ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 85.

An Act for incloſing Lands in the Pariſh of *Griſton*, in the County of *Norfolk*. [20th *June* 1806.]

WHEREAS there are within the Pariſh of *Griſton*, in the County of *Norfolk*, certain Open Fields, Commons, and Waſte Grounds: And whereas *Benjamin Barker* Eſquire, is Lord of the ſeveral Manors of *Farthings* in *Griſton*, and *Griſton Hall* in *Griſton*, within the ſaid Pariſh of *Griſton*; and the Right Reverend *James* Lord Biſhop of *Ely*, in Right of his Biſhoprick, is Lord of the Manor of *Griſton* Rectory, within the ſame Pariſh, and is entitled to the Great or Rectorial Tythes ariſing within the ſaid Pariſh of *Griſton*, of which the Reverend *Fairfax Francklin* Clerk, is the Leſſee; and the ſaid Lord Biſhop is alſo Patron of the Vicarage of *Griſton* aforeſaid, of which the Reverend *Eli Morgan Price*, Doctor in Divinity, is Vicar, who as ſuch Vicar is entitled to the Parſonage Houſe, and to the Small Tythes, and to certain Glebe Lands within the ſaid Pariſh: And whereas the ſaid *Benjamin Barker*, and alſo *Thomas Bidwell* Eſquire, General *James Hetherſett*, *Sarah Hetherſett* Spinſter, and divers other Perſons, are the Owners and Proprietors of the Meſſuages, Cottages, Lands, and Tenements within the Pariſh of *Griſton*, and Proprietors of or intereſted in the ſaid Open Fields, Commons, and Waſte Grounds: 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* 41 G. 3. recited.

of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts: And whereas the said Commons and Waste Grounds in their present State and Condition yield very little Profit to the several Persons interested therein, and the said Open Fields are inconveniently situated for the respective Owners and Proprietors thereof; and it would be greatly advantageous to the several Persons interested in the Premises, if the Rights of Sheepwalk and Common, in, over, and upon the said Commons and Waste Grounds were extinguished, and the said Open Fields, Commons, and Waste Grounds were divided and inclosed, and specific Parts or Shares thereof allotted to the several Persons interested, according to their respective Shares, Estates, Rights, and Interests, in, over, and upon the same: but as such Division, Allotment, and Inclosure cannot be established and rendered effectual 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 *Henry Bell* of *Wallington*, in the said County of *Norfolk*, Esquire, *William Tarington* of *Swaffham*, and *William Mitchell* of *Wymondham*, both in the same County, Gentlemen, and their Successors, to be appointed in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for dividing, allotting, and inclosing the said Open Fields, Commons, and Waste Grounds; and for carrying this Act and the said recited Act into Execution (save and except such Parts of the said recited Act as are hereby varied or altered); and that all Acts, Matters, and Things authorized or necessary to be done and executed by the said Commissioners in pursuance of this and the said recited Act, may be done and executed by any Two of them, and the same shall be as valid and effectual, and shall have the same Force and Effect, as if such Acts, Matters, and Things had been done and executed by all the Commissioners herein named, or to be appointed in Manner herein-after mentioned.

Commissioners.

For appointing new Commissioners.

VII. And be it further enacted, That if any of the Commissioners herein named, or to be appointed by virtue of this Act, shall, before the Execution of all the Powers and Authorities hereby vested in them, die, or become incapable of acting in the Execution of this Act, then and in every such Case it shall and may be lawful to and for the surviving or remaining Commissioner or Commissioners, and he and they is and are hereby required, at any Time within Forty Days next after such Death or Incapacity shall be known to him or them, by Writing under his or their Hand or Hands to appoint any other Person or Persons (not being interested in the Premises) to be a Commissioner or Commissioners in the room or stead of such Commissioner or Commissioners so dying or becoming incapable to act; and every Commissioner so to be appointed shall, after taking the Oath prescribed in that Behalf, have the like Powers and Authorities for carrying this and the said recited Act into Execution in all Respects as if he had been originally named and appointed a Commissioner in and by this Act.

Notice of Meetings.

