ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 136.

An Act for incloſing Lands in the Pariſh of *Glatton with Holme*, in the County of *Huntingdon*.

[27th *May* 1809.]

WHEREAS there are within the Pariſh of *Glatton with Holme*, in the County of *Huntingdon*, certain Open and Common Fields, Common Meadows, Paſtures, Commonable Lands, and Waſte Grounds, containing by Eſtimation One thouſand three hundred Acres, or thereabouts, Part of which are Freehold, and Part Copyhold of Inheritance: And whereas *Thomas Wells*, Eſquire, is Lord of the Manor of *Glatton with Holme*, and intereſted in the Soil of the ſaid Commons and Waſte Grounds: And whereas *John Hopkinſon*, Clerk, is Patron of the Rectory and Pariſh Church of *Glatton with Holme* aforeſaid, and the ſaid *John Hopkinſon* is alſo the Rector of the ſame, and as ſuch is entitled to a Parſonage Houſe, with certain Glebe Lands and Rights of Common thereto belonging, and to the Great and Small Tythes ariſing within the ſaid Pariſh, or the Tytheable Places thereof: And whereas the ſaid *Thomas Wells*, *John Hopkinſon*, *Henry Gee*, *Henry Clarke*, *Jane Sherard*, *William Goſling*, *Mary Sanderſon*, *Elizabeth Edwards*, *William Martin*, and ſeveral other Perſons reſpectively are Owners and Proprietors of the Meſſuages, Cottages, Lands, and other Hereditaments ſituate, lying, and being in the ſaid Pariſh of *Glatton with Holme*: 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 in the ſaid Open and Common Fields lie intermixed and diſperſed in ſmall Parcels, and the ſaid Common Meadows, Paſtures, Commons, and Waſte Grounds in their preſent State are incapable of any conſiderable Improvement, and it would

be very advantageous if the ſame were divided and incloſed, and ſpecific Shares allotted to the ſeveral Owners thereof, and Perſons intereſted therein, in proportion and according to their reſpective Eſtates, Rights, and Intereſts: But as ſuch Diviſion, Allotment, and Inclоſure cannot be effected without the Authority of Parliament; May it therefore pleaſe Your Majeſty, That it may be enacted, and be it enacted by the King's Moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *John Burcham*, of *Conningſby* in the County of *Lincoln*, *Edward Hare*, of *Caſter*, and *Charles Berkeley*, of *Biggen* in the Pariſh of *Oundle* in the County of *Northampton*, Gentlemen, and their Succeſſors to be appointed in Manner hereinafter mentioned, ſhall be and they are hereby appointed Commiſſioners for dividing, allotting, and incloſing the ſaid Open and Common Fields, Common Meadows, Paſtures, Commonable Lands, and Waſte Grounds, and for putting this Act into execution, ſubject to the Proviſions of the ſaid recited Act (except in ſuch Caſes where the ſame are hereby varied and altered); Provided always, that it ſhall and may be lawful for any Two of the ſaid Commiſſioners, or their Succeſſors to be elected in Manner hereinafter mentioned, and they are hereby fully authorized and impowered to execute, do, and perform, all and every, or any Matter or Thing, either by this or the ſaid recited Act authorized to be done and performed by the ſaid Commiſſioners; and every ſuch Matter and Thing which ſhall be executed, done, and performed by any Two of the ſaid Commiſſioners for the Time being ſhall be as valid and effectual, to all Intents and Purpoſes, as if all the ſaid Commiſſioners herein before appointed, or to be elected in Manner hereinafter mentioned, had been preſent and had executed, done, and performed the ſame.

Commiſſioners appointed.

Two of the ſaid Commiſſioners may act.

II. And be it further enacted, That in caſe the ſaid *John Burcham* ſhall die, neglect, or refuſe to act, or be rendered incapable of acting as a Commiſſioner in the Execution of this Act, then and in ſuch Caſe the ſurviving or remaining Commiſſioners or Commiſſioner ſhall, within Twenty Days after ſuch Death, Neglect, Refuſal, or Incapacity of the ſaid *John Burcham* to act ſhall happen or be known to them or him, give Notice thereof in Writing to the ſaid *Thomas Wells*, or his known Agent, who ſhall, within Twenty Days after ſuch Notice, by Writing under the Hand of the ſaid *Thomas Wells*, or under the Hand of his known Agent, nominate and appoint One other Perſon (not intereſted in the ſaid Diviſion and Incloſure) to be a Commiſſioner in the Room and Stead of the ſaid *John Burcham*, and ſo from Time to Time as often as any Commiſſioner, ſo to be appointed by the ſaid *Thomas Wells*, ſhall die, neglect, or refuſe to act, or become incapable of acting as aforeſaid; and that in caſe the ſaid *Edward Hare* ſhall die, neglect, or refuſe to act, or be rendered incapable of acting as a Commiſſioner in the Execution of this Act, then and in ſuch Caſe the ſurviving or remaining Commiſſioners or Commiſſioner ſhall, within Twenty Days next after ſuch Death, Neglect, or Refuſal to act, or Incapacity of the ſaid *Edward Hare* to act ſhall happen or be known to them or him, give Notice thereof in Writing to the ſaid *John Hopkinſon* or his Succeſſors, or to his or their known Agent, who ſhall, within Twenty Days after ſuch Notice, by Writing under his or their Hands or Hand, nominate and appoint One other Perſon (not intereſted in the ſaid intended Diviſion and Incloſure) to be a Commiſſioner in the Room and Stead of the ſaid *Ed-*

For appointing new Commiſſioners.

ward Hare, and so from Time to Time as often as any Commissioner, so to be appointed as last aforesaid, shall die, neglect or refuse to act, or become incapable of acting as aforesaid; and that in case the said *Charles Berkeley* shall die, neglect, or refuse to act, or become incapable of acting as a Commissioner in the Execution of this Act, that then and in such Case the surviving or remaining Commissioners or Commissioner shall, within Twenty Days next after such Death, Neglect, Refusal, or Incapacity of the said *Charles Berkeley* to act shall happen or be known to them or him, give Notice thereof to the Owners and Proprietors of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or the major Part of them (except the said *Thomas Wells* and the said *John Hopkinson*, their Heirs, Successors, and Assigns) in some Newspaper usually circulated in the County of *Huntingdon*, and also in the said Parish Church of *Glatton* and the Chapel at *Holme*, upon a *Sunday* immediately before Divine Service, by affixing the same in Writing upon the principal outer Doors of the said Parish Church and Chapel; and in such Notices the said surviving or remaining Commissioners or Commissioner shall appoint a Day for the said Owners and Proprietors to meet in or near the said Parish of *Glatton with Holme*, within Twenty Days after such Notice, for the Appointment of another Person (not interested in the said intended Division and Inclosure) in the Place and Stead of the said *Charles Berkeley*, and the Majority in Value of the said Owners and Proprietors of the said Lands and Grounds so to be divided, allotted, and inclosed (except as aforesaid), who shall by themselves, or their Agents duly authorized by Writing, attend such Meeting, shall and may by Writing under their Hands appoint another Person (not interested in the said intended Division and Inclosure) to be a Commissioner in the Place and Stead of the said *Charles Berkeley*, and so from Time to Time as often as any Commissioner, so to be appointed by the said Owners and Proprietors, shall die, neglect, refuse, or become incapable of acting as aforesaid; but in case the Person or Persons respectively hereinbefore enabled and authorized to appoint a Commissioner or Commissioners as aforesaid, shall respectively refuse or neglect to appoint such Commissioner or Commissioners in the Place and Stead of the Commissioner or Commissioners so dying, neglecting, refusing, or becoming incapable of acting as aforesaid, within Twenty Days after such Notice or Notices shall have been given as aforesaid, then and in such respective Cases the surviving or remaining Commissioners or Commissioner shall and may, within the Space of Twenty Days next after such last-mentioned Refusal or Neglect, by Writing under their or his Hands or Hand, appoint a Commissioner (not interested in the said intended Division and Inclosure) in the Place and Stead of each of such Commissioners so dying, neglecting, or becoming incapable of acting as aforesaid, whose Place shall not have been filled up by the respective Persons enabled to elect or appoint such new Commissioner or Commissioners as aforesaid; and every Commissioner, so to be nominated and appointed, shall have the same Powers and Authorities of acting in the Execution of this and the said recited Act as the Commissioner in whose Place or Stead he shall succeed was vested with; and every Appointment of a new Commissioner shall be enrolled at the same Time and in the same Place as the Award or Instrument of the said Commissioners.

III. And be it further enacted, That the said Commissioners shall, and they are hereby required to cause Notice to be given by Advertisement in the Newspaper called *The Cambridge Chronicle and Journal*, or some other Notice of Meetings.

other Newſpaper publiſhed or circulated in the ſaid County of *Huntingdon*, and alſo by Writing to be affixed on the principal outer Doors of the ſaid Pariſh Church of *Glatton* aforeſaid, and alſo of the ſaid Chapel at *Holme*, of the Time and Place of their Firſt Meeting for executing the Powers hereby veſted in them, at leaſt Ten Days before ſuch Meeting; and ſhall alſo cauſe Ten Days Notice at the leaſt to be given in Writing in like Manner of every ſubſequent Meeting for the like Purpoſes (Meetings by Adjournment only excepted): Provided always, that if at any Meeting appointed to be holden as aforeſaid, it ſhall happen that only One of the ſaid Commiſſioners ſhall attend, ſuch Commiſſioner, ſo attending, may adjourn ſuch Meeting to ſuch Time within the Space of One Month, and to ſuch Place within the ſaid Pariſh of *Glatton with Holme*, or within Eight Miles thereof, as he ſhall think moſt convenient, giving Notice thereof to the abſent Commiſſioners; and that all Meetings of the ſaid Commiſſioners in the Execution of this or the ſaid recited Act ſhall be held within Eight Miles of the ſaid Pariſh of *Glatton with Holme*.

