed, until such Division and Allotments shall be made as herein-after mentioned, without the Consent of the said Commissioners, in Writing under their Hands, first had and obtained for that Purpose.

Ancient Inclosures and Encroachments.

XVII. And be it further enacted, That the said Commissioners in ascertaining, setting out, determining and fixing the Boundaries of the said Commons, Moors, Carrs, and Waste Grounds, in Manner directed by this and the said recited Act, shall enquire into and determine what Inclosures have been taken from, and what Encroachments have been made upon the said Commons, Moors, Carrs and Waste Grounds by

this Act intended to be divided, allotted and inclosed; and all such Inclosures taken from, and Encroachments made upon any Part thereof (except such Part or Parts thereof as have been enjoyed for Twenty Years last past without Interruption) shall be deemed Part and Parcel of the said Commons, Moors, Carrs, and Waste Grounds hereby directed to be divided and inclosed, and shall be divided and allotted accordingly.

Commissioners to widen ancient Ditches and make new ones.

XVIII. And be it further enacted, That the said Commissioners shall and may scour out and widen all the ancient Brooks, Drains, Watercourses, Ditches, Tunnels, Sluices, and Bridges, and shall and may make, cut, erect, set out, and appoint all such new Drains, Watercourses, Ditches, Tunnels, Sluices, Gates, Banks, and Bridges, as well in, through, and over the Lands and Grounds hereby intended to be divided, allotted, and inclosed, as also in, over, and through any ancient inclosed Lands within the said Parish of *Crowle*, appurtenant to or belonging to Estates within the said Parish of *Crowle*, or any adjoining Lands or Grounds, first having the Consent in Writing of the Owner or Owners of such ancient inclosed Lands and of the adjoining Lands or Grounds, and making such Recompence or Satisfaction to the Person or Persons in whose Lands or Grounds any such Cuts, Drains, Sewers, Sluices, or other Works shall be made, or who may be prejudiced thereby, or by means or in consequence thereof, or by any Inundation to be occasioned by any of the Matters aforesaid, for the Value of the Ground to be used for the Purposes aforesaid, and which they the said Commissioners are hereby authorized to purchase of any Person or Persons willing to sell the same, and accept a Conveyance of for the Purposes of this Act, and for all such other Damages which he, she, or they shall thereby sustain, as shall or may be agreed upon between the said Commissioners and the Owner or Owners or the Person or Persons who shall be prejudiced as aforesaid; and such Recompence and Satisfaction shall and may be raised in the same Manner as the other Expences of executing this Act, and shall be paid by such Person and Persons, and in such Shares and Proportions as the said Commissioners shall think just and equitable, and shall accordingly order and direct, and shall be made and accepted in full Satisfaction for the Value of such Lands, and for all such Damages as aforesaid; and the said Drains, Sewers, Sluices, and other Works shall be made of such Depth and Breadth and Dimensions, and in such Directions, Manner, and Form, as the said Commissioners shall think proper; and they shall and may and are hereby directed and required, in and by their said Award, to order and determine by whom, at whose Expence, in what Proportions, at what Time, and in what Manner the said Brooks, Ditches, Drains, Watercourses, Tunnels, Sluices, Gates, Banks, and Bridges shall be made, and afterwards cleansed, scoured, repaired, and maintained, and also to make such Orders and give such Directions for preserving, maintaining, and keeping the same in good and sufficient Repair, from thenceforth for ever thereafter, by such Person and Persons, in such Manner as they the said Commissioners shall judge to be necessary or advisable.

Water may be let in to flood the Lands.

XIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, when and so soon as they shall have set out and ascertained the several Allotments to be made to the said respective Proprietors in pursuance of this Act, to specify, ascertain, and distinguish what Part or Parts of the Lands and Grounds

Grounds hereby directed to be divided and inclosed, and also what Part or Parts of the ancient inclosed Lands in the said Parish of *Crowle* are in their Opinion capable of receiving Improvement, by flooding and overflowing the same with the Waters of the River *Trent* for the Purpose of warping the same, and to give public Notice thereof by Writing under their Hands, in such Manner as Notices are by this Act directed to be given, and in and by their said Award or Instrument, or by any Writing under their Hands, in the meantime to set forth the same, and to make and establish such Rules, Orders, and Regulations for conducting such flooding and warping, in case the same shall be adopted by the Proprietors of such Lands, in Manner herein-after mentioned; and to that End it shall and may be lawful for a Majority in Value of the Proprietors of any such Lands lying together, which shall be deemed by the said Commissioners capable of such Improvement by flooding and warping, and such Majority of the said Proprietors is hereby authorized and empowered at any Time or Times, by and with the Consent of the said Commissioners until the Execution of the said Award, and under such Rules and Regulations as they shall direct, and from and after the Execution thereof, under such Regulations as shall be contained in the said Award, from Time to Time to make use of, set open, and afterwards shut any of the said Sluices, and to make use of any of the said Drains and other Works now made or hereafter to be made for the Purpose of overflowing and warping as well their ancient Lands and Grounds as those which shall be allotted to them by virtue of this Act with Water, and improving the same with *Trent* Warp, or otherwise; and such Majority of the said Proprietors is hereby empowered, by any Writing under their Hands, to authorize and direct any such Person or Persons as they shall thereby appoint, to execute and complete all such Locks, Drains, Sewers, Banks, and other Works, as shall be necessary for effecting such floodings and warping, and also to ascertain and determine the Proportion of the Expences thereof to be paid by each such Proprietor, having due regard to the Benefit he, she, or they is or are likely to derive therefrom; and in case any such Proprietor shall neglect or refuse to pay the same when thereunto required by the Person or Persons so to be nominated and appointed as aforesaid, then the Share or Proportion of every such Proprietor so refusing shall be levied and recovered in such Manner as is directed by the said recited Act: Provided nevertheless, that no such Person or Persons shall be permitted to overflow his, her, or their Lands and Grounds with Water in manner aforesaid, or to make use of any of the said Sluices or Drains for the Purposes aforesaid, until he, she, or they shall make sufficient interior Banks, Sluices, Tunnels, Cloughs, or other Works, and also enter into proper Security to the Satisfaction of the Commissioners of Sewers acting for the Level and Parts wherein the said Lands and Grounds are situate, or any Six or more of them, for preventing any other Lands or Grounds from receiving any Damage by or in consequence of letting in such Water, and for sufficiently cleansing out and scouring all and every the Drains to be made use of for the Purpose of overflowing and warping as aforesaid, after each Season for warping, and at other Times when and as often as the same shall be thought necessary for the Purposes of Drainage, and if any Damage shall arise therefrom, then and in such Case for making full and ample Satisfaction for the same; such Damages to be recoverable by the Person or Persons injured or aggrieved, by Action or Actions at Law, or otherwise, against the Person or Persons by whose Means such Damage shall arise, with Treble Costs.