VIII. And be it further enacted, That the said Commissioners shall and they are hereby required to cause Notice in Writing of the Time and Place

of their First and every other Meeting for the Execution of this Act to be inserted in *The Norfolk Chronicle* and *Norwich Mercury*, or in some other Newspaper published in the City of *Norwich*, Eight Days at least before every such Meeting (Meetings by Adjournment only excepted); and if at any Meeting appointed to be holden by the said Commissioners it shall happen that no more than One of the said Commissioners shall attend, such Commissioner may adjourn such Meeting to such Time and Place, within Four Miles of the said Parish of *Griston*, as shall be by him deemed most convenient, giving Notice of such Adjournment to the absent Commissioners.

Other Notices how to be given.

IV. And be it further enacted, That all other Notices necessary or requisite to be made and given by the said Commissioners in pursuance of this Act, or the said recited Act, shall be so made and given by Advertisements in *The Norfolk Chronicle* and *Norwich Mercury*, or in some other Newspaper published in the said City of *Norwich*.

Commissioners to settle the Differences.

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 intended Division, Allotment, and Inclosure, touching or concerning the respective Rights and Interests which they or any of them shall claim to have, of and in or over and upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or touching or concerning any other Matter or Thing relating to the said Division, Allotment, and Inclosure, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required to examine into, hear, and determine the same: Provided always, that nothing in this Act contained shall authorize the said Commissioners to determine the Title to any Messuages, Cottages, Lands, Tenements, or Hereditaments whatsoever.

Commissioners to assess Costs

VI. And be it further enacted, That in case the said Commissioners shall upon the Hearing and Determination of any Claim or Claims, Objection or Objections to be delivered to them in pursuance of the said recited Act or of this Act, or upon the Hearing and Determination of any Difference or Dispute as aforesaid, see Cause to award any Costs, it shall and may be lawful to and 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 such Determination shall be made, by the Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, whose Claim or Claims, Objection or Objections shall be thereby disallowed or over-ruled, or against whom the said Commissioners shall have made any Determination as aforesaid; and in case any Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, 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 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, or Body or Bodies Politick, Corporate, or Collegiate, so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand to the Person or Persons,

Persons, or Body or Bodies Politick, Corporate, or Collegiate, whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale: Provided always, that the Objections to the Claims by the said recited Act to be delivered to the said Commissioners as therein mentioned, shall also be delivered to such Person or Persons whose Claim or Claims shall be so objected to, in such Manner and at such Time or Times as the said Commissioners shall direct or appoint for that Purpose.

Power to try Rights by an Issue at Law.

VII. Provided always, and be it further enacted, That in case any Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, interested or claiming to be interested in the said intended Division and Allotment, shall be dissatisfied with any Determination of the said Commissioners, touching or concerning any Claim or Claims of any Right of Common, or of any other Right or Interest, in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, it shall and may be lawful to and for such Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, 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 *Norfolk*; and for that Purpose the Person or Persons, or Body or Bodies Politick, 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, or Body or Bodies Politick, Corporate, or Collegiate, in whose Favour such Determination shall have been made, within One Calendar Month after such Determination of the said Commissioners; and the Defendant or Defendants in such Action or Actions shall name, and he, she, or they is and 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 on, 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 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 or Persons whomsoever, Body and Bodies Politick, Corporate, and Collegiate, 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 be lawful for the Court to do, in case the said Court shall think proper; and that after such Verdict or Verdicts shall be obtained, the same not being set aside by the Court, the said Commissioners shall act in conformity thereto, and allow or disallow the Claim or Claims thereby determined, according to the Event of such Trial or Trials: Provided always, that no such Action, Verdict, or new Trial shall impede or delay the said Commissioners in the Execution of the Powers hereby vested in them, but the Division and Inclosure hereby directed to be made shall be proceeded in, in such and the same Manner as if no Action or Suit were pending: Provided also, 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.

Trials not to impede the Commissioners in the Execution of the Act.

If any of the Parties die, Proceedings not to abate.

VIII. And

VIII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and empowered to ſtop up, divert, or turn any old Road or Roads within the ſaid Pariſh of *Griſton*, which they ſhall judge neceſſary to be ſtopped up, diverted, or turned: Provided always, that no ſuch Road or Roads ſhall be ſtopped up, diverted, or turned without ſuch Concurrence and Order, and ſubject to ſuch Appeal as are and is particularly mentioned or referred to in and by the ſaid recited Act: Provided alſo, that none of the preſent Roads, in, over, or upon the ſaid Lands and Grounds hereby directed to be divided and allotted, ſhall be ſhut up and diſcontinued until the ſaid Commiſſioners ſhall have cauſed the publick Roads to be ſet out in Manner directed by the ſaid recited Act, and until the ſame ſhall be properly formed and made ſafe and convenient for Horſes, Cattle, and Carriages.