Other Notices, how to be given.

IV. Provided always, and be it further enacted, That all other Notices neceſſary or requiſite to be made and given by the ſaid Commiſſioners, ſhall be ſo made and given by Advertiſement in the ſaid Newſpaper called *The Cambridge Chronicle and Journal*, or in caſe the ſame ſhall not be publiſhed, in ſome other Newſpaper publiſhed or circulated in the ſaid County of *Huntingdon*.

Surveyors appointed.

V. And be it further enacted, That *Edward Gibbons* of *Shelford*, in the County of *Cambridge*, and *Edward Arden* of *Morton*, in the County of *Lincoln*, Land Surveyors, ſhall be and they are hereby appointed Surveyors for the Purpoſes of this and the ſaid recited Act, and in caſe of the Death or Refuſal to act of the ſaid Surveyors, or either of them, then the ſaid Commiſſioners ſhall, by Writing under their Hands, from Time to Time appoint ſome other fit and proper Perſon or Perſons to be Surveyor or Surveyors for the Purpoſes aforeſaid.

Encroachments.

VI. And be it further enacted, That all Encroachments which at any Time within Twenty Years now laſt paſt have been made upon or taken from the ſaid Open and Commonable Fields, Meadows, Paſtures, Commonable Lands, and Waſte Grounds, ſhall be deemed Part thereof, and ſhall be divided and allotted accordingly; and in caſe any Diſpute or Difference ſhall ariſe touching any ſuch Encroachments or the Extent thereof, ſuch Diſpute ſhall be determined by the ſaid Commiſſioners.

Commiſſioners to ſettle Diſputes.

VII. 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 intended Diviſion and Allotments touching or concerning the reſpective Rights and Intereſts which they or any of them ſhall have or claim to have in the ſaid Commonable Lands, and Waſte Grounds hereby directed to be divided, allotted, and incloſed, or touching or concerning any other Matter or Thing relating to the ſaid Diviſion and Allotments, it ſhall be lawful for the ſaid Commiſſioners to examine into, hear, and determine the ſame; Provided always, that nothing herein contained ſhall authorize the ſaid Commiſſioners to determine the Title to any Meſſuages, Cottages, Lands, Tenements, or Hereditaments whatſoever.

VIII. And

Commiſſioners may aſſeſs Coſts.

VIII. And be it further enacted, That in caſe the ſaid Commiſſioners ſhall upon the Hearing or Determination of any Claim or Claims, Objection or Objections to be delivered to them in purſuance of this or the ſaid 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 or Parties, 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 overruled; 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 on Demand, then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners and they are hereby authorized and empowered, 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 ſhall have been ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale.

Parties may try their Rights at Law.

IX. Provided always, and be it further enacted, That in caſe any Perſon or Perſons intereſted in the ſaid intended Diviſion and Allotments, or having or claiming to have any Right in any of the Roads or Ways which are now uſed or claimed to be uſed within the ſaid Pariſh of *Glatton with Holme*, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners touching or concerning the reſpective Rights and Intereſts which they or any of them ſhall have or claim to have in the ſaid Open and Common Fields, Meadows, Paſtures, Commonable Lands, and Waſte Grounds hereby directed to be divided, allotted, and incloſed, or any Part thereof, or in any of the Roads or Ways which are now uſed or claimed within the ſaid Pariſh, it ſhall be lawful 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 or at the following Aſſizes to be holden for the ſaid County of *Huntingdon*; and for that Purpoſe the Perſon or Perſons 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 ſuch Determination ſhall have been made, within Four Calendar Months after ſuch Determination of the ſaid Commiſſioners; and the Defendant or Defendants in ſuch Action or Actions ſhall, and he, ſhe, or they is and are hereby required to name an Attorney or Attornies, who ſhall appear thereto and file Common Bail, and accept one or more Iſſue or Iſſues whereby the Claim or Claims, and the 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 ſhall be commenced, in caſe the Parties 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 whomſoever, unleſs the Court in which ſuch Action or Actions ſhall be brought ſhall ſet aſide ſuch Verdict or Verdicts and order a new Trial or new Trials to be had thereon, which it ſhall be lawful for the Court 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

Determination of Commissioners final, if no Action brought.

the Claim or Claims thereby determined according to the Event of such Trial or Trials: Provided always, that the Determination of the said Commissioners touching such Rights or Interests in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, which shall not be objected to, or being objected to, the Party or Parties objecting not causing such Action at Law to be brought and proceeded in as aforesaid, shall be binding and conclusive upon all Parties.

If Parties die, Proceedings not to abate.

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

Provision in case of the Death of Parties before Action brought.

XI. Provided always, and be it further enacted, That if any Person or Persons, in whose Favour any such Determination as aforesaid 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 hereinbefore limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Bodies Politic or Corporate, 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 of the said 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 on 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 Parties shall be equally bound and concluded by the Event of such Action or Actions.

Right of Possession of Persons not to be determined by Commissioners.

XII. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioners to determine any Right between any Parties contrary to the Possession of any of such Parties, except in Cases of Encroachments made within the Period of Twenty Years as hereinbefore mentioned; 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 or recovered from such Person or Persons, by Ejectment or other due Course of Law.

Commissioners may alter Roads through ancient Inclosures.

XIII. And be it further enacted, That in case it shall appear to the said Commissioners that there are or is any public Highways or Highway, Bridle Roads or Bridle Road, Footways or Footway in, through, over, or on the Sides of any of the old inclosed Lands, or other Lands within the said Parish, which may in the Judgment of the said Commissioners be diverted and turned, without Inconvenience to the Public, into any other public Highways or public Highway, Bridle Roads or Bridle Road, Footways or Footway, or be diverted or turned so as to make the same more convenient to the Public, or be stopped up and destroyed as superfluous and unnecessary, it shall be lawful for the said Commissioners, by Consent of Two Justices, on giving such Notice, and subject to Objection or Ap-

peal as in the ſaid Act of the Forty-firſt Year of His preſent Majeſty is mentioned, in and by their ſaid Award to order and direct ſuch public Highways or Highway, Bridle Roads or Bridle Road, Footways or Footway, to be altered, turned, ſtopped up, or diſcontinued in ſuch Manner as the ſaid Commiſſioners ſhall think proper; and in caſe ſuch Highways or Highway, Bridle Roads or Bridle Road, Footways or Footway, ſo to be diverted, turned, ſtopped up, or diſcontinued, do not paſs through any of ſuch old incloſed Lands or other Lands, but on the Sides of the ſame, to ſell and diſpoſe of the Land and Soil of ſuch Roads to the Perſon or Perſons whoſe Lands lie contiguous thereto, and apply the Money ariſing thereby towards repairing the public Highways within the ſaid Pariſh.

Roads dividing Pariſhes to be made up in the whole Forty Feet broad.

XIV. And be it further enacted, That in caſe any public Carriage Roads or Highways ſhall be ſet out, or continued in any Situation or Direction, where the ſaid Pariſh is divided from any adjoining Pariſh; and where there now is and uſually hath been a public Road or Meer-way, and ſuch adjoining Pariſh or Place hath hitherto been charged or liable to be charged with One half Part of the Repair and Support of the ſaid Road or Way, then and in ſuch Caſe the ſaid Commiſſioners ſhall and they are hereby authorized and required to ſet out ſo many Feet only, or ſo much Land from and out of the ſaid Lands and Grounds hereby directed to be divided and incloſed as will enlarge the Breadth of ſuch Road or Way to Forty Feet at the leaſt.

Cattle not to be kept in Roads for a limited Time.

XV. And be it further enacted, That no Horſes, Beaſts, Aſſes, Sheep, Lambs, or other Cattle ſhall, at any Time within the firſt Ten Years after the ſaid Allotments ſhall be directed to be entered upon by the reſpective Proprietors thereof, be kept in any of the public Carriage Roads or Ways to be ſet out and fenced off on both Sides or laned out in purſuance of this Act.

Power to make Drains, &c.