Further Regulations as to Warping.

XX. Provided

Navigation of River Trent not to be injured.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend, nor shall any of the Powers hereby given to the said Commissioners be exercised or made use of by them, so as to injure or damage the Navigation of the River *Trent*; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Allotments for getting Materials for Roads.

XXI. And be it further enacted, That the said Commissioners shall, as soon as conveniently may be after their First or Second Meeting, and before they proceed to make any other Allotments, set out and allot such Parcel or Parcels of Land in the several Townships of *Crowle*, *Eastoft*, and *Ealand*, (not exceeding Three Acres in each Township), Part of the Lands and Grounds by this Act intended to be divided, allotted, and inclosed, in such Situation or Situations as they shall think proper, for the Purpose of getting Sand or other Materials for the Repairs of the several public Highways within the said several Townships of *Crowle*, *Eastoft*, and *Ealand* respectively, and for other necessary Purposes, as they the said Commissioners shall think expedient.

To William Johnson, Robert Popplewell Steer, and the Reverend Godfrey Egremont, in lieu of Great and Small Tithes.

XXII. And be it further enacted, That the said Commissioners shall have full Power and Authority and they are hereby required in the next Place to assign, set out, allot, and award, unto and for the said *William Johnson* and *Robert Popplewell Steer*, or other the Impropriators or Impropriator of the Great Tithes for the Time being, and for the said *Godfrey Egremont*, Vicar as aforesaid, and his Successors, in Severalty, according to their several and respective Estates, Rights, and Interests therein, such Parcel or Parcels of the said Lands and Grounds hereby directed to be divided and inclosed in the said several Townships of *Crowle*, *Eastoft*, and *Ealand*, in the said Parish of *Crowle*, as shall in the Judgment of the said Commissioners be equal in value to One-fifth Part of the said Open Common Fields, to One-seventh Part of the Old Inclosure and Ings, and to One-ninth Part of the said Commons, Carrs, Moors, and Waste Grounds in the said County of *Lincoln* hereby directed to be divided and inclosed, in lieu of and as a full Compensation and Satisfaction for all Tithes both Great and Small, Moduses, and other Payments in lieu of Tithes, and all other Ecclesiastical Dues and Payments whatsoever (Mortuaries, *Easter* Offerings, and Surplice Fees due to the same Vicar and his Successors only excepted), arising, growing, renewing, increasing, payable, or happening, or to arise, grow, renew, increase, become payable or happen within, from, for, or in respect of the said respective Lands and Grounds hereby directed to be divided and inclosed, or any of them, or any Part thereof, in the said several Townships of *Crowle*, *Eastoft*, and *Ealand*, in the Parish of *Crowle* and County of *Lincoln* aforesaid; and also of and from the Messuages, Cottages, Garths, Gardens, Orchards, and ancient inclosed Lands and Grounds within the same several Townships; which said Allotment or Allotments so to be set out and allotted in lieu of Tithes as aforesaid, the said Commissioners are hereby authorized and required to apportion, divide, set out, and allot in Severalty between and unto the said *William Johnson*, *Robert Popplewell Steer*, or other the Impropriators or Impropriator for the Time being, and the said *Godfrey Egremont*, Vicar as aforesaid, and his Successors, according to their several and respective Rights and Interests therein, or in the said several Tithes so to be compensated for by the said Allotment

or

or Allotments as aforesaid, to be ascertained by and according to the Judgment of the said Commissioners; and in case the Owners of any of the said Messuages, Cottages, Garths, Gardens, Orchards and ancient inclosed Lands, not exceeding Five Acres, (except certain Lands and Grounds herein-after mentioned, and called or known by the respective Names of *The Fishing Grounds* and *Participants Scotted Lands*), shall not have or be entitled to Lands or Common Rights, or other Property in the said Lands and Grounds hereby respectively directed to be divided and inclosed, or a sufficient Quantity thereof to make such Satisfaction and Compensation for the Tithes of such their Messuages, Cottages, Garths, Gardens, Orchards, and ancient inclosed Lands as aforesaid, and other Payments (if any) in lieu of such Tithes, (Mortuaries, *Easter* Offerings, and Surplice Fees only excepted), then and in every such Case Compensation shall be made for such Deficiency by and out of the Property in the said Lands and Grounds hereby directed to be divided, allotted, and inclosed in the said several Townships of *Crowle*, *Eastoft*, and *Ealand*, in the said Parish of *Crowle*, belonging to the said several other Proprietors, in such Manner as the said Commissioners shall appoint; and such Person or Persons who shall be entitled to or possessed of any such Messuages, Cottages, Garths, Gardens, Orchards, or ancient inclosed Lands (not exceeding Five Acres) shall pay or cause to be paid to such Person or Persons, and at such Time or Times as the said Commissioners shall direct or appoint, such Sum or Sums of Money as they the said Commissioners shall think equivalent to and as a full Satisfaction and Compensation for the Tithes of the said Messuages, Cottages, Garths, Gardens, Orchards, or ancient inclosed Lands, which Sum and Sums of Money shall be applied towards Payment of such Proportions of the Costs, Charges, and Expences of obtaining and passing this Act, and carrying the same into Execution, as shall be payable by such Person or Persons whose Property in the said Lands hereby directed to be divided and allotted shall be reduced or diminished by the Deduction to be made therefrom, in Compensation for such last-mentioned Tithes, and which Sum or Sums of Money shall or may be levied or recovered as the Costs and Expences of executing this Act may be levied or recovered, and the Surplus (if any) of such Sum or Sums of Money, shall be paid or returned to the respective Persons from whom the same shall have been so levied or recovered.

Allotment to the Marquis and Marchioness of Hertford.

XXIII. And whereas the most Honourable *Francis* Marquis of *Hertford*, and *Isabella Anne* Marchioness of *Hertford*, his Wife, in right of the said Marchioness, claim to be Lord and Lady of the Manor of *Haitefeld*, in the County of *York*, and as such are entitled to some Right of, in, or to the said Piece or Parcel of Ground hereby directed to be divided and inclosed, called *Crowle Yorkshire Common*; be it therefore enacted, That the said Commissioners shall and they are hereby authorized and directed to set out, allot, and award unto the said Marquis and Marchioness of *Hertford*, or One of them, upon the said Piece or Parcel of Ground called *Crowle Yorkshire Common*, so much Land as will in the Judgment of the said Commissioners be equal to Fifteen Acres of the Average Value thereof, in lieu of and as a full Recompence and Satisfaction for all his, her, or their Rights and Interests whatsoever, in and to such of the Lands and Grounds hereby intended to be divided and inclosed, as are claimed to be situate within the said Manor of *Haitefeld*, the same Rights

and Interests or Claim respectively being meant and intended by this Act to be extinguished and destroyed.