Power to ſtop up Roads.

None of the preſent Roads to be ſhut up until others are ſet out.

IX. And be it further enacted, That all Encroachments which ſhall have been made upon any of the Commons and Waſte Grounds intended by this Act to be divided and incloſed, within the Space of Forty Years next before the paſſing of this Act, ſhall be deemed Part of the Commons and Waſte Grounds to be divided and incloſed by virtue of this Act, and the ſame ſhall be divided and incloſed accordingly: Provided nevertheleſs, that all and every ſuch Encroachments ſhall be allotted to the Perſon or Perſons who ſhall, at the Time of making the Allotment, be in the Poſſeſſion of ſuch Encroachments, or in the Receipt of the Rents and Profits thereof, as the Whole or Part of the Share or Portion of the Commons or Waſte Grounds to which ſuch Perſon or Perſons will be entitled by virtue of this Act, without conſidering the Value of any Erection thereon, or Improvements made thereto; and if any ſuch Perſon ſhall not be entitled to any Allotment, or to an Allotment equal to the Value of ſuch an Encroachment, but ſhall be willing to purchaſe the ſame, then the ſaid Commiſſioners ſhall aſcertain the Price thereof, or of ſuch Part thereof as ſhall exceed the Rights of ſuch Poſſeſſor or Poſſeſſors thereof in reſpect of any other Property as aforeſaid, on aſcertaining of which Price the ſaid Commiſſioners ſhall not value the Buildings or other Improvements thereon, but ſhall value the Land only, and that at ſo much *per* Acre as the ſame ſhall in their Eſtimation be worth, having Reference to the Waſte next adjoining; and upon ſuch Perſon or Perſons paying ſuch Price *per* Acre, and in proportion for leſs than an Acre, to the ſaid Commiſſioners, at ſuch Time or Times as they ſhall for that Purpoſe appoint, and taking their Receipt or Receipts for the ſame, every ſuch Encroachment, or ſuch Part thereof as ſhall be ſo purchaſed, and alſo all Buildings and Improvements thereon, ſhall thereupon become, by virtue of this Act, veſted in ſuch Purchaſer or Purchaſers and his and their reſpective Heirs and Aſſigns in Fee Simple, without any further or other Conveyance or Aſſurance, Inſtrument or Writing whatſoever; and ſuch Commiſſioner ſhall apply ſuch Purchaſe Money as Part of the Monies to be raiſed for defraying the Expences of obtaining and paſſing this Act, and of carrying the ſame into Execution.

Encroachments.

X. And be it further enacted, That the ſaid Commiſſioners ſhall aſſign, ſet out, and allot unto the Surveyors of the Highways, in the ſaid Pariſh of *Griſton*, ſuch Parts or Parcels of the Lands and Grounds hereby directed to be divided and allotted, not exceeding Three Acres in the Whole, as and for publick Watering Places for Cattle, and as and for publick Gravel,

Allotment for publick Sand and Gravel Pits.

Gravel, Sand, Stone, Clay, Chalk, and Marl Pits, to be uſed in common by the Proprietors of Eſtates in the ſaid Pariſh of *Griſton*, and their reſpective Tenants, as well for their own neceſſary Uſes within the ſaid Pariſh as for the Repairs of the publick Roads and Ways within the ſame; and ſuch Allotment or Allotments ſhall be veſted in the ſaid Surveyors of the Highways of the ſaid Pariſh of *Griſton*, in Truſt for the Purpoſes aforeſaid, and the Herbage thereof ſhall and may from Time to Time be let (ſubject to ſuch Right of watering Cattle, and of taking Gravel, Sand, Stone, Clay, Chalk, and Marl therefrom), and the Rents and Profits applied towards the Repairs of the publick Roads and Ways within the ſaid Pariſh.

Allotment for Right of Soil.