XVI. And be it further enacted, That the ſaid Commiſſioners ſhall and may repair, ſcour, cut, and widen all ancient Ditches, Drains, Watercourſes, Tunnels, Water Gates, Sluices, Banks, and Bridges; and alſo ſhall and may make, ſet out, and appoint ſuch new Ditches, Drains, Watercourſes, Tunnels, Water Gates, Sluices, Banks, and Bridges, as well in, upon, through, and over the Lands and Grounds hereinbefore intended to be divided and incloſed as aforeſaid, as in, upon, through, and over any ancient Incloſures or other Lands and Grounds within the ſaid Pariſh of *Glatton with Holme*, with the previous Conſent of the Proprietors of ſuch ancient Incloſures or other Lands and Grounds not hereby directed to be divided and incloſed, of ſuch Depth and Breadth and in ſuch Directions as the ſaid Commiſſioners ſhall think fit; and the ſaid Commiſſioners ſhall and may and they are hereby directed in and by their Award to appoint and order by whom and at whoſe Expence, and at what Time and in what Manner the ſaid Brooks, Drains, Ditches, Watercourſes, Tunnels, Water Gates, Sluices, Banks, Bridges, and other Requiſites ſhall be made and thereafter repaired, cleanſed, ſcoured, and maintained, and alſo ſhall and may direct, order, and award all or any of the Streams, Springs of Water, and Watercourſes within the ſaid Open and Common Fields, Lands, and Grounds hereby directed to be divided, allotted, and incloſed, or any incloſed Lands within the ſaid Pariſh of *Glatton with Holme*, to be conveyed, carried, turned into ſuch Courſes, and through, over, and acroſs ſuch Parts of

of the Lands or Grounds hereby directed to be divided and incloſed, or any other Lands in the ſaid Pariſh, as they the ſaid Commiſſioners ſhall in their Diſcretion judge proper for the watering of the ſeveral Allotments to be made as aforeſaid; Provided that no ſuch Stream, Spring of Water, or Watercourſe ſhall be turned from its preſent Courſe in, through, from, or over any incloſed Lands or Grounds without the Conſent in Writing of the Owner or Owners for the Time being of the Lands from which and into which the ſame ſhall be diverted and carried.

Commiſſioners may extinguiſh or ſuſpend Rights of Common, and direct the Courſe of Huſbandry.

XVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, at any Time when they in their Judgment ſhall think it convenient and proper, by Notice for that Purpoſe under their Hands to be affixed on one of the outer Doors of the Pariſh Church of *Glatton* and the Chapel at *Holme* aforeſaid, on ſome *Sunday* immediately before Divine Service, to order the Right of Common in, upon, and over the Lands and Grounds hereby directed to be divided and incloſed, or any of them, to be extinguiſhed either in whole or in part, or to be ſuſpended; and from and after the Time or Times, to be mentioned in and appointed by any ſuch Notice, all ſuch Right of Common as ſhall thereby be directed to be extinguiſhed or ſuſpended, ſhall be extinguiſhed or ſuſpended according to and as ſhall be expreſſed in and directed by ſuch Notice; and until ſuch Diviſion and Allotment as is hereby directed ſhall have been made of the Lands and Grounds to be divided and allotted, all ſuch Lands and Grounds ſhall be ſtocked with ſuch Cattle, and at ſuch Times, and in ſuch Manner only, and the Tillage Lands ſhall be ſown by the reſpective Occupiers thereof, or by ſuch other Perſons as the ſaid Commiſſioners ſhall appoint, with ſuch Sorts of Corn and Grain, and with ſuch Kinds, Quantities, and Qualities of Graſs, Turnips, and other Seeds, and ſhall be kept, ordered, and continued in ſuch Courſe of Huſbandry and Tillage as the ſaid Commiſſioners ſhall by Writing under their Hands in that Behalf direct, any Uſage or Cuſtom to the contrary notwithſtanding; and that the Charges and Expences of ſuch ploughing, ſowing, fallowing and tilling ſhall be paid by the reſpective Perſons who ſhall receive the Benefit thereof, or by ſuch other of the Proprietors of the ſaid Open and Common Fields, and at ſuch Times, in ſuch Manner, and in ſuch Proportions as the ſaid Commiſſioners ſhall by any Writing or Writings under their Hands direct or appoint, and ſhall be recovered in ſuch Manner as the Expences of this Act are directed to be levied and recovered: and that no Meadow, Paſture, or Freſh Ground, Parts of the Lands and Grounds hereby directed to be divided and allotted, and not in tillage at the Time of paſſing this Act ſhall be, without the Conſent in Writing of the ſaid Commiſſioners before the Allotments thereof, ploughed, broken up, or converted into Tillage: and every Occupier of any ſuch Land or Ground, who ſhall refuſe or neglect to comply with any ſuch Direction of the ſaid Commiſſioners, or who ſhall plough, break up, or convert into Tillage any ſuch Meadow, Paſture, or Freſh Ground, without the Conſent in Writing of the ſaid Commiſſioners, ſhall forfeit and pay any Sum not exceeding Ten Pounds for every Acre of ſuch Tillage Lands with reſpect to which ſuch Refuſal or Neglect ſhall happen, and for every Acre of ſuch Meadow, Paſture, or Freſh Ground which ſhall be ploughed, broken up, or converted into Tillage, and ſo in proportion in each Caſe for a greater or leſs Quantity than an Acre, which ſhall be paid and collected, or levied and recovered as aforeſaid.

XVIII. And

Allotment for Stone, Gravel, and Mortar Pits.

XVIII. And be it further enacted, That the ſaid Commiſſioners, after ſetting out the public Roads and Highways in Manner directed by the ſaid recited Act, ſhall ſet out and allot unto the Surveyors of the Highways within the ſaid Pariſh of *Glatton with Holme*, ſuch Parts of the Lands and Grounds hereby directed to be divided and allotted as the ſaid Commiſſioners ſhall think neceſſary, not exceeding Six Acres, as and for public Stone, Gravel, Sand, and Mortar Pits; and the ſame Allotments or Allotment, when ſet out, ſhall for ever thereafter be uſed by the reſpective Surveyors of the Highways of the ſaid Pariſh of *Glatton with Holme*, and by the reſpective Proprietors and Occupiers of Lands, Tenements, and Hereditaments within the ſaid Pariſh for the Time being, in ſuch Manner, and under ſuch Rules and Regulations, as the ſaid Commiſſioners ſhall by their Award, or in the mean Time by any other Writing or Writings under their Hands, direct or appoint; and that the Herbage thereof, and alſo of the public and private Roads, ſhall belong to and be the Property of ſuch Perſon or Perſons to whom the Commiſſioners ſhall allot and award the ſame.

Allotment to Rectors in lieu of Glebe Lands and Rights of Common.

XIX. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby required, in the next Place, to ſet out, allot, and award unto the ſaid *John Hopkinſon* and his Succeſſors, Rectors as aforeſaid, ſuch Parcels of the Lands and Grounds hereby intended to be divided and allotted as, in the Judgment of the ſaid Commiſſioners, ſhall be a full Equivalent and Compenſation for the Glebe Lands and Rights of Common now belonging to the ſaid Rectory in, over, and upon the Lands and Grounds hereby directed to be divided and incloſed, of which not leſs than Twenty Acres, Part of the Lands and Grounds ſo to be allotted for Glebe Lands and Rights of Common as aforeſaid, ſhall be ſet out as near to the Parſonage Houſe as conveniently may be without Prejudice to the Rights of other Perſons.

Allotment to Rector for Tythes.

XX. And, towards making an adequate Compenſation to the ſaid Rector for the Great and Small Tythes belonging to the ſaid Rectory, be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and required, in the next Place, to ſet out, allot, and award unto and for the ſaid *John Hopkinſon* as Rector as aforeſaid, and his Succeſſors Rectors as aforeſaid for the Time being, ſuch Plot or Plots, Pieces or Parcels of Land and Grounds hereby directed to be divided and incloſed as, in the Judgment of the Commiſſioners, ſhall be equal in Value to One-fifth Part of all the Arable and Tillage Lands, and One-eighth Part of all the other Lands and Grounds within the ſaid Pariſh (except of the Lands and Grounds in that Part of the ſaid Pariſh as is called *Holme Fen*), ſubject and liable to the Payment of Tythes in kind to the ſaid Rector, which ſhall remain after the ſaid public and private Roads, the ſaid Stone, Gravel, Sand, and Mortar Pits, and the ſaid Allotments for Glebe before mentioned and directed to be made ſhall be taken out and deducted, and alſo ſuch further Plot or Plots, Pieces or Parcels of Land and Ground, Part of the Lands and Grounds intended to be divided and incloſed as aforeſaid, as ſhall be a full Equivalent and Compenſation for all Moduſes, Compoſitions, or Payments in lieu of Tythes annually payable for or in reſpect of any Meſſuages, Lands, Tenements, and Hereditaments within the ſaid Pariſh (except in *Holme Fen* as aforeſaid) ſubject and liable to ſuch Moduſes, Compoſitions, or Payments in lieu of Tythes.

Compensation in lieu of Tythes of old Inclosures.

XXI. And be it further enacted, That in case there are any Homesteads, Gardens, Orchards, or ancient Inclosures in the said Parish (except in *Holme Fen* as aforesaid) which are liable to the Payment of Tythe or other Payments in lieu thereof as aforesaid, the respective Proprietors whereof shall not be entitled to a sufficient Allotment from the Lands and Grounds, so directed to be divided and inclosed as aforesaid, to make Compensation for such Tythes or Payments, such Proprietors shall pay or cause to be paid unto such Person or Persons, and at such Time or Times as the said Commissioners shall direct or appoint, such Sum and Sums of Money as the said Commissioners shall deem and adjudge to be a full Recompence and Satisfaction for the Land hereinbefore directed to be set out and allotted in lieu of the Tythes of such Homesteads, Gardens, Orchards, or ancient Inclosures respectively; which Sum or Sums of Money shall be applied towards defraying the Charges and Expences incident to or attending the obtaining and passing of this Act and carrying the same into execution; and in case any Person or Persons liable to pay such Sum and Sums of Money as aforesaid shall neglect or refuse to pay the same, within the Time to be limited by the said Commissioners for Payment thereof, to such Person or Persons as they shall appoint to receive the same, then and in such Case the said Sum and Sums of Money shall be raised, levied, and recovered, together with the Costs and Charges of raising, levying, and recovering the same, in such and the same Manner as the other Expences of this Act are directed to be levied, raised, and recovered: Provided always, that if any Surplus shall remain after such Expences shall have been fully paid and satisfied, such Surplus shall be divided and apportioned between the several Proprietors and Persons interested in the said Lands and Grounds, in such Shares as shall be in proportion to their respective Property and Interest therein, and the Shares of such of them as shall be Tenants in Fee Simple shall be paid to them respectively, and the Shares of the other Proprietors and Persons of and in such Surplus Money shall be applied and disposed of in Manner directed by the said recited Act with respect to Money to be paid for the Purchase or Exchange of Lands, Tenements, or Hereditaments, or of any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the same Uses; provided that in case any of the Proprietors of such old inclosed Homesteads or other old inclosed Lands, amounting altogether to Thirty Acres, shall be desirous of compensating for the Tythes of the same by Land (Part thereof) instead of such Money Payment, and shall give Notice thereof to the said Commissioners, it shall and may be lawful for the said Commissioners, and they are hereby required to set out such Compensation in Land, Part of such old Inclosures, and allot, and award the same accordingly.