Allotment for Tithes of the Yorkshire Common and Moors to be set out thereon respectively.

XXIV. And be it further enacted, That the said Commissioners shall and they are hereby required to set out, allot and award, unto and for the several and respective Person or Persons who shall be entitled thereto, his, her, or their respective Heirs or Successors in Severalty, such Part or Parts of the said Piece or Parcel of Ground called *Crowle Yorkshire Common*, and the Moors lying beyond the same, as shall in the Judgment of the said Commissioners be a full Compensation and Satisfaction for all Tithes both Great and Small, and other Payments in lieu of Tithes, for or in respect of the said *Crowle Yorkshire Common* and Moors respectively, in the Proportions herein-before directed to be set out for Tithes out of the other Commons, Moors, and Waste Grounds herein-before directed to be divided and inclosed.

Nothing herein to affect Sir H. Etherington's Claim to Tithes.

XXV. Provided always, and be it further enacted, That no Matter or Thing whatsoever herein contained shall impeach, affect, or in anywise lessen or prejudice the Claim and Title of Sir *Henry Etherington* Baronet, or the Owner for the Time being of the Impropriate Rectory and Parish Church of *Hatfield* in the County of *York*, to any Allotment or Allotments to be made by the said Commissioners in pursuance of this Act, for and in lieu of all the Tithes both Great and Small, and all other Ecclesiastical Dues whatsoever, yearly and otherwise arising, renewing, or becoming due and payable of and from all or any of such Parts and Parcels of the said Commons, Waste Grounds, Moors, and Lands, as are situate within the Rectory or Parish of *Hatfield* and County of *York* aforesaid, and which shall be inclosed, divided or allotted by Authority of this Act, any thing contained in the same to the contrary thereof in anywise notwithstanding.

Allotment to the Lord of the Manor.

XXVI. And be it further enacted, That the said Commissioners in the next Place shall set out, allot, and award unto and for the said *Charles* Earl *Manvers*, as Lord of the Manor of *Crowle* aforesaid, so much and such Part or Parts of the Residue of the said Commons, Carrs, and Waste Grounds hereby directed to be divided, allotted, and inclosed in the said several Townships of *Crowle*, *Eastoft*, and *Ealand*, in the said Parish of *Crowle*, as shall in the Judgment of the said Commissioners be equal in Value to One Twentieth Part of the said Commons, Carrs, and Waste Grounds within the same Townships, in lieu of and as a full Recompence for his Right and Interest in and to the Soil of the said Commons, Carrs, and Waste Grounds hereby directed to be divided and inclosed, over and above and exclusive of such Shares, Proportions, and Allotments of such Commons, Carrs, and Waste Grounds herein-after directed to be allotted to him in respect of the Messuages and Cottages and Sites thereof, Lands and Hereditaments, in right whereof he shall in like Manner as other Proprietors be entitled to Allotments in and upon the said Commons, Carrs, and Waste Grounds.

Allotment in lieu of Glebe.

XXVII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required in the next Place to assign, set out, allot, and award unto and for the said *Godfrey Egremont*, Vicar as aforesaid, so much and such Part and Parcel of the said Open Fields, Meadows,

Meadows, and Pasture Grounds hereby intended to be divided and inclosed, as shall in the Judgment of the said Commissioners be equal in Value to the Glebe Lands lying in the said Open Fields, Meadows, and Pasture Grounds.

How and by whom the said Allotments shall be fenced.

XXVIII. And be it further enacted, That the several and respective Allotments herein-before directed to be made to the said Tithe Owners and Vicar respectively, in lieu and in respect of Tithes and Glebe Lands respectively, shall for the First Time be inclosed with an outward Fence and Ditch, to be planted with good transplanted Quicksets of White Thorns, and defended with good and sufficient doubled-holed Posts and Rails, the Posts to be Oak, and the Rails of Oak or Ash, or some other durable Wood, and with proper Ditches, Gates, Stiles, and Bridges where necessary, and where such Fences shall adjoin any Road, the same shall be guarded with the like Posts and Rails on the Outside thereof as well as within, by and under the Directions of the said Commissioners; and after the first making the said Fences, Gates, Stiles, and Bridges, the same shall for ever after be maintained and kept in Repair by the said several and respective Owners of such Allotments, in such Manner as the said Commissioners shall direct, award, and appoint; and that the several other Allotments (except as herein-before mentioned) to be made by virtue of this Act, shall be inclosed, hedged, ditched, or otherwise fenced, and such Fences for ever thereafter repaired, by and at the Expence of the respective Persons to whom the same shall be allotted, within such Times and in such Proportions and Manner as the said Commissioners shall direct: Provided always, that nothing herein contained shall extend or be construed to extend to compel any Proprietors, or other Persons to whom Allotments shall be made on the *Yorkshire Moors*, to fence such Allotment or Allotments (except Allotment or Allotments to be made in lieu of Tithes) from any adjoining Allotment or Allotments in the said Moors, unless such Proprietor or Proprietors shall think proper so to do.

The other Allotments how to be fenced.

Allotments on the Moors not to be fenced.

Allotment of the Lincolnshire Copyhold Moors.

XXIX. And be it further enacted, That the said Commissioners shall and they are hereby directed to set out, allot, and award unto and for the several Owners and Proprietors of the Pieces or Parcels of Ground called *Lincolnshire Copyhold Moors*, so much and such Part or Parts of the Residue thereof as shall be equal to the known Property and Interest of each and every Owner or Proprietor thereof, according to their several and respective Estates, Rights, and Interests therein; and in case it shall appear to the said Commissioners that any Part of the said *Lincolnshire Copyhold Moors* shall remain after the said several Owners or Proprietors thereof and Persons interested therein respectively have made and substantiated their Claims thereto, and shall by their Allotments have received a full Compensation for the same, then all the Residue and Remainder thereof shall be considered as the Property of the said *Charles* Earl *Manvers* as Lord of the said Manor, and allotted and awarded to him and his Heirs in Severalty accordingly.

Allotment of the Residue of the Fields, &c.

XXX. And be it further enacted, That the said Commissioners shall and they are hereby directed in the next Place to divide, set out, allot, and award all the Residue and Remainder of the said Open Common Fields, Ings, and Moors in the said several Townships of *Crowle*, *Eastoft*, and

and *Ealand*, in the said Parish of *Crowle*, to be divided and inclosed by virtue of this Act, unto, between, and amongst the several Persons who at the Time of making such Division and Allotments shall be entitled to Land or other Property in the said Open Common Fields, Ings, and Moors, in Proportion to their respective Rights, Interests, and Shares therein, other than and except the several Persons to whom Allotments are herein-before directed to be made in respect only of the Rights, Property, and Interests intended to be compensated for by such Allotments.