XI. And be it further enacted, That the ſaid Commiſſioners ſhall, in the next place, aſſign, ſet out, and allot, unto and for the Lord or Lords of the Manor or Manors herein-before mentioned, or either of them, being Owner or Owners of the Soil of the ſaid Commons and Waſte Grounds, ſuch Part or Parts of the ſame as in the Judgement of the ſaid Commiſſioners ſhall be a full Recompence and Compenſation to ſuch Lord or Lords for his or their Right or Rights in and to the Soil of the ſaid Commons and Waſte Grounds: Provided that ſuch Allotment or Allotments ſhall not exceed in the Whole, in the Judgement of the ſaid Commiſſioners, the Value of One-twentieth Part of the ſaid Commons and Waſte Lands, after deducting the Allotment herein-before directed to be made for publick Sand and Gravel Pits, and the Allotment hereinafter directed to be made for the Benefit of the Poor of the ſaid Pariſh of *Griſton*.

Allotment for the Poor.

XII. And be it further enacted, That the ſaid Commiſſioners ſhall, in the next place, aſſign, ſet out, and allot unto the ſeveral Lords of the aforeſaid Manors of *Farthings* in *Griſton*, and *Griſton Hall* in *Griſton*, and *Griſton* Rectory, and the Leſſee of the ſame Manor of *Griſton* Rectory, reſpectively, and to the Vicar, Churchwardens, and Overſeers of the Poor of the ſaid Pariſh of *Griſton* for the Time being, as Truſtees for the Poor of the ſaid Pariſh, for ever, ſuch Part or Parts of the ſaid Commons and Waſte Grounds within the ſaid Pariſh, as in the Judgement of the ſaid Commiſſioners ſhall be of the Average Value of Fifty Acres of ſuch Commons and Waſte Grounds; and the ſaid Allotment or Allotments, when ſet out, ſhall be and is and are hereby veſted in the ſaid Lords of the ſaid ſeveral Manors, the Vicar, Churchwardens, and Overſeers of the Poor of the ſaid Pariſh of *Griſton* for the Time being, as Truſtees for the Poor of the ſame Pariſh; and the ſaid Truſtees, or the major Part of them, are hereby authorized, empowered, and required, from Time to Time, by Writing under their Hands and Seals, duly executed in the Preſence of and atteſted by Two or more credible Witneſſes, to leaſe or demiſe the ſame in One or more Lot or Lots, to any Perſon or Perſons whomſoever, for any Term or Number of Years, not exceeding Fourteen Years, for the beſt or moſt improved Rent that can be reaſonably gotten for the ſame, without taking any Income, Fine, Premium, or Foregift, in conſideration of any ſuch Leaſe: Provided that every ſuch Letting be made by publick Auction, of which Auction One Month's publick Notice ſhall be given on a *Sunday* in the Church of the ſaid Pariſh of *Griſton*, immediately after Divine Service, ſo that the firſt Leaſe or Leaſes to be granted

ſhall

ſhall commence on or from the Eleventh Day of *October* next after the Execution of the Award to be made in purſuance of the ſaid recited Act and of this Act, and ſo as in every ſuch Leaſe or Leaſes the Rent or Rents for which the ſame ſhall be ſo let as aforeſaid be reſerved and made payable to the Truſtees for the Time being, or the major Part of them, by Four equal quarterly Payments in every Year; and that in all ſuch Leaſes there be contained the uſual Covenants and Stipulations between the Leſſors and Leſſees, and ſuch Security be given for the Payment of the Rent and Performance of the Covenants as the ſaid Truſtees, or the major Part of them, ſhall think proper to require; and the Rents and Profits ariſing from the ſaid Allotment or Allotments ſhall from Time to Time be laid out and applied by the ſaid Truſtees in purchaſing Fuel, and ſuch Fuel ſhall be diſtributed among ſuch of the poor Inhabitants of the ſaid Pariſh of *Griſton* who ſhall be legally ſettled therein, and ſhall not occupy Lands or Tenements exceeding the yearly Value of Ten Pounds, in ſuch Proportions and Quantities, and at ſuch Times in every Year, and according to ſuch Rules and Orders as the ſaid Truſtees for the Time being, or the major Part of them, ſhall appoint and preſcribe for that Purpoſe, and not otherwiſe.