Tenants for Life, &c. of old Inclosures, having no Open Field Lands, empowered to charge their Estate with Money paid for discharging the same from Tythes.

XXII. Provided always, and be it further enacted, That it shall and may be lawful for the Husbands, Guardians, Trustees, Committees, or Attornies of any of the Owners or Proprietors of Messuages, Cottages, Homesteads, Gardens, Orchards, or inclosed Lands or Grounds in the said Parish, not having a sufficient Quantity of the Lands and Grounds hereby directed to be divided and inclosed, to discharge his, her, or their old Inclosures from Tythes, being under Coverture, Minors, Lunatics, beyond the Seas, or under any other Disability, or for any of the Owners or Proprietors, being Tenants in Tail, or for Life or Lives, or for Years determinable on a Life or Lives or on any other Contingency, or otherwise interested as aforesaid, to charge

charge such Messuages, Cottages, Homesteads, Gardens, Orchards, or inclosed Lands and Grounds, with such Sum or Sums of Money as the said Commissioners shall by their Award, or any other Writing under their Hands previous thereto, declare to have been paid for the Discharge of the Tythes thereof, not exceeding in any Case Five Pounds an Acre for every Acre of Land discharged from Tythes as aforesaid, and their respective Shares of the Charges and Expences incident to and attending the obtaining of this Act and carrying the same into execution; and to grant, mortgage, surrender, lease, or demise, or otherwise subject such Messuages, Cottages, Homesteads, Gardens, Orchards, or inclosed Lands or Grounds unto such Person or Persons as shall advance and lend such Sum and Sums of Money respectively, his, her, or their Executors, Administrators and Assigns, for any Term or Number of Years; or in case any Person in possession who shall be charged with a Sum or Sums of Money as aforesaid, shall choose to advance, pay or discharge the same, it shall be lawful for the said Commissioners, by any Deed or Writing under their Hands and Seals, to be attested by Two or more credible Witnesses, in like Manner to grant, mortgage, surrender, lease, demise, or otherwise subject the said Messuages, Cottages, Homesteads, Gardens, Orchards, or inclosed Lands and Grounds to such Person or Persons respectively paying or discharging the same, his, her, and their Executors, Administrators and Assigns for any Term or Number of Years, to and for the Payment of such Sums of Money as aforesaid, with Interest for the same, to commence on the Termination of his, her, or their Right in the Premises, so that every such Grant, Mortgage, Surrender, Lease, or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered or resigned, when such Sum and Sums of Money, thereby to be secured, shall have been fully paid and satisfied; and also with a Covenant to pay and keep down the Interest, so that no Person or Persons afterwards becoming entitled to any such Messuages, Cottages, Homesteads, Gardens, Orchards, or inclosed Lands and Grounds, shall be liable to pay any further or larger Arrear of Interest than for Six Calendar Months preceding the Time when the Title to such Possession shall have commenced, and that every such Grant, Mortgage, Surrender, Lease, or Demise, shall be good, valid and effectual in the Law for the Purposes hereby intended: Provided always, that in case there shall be any Surplus of the Money last herein directed to be paid to the said Commissioners, after defraying the Charges and Expences herein provided for, such Surplus shall be divided and apportioned between the several Proprietors and Persons interested in the said Lands and Grounds, in such Shares as shall be in proportion to their respective Property and Interest therein; and the Shares of such of them as shall be Tenants in Fee Simple shall be paid to them respectively, and the Shares of the other Proprietors and Persons of and in such Surplus Money shall be applied and disposed of in Manner directed by the said recited Act, with respect to Money paid for the Purchase or Exchange of any Lands, Tenements, or Hereditaments, or the Timber growing thereon, and which Money ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the same Uses.

Tythes of Holme Fen.

XXIII. And whereas there is within the said Parish of *Glatton with Holme*, a Tract of old inclosed Land, called or known by the Name of *Holme Fen*, bounded on the West by the Hard Lands of *Glatton with Holme*, and on all other Sides by ancient Rivers, Drains, and Waters, now belonging to divers

divers Proprietors, ſubject and liable to the Payment of Tythes in kind, or to Moduſes, Compoſitions, or Payments in lieu of Tythes to the ſaid Rector: And whereas it hath been agreed that all the ſaid Lands ſhall be exonerated from ſuch Tythes and Moduſes, and Compoſitions in lieu of Tythes, by a Compenſation in Land to be allotted out of the ſame to the ſaid Rector as hereinafter mentioned; therefore for carrying the ſaid Agreement into effect, be it enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and required in the next Place to ſet out, allot, and award unto the ſaid *John Hopkinſon* as Rector as aforeſaid, and his Succeſſors, Rectors as aforeſaid, for the Time being, from the Lands and Grounds of each Proprietor reſpectively who ſhall be an Owner of Thirty Acres or upwards of the ſaid Lands and Grounds in *Holme Fen*, ſuch Plot or Plots, Pieces or Parcels of Land or Ground, Part of the ſaid Lands called *Holme Fen*, as in the Judgment of the Commiſſioners ſhall be equal in Value to One-fifth Part of all the Arable and Tillage Lands, and One-eighth Part of the other Lands and Grounds of ſuch Proprietors, ſubject and liable to the Payment of Tythes in kind to the ſaid Rector, and ſuch further Plot or Plots, Pieces or Parcels of ſuch Lands and Grounds as ſhall be a full Equivalent and Compenſation for all Moduſes, Compoſitions, and Payments in lieu of Tythes, annually payable for or in reſpect of any ſuch Lands; and from the Lands and Grounds of each ſuch Proprietor as aforeſaid as is ſeiſed of his or her Eſtate in Fee Simple, ſuch Plot or Plots, Pieces or Parcels of Land or Ground, as in the Judgment of the Commiſſioners ſhall be equal in Value to One-fifth Part of all the Arable and Tillage Lands, and One-eighth Part of the other Lands and Grounds belonging to ſuch Proprietors of Lands and Eſtates in *Holme Fen* as ſhall not amount to Thirty Acres, ſubject and liable to the Payment of Tythes in kind to the ſaid Rector, and ſuch further Plot or Plots, Pieces or Parcels of Land as ſhall be a full Equivalent and Compenſation for all Moduſes, Compoſitions, and Payments in lieu of Tythes, annually payable for or in reſpect of any of ſuch laſt mentioned Lands; and that in making ſuch Allotments in *Holme Fen* as aforeſaid, the ſaid Commiſſioners ſhall and they are hereby required to ſet out the ſaid Allotments in each ſuch Diſtrict or Diviſion in *Holme Fen*, as the Lands in reſpect of which Allotments are made are ſituated, or as near thereto as Circumſtances will admit.

Small Proprietors to pay.

XXIV. And be it further enacted, That the ſeveral and reſpective Perſons aforeſaid, Proprietors of Lands in *Holme Fen* to a leſs Amount than Thirty Acres as aforeſaid, and whoſe Eſtates ſhall be exonerated from the Payment of Tythes, Moduſes, Compoſitions, or Payments in lieu of Tythes as aforeſaid by Land to be furniſhed by the other Proprietors as aforeſaid, ſhall pay or cauſe to be paid to the ſaid other Proprietors, their Executors, Adminiſtrators, or Aſſigns reſpectively, ſuch Sum and Sums of Money as in the Judgment of the ſaid Commiſſioners ſhall be a full Recompence and Satisfaction for the Land ſo furniſhed by them as aforeſaid, or for the Value in Fee Simple of the ſaid Tythes, Moduſes, or Compoſitions ſo exonerated, to be paid at ſuch Times as the ſaid Commiſſioners ſhall in and by their Award, or any other Writing or Writings under their Hands, direct or appoint, and ſhall be recovered in ſuch Manner as the Expences of this Act are herein directed to be levied and recovered.