Residue of Commons and Waste Lands in Crowle, Eastoft, and Ealand, to be allotted in Severalty.

XXXI. And be it further enacted, That the said Commissioners shall and they are hereby required to set out, allot, and award in Severalty, the Residue of the said Commons, Carrs, and Waste Grounds hereby directed to be divided and inclosed in the said several Townships of *Crowle*, *Eastoft*, and *Ealand*, in the said Parish of *Crowle*, unto and amongst the said *Charles* Earl *Manvers*, *William Johnson*, *Robert Popplewell Steer*, and the Reverend *Godfrey Egremont*, and others, the Owners and Proprietors as well of Messuages, Cottages, and Frontsteads, having Right of Common or other Right upon the said Commons, Carrs, and Waste Lands, as of the Open Fields and Ings, and also the Lands and Grounds already inclosed within the said several Townships, (except certain Lands and Grounds commonly called or known by the Names of *The Fishing Grounds* and *Participants Scotted Lands* respectively) in such Shares and Proportions as herein-after mentioned; (that is to say) Two Thirds in Value of the said Residue of the said Commons, Carrs, and Waste Grounds (Quantity, Quality, and Situation considered) shall be set out, allotted, and awarded unto and amongst the Owners and Proprietors of Messuages, Cottages, and Frontsteads, having Right of Common or other Right upon the said Commons, Carrs, and Waste Grounds, without paying any Regard whether the same are Messuages or Messuage-steads, or Cottages or Cottage-steads; and the remaining One Third in Value of the said Residue of the said Commons, Carrs, and Waste Grounds, (Quantity, Quality, and Situation considered) shall be set out, allotted, and awarded unto and amongst the Owners and Proprietors of Open Field Land and Ings, and also the Lands and Grounds already inclosed within the said several Townships of *Crowle*, *Eastoft*, and *Ealand*, in the said Parish of *Crowle*, in Proportion to the Value of such Open Field Land and Ings, and the Lands and Grounds already inclosed respectively, (except the said *Fishing Grounds* and *Participants Scotted Land*), such Value to be estimated and ascertained by the said Commissioners.

Owners of Estates at Eastoft not to be entitled to Rights upon Crowle and Ealand Commons.

XXXII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to entitle any of the old inclosed Lands within the said Township of *Eastoft*, or the Proprietors thereof, to any Allotment or Allotments in, upon, from, or out of the said Commons and Waste Grounds hereby directed to be divided and inclosed in the said Townships of *Crowle* and *Ealand*, or either of them, for or in respect of such old inclosed Lands in the said Township of *Eastoft*, or any Right of Pasturage or Common Right appertaining thereto.

Allotment of Yorkshire Common.

XXXIII. And be it further enacted, That the said Commissioners shall and they are hereby required to set out, allot, and award in Severalty, the Residue of the said Piece of Ground called *Crowle Yorkshire Common*,

mon, unto and amongst the several Owners and Proprietors of Messuages, Cottages, and Frontsteads in the Parish of *Crowle*, having Right of Common thereon, in Proportion to their respective Rights and Interests therein, without paying any Regard whether the same are Messuages or Messuage-steads, or Cottages or Cottage-steads.

Allotment of the Yorkshire Moors.

XXXIV. And be it further enacted, That the said Commissioners shall and they are hereby required to divide, set out, allot, and award in Severalty, the Residue of the said Piece or Parcel of Moor Ground commonly called *The Yorkshire Moors*, unto and amongst the several Owners and Proprietors thereof, according to their respective Estates, Rights, and Interests therein.

Objections to Allotments.

XXXV. Provided always, and be it further enacted, That when and so soon as the said Commissioners shall have ascertained the respective Shares, Rights, and Interests of the Proprietors in the said Open Common Fields, Meadows, Pastures, Ings, Carrs, Moors, Commons, and Waste Lands hereby directed to be divided and inclosed, they the said Commissioners shall give Notice, in the same Manner as Notices of Meetings are hereby directed to be given, of some convenient Time and Place when and where all Proprietors and Persons interested may peruse a Schedule of their intended Allotments, and a Map or Plan whereon the same shall be set out and delineated; and in regard that some Persons may, upon Perusal or Inspection of such Schedule, Map, or Plan, be dissatisfied with the Situation of their intended Allotments, the said Commissioners shall give Notice of One Meeting at the least for receiving Objections against the Situation of such intended Allotments, and for hearing and determining all such Objections, and their Determination therein (being reduced into Writing and signed by the said Commissioners) shall be final and conclusive to and upon all Parties whomsoever.

Rights of Common may be sold separate from other Rights.

XXXVI. Provided always, and be it further enacted, That it shall be lawful for any of the Persons entitled to Right of Common upon any of the Lands and Grounds hereby intended to be divided and inclosed, to sell and dispose of his, her, and their Right and Interest in any such Rights of Common, separate and apart from the Property to which the same are appurtenant; and the said Commissioners shall award the Allotments to be made in lieu of the Rights of Common so sold and disposed of to the Purchasers thereof respectively, having received a Request in Writing so to do, signed by the Proprietors or Owners of such Rights of Common in the Presence of and attested by One or more credible Witness or Witnesses, any Law to the contrary notwithstanding.

No Line Pits, &c. to be made in certain Places.

XXXVII. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons, from and after the passing of this Act, to cut, dig, make, use, or employ any Pit or Pits, Pond or Ponds, or any Ditch or Dyke, for the Purpose of rating, depositing, or steeping any Hemp, Line, or Flax therein, in or upon any Allotment or Allotments to be made or set out by the said Commissioners (in pursuance of this Act) from or upon any Part or Parts of a certain Common or Parcel of Waste Ground commonly called *Ealand Common*, otherwise *Ealand Bottoms*, situate between the Town of *Ealand* and the *Stainforth* and *Keadby* Canal, unless the same shall be distant not less than Five hundred

dred Yards from any Part of the Highway or Road leading from *Crowle* aforesaid to *Crowle* Wharf in the said County of *Lincoln*, nor in or upon any Part or Parts whatever of any Allotment to be made or set out as aforesaid, from or upon any Part or Parts of a certain Common or Parcel of Waste Ground situate on each Side of the said Road on the South Side of the *Stainforth* and *Keadby* Canal, nor in or upon any Part or Parts whatever of any Allotment or Allotments to be made or set out as aforesaid, from or upon a certain Common or Parcel of Ground called *Townend Green* otherwise *Tetley Green*, and situate near to the Town of *Crowle* aforesaid, or any Part thereof; and that in case any such Pit or Pits, Pond or Ponds, or any Ditch or Dike already made or hereafter to be made, shall be used for the Purpose of rating, depositing, or steeping any Hemp, Line, or Flax therein as aforesaid, the same shall be considered as a public Nuisance.