Directions for Application of the Overplus Rents.

XIII. Provided always, That in caſe the Rents and Profits of the ſaid Allotment or Allotments ſhall at any Time or Times be more than ſufficient to anſwer the Purp ſes for which the ſame is or are hereby directed to be ſet out, then and ſo often it ſhall and may be lawful for the ſaid Truſtees for the Time being to apply and diſpoſe of the Overplus of ſuch Rents and Profits for the Relief and Benefit of the Poor, for whoſe Benefit ſuch Allotment ſhall be ſet out, in ſuch Manner as the ſaid Truſtees, or the major Part of them, ſhall think proper.

Poor's Allotment to be Tythe-free.

XIV. Provided alſo, That from and immediately after the ſaid Commiſſioners ſhall have executed their Award, no Tythes, either Great or Small, nor any Compoſition, Payment, or other Satisfaction for or in lieu of Tythes, ſhall be rendered or paid or payable to the Impropriator or Vicar of the ſaid Impropriate Rectory and Vicarage, or either of them, out of or for or in reſpect of the ſaid Allotment or Allotments hereinbefore directed to be made, in Truſt for the Poor of the ſaid Pariſh of *Griſton* as aforeſaid, but the ſame ſhall be from thenceforth for ever freed and exempt from all Tythes and Tenths whatſoever, and other Payments in lieu thereof.

Lords of Manors to act by Proxy.

XV. Provided alſo, That it ſhall and may be lawful to and for the Lords of the ſaid ſeveral Manors, and the Vicar of the ſaid Vicarage for the Time being reſpectively, to act in the Execution of the Truſts hereby repoſed in them by their reſpective Agents or Proxies, ſuch Agents or Proxies being appointed by Writing under the reſpective Hands of the ſaid Lord or Lords and Vicar reſpectively for the Time being, and producing their reſpective Appointments at the Time of their reſpectively acting by virtue thereof.

The Average Value of One Acre of the Commons to

XVI. And be it further enacted, That the ſaid Commiſſioners ſhall, in the next place, aſſign, ſet out, and allot unto the Poor, Owners of Cottages within the ſaid Pariſh of *Griſton*, to which are appendant or appurtenant

be allotted to every poor Owner of a Common-right Cottage.

appurtenant any Right or Rights of Common over or upon the ſaid Commons and Waſte Grounds, ſo much and ſuch Part of the Commons and Waſte Grounds hereby directed to be divided and allotted as in the Judgement of the ſaid Commiſſioners ſhall be equal in Value to the Average Value of One Acre of the ſaid Commons and Waſte Grounds, for each and every ſuch Cottage, over and above the Allotments to which the Owners or Proprietors of ſuch Cottages ſhall become entitled by virtue of this Act, for or in reſpect of the ſaid Cottages, or the Rights of Common appendant or appurtenant to the ſame: Provided, that a Cottage let in more than One Dwelling ſhall be entitled to only one ſuch Right; and that no Cottage built ſince the Year One thouſand ſeven hundred and ſeventy-ſix, except on an old Foundation, ſhall be deemed to have any Right of Common.

Allotment of the Reſidue.

XVII. And be it further enacted, That the ſaid Commiſſioners ſhall then aſſign, ſet out, and allot the Reſidue and Remainder of the Lands and Grounds hereby directed to be divided and allotted unto and amongſt all and every Perſon and Perſons, Body or Bodies Politick, Corporate, or Collegiate, being the Owner or Owners of the ſaid Open Fields within the ſaid Pariſh, or having any Rights of Sheepwalk or Common, or other Rights or Intereſts, in, over, or upon the ſaid Commons or Waſte Grounds, or any Part or Parts thereof, in ſuch Parts and Shares as the ſaid Commiſſioners ſhall adjudge and determine to be proportionate to the Value of and a full Satisfaction and Compenſation to him, her, and them reſpectively, for his, her, and their reſpective Shares, Rights of Sheepwalk or Common, or other Rights or Intereſts, in, over, or upon the ſaid Lands and Grounds, or any Part or Parts thereof.

For determining Objections to Allotments.