Allotments to the Rector,

XXV. And be it further enacted, That the ſeveral Plots or Parcels of Land or Ground ſo to be ſet out, allotted, and awarded unto and for the ſaid

ſaid *John Hopkinſon* as Rector as aforeſaid, and his Succeſſors, Rectors as aforeſaid, ſhall, when ſo ſet out and fenced as hereby directed, be in lieu of and full Satisfaction and Compenſation for all the Glebe Lands and Rights of Common in the Lands and Grounds hereby directed to be divided and incloſed, and alſo of and for all and all Manner of Great and Small Tythes, Moduſes, or Compoſitions in lieu thereof, Dues, and other Payments whatſoever payable to the ſaid Rector from, out of, or in reſpect of all and every the Meſſuages, Homeſteads, Gardens, Orchards and Incloſures, Common Fields, Meadows, Paſtures, Commonable Lands, and Waſte Grounds, and all other Lands, Tenements, and Hereditaments whatſoever in the ſaid Pariſh of *Glatton with Holme* aforeſaid, and the Boundaries, Limits, and Precincts thereof; and ſhall be by him and them accepted accordingly (except Mortuaries, Surplice Fees, and Eaſter Offerings, and Tythes or Payments in lieu of Tythes for the Fiſhery in *Whittleſey Meer*, which ſhall remain due and payable to the ſaid Rector, and his Succeſſors Rectors as aforeſaid, as before the paſſing of this Act).

to be in lieu of Glebe and Tythes.

XXVI. And be it further enacted, That until the ſaid Diviſion and Allotments ſhall be made and Poſſeſſion thereof given to the ſaid Rector, the ſaid Rector and his Succeſſors ſhall be entitled to and ſhall hold, take, and enjoy ſuch and the ſame Tythes and other Payments as he could, might, or ought to have received in caſe this Act had not paſſed; and that the ſaid Rector ſhall, from and immediately after the making of the ſaid Allotments herein directed, be for ever exonerated and exempt from providing and keeping a Bull and Boar for the Uſe of the Inhabitants of the ſaid Pariſh.

Tythes payable until Allotments are made.

XXVII. And be it further enacted, That it ſhall be lawful for the ſaid *John Hopkinſon*, and his Succeſſors, Rectors as aforeſaid, by and with the Conſent of the Biſhop of the Dioceſe and the Patron of the ſaid Rectory for the Time being teſtified by Writing under their reſpective Hands and Seals, at any Time after he ſhall be put into the Poſſeſſion of the Allotments to be made to him as aforeſaid, and before Twelve Calendar Months next after the Execution of the ſaid Award, to grant any Leaſe or Leaſes to any Perſon or Perſons of ſuch reſpective Allotments, or of any Part or Parts thereof, except of Twenty Acres, Part of the Allotment herein directed to be ſet out as near as conveniently may be to the Parſonage Houſe, for any Term not exceeding Twenty-one Years from *Lady-day* or *Michaelmas-day* next before the Day of the Date of ſuch Leaſe or Leaſes, ſo that upon every ſuch Leaſe there be reſerved and made payable, by Four equal quarterly Payments in every Year, the beſt and moſt improved Rent that can be reaſonably had or gotten for the ſame, without taking any Fine, Foregift, Premium, Sum of Money, or other Conſideration for the making or granting any ſuch Leaſe or Leaſes; and ſo that no ſuch Leaſe or Leaſes be made diſpuniſhable for Waſte, and ſo that the Leſſee or Leſſees to whom ſuch Leaſe or Leaſes ſhall be granted be obliged yearly to ſpend and conſume all the Manure ariſing from the Land to be ſo demiſed, and that Power of Re-entry for Non-payment of the Rent or Rents thereby reſerved, within a reaſonable Time, and all ſuch other neceſſary and uſual Powers and Covenants be inſerted and contained therein, and ſo that Counterparts or a Counterpart of ſuch Leaſes or Leaſe be duly executed by the Leſſees or Leſſee to whom ſuch Leaſes or Leaſe ſhall be granted as aforeſaid; and every ſuch Leaſe ſhall be valid and effectual, any Law or Uſage to the contrary notwithſtanding.

Rector may leaſe Allotments.

Fencing Rector's Allotments.

XXVIII. And be it further enacted, That all the ſaid Lands to be by virtue of this Act ſet out and allotted in Satisfaction or Compenſation for Glebe Lands, Rights of Common, Tythes and Moduſes, or Compoſitions as aforeſaid to the ſaid Rector ſhall be incloſed and fenced (on all ſuch Parts as ſhall not be directed to be fenced by any other Proprietor, and as ſhall not adjoin on any ancient Incloſure or Brook ſo as to be a ſufficient Fence of itſelf) with Ditches and Quick Hedges, and with other proper Fences of Oak Poſts, and three Rails on each Side of Aſh, Oak, or other durable Wood at the Expence of all or ſuch of the Proprietors of the Lands and Grounds hereby directed to be divided, allotted, and incloſed, and exonerated from Tythes, and in ſuch Proportions as the ſaid Commiſſioners ſhall appoint; and the ſaid Commiſſioners by their Award ſhall direct to and by whom and in what Parts and Proportions the ſaid Fences, after the ſame ſhall have been properly made, ſhall be kept in repair.

Allotment for Right of Soil.

XXIX. And be it further enacted, That the ſaid Commiſſioners ſhall in the next Place aſſign, ſet out, and allot unto the ſaid *Thomas Wells*, or the Lord of the ſaid Manor, ſuch Part of the Lands and Grounds hereby intended to be divided, allotted, and incloſed, as in the Judgment of the ſaid Commiſſioners ſhall be a full Equivalent and Compenſation for his Right and Intereſt of and in the Soil of all the Waſte and Commonable Lands and Grounds, ſo as the Lands and Grounds to be ſo ſet out and allotted do not exceed in the whole One-twentieth Part in value of the ſaid Waſte and Commonable Lands and Grounds.

Allotment of Reſidue.

XXX. And be it further enacted, That the ſaid Commiſſioners ſhall, immediately after making ſuch Allotments as aforeſaid, divide, ſet out, and allot the Reſidue of the Lands and Grounds hereby directed to be divided and incloſed unto and amongſt the ſeveral other Proprietors thereof, and Perſons intereſted therein, in ſuch Shares and Proportions as the ſaid Commiſſioners ſhall adjudge and determine to be a fair and juſt Compenſation for their reſpective Lands, Grounds, Rights of Common, and other Rights and Intereſts therein.

Compenſation for Tofts.

XXXI. Provided always, and be it enacted, That all Tofts, Foundations, or Scites of ancient Meſſuages or Cottages ſhall, upon Proof being made thereof to the Satisfaction of the ſaid Commiſſioners, that the ſame were deemed to be ſuch in the ancient Terriers of the Pariſh, be conſidered and deemed as Commonable Meſſuages or Cottages reſpectively, and that the reſpective Owners thereof ſhall be entitled to the ſame Compenſation for the reſpective Rights of Common originally belonging thereto as if ſuch Meſſuages or Cottages had been ſtanding.

How the other Allotments are to be fenced.

XXXII. And be it further enacted, That all the ſeveral other Allotments to be made or ſet out by virtue of this or the ſaid recited Act ſhall, within Twelve Calendar Months next after the Execution of the ſaid Award, or at ſuch other Time previous to the making of the ſaid Award as the ſaid Commiſſioners ſhall by any Writing or Writings under their Hands appoint for that Purpoſe, be incloſed, hedged, ditched, and fenced at the proper Coſts and Charges of the reſpective Perſons to whom they ſhall reſpectively be allotted, in ſuch Manner as the ſaid Commiſſioners ſhall by their ſaid Award, or any other Writing under their Hands, order and direct; and that convenient Gaps and Openings ſhall be left in the ſaid Fences and Incloſures for the Purpoſe of Cattle, Carts, and Carriages paſſing

Gaps to be left.

through the ſame, for ſuch Space of Time at the ſaid Commiſſioners ſhall direct.

Meeting to be appointed to receive Application for Situations.

XXXIII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required to appoint a Time and Place, by Notice to be given in Manner hereinbefore directed reſpecting other Notices to be given under this Act, for receiving Application from the Proprietors touching the Situation they would reſpectively chuſe to have their Allotments ſet out and allotted in.

Allotments to be delineated on a Plan, and ſhewn to the Proprietors.

XXXIV. And be it further enacted, That when and ſo ſoon as the ſaid Commiſſioners ſhall have aſcertained the reſpective Rights and Intereſts of the ſaid Proprietors in the Lands and Grounds to be divided and allotted by virtue of this Act, and alſo the reſpective Shares and Proportions by them propoſed to be allotted to ſuch Proprietors reſpectively in lieu thereof, they the ſaid Commiſſioners ſhall give Notice in Manner aforeſaid of ſome convenient Time and Place when and where the ſaid Proprietors may be informed of ſuch intended Allotments, and ſee the Scheme thereof ſet and delineated upon a Map or Plan thereof, to be produced for their Inſpection; and as ſome Proprietor may, upon Inſpection of ſuch Map, be diſſatisfied with the intended Allotments, the ſaid Commiſſioners ſhall, at ſuch Time and Place as laſt aforeſaid, or ſome other Time or Place to be appointed by them for that Purpoſe, receive Statements in Writing of the Complaints and Objections againſt ſuch Allotments, and ſhall forthwith, or as ſoon after as conveniently may be, determine the ſame, and their Determination ſhall be final and concluſive upon all Parties.

deducted from Allotments for Expences.