Allotments to be made of the same Tenure as former Property.

XXXVIII. And be it further enacted, That the Lands and Grounds which shall be allotted or awarded under or by virtue of this and the said recited Act, shall be held by the same Tenures, Customs, Rents, and Services, by which the Lands, Grounds, Tenements, and Hereditaments, or other Right, in respect whereof such Allotments shall be made, are now held.

Copyholders to be admitted.

XXXIX. And be it further enacted, That the several and respective Proprietors, to whom any Copyhold or Customary Lands shall be allotted by the said Award, shall, within Six Calendar Months next after the Execution thereof, be admitted Tenants to the same Lands, and entered on the Rolls of the said Manor, without paying any Fine for the same; but after such First Admittance, the same Copyhold or Customary Lands shall be at all Times held under and subject to such Uses, Estates, Tenures, Fines, Rents, and other Payments, as the Copyhold or Customary Premises, in respect whereof such Allotments shall be made, are now held under and subject to; and that all other Parts of the Lands directed to be allotted as aforesaid (except what shall be ascertained to be Copyhold or Customary Lands as aforesaid), shall from thenceforth be deemed, taken, and enjoyed as Freehold or Leasehold, subject to such Fines, Rents, Payments, and Services as are now payable out of or in respect of the Lands and Hereditaments for which they have been allotted.

Exchanges may be made.

XL. And be it further enacted, That it shall be lawful for the said Commissioners to set out, allot, and award any Lands, Tenements, or Hereditaments whatsoever within the said Parish of *Crowle*, in lieu of and in Exchange for any other Lands, Tenements, or Hereditaments whatsoever within the said Parish, or within any adjoining Parish, Hamlet, Township, or Place; provided that all such Exchanges be ascertained, specified, and declared in the Award of the said Commissioners, and be made with the Consent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tenements, or Hereditaments which shall be so exchanged, whether such Owner or Owners, Proprietor or Proprietors shall be a Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, or a Tenant or Tenants in Fee Simple or for Life, or in Fee Tail General or Special, or by the Courtesy of *England*, or for Years determinable on any Life or Lives, or with the Consent of the Guardians, Trustees, Feoffees for charitable or other Uses, Husbands, Committees

Committees or Attornies of or acting for any such Owner or Owners, Proprietor or Proprietors as aforesaid, who at the Time of making such Exchange or Exchanges shall be respectively Infants, Femes Covert, Lunatics, or under any other legal Disability, or who shall be beyond the Seas, or otherwise disabled to act for themselves, himself, or herself, such Consent to be testified in Writing under the Common Seal or Seals of the Body or Bodies Politic, Corporate, or Collegiate, and under the Hands of the other consenting Parties respectively; and all and every such Exchange and Exchanges so to be made shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever: Provided nevertheless, that no Exchange shall be made of any Lands, Tenements, or Hereditaments, held in Right of any Church, Chapel, or other Ecclesiastical Benefice, without the Consent, testified as aforesaid, of the Patron thereof, and of the Bishop of the Diocese in which such Lands, Tenements, or Hereditaments so to be exchanged shall lie and be situate.

Costs of Exchanges and Partitions to be borne by the Parties.

XLI. And be it further enacted, That the Expences attending any Exchanges or Partitions of any Messuages, Lands, Tenements, or Hereditaments, under or by virtue of this and the said recited Act, shall be borne and defrayed by the respective Parties making such Exchanges or Partitions, distinct and apart from the other Expences attending the Execution of this Act, in such Manner as the said Commissioners shall order and direct.

Exchanged Lands to change Qualities.

XLII. Provided always, and be it further enacted, That the Lands and Grounds which shall be allotted by virtue of this Act, shall be held in like Manner, under and by virtue of the same Tenures and Rents, and shall be thereafter deemed to be of the same Quality, whether Freehold, Leasehold, or Copyhold respectively, as the Lands and Tenements in respect of which such Allotment or Allotments shall be made, were held or deemed to be of immediately before the making of every such Allotment respectively.

Leases at Rack Rent to be void.

XLIII. And be it further enacted, That from and immediately after the Allotments herein-before directed to be made shall be marked and staked out, and the said Commissioners shall have directed the same to be entered upon by the Persons for whom the same shall be intended, or at any such other Time or Times as the said Commissioners shall appoint, every Lease or other Agreement at Rack Rent or Extended Rent subsisting of all or any Part or Parts of the Lands or Grounds hereby directed to be divided or inclosed, or of the Tithes, Dues, Moduses, or Compositions hereby intended to be extinguished, shall cease and be void, the Person or Persons who hath or have made any such Lease or Agreement making such Satisfaction to his, her, or their respective Lessee or Lessees, Tenant or Tenants, as the said Commissioners shall ascertain as reasonable, and by the said Award, or any Writing under their Hands, direct to be paid to such Lessee or Lessees, Tenant or Tenants, on account thereof, or as an Equivalent for the same (except in such Cases where the Parties themselves shall have otherwise fixed and agreed concerning such Satisfaction); and that it shall and may be lawful for the said Commissioners, and they are hereby authorized, by Writing under their Hands, to ascertain and determine what Rent, or Share or Proportion of Rent, shall be paid by the

several Lessees or Tenants of the Lands to be inclosed by virtue of this Act, and of the Right of Common in and upon the same, and of the Tithes, Dues, Moduses, and Compositions hereby intended to be extinguished, for their respective Holdings, to the respective Owners of the Premises, from the passing of this Act, until the said Allotments shall be marked, staked out, and entered upon as aforesaid; which Determination shall be binding and conclusive upon all such Lessees, Tenants, and Owners respectively: Provided always, that if there shall be any Lease or Leases of Land, Part of which lie in the said Parish, and Part in any adjoining Parish or Township, all and every such Lease or Leases upon Rack Rent now subsisting shall be vacated; but where any Land shall have been taken in Exchange, which Land shall be under Lease, and wholly situate in an adjoining Township or Parish, the Lease or Leases of such last-mentioned Lands shall not be vacated.

Settlements not to be prejudiced.

XLIV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to revoke, make void, alter, or annul any Will or Settlement, or to prejudice any Person or Persons having Right or Claim of Dower, Jointure, Portion, Debt, Rents, or Incumbrances out of, upon, or affecting any of the Messuages, Buildings, Lands or Grounds to be divided, allotted, inclosed, or exchanged as aforesaid, or any Part or Parts thereof respectively; but that the Messuages, Lands, or Hereditaments which shall be allotted or given in Exchange by virtue of this Act, shall be subject to and chargeable with, and the Person or Persons to whom the same shall be so allotted or given in Exchange shall be seised thereof to such and the same Uses, and for such and the same Estates, and subject to such and the same Wills, Jointures, Rents, Charges, and Incumbrances, and none other, as the Messuages, Lands, and Hereditaments, whereof such Person was seised or possessed at or immediately before the Execution of the Award to be made by the said Commissioners, or for which or in respect whereof such Allotments or Exchanges as shall be made, would have been subject to, charged with, or affected by, in case this Act had not been passed.