XVIII. And be it further enacted, That when and as ſoon as the ſaid Commiſſioners ſhall have aſcertained the reſpective Shares, Rights, and Intereſts of the ſaid Proprietors in the Lands and Grounds to be incloſed by virtue of this Act, and alſo deſigned upon the Plan by them directed to be made 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 *The Norfolk Chronicle* and *Norwich Mercury*, or in ſome other Newſpaper publiſhed in the ſaid City of *Norwich*, and alſo by affixing ſuch Notice upon the principal Door of the Pariſh Church of *Griſton* aforeſaid, of ſome convenient Time and Place when and where all Proprietors and Perſons intereſted may peruſe a Schedule of ſuch intended Allotments, and inſpect the ſaid Plan whereon the ſame ſhall be ſet out and delineated, and may have and receive, at his, her, and their own Coſts and Charges, a Copy of ſuch Schedule, or any Part thereof; and as ſome Perſons may upon Peruſal of the ſaid Schedule, or Inſpection of ſuch Map or Plan, be diſſatisfied with their intended Allotments, the ſaid Commiſſioners ſhall give at leaſt Ten Days previous Notice, to be publiſhed and affixed as aforeſaid, of One Meeting at the leaſt to be holden by them for receiving ſuch Complaints or Objections, and their Determination in the Premiſes being reduced into Writing, and ſigned by them, ſhall be binding and concluſive upon all Parties, and the ſaid Allotments ſhall be deſcribed accordingly in the ſaid Award.

XIX. Provided

In case any Person shall sell his Right, the Allotment to be made to the Purchaser.

XIX. Provided always, and be it further enacted, That if any Person or Persons (save and except the said Vicar of the said Vicarage) hath or have sold, or contracted or agreed to sell, or shall at any Time within Three Calendar Months before the Execution of the Award of the said Commissioners directed to be made by the said recited Act, sell, or contract or agree to sell, his, her, or their Right, Interest, and Property in the said Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, to any other Person or Persons, then and in every such Case it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required to make an Allotment of Land unto the Vendee or Purchaser mentioned in every such Sale, Contract, or Agreement, or to his or her Heirs, Executors, Administrators, or Assigns, for and in respect of such Rights, Interests, and Property so sold, or contracted or agreed to be sold as aforesaid; and every such Vendee or Purchaser, or his or her Heirs, Executors, Administrators, or Assigns, shall and may, from and after the Execution of the said Award, hold and enjoy the Land so to be allotted to him, her, or them as aforesaid in the same Manner, to all Intents and Purposes, as the Vendor in every such Sale, Contract, or Agreement, might, could, or ought to have held and enjoyed the same, in case such Sale, Contract, or Agreement had not been made, or such Right, Interests, or Property had been vested in such Vendor at the Time of making such Allotment as aforesaid.

Satisfaction for unequal Fencing.

XX. Provided always, and be it further enacted, That in case through the Necessity of Situation, or any Circumstance, it shall happen that One or more of the said Proprietors shall not have a fair or proportionable Share of Boundary or other Fencing allotted to him, her, or them on the said intended Inclosure, it shall be lawful for the said Commissioners, where they shall judge it necessary and reasonable, to award, ascertain, order, and appoint what Sum or Sums of Money such Proprietor or Proprietors shall respectively pay or contribute towards making the said Fences of the Allotments of such other of the Proprietor or Proprietors who shall or may have a greater Proportion of Fencing allotted to him, her, or them by virtue of this Act, the same to be settled by the said Commissioners in such Manner as they shall think proper; and the Money so ordered, directed, and appointed to be paid shall be raised, levied, and recovered in such and the same Manner as the Expences of this Act are herein ordered and directed to be levied and recovered.

Allotments and Exchanges to be of the same Tenure as the Lands for which they are allotted or exchanged.