XXXV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, upon the Requeſt of any of the Owners or Proprietors of the Lands and Grounds hereby directed to be divided and allotted, or of any Right or Intereſt therein, whether ſeiſed in Fee, or being Tenants in Tail or for Life or Lives, or for any Number of Years determinable on a Life or Lives, or for any other determinable Eſtate or Intereſt, or at the Requeſt of the reſpective Huſbands, Guardians, Truſtees, Committees, Receivers, Agents, or Attornies of any ſuch Owners or Proprietors being under Coverture, Minors, Lunatics, or beyond the Seas, or under any other Diſability or Incapacity, or of the Perſons acting as ſuch Guardians, Truſtees, Committees, Receivers, Agents, or Attornies, or of the Truſtees for any charitable or publick Uſes, or the major Part of them reſpectively, to deduct from the Value and Amount of the Allotment or reſpective Allotments of ſuch Owner or Owners, by whom or on whoſe Behalf ſuch Requeſt ſhall be made as aforeſaid, ſo much as ſhall, in the Judgment of the ſaid Commiſſioners, be equal to the Share and Proportion or reſpective Shares and Proportions of the Perſon or Perſons by or on whoſe Behalf any ſuch Requeſt ſhall be made, of the Charges and Expences of paſſing this Act and of carrying the ſame and the ſaid recited Act into execution, and making ſuch Boundary Fences as the ſaid Commiſſioners ſhall direct in reſpect of ſuch Allotment or Allotments, and to allot the Land and Value ſo deducted to and amongſt ſuch of the other Owners and Proprietors, or any other Perſon or Perſons, who ſhall be willing to take the ſame, and pay and defray ſuch Expences as ſuch Eſtates ſhall by the ſaid Commiſſioners be charged with, and who ſhall pay ſuch Charges and Expences; provided that it ſhall be lawful to and for the ſaid Commiſſioners

and

and they are hereby required, upon any ſuch Requeſt as aforeſaid, and upon Payment by the Perſon or Perſons making ſuch Requeſt of his, her, or their full Proportion of ſuch Coſts and Expences, to allot to the Perſon or Perſons reſpectively by whom or on whoſe Behalf ſuch Requeſt and Payment ſhall be made, his, her, or their Heirs and Aſſigns, the Land which ſhall have been ſo deducted; and the Perſon or Perſons reſpectively, to whom any ſuch Allotment ſhall be made and awarded, ſhall be and become ſeiſed thereof of an abſolute Eſtate in Fee Simple freed and diſcharged from all former Titles, Charges, and Incumbrances; provided that every ſuch Requeſt as aforeſaid ſhall be made in Writing and ſigned by the Perſon or Perſons making the ſame, and ſhall be delivered to the ſaid Commiſſioners at one of their Meetings for carrying this Act into execution, to be holden previouſly to their allotting the Lands and Grounds hereby directed to be divided and incloſed: Provided always, that it ſhall not be lawful to raiſe any further or greater Sum of Money than the Perſon or Perſons, Part of whoſe Allotment or Allotments ſhall be deducted as aforeſaid, would have been empowered or authorized to borrow or charge upon his, her, or their Eſtate or Eſtates under or by virtue of the ſaid recited Act; provided alſo, that in all Caſes where any Land ſhall be deducted from the Allotment of any of the ſaid Proprietors or Perſons towards Payment of Expences as aforeſaid, it ſhall not be lawful for the Proprietor or Perſon from whoſe Allotment Land ſhall be ſo deducted as aforeſaid, to charge his, her, or their Lands, Tenements, or Hereditaments, by virtue of the ſaid recited Act or this Act, with any Money towards Payment of ſuch Expences.

Allotment may be ſold before the Execution of the Award.

XXXVI. And be it further enacted, That it ſhall be lawful for any of the Owners or Proprietors of any common Right upon the Lands and Grounds hereby directed to be divided and incloſed, to ſell and diſpoſe of the ſame, or of any Allotment or Allotments to be made and ſet out by virtue of this Act, ſeparately and diſtinctly from the Eſtate in right of which he or ſhe is or may be entitled to the ſame, in ſuch Manner as he or ſhe might have done at any Time after the Execution of the ſaid Award; and it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered to award all and every ſuch Allotments and Allotment, which ſhall be ſo ſold and diſpoſed of, to the Purchaſer or Purchaſers thereof, or other Perſon or Perſons who ſhall be entitled to the ſame by any ſuch Sale or Diſpoſition.

Lands held by different Tenures or Titles to be diſtinguiſhed.

XXXVII. And be it further enacted, That when any Perſon or Perſons ſhall be ſeiſed or poſſeſſed of Lands or other Hereditaments in the ſaid Pariſh held by different Tenures, or for, by, or under different Eſtates or Titles, the ſaid Commiſſioners ſhall, upon the Requeſt of the Perſons ſo ſeiſed or poſſeſſed reſpectively, inquire into, aſcertain, and determine the reſpective Lands or other Hereditaments held by ſuch ſeveral Tenures, or for, by, or under ſuch different Eſtates or Titles reſpectively, and ſhall ſet out ſuch diſtinct Allotments in reſpect of each ſuch Parts thereof.

Lands allotted in lieu of Freehold or Copyhold to be deemed of the ſame Tenure as the Lands in

XXXVIII. And be it further enacted, That all the Lands and Grounds which ſhall by the Authority, and in purſuance of this Act or the ſaid recited Act be allotted to any of the ſaid Proprietors, ſhall be held by ſuch Proprietors reſpectively under the ſame Tenures, Rents, Cuſtoms, and Services as the Lands or other Property, in reſpect of which ſuch Allotments ſhall

shall be made, were respectively held and enjoyed by the said Proprietors before the passing of this Act, or would have been held and enjoyed in case this Act had not been made; and the several Lands and Grounds which shall be allotted in lieu of Freehold Lands or other Freehold Property shall be deemed Freehold Lands, and shall be held of the Lord of the Fee under the same Rents and by the same Services as the Freehold Lands or other Property in lieu of which they were allotted were before that Time held; and the several Lands and Grounds which shall be allotted in lieu of Copyhold Lands or other Copyhold Property shall in like Manner be deemed Copyhold or Customary Lands, and shall be held of the Lord of the Fee thereof, under the same Rents and by the same Customs, Duties, and Services as the Copyhold Lands or other Property in lieu of which they were so allotted were or ought to have been held, and shall pass by the like Surrenders as the present Copyhold Messuages, Cottages, Lands, Tenements, and Hereditaments, in respect whereof such Allotments shall be made, are now holden under or liable to. respect of which they are allotted.

XXXIX. And be it further enacted, That when the Proprietor or Proprietors of any Lands or other Hereditaments which shall be allotted by virtue of this Act shall hold his, her, or their Lands and Hereditaments for different Estates or by different Tenures, and where, from the Want of the necessary Information before the said Commissioners, or from any other Cause, their Award shall have omitted the distinguishing and ascertaining of the Lands or other Hereditaments holden for each of such Estates and by each of such Tenures, and the setting out and awarding of several and distinct Allotments for such respective Lands or other Hereditaments as herein is required, and, within Twelve Calendar Months after the making of the said Award, Request shall be made to the said Commissioners by any Person or Persons interested, by Writing under his, her, or their Hand or Hands, to have such Omission supplied by a separate Instrument; then and in every such Case the said Commissioners are hereby authorized to do any Thing necessary for supplying such Omission and, so far as that Purpose shall require, to examine Witnesses, and in every other Respect to proceed and act as if their Award had not been made; and when they shall have obtained what they shall think sufficient Information, they are hereby also authorized, by any Deed under their Hands and Seals, to distinguish and ascertain the Difference of such Estates and Tenures respectively, and accordingly to make distinct and several Allotments in the same Manner as is hereby required where such Discrimination should be contained in the said Award; and every such separate Instrument shall be enrolled in the same Place, and Evidence thereof shall be given in the same Manner, as by the said recited Act or this Act, or either of them, is directed concerning the said Award; and all reasonable Expences, incurred in or about such separate Instrument as aforesaid, shall be payable by the Person or Persons who shall have so requested the said Commissioners to make and execute the same, or by his, her, or their Heirs, Executors, or Administrators; and every such separate Instrument shall, from and immediately after the due Execution thereof by the said Commissioners, have the same Effect to all Intents and Purposes as if the Contents thereof had been inserted and contained in their said Award, and the same shall (after such Enrolment as aforesaid) be delivered to the Person or Persons upon whose Request any such Omission shall have been supplied, or to the Person or Persons to whom the Custody of the Deeds and Writings concerning the When Commissioners shall not have made distinct Allotments for Lands holden by different Titles, they may declare the same by Deed after making their Award.

the Title to the Premiſes in Queſtion ſhall, in the Opinion of the ſaid Commiſſioners, moſt properly belong.

Exchanges may be made.

XL. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to ſet out, allot, and award any Lands, Tenements, or Hereditaments whatſoever, within the ſaid Pariſh of *Glatton with Holme*, in lieu of and in Exchange for any other Lands, Tenements, and 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 for the Time being ſeiſed of or entitled in poſſeſſion to the Lands, Tenements, or Hereditaments which ſhall be ſo exchanged, or to the actual Receipts of the Rents, Iſſues, and Profits thereof, whether ſuch Owner or Owners, Proprietor or Proprietors ſhall be a Body or Bodies Politic or Corporate, or a Body or Bodies Collegiate, Corporation Aggregate or Sole, or a Tenant or Tenants in Fee Simple or for Life, or in 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, or the major Part of ſuch Truſtees reſpectively, Huſbands, Committees, or Attornies of or acting for any ſuch Proprietors or Owners as aforeſaid, who at the Time of making ſuch Exchange or Exchanges ſhall be reſpectively Infants, Femes Covert, Lunatics, or under any other legal Incapacity, or who ſhall be beyond the Seas, or otherwiſe be diſabled to act for themſelves, himſelf, or herſelf, ſuch Conſent to be teſtified in Writing under the common Seal of the Body Politic, Corporate or Collegiate, and under the Hands of the other Parties conſenting 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 Lord Biſhop of the Dioceſe in which ſuch Lands, Tenements, and Hereditaments, ſo to be exchanged, ſhall lie or be ſituate: Provided always, that the Coſts, Charges, and Expences attending the making and completing any Exchanges or Partitions ſhall be paid and borne by the ſeveral Perſons, Bodies Politic, Corporate or Collegiate, making ſuch Exchanges or Partitions, in ſuch Manner and in ſuch Proportions as the ſaid Commiſſioners ſhall order and direct, and the ſame ſhall and may be recovered in the Manner hereinbefore directed for the Recovery of the Coſts of obtaining and executing this Act.