Allotment for Tithes of Fishing Grounds and Scotted Lands.

XLV. And be it further enacted, That the said Commissioners shall and they are hereby required, in the next Place, to set out, allot, and award, from the said Pieces or Parcels of Land or Ground commonly called or known by the respective Names of the *Fishing Grounds*, and *Participants Scotted Lands*, such Part and Parts thereof respectively, as shall, in the Judgment of the said Commissioners, be equal in Value to One Seventh Part thereof, unto and for the said Impropriators for the Time being severally and respectively, and unto and for the said *Godfrey Egremont*, Vicar as aforesaid, and his Successors, in Severalty (but to be apportioned by the said Commissioners between and amongst the said respective Tithe Owners, in the same Manner as is herein-before directed with respect to the other Tithe Allotments), in lieu of and as a full Compensation and Satisfaction for all Tithes both Great and Small, Moduses, and other Payments in lieu of Tithes, and all other Ecclesiastical Dues and Payments whatsoever, for and in respect of the same, arising, coming, growing, renewing, and increasing in, upon, from, and out of the said Fishing Grounds and Participants Scotted Lands respectively, (Mortuaries, *Easter* Offerings, and Surplice Fees only excepted).

XLVI. And

Tithe Owners not liable to Sewer Rates may, if rated, recover from Persons liable to Tithes if Allotments had not been made.

XLVI. And whereas it is meant and intended that the Allotment or Allotments so to be set out and allotted from the said Fishing Grounds and Participants Scotted Lands in lieu of Tithes as aforesaid, and the Proprietor or Proprietors, Occupier or Occupiers thereof, shall not be subject or chargeable with any Scots, Rates, or Assessments liable to be made, imposed, or laid thereon by the Commissioners of Sewers for the Level of *Hatfield Chace* and Parts adjacent; therefore be it further enacted, That if any Scots, Rates, or Assessments shall at any Time or Times be made, charged, scotted, rated, or assessed upon the said Allotment or Allotments so to be set out for Tithes as aforesaid, or the respective Proprietor or Proprietors, Occupier or Occupiers thereof, or of any Part thereof respectively, after the same shall have been so made and set out in lieu of Tithes as aforesaid, then and in every such Case, and from Time to Time so often as the same shall happen, it shall and may be lawful to and for the said Proprietor or Proprietors, Occupier or Occupiers for the Time being of such Allotment or Allotments so to be set out and allotted in lieu of Tithes as aforesaid, which shall be so charged, scotted, rated, or assessed as aforesaid, to raise, levy, and recover the full Amount of such Charges, Scots, Rates, or Assessments, and all Loss, Costs, Charges, Damages, and Expences which from Time to Time he, she, or they may have suffered, sustained, expended, or been put unto in respect thereof, by Distress and Sale of the Goods and Chattels of the Person or Persons who would have been entitled or liable to pay such Charges, Scots, Rates, or Assessments, or upon the Occupier or Occupiers thereof, in case no such Allotment or Allotments or Deductions had been made in lieu of Tithes as aforesaid, in manner prescribed or directed by the said recited Act in case of Nonpayment of Expences.

Allotments for Tithes of Old Inclosures above Five Acres.

XLVII. And be it further enacted, That in case the Owners of any of the said Messuages, Cottages, Garths, Gardens, Orchards, and ancient inclosed Lands exceeding Five Acres, shall not have or be entitled to Lands or Common Rights or other Property in the said Lands or Grounds hereby respectively directed to be divided and inclosed, or a sufficient Quantity thereof to make such Satisfaction and Compensation for the Tithes of such their Messuages, Cottages, Garths, Gardens, Orchards, and ancient inclosed Lands as aforesaid (Mortuaries, *Easter* Offerings and Surplice Fees only excepted), then and in every such Case Compensation shall be made for such Deficiency by and out of the ancient inclosed Lands of each and every such Proprietor respectively as aforesaid.

Tithes to continue payable for a certain Time.

XLVIII. And be it further enacted, That until the First Day of *April* next after the several Allotments to the said Impropriators and Vicar respectively shall be set out and inclosed, the said Impropriators and Vicar, and their respective Heirs and Successors, shall be entitled to and receive and take such and the same Tithes as they respectively could, might, or ought to have done in case this Act had not been passed.

Commissioners to direct the Course of Husbandry.

XLIX. And be it further enacted, That the said Commissioners shall as soon after the passing of this Act as conveniently may be, by some Writing or Writings under their Hands, to be published as herein-before directed with respect to Notice of Meetings, order and direct the Course of Husbandry

bandry that shall be used in all the said Open Fields and Ings hereby directed to be divided and inclosed, and from Time to Time to alter or amend such Order and Directions, or give new ones, as shall appear to them necessary and proper, until the Time when they shall have made and completed the said intended Division and Inclosure, as well with respect to laying down, ploughing, sowing, reaping of crops, fallowing and tilling thereof, as to the cleaning, weeding, stocking and eating of the Fallows or Stubbles, and shall and may, in and by the same or any such other Writing as aforesaid, set and impose such Penalties on every Person not conforming to such Orders and Directions, and for doing and committing any Damage, Waste or Destruction in or upon the said Open Fields, Meadows, Pastures, Ings, Carrs, Moors, Commons, and Waste Grounds, as they the said Commissioners at the Time of making such Orders and Directions shall think reasonable, not exceeding the Sum of Five Pounds *per* Acre, which Penalties shall be recovered and applied in manner directed by the said recited Act; and all such Orders and Directions of the said Commissioners shall be final, binding, and conclusive upon all Parties interested, and upon their several and respective Lessees, Farmers and Tenants.

Commissioners to settle Satisfaction for Standage Crops, or give Orders therein.

L. And be it further enacted, That unless the said Commissioners shall by any Writing under their Hands, or in and by their said Award, make any Order to the contrary, all the Tillage Parts of the said Open Fields and Ings, which shall be fallow or sown with Corn upon fallow, at the Time when such Division and Allotment shall take place, shall continue in the Possession of the respective Occupiers or Tenants thereof respectively until the then next ensuing Harvest, and the Crops thereof shall then be reaped or cut by such Occupiers and Tenants respectively, every one his own Land, who may enter thereon, and till and cultivate the same at his Pleasure, every such Occupier and Tenant paying to the Proprietor to whom the same shall be allotted, before he shall reap or cut such his Crop, such Satisfaction for the Standage of such Crop, and Damage done by the cultivating of such Land, and reaping or cutting and taking away such Crop, as the said Commissioners shall in and by such Writing as aforesaid, or by their said Award, direct or appoint: Provided always, that the said Commissioners shall and may, if they think proper, make and give any other Order and Direction in the Premises which they shall see more equal and convenient, either by any such Writing as aforesaid, or by their said Award.