XXI. And be it further enacted, That all the Lands and Grounds which shall be alloted by virtue of this Act, or the said recited Act, to or with any Person or Persons for any Messuages, Buildings, Lands, and Grounds, holden of any Manor or Manors by Copy of Court Roll, or for any Leasehold Messuages, Lands, or Grounds, or for or in respect of any Right of Sheepwalk or Common, or any other Right or Interest appurtenant or appendant to any such Copyhold or Leasehold Premises, shall, from and after the Execution of the said Award, be deemed and taken to be Copyhold, Customaryhold, or Leasehold, and shall be held as such by and under the same Tenure, Rents, Payments, Fines, Customs, and Services, as the Copyhold or Leasehold Messuages, Buildings, Lands, or Tenements respectively, for or in respect whereof such Allotments shall be made are now held; and that such Part or Parts of the said Lands and Grounds as shall be allotted unto any Person or Persons by virtue of this

Act, in reſpect of the Right of Sheepwalk or Common, appendant or appurtenant to any Meſſuages, Cottages, Lands, or Tenements which are Copyhold, ſhall be deemed and taken to be Copyhold, and ſhall be ſubject to, and the Owner or Owners thereof ſhall pay to the Lord or Lords of the Manor or Manors of which ſuch Copyhold Premiſes are held, a yearly Quit Rent, after the Rate of One Penny for every Acre of ſuch Lands which ſhall be allotted in reſpect of ſuch Meſſuages, Cottages, Lands, or Tenements; and that all and every Perſon or Perſons, to whom any ſuch Copyhold Lands or Premiſes ſhall be allotted as aforeſaid, ſhall within Six Calendar Months next after the Execution of the ſaid Award, be admitted Tenant or Tenants to the ſame, without paying any Fine or other Charge to the Lord or Lords, or to the Steward or Stewards of the ſaid Manor or Manors, ſave and except for the Stamp Duties and Parchment requiſite to be uſed for the Copies of ſuch Admiſſions reſpectively, and ſuch reaſonable Fees to the reſpective Steward or Stewards of the ſaid Manor or Manors, as the ſaid Commiſſioners ſhall, by their ſaid Award, order and direct; but in caſe the Perſon or Perſons to whom ſuch Lands and Premiſes ſhall be allotted ſhall die without Admiſſion within the ſaid Six Calendar Months, then the cuſtomary Fines and other Payments ſhall be due and payable on the Admiſſion of the Perſon entitled to ſuch Lands and Premiſes; and after every ſuch firſt Admiſſion as aforeſaid, the Copyhold Premiſes ſo to be allotted as aforeſaid ſhall at all Times be held under and ſubject to the ſame Tenure, Fines, and other Payments as the preſent Copyhold Meſſuages, Cottages, Lands, or Tenements, in reſpect whereof ſuch Lands and Premiſes were allotted, are now held under and ſubject to, together with the ſaid Quit Rent, after the Rate of One Penny yearly for every Acre of Land allotted in reſpect of ſuch Copyhold Premiſes as aforeſaid; and the ſaid Commiſſioners ſhall, by their ſaid Award, determine and deſcribe the Lands and Grounds allotted which are to be and remain Copyhold or Leaſehold; and all other Lands and Grounds to be allotted by virtue of this Act and the ſaid recited Act (except what ſhall be ſo aſcertained by the ſaid Commiſſioners to be Copyhold or Leaſehold) ſhall be from thenceforth deemed, taken, and enjoyed as Freehold Lands and Grounds; ſubject nevertheleſs to ſuch Free Rents and Services as are now payable out of the reſpective Lands, Grounds, Tenements, or Hereditaments, for or in reſpect whereof they ſhall or may be allotted.

Commiſſioners to direct the Courſe of Huſbandry.

XXII. And be it further enacted, That from and after the paſſing of this Act until the Execution of the ſaid Award, all the Arable Lands hereby directed to be divided and allotted ſhall be ſubject and liable to ſuch Directions and Regulations as the ſaid Commiſſioners ſhall from Time to Time by Writing under their Hands appoint, as well with regard to the ſtocking as to the ploughing, folding, tilling, ſowing, and laying down the ſame; and it ſhall be lawful for the ſaid Commiſſioners to order and direct ſuch Sum or Sums of Money in reſpect thereof to be paid by any Perſon or Perſons intereſted in the ſaid Arable Lands, or any Part thereof, or his, her, or their Tenant or Tenants, to any other Perſon or Perſons in like Manner intereſted therein, or his, her, or their Tenant or Tenants, as they the ſaid Commiſſioners ſhall think reaſonable; and in caſe any Perſon or Perſons, who ſhall be directed to pay any Sum or Sums of Money on any of the Accounts aforeſaid, ſhall neglect or refuſe to pay the ſame on Demand, then and in ſuch Caſe it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby authorized and required, to raiſe and levy

levy the ſame for the Uſe and Benefit of the Perſon or Perſons entitled thereto, by ſuch Ways and Means as the Coſts, Charges, and Expences of obtaining and executing this Act, or any Part thereof, can or may be raiſed and levied.