Expences of Exchange, how to be paid.

Satisfaction to be made for Tillage, &c.

XLI. And be it further enacted, That the Proprietors, whoſe Allotments, on the ſaid Diviſion ſhall have been tilled, ploughed, ſown, folded, or manured by any former Proprietor or Occupier thereof, ſhall pay unto the Perſon or Perſons reſpectively who ſhall have tilled, ploughed, ſowed, folded, or manured the ſame, or any Part thereof, his, her, or their Executors or Adminiſtrators, ſuch Sum and Sums, and at ſuch Time and Times as the ſaid Commiſſioners ſhall think reaſonable, and ſhall by Writing under their Hands aſcertain and direct; and if by the reaſon of the Miſmanagement of any former Occupier or of the preceding Crop or Crops, or by any other Means, it ſhall happen that the Allotment or Allotments

lotments to any Proprietor ſhall not contain a due and reaſonable Proportion of Land in a proper State, or if any ſuch Allotment or Allotments ſhall, in the Judgment of the ſaid Commiſſioners, be from any Cauſe in a worſe Condition to be occupied than the Average of the Land allotted, then the Perſon or Perſons, to whom any ſuch Allotment or Allotments ſhall be made, ſhall receive ſuch Compenſation and Satisfaction from any other of the Proprietors, or from the former Occupier, as the ſaid Commiſſioners ſhall determine and adjudge to be juſt and equitable; and in caſe any of the Sums, which ſhall by the ſaid Commiſſioners be directed to be paid as aforeſaid, ſhall not be paid to the Perſon or Perſons, and at the Time or Times to be appointed by the ſaid Commiſſioners for the Payment thereof, it ſhall be lawful for them and they are hereby required to levy the ſame in like Manner as the Expences of paſſing this Act and carrying the ſame into execution are directed to be raiſed and levied.

Settlements, &c. not to be affected, nor Wills revoked.

XLII. Provided always, and be it further enacted and declared, That nothing in this Act contained ſhall extend to revoke, make void, annul, or alter any Settlement, Deed, or Will, or to prejudice any Perſon having any Right or Claim of Dower, Jointure, Annuity, Rent Charge, Debt, or Incumbrance whatſoever in, out of, or upon, or affecting any of the Lands, Tenements, or Hereditaments hereby directed to be divided, or which ſhall be exchanged or aſſigned in compenſation for any Eſtate or Right in purſuance of this Act reſpectively, but as well the Lands allotted as the Tenements and other Hereditaments which ſhall be aſſigned in Exchange or in Compenſation for any other Eſtate or Right ſhall, immediately after ſuch Allotment, Exchange, or Aſſignment ſhall be made, be veſted, remain, and enure; and the ſeveral Perſons to whom the ſame ſhall be allotted, aſſigned, or given in exchange as aforeſaid, ſhall thenceforth ſtand and be ſeiſed and poſſeſſed thereof reſpectively, to, for, and upon ſuch and the ſame Uſes, Eſtates, Intents, Truſts, and Purpoſes reſpectively, and ſubject and liable to ſuch and the ſame Wills, Settlements, Limitations and Remainders, Conditions, Charges, and Incumbrances as the ſeveral Lands, Tenements, and Hereditaments in reſpect whereof ſuch Allotments, Aſſignments, and Exchanges ſhall have been made, ſhould or would have ſtood ſeverally limited, ſettled, veſted, or ſubject or liable to, or have been held by, in caſe the ſame had not been allotted, aſſigned, or exchanged, and this Act had not been made; ſave and except ſuch Rents and Services as ſhall have been compenſated for and extinguiſhed, and ſuch Leaſes and Tenancies at Rack Rent as ſhall become void by virtue of this Act.

Leaſes and Tenancies at Rack Rent to ceaſe.

XLIII. Provided always, and be it further enacted, That all Leaſes, Agreements, and Tenancies at Rack Rent now ſubſiſting of any Part or Parts of the Lands and Grounds hereby directed to be divided and incloſed, and of all Lands and Hereditaments within the Pariſh of *Glatton with Holme* aforeſaid which ſhall be exchanged and exonerated from Tythes reſpectively by virtue of this Act, and of all Meſſuages, Cottages Lands, and Tenements in the ſame Pariſh held therewith reſpectively, ſhall ceaſe and be void at ſuch Time or Times as the ſaid Commiſſioners, ſhall by Writing under their Hands direct or appoint, ſo as the reſpective Leſſors or Landlords of ſuch Meſſuages, Lands, or Tenements do, before or at the reſpective Times at which ſuch Leaſes or Tenancies ſhall be directed to ceaſe, make and pay ſuch Satisfaction to the reſpective Leſſees

or

or Tenants for the Loſs which ſhall be ſuſtained by the Determination of ſuch Leaſes and Tenancies reſpectively as ſhall be mutually ſettled and agreed between them, or as the ſaid Commiſſioners, being thereto required by either of the Parties, ſhall aſcertain and direct; and the ſaid Commiſſioners, being ſo required, are empowered and directed to appoint a reaſonable and proportional Part, according to the Seaſon of the Year, of the Rent reſerved or made payable by any ſuch Leaſe or Agreement, for and in reſpect of the Time which ſhall have elapſed between the laſt Day on which any Payment of the Rent ſhall have become due, and the Determination of any ſuch Leaſe or Tenancy; and ſuch Part of the Rent ſhall be recoverable by ſuch Ways and Means as may by Law be uſed for the Recovery of Rent in arrear; and the ſaid Commiſſioners are empowered and directed, in every Caſe where any ſuch Lands or other Hereditaments in the ſaid Pariſh of *Glatton with Holme* ſhall be held by virtue of any ſuch Leaſe or Agreement, together with Lands or other Hereditaments in any other Pariſh or Place, Pariſhes or Places, by one entire Rent, to apportion and determine what Part of ſuch Rent ſhall be deducted in reſpect of the Land or other Hereditaments in the ſaid Pariſh of *Glatton with Holme* in ſuch Leaſe or Agreement compriſed, and from what Time ſuch Deduction ſhall take place, and the reſt of the Rent reſerved on any ſuch Leaſe or Agreement ſhall, during the Remainder of the Term thereof, be the Rent of and for the Lands and Hereditaments in ſuch Pariſh or Pariſhes, Place or Places, and ſhall be payable and recoverable in like Manner as the entire Rent reſerved by ſuch Leaſe or Agreement ſhall immediately before ſuch Apportionment be payable and recoverable: Provided always, that if there ſhall be any Leaſe of Lands, Part of which lie in the ſaid Pariſh of *Glatton with Holme* and Part in any adjoining Pariſh, all and every ſuch Leaſe or Leaſes at Rack Rent now ſubſiſting may be vacated; but where any Land ſhall have been taken in Exchange, which Land ſhall be under leaſe and wholly ſituated in any adjoining Pariſh, the Leaſe of ſuch laſt mentioned Lands ſhall not be vacated.

Money advanced to be repaid with Intereſt.

XLIV. And be it further enacted, That the Money that ſhall be advanced by any Perſon or Perſons for the Purpoſe of defraying the Expences of applying for and obtaining this Act, or which, after the paſſing thereof, ſhall be advanced or lent to or be paid by the Direction of the ſaid Commiſſioners for carrying the ſame into execution, ſhall be repaid, with lawful Intereſt, to the Perſon or Perſons lending, advancing, or paying the ſame out of the firſt Money to be raiſed for defraying the Expences of obtaining and executing this Act.

Expences of this Act.