No Sheep or Lambs to be kept in the Inclosures during the Space of Seven Years, unless Guard Fences are put up.

LI. And be it further enacted, That no Sheep or Lambs, Horses, Asses, horned Cattle, Pigs, or Geese, shall be depastured or kept in any of the said new intended Inclosures, during the Space of Seven Years from the Execution of the said Award of the said Commissioners, unless the Persons respectively so depasturing or keeping such Sheep or Lambs, Horses, Asses, horned Cattle, Pigs, or Geese therein, do at their own Expence staff-hold the same, or otherwise effectually guard and fence the Quickset Hedges, on any other Person's Allotment adjoining to such Inclosures respectively, in which Sheep or Lambs, Horses, Asses, horned Cattle, Pigs, or Geese shall be depastured and kept as aforesaid, so as to prevent any Damage or Injury being done to such Fences or Quicksets by any such Sheep or Lambs, Horses, Asses, horned Cattle, Pigs, or Geese.

No Cattle to be turned into the Roads.

LII. And be it further enacted, That if any Person or Persons shall, from and after the Execution of the Award of the said Commissioners, turn or put, or cause to be turned or put, or knowingly suffer to be turned or put, any of his, her, or their Sheep or Lambs, Horses, Asses, horned Cattle, Pigs, or Geese, into or upon any of the Roads to be set out by virtue of this and the said recited Act, which shall be fenced on both Sides thereof, it shall and may be lawful for the Person or Persons whose Hedges, Ditches, Fences, Crop, or Ground shall be damaged thereby, or any other Person or Persons, to impound the same; and that after the Execution of the Award of the said Commissioners the Herbage and Produce of all the said public Roads within the said Townships of *Crowle*, *Eastoft*, and *Ealand* within the Parish of *Crowle* aforesaid, and also within the said West Riding of the County of *York* aforesaid, which shall be fenced on both Sides thereof, shall be vested in the Surveyor or Surveyors of the Highways for the said several Townships respectively, and shall by him or them be publicly let to the best Bidder or Bidders, for the Purpose of mowing only, and the Rents and Profits thereof shall be applied towards the Reparation of the several Highways within the said several Townships respectively, and shall be accounted for by the said Surveyor or Surveyors of the Highways of the said several Townships respectively annually, on or about the Tenth Day of *October*, at a public Meeting to be called for that Purpose in the said several Townships respectively.

Commissioners empowered to borrow Money.

LIII. And be it further enacted, That it shall be lawful for the said Commissioners to borrow and take up at Interest of any Person or Persons willing to advance or lend the same, such Sum and Sums of Money as shall from Time to Time be necessary for defraying the Charges and Expences of executing this Act and the said recited Act.

Expences to be raised by Rate.

LIV. And be it further enacted, That all the Charges and Expences preparatory to and attending the obtaining and passing of this Act, and of surveying the Lands already inclosed, and surveying, dividing, and allotting the said Lands and Grounds hereby directed to be allotted and inclosed, and of setting out, making, and forming any public Roads, Drains, Sewers, Bridges, Banks, Sluices, and other Requisites which shall or may be necessary, and for fencing the Allotments to be made in respect of Tithes and Glebe respectively as herein-before mentioned, and of preparing and enrolling the Award of the said Commissioners, and the reasonable Expences and Charges of the said Commissioners, and also of the said Surveyor and Clerk to be employed by the said Commissioners, and all other proper and necessary Expences in the Execution of this and the said recited Act, up to the Time of the Execution of the said Commissioners Award, which are not otherwise directed to be borne, paid, and defrayed, shall from Time to Time as the same shall respectively accrue, be borne and defrayed by the several Owners and Proprietors of and Persons interested in the Lands and Grounds hereby directed to be divided and inclosed, and exonerated from Tithes respectively (except the Tithe Owners and Vicar in respect of Tithes and Glebe Lands only), in such Shares and Proportions as the said Commissioners shall appoint by any Rate or Rates to be made by them for that Purpose; and the said several Sums thereby rated shall be paid to such Person or Persons, and

in such Proportions and Manner, and at such Time or Times as the said Commissioners shall by Writing under their Hands (to be fixed on the Outer Door of the Parish Church of *Crowle* aforesaid, Ten Days at least before the Time of Payment) direct or appoint; and in case any Person or Persons liable to the Payment of such Charges and Expences as aforesaid, shall refuse or neglect to pay his, her, or their Share or Proportion thereof, at the Times and in the Manner to be appointed by the said Commissioners, then the same shall be levied and recovered in the Manner prescribed or directed by the said recited Act; and that all Charges and Expences which shall arise subsequent to the Execution of the said Commissioners Award, respecting the future Reparation and Support of the said Sewers, Banks, Sluices, and other Works to be made and ordered by the said Commissioners in pursuance of the Powers hereby vested in them, shall be borne and defrayed from thenceforth for ever thereafter by all such Proprietors as aforesaid, including the said *William Johnson*, *Robert Popplewell Steer*, and their respective Heirs, and the said *Godfrey Egremont* and his Successors, Vicars as aforesaid, in such Shares and Proportions as shall be thought just and equitable by the said Commissioners, and as shall be set forth in their said Award.

Money advanced by the Proprietors to be paid with Interest.

LV. And be it further enacted, That if any of the Proprietors or Persons interested in the Lands and Grounds, Ings, Carrs, Moors, Commons, and Waste Lands hereby directed to be divided, allotted, and inclosed, or any Person or Persons on his or their Behalf or respective Behalves, shall advance and pay any Money in discharge of the Fees or other Expences of obtaining and executing this Act, the Money so paid and advanced shall be repaid and satisfied by the Direction of the said Commissioners, together with lawful Interest for the same.

Commissioners Allowance.

LVI. And be it further enacted, That each and every Commissioner appointed by this Act, or to be elected in manner aforesaid, shall be paid and allowed out of the Money to be raised in manner as herein-before is directed, for defraying the Expences attending the passing of this Act and the Execution thereof, for each Day they shall respectively travel or attend for the Purpose of executing the Powers given by this Act, the Sum of Three Guineas and no more, as a Recompence for his Time and Travelling and all other Expences.

Commissioners to account.

LVII. And be it further enacted, That Once at least in each and every Year during the Execution of this Act (the First Year to be computed from the Day of the passing of this Act), the said Commissioners shall and they are hereby required to make a true and just Statement and Account of all Sum and Sums of Money by them received and expended, or due to them for their own Trouble or Expences in the Execution of this and the said herein-before recited Act, and such Statement and Account when so made, together with the Vouchers relating thereto, shall be by them laid before *Gervas Woodhouse* of *Owston* in the said County of *Lincoln*, Esquire, One of His Majesty's Justices of the Peace acting in and for the said County of *Lincoln*; and in case the said *Gervas Woodhouse* shall die, refuse, or be disabled to act, then the same shall be laid before some One of His Majesty's said Justices of the Peace acting in and for the said County of *Lincoln*, to be by him or them examined and balanced, and such Balance shall be by him or them stated in the

Book

Book of Accounts to be kept in the Office of the Clerk to the said Commissioners, and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by such Justice or Justices.

Proprietors to pay their own Expences.

LVIII. Provided always, and be it further enacted, That the said Proprietors, their Attornies and Agents, shall pay their own Expences when they or any of them shall attend the said Commissioners at any of their said Meetings to be held in pursuance of this and the said recited Act.

Award to be enrolled and deposited.

LIX. And be it further enacted, That the Award tobe made by the said Commissioners, when executed and enrolled in manner directed by the said recited Act, shall, within Six Calendar Months next after such Execution and Enrolment, be enrolled by the Steward of the Courts of the Manor of *Crowle* aforesaid in the Rolls of the said Manor, and a true Copy of such Enrolment or any Part thereof, certified under the Hand of the said Steward or his Deputy, shall be allowed as Evidence in all Courts of Law and Equity; and a Plan signed by the said Commissioners of the said Lands and Grounds, Open Common Fields, Ings, Carrs, Moors, Commons, and Waste Lands hereby directed to be divided and inclosed, specifying every Person's distinct Property therein, and the respective Natures or Tenures thereof, shall also at the same Time be deposited with the said Steward or his Deputy, and that the said Award and another such Plan shall, within One Calendar Month next after such Enrolment, be deposited in a Tin Box in the Parish Church of *Crowle* aforesaid.

Persons aggrieved may appeal to the Quarter Sessions.

LX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this or the said recited Act (other than and except such Orders and Determinations of the said Commissioners as are by this or the said recited Act directed to be final, binding, and conclusive, and except in such Cases where an Issue at Law shall be tried as herein-before mentioned), then and in every such Case he, she, or they may appeal to the General Quarter Sessions of the Peace which shall be holden in and for the Division of *Lindsey* aforesaid, within Three Calendar Months next after the Cause of Complaint shall have arisen, on giving to the said Commissioners and the Party or Parties concerned Ten Days Notice in Writing of such Appeal and of the Matter thereof, and the Justices (not interested in the Premises) in their said General Quarter Sessions are hereby required to hear and determine the Matter of every such Appeal, and to make such Order and award such Costs as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) upon Demand to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charge of such Warrant, Distress, and Sale; and the Determination of such Justices shall be final and conclusive upon all Parties concerned, and shall not be removed or removable by Certiorari, or other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious, or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant

lant or Appellants as to them in their Discretion shall seem reasonable, and to be levied in Manner aforesaid.

The Works of Drainage not to injure the Participants.

LXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend, nor shall any of the Powers hereby given to the said Commissioners be exercised or made use of by them, so as in any respect to impede, obstruct, prejudice, hinder or damage any of the Banks, Drains or Works of Drainage belonging to or hereafter to be made for the Use of the Participants of the Level of *Hatfield Chace* and Parts adjacent, or any of them, or to impede, obstruct, prevent or hinder the said Participants from overflowing their Lands and Grounds or any Part thereof with Water, and improving the same with *Trent* Warp, or otherwise as they shall think proper, in such Manner to all Intents and Purposes as the said Participants were by Law authorized to do immediately before the passing of this Act; any thing herein contained to the contrary thereof in anywise notwithstanding.

The Stainforth and Keadby Canal Act, and the Canal and Side Drains, not to be affected or injured.

LXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or affect, or to repeal or alter, any of the Powers or Authorities given and granted to the Company of Proprietors of the *Stainforth* and *Keadby* Canal Navigation, in and by an Act of Parliament passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a navigable Canal from the River* Dunn *Navigation Cut at or near* Stainforth, *in the West Riding of the County of* York, *to join and communicate with the River* Trent, *at or near* Keadby *in the County of* Lincoln, or any subsequent Act or Acts made and passed relating to the said Navigation; or in any respect to impede, obstruct, prejudice, affect, injure or damage the said Canal, and the Soak or Side Drains thereof or either of them; saving always to the Proprietors or Persons interested in, as well the ancient inclosed Lands within the Parish of *Crowle* aforesaid, as the said Lands and Grounds hereby directed to be divided, allotted and inclosed, all such Right of Drainage into the said Soak or Side Drains or either of them, as the said Proprietors, or Persons interested as aforesaid, are entitled to under or by virtue of the said Act of the Thirty-third Year of the Reign of His present Majesty.

Saving Rights of Commissioners of Sewers.

LXIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to lessen, prejudice, alter or affect the Jurisdiction, or any of the Rights, Privileges, Powers, or Authorities of or belonging to the Commissioners of Sewers for the Level of *Hatfield Chace* and Parts adjacent, in the Counties of *York*, *Lincoln* and *Nottingham*, with respect to the Rivers, Drains, Sewers, and other Works now in being; but that the same and every of them shall remain, continue, and be in the said Commissioners of Sewers as fully and effectually, to all Intents and Purposes, as if this Act had not been passed; and also, that all the new Cuts, Drains, Sewers, Ditches, Banks, Bridges, Sluices, Cloughs, and other Works hereafter to be made by virtue of the Powers given by this Act, shall, when made, be under and subject to the Controul, Directions, Survey, and Order of the said Commissioners of Sewers; any thing contained in this Act to the contrary notwithstanding.

General Saving.

LXIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, as well in Right of His Crown as in Right of His Duchy of *Lancaster*, and to all and every other Person or Persons, and Body or Bodies Politic, Corporate or Collegiate, and his, her, and their Heirs, Successors, Executors and Administrators, (except the several Persons, and the Body or Bodies Politic, Corporate or Collegiate, to whom any Allotments shall be made by virtue and in pursuance of this Act, for and in respect of such Rights and Interests as are hereby meant and intended to be barred, destroyed and extinguished, and all Persons respectively claiming under him or them, or in Remainder after them), all such Right, Estate, Title and Interest, as he, they, every or any of them, could or ought to have had and enjoyed in, to, or in respect of the Lands hereby directed to be divided and allotted, in case this Act had not been passed.

Act to be given in Evidence as a Public Act.

LXV. And be it further enacted, That this Act shall be printed by the several Printers to the King'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 EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1824.