XLV. And be it further enacted, That the Coſts and Charges of and incident to and attending the obtaining and paſſing of this Act, of ſurveying, admeaſuring, planning, dividing, and allotting the Open and Common Fields, Meadows, Paſtures, and other Commonable Lands and Waſte Grounds hereby directed to be divided and incloſed, and exonerated from Tythes, and of making the publick Roads to be ſet out, and of preparing and enrolling the Award of the ſaid Commiſſioners, and all the Charges and Expences of the ſaid Commiſſioners and of the ſeveral Perſons to be employed by them, either before or after the Execution of the ſaid Award, in, about, or concerning the Execution of this or the ſaid recited Act, ſhall be borne and defrayed by all the Proprietors and Owners of or Perſons

ſons having Rights or Intereſts in the Lands and Grounds hereby directed to be divided, allotted, and incloſed, and exonerated from Tythes as aforeſaid (except the ſaid *John Hopkinſon*, and his Succeſſors Rectors for the Time being of the ſaid Pariſh of *Glatton with Holme*, in reſpect of the Allotments to be made to him and them reſpectively as Rector as aforeſaid), in ſuch Proportions, and ſhall be paid to ſuch Perſon or Perſons, and at ſuch Time or Times, either before or after the Execution of the ſaid Award, as ſhall be ſettled, adjuſted, determined, and directed by the ſaid Commiſſioners by any Writing under their Hands; and the ſeveral Sum and Sums of Money thereby rated ſhall be paid to ſuch Perſon or Perſons, and at ſuch Time or Times, and in ſuch Manner as the ſaid Commiſſioners ſhall, in and by their ſaid Award, or any other Writing under their Hands, before or after the Execution of the ſaid Award, order, direct, or appoint; and in caſe any Perſon or Perſons ſhall refuſe or neglect to pay his, her, or their Share or Proportion of ſuch Coſts, Charges, Sums of Money, and Expences as aforeſaid, within the Time, and to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall appoint, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, by any Warrant or Warrants under their Hands and Seals, directed to any Perſon or Perſons whomſoever, to cauſe the ſaid Coſts, Charges, and Sums of Money to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo making Default in Payment as aforeſaid, his, her, or their Huſbands, Guardians, Truſtees, or Committees, whereſoever the ſame ſhall be found, rendering the Overplus (if any) on Demand to the Owner or Owners of ſuch Goods and Chattels, the reaſonable Charges of ſuch Warrant, Diſtreſs, and Sale being firſt deducted, together with Intereſt after the Rate of Five Pounds *per Centum per Annum*, to be computed on ſuch Share or Shares, Proportion or Proportions, from the Time the ſame ſhall be directed to be paid as aforeſaid; or otherwiſe it ſhall be lawful for the ſaid Commiſſioners, or any Perſon or Perſons authorized by them, to enter upon and take Poſſeſſion of the Meſſuages, Tenements, Orchards, Home Cloſes, or other ancient Incloſures partitioned, exchanged, or diſcharged from Tythes as aforeſaid, and alſo of the ſeveral Allotments made to ſuch Perſon or Perſons ſo refuſing or neglecting to pay as aforeſaid, and to receive and take the Rents and Profits thereof, until thereby, therewith, or otherwiſe the Share or Shares, Proportion or Proportions of the ſaid Coſts, Charges, Sums of Money, and Expences, ſo ordered and directed to be paid by ſuch Perſon or Perſons as aforeſaid, and all Intereſt on ſuch Share or Shares, Proportion or Proportions, to be computed from the Time the ſame ſhall be directed to be paid as aforeſaid, and alſo all Coſts, Charges, and Expences occaſioned by, or attending ſuch Entry upon ſuch Premiſes, and the Receipt of the Rents and Profits of the Premiſes, ſhall be fully paid and ſatisfied.

Allowance to the Commiſſioners.

XLVI. And be it further enacted, That each of the Commiſſioners acting in execution of the Truſts and Powers hereby veſted in them ſhall be allowed and paid in ſatisfaction for their Trouble and Expences the Sum of Two Pounds Twelve Shillings and Sixpence for every Day on which they ſhall be reſpectively employed in travelling to, attending on, or returning from ſo acting; and at all Meetings to be held in purſuance of this Act the ſaid Commiſſioners ſhall pay their own Expences, and neither of the ſaid Commiſſioners ſhall be allowed for more than one Day in travelling to, and one Day in travelling from, the Place of Meeting.

Award.

XLVII. And be it further enacted, That when the ſaid Commiſſioners ſhall have drawn up their Award, the ſame ſhall be enrolled with the Clerk of the Peace for the ſaid County of *Huntingdon*, or in ſome one of the Courts of Record at *Weſtminſter*, purſuant to the Directions of the ſaid recited Act, and then the ſame ſhall be depoſited in the Pariſh Church of *Glatton*.

Commiſſioners to account.

XLVIII. And be it further enacted, That once at leaſt in every Year during the Execution of this Act, (ſuch Year to be computed from the Day of the paſſing thereof,) the ſaid Commiſſioners ſhall, and they are hereby required to make a juſt and true Statement or Account of all Sums of Money by them received and expended, or due to them for their own Trouble and Expences in the Execution of this and the ſaid recited Act; and ſuch Statement or Accounts, when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before One or more of His Majeſty's Juſtices of the Peace for the County of *Huntingdon*, not intereſted in the Inclоſure, to be by him or them examined and balanced, and ſuch Balance ſhall by ſuch Juſtice or Juſtices be ſtated in the 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.

Appeal to Quarter Seſſions.

XLIX. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done by or under the Authority of the ſaid Commiſſioners, in purſuance of this or the ſaid recited Act, (other than and except ſuch Claims, Matters, and Things as are hereinbefore directed or authorized to be aſcertained, ſettled, tried, or determined by the Verdict of a Jury, or where, by any of the Proviſions of the ſaid recited Act or of this Act, the Determinations, Acts, or Proceedings of the ſaid Commiſſioners are directed to be final or concluſive,) then and in every ſuch Caſe, he, ſhe, or they may appeal to any Quarter Seſſions of the Peace which ſhall be held for the ſaid County of *Huntingdon*, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, giving Fourteen Days Notice of ſuch Appeal, and of the Matter thereof, to the ſaid Commiſſioners and to the Parties intereſted therein; and the Juſtices in their ſaid General Quarter Seſſions, are hereby required to hear and determine the Matter of ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and by their Warrant or Order 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) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale; which Determination of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned, and ſhall not be removed or removeable by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Saving Manorial Rights.

L. Provided always, and be it further enacted, That nothing in this Act contained ſhall prejudice, leſſen, or defeat the Right, Title, or Intereſt of the Lord of the ſaid Manor of *Glatton with Holme*, of, in, and to the Seigniories, Royalties, Rights, and Services incident or belonging to ſuch Manor; but that the Lord of the ſaid Manor ſhall and may from Time to Time, and at all Times hereafter, hold, receive, take, and enjoy all

Rents,

Rents, Fines, Services, and Profits of Courts, and all other Rights, Royalties, and Privileges to ſuch Manor incident, appendant, belonging, or appertaining, (ſave and except as to ſuch, if any, as may be diſcharged, altered, or varied by this Act,) in as full, ample, and beneficial Manner, to all Intents and Purpoſes, as he might or ought to have held and enjoyed the ſame, in caſe this Act had not been made.

Saving Rights of Corporation of Bedford Level.

LI. Provided always, and be it enacted, That nothing in this or the ſaid recited Act contained, ſhall extend, or be conſtrued to extend, to relieve, exonerate, or diſcharge any of the Lands and Grounds to be divided and incloſed, or exchanged, under the Authority of the ſame Acts or of either of them, as are called Adventurers Lands, Part of the Ninety-five thouſand Acres mentioned in an Act of Parliament, paſſed in the Fifteenth Year of the Reign of His late Majeſty King *Charles* the Second, intituled, "*An Act for ſettling the Draining of the Great Level of the Fens called Bedford Level*," from the Payment of all or any of the Taxes, which, by virtue of the ſaid laſt mentioned Act, or of a certain other Act paſſed in the Twentieth Year of the Reign of His ſaid late Majeſty, King *Charles* the Second, intituled, "*An Act for the taxing and aſſeſſing of the Lands of the Adventurers within the Great Level of the Fens*," are now, or which may hereafter become due and payable in reſpect of the ſame, but that ſuch Lands and Grounds ſhall for ever hereafter remain ſubject and liable to all ſuch Rights, Powers, Authorities, and Remedies of impoſing, charging, aſſeſſing, levying, and recovering of Taxes as are now veſted in the Governor, Bailiffs, and Conſervators, or in the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*; and that nothing in this or in the ſaid recited Act contained ſhall extend or be conſtrued to extend to empower the ſaid Commiſſioners, or any of them, or any other Perſon or Perſons whomſoever, to have, uſe, or exerciſe any Power or Authority over, or to intermeddle with any of the Sewers, Drains, or Works already made by or belonging to, or hereafter to be made by or belong to the ſaid Governor, Bailiffs, and Commonalty, or to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers, and Authorities veſted in the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators, by the ſaid Acts of the Fifteenth and Twentieth Years of the Reign of His ſaid late Majeſty King *Charles* the Second, or by any other Act, Statute, or Charter whatſoever, but that all Rights, Powers, and Authorities which are now veſted in the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators, or in every or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, or any of them, as fully and amply to all Intents and Purpoſes as if this Act had not been made.

General Saving.

LII. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politic and Corporate, his, her, and their Heirs and Succeſſors, Executors, Adminiſtrators, and Aſſigns, (other than and except the ſeveral Perſons claiming Rights of Common on the ſaid Commonable Lands and Waſte Grounds hereby directed to be divided and incloſed, and every Part thereof, and alſo the ſeveral Perſon and Perſons to whom any Allotment or Allotments ſhall be made in reſpect of the Intereſt or Property for which ſuch Allotments ſhall be made, and except ſuch other Rights and Intereſts as

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the Intent and Purpoſe of the Incloſure hereby authorized ſhall abſolutely require to be barred, deſtroyed, or extinguiſhed by this Act,) all ſuch Eſtates, Rights, and Intereſts as they, every, or any of them had or enjoyed, of, in, to, or in reſpect of the ſaid Open and Common Fields and other Commonable Lands and Waſte Grounds hereby directed to be divided, allotted, and incloſed before the paſſing of this Act, or could or might have had or enjoyed, in caſe this Act had not been made.

Act to be printed by the King's Printer.

LIII. And be it further enacted, That this Act ſhall be printed by the Printer to the King's moſt Excellent Majeſty, and a Copy thereof, ſo printed, ſhall be admitted as Evidence thereof by all Judges, Juſtices, and others.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1809.