No Turf, Flags, &c. to be cut without Leave of the Commiſſioners.

XXIII. And be it further enacted, That if any Perſon or Perſons ſhall, after the paſſing of this Act, cut, dig, pare, grave, flay, or carry away any Turf, Flags, Whins, or Furze, in, upon, or from the ſaid Commons or Waſte Grounds, or any Part thereof, without or contrary to the Licence of the ſaid Commiſſioners firſt had and obtained in Writing for that Purpoſe (which Licence the ſaid Commiſſioners are hereby empowered to grant, under ſuch Rules, Orders, Regulations, and Reſtrictions as they ſhall think proper to inſert therein), then and in every ſuch Caſe the ſaid Commiſſioners, upon due Proof thereof made before them upon Oath, ſhall and they are hereby required, by Warrant under their Hands and Seals directed to any Perſon or Perſons whomſoever, to cauſe any Sum of Money not exceeding Five Pounds to be levied by Diſtreſs and Sale of the Goods and Chattels of every Perſon ſo offending in the Premiſes, 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; and the Money ſo to be levied as aforeſaid ſhall be applied towards defraying the Coſts and Charges of obtaining and executing this Act.

For extinguiſhing or ſuſpending Rights of Common before the Execution of the Award.

XXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and empowered, at any Time or Times before the Execution of the ſaid Award, by Notice in Writing under their Hands, to be affixed on the principal Door of the Pariſh Church of *Griſton* aforeſaid, to order and direct all or any Part of the ſaid Rights of Sheepwalk, Common, or other Rights whatſoever, in, over, and upon the ſaid Commons and Waſte Grounds hereby directed to be divided and allotted, or any Part thereof, to be extinguiſhed, or the Exerciſe thereof to be ſuſpended for and during ſuch Time or Times as ſhall be expreſſed in ſuch Notice; and that all ſuch Rights of Sheepwalk, Common, and all ſuch other Rights as the ſaid Commiſſioners ſhall, by ſuch Notice, order and direct to be extinguiſhed, or the Exerciſe thereof to be ſuſpended as aforeſaid, ſhall from the Time of affixing ſuch Notice, ceaſe, determine, and be extinguiſhed, or the Exerciſe thereof ſuſpended accordingly; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Tenants to give up allotted or exchanged Lands, having Satisfaction therefor.

XXV. And be it further enacted, That every Tenant or Occupier, under any Leaſe or Agreement for any Term of Years, at Rack or extended Rent now ſubſiſting, of any Common Fields or Old Incloſure, which ſhall be allotted or exchanged by virtue of this Act, ſhall, immediately after the ſaid Commiſſioners ſhall have ſigned their Award, or within ſuch further Time as the ſaid Commiſſioners ſhall appoint, and whereof Notice in Writing ſhall be given for that Purpoſe, give and reſign up the full and peaceable Poſſeſſion of ſuch allotted or exchanged Lands to the Perſon or Perſons to or with whom the ſame ſhall be reſpectively allotted or exchanged, ſuch reſpective Tenants or Occupiers of ſuch allotted or exchanged Lands receiving from the reſpective Owners and Proprietors thereof ſuch Satisfaction as the ſaid Commiſſioners ſhall aſcertain,

certain, order, direct, or appoint to be paid to such Tenant or Tenants respectively, on account thereof, as an Equivalent for the Loss or Losses he or they shall respectively sustain thereby; and if the Money so to be ascertained as aforesaid shall not be paid to the Person or Persons entitled to receive the same, within Fourteen Days after Demand made thereof, it shall and may be lawful for the said Commissioners, and they are hereby required, to raise and levy the same for the Use and Benefit of the Person or Persons entitled thereto, by such Ways and Means as the Costs, Charges, and Expences of obtaining and executing this Act, or any Part thereof, can or may be raised and levied.

Satisfaction to be made to Tenants who shall not agree to take the Allotment of Common set out for their respective Farms.

XXVI. And be it further enacted, That in all Cases where an Allotment or Allotments of any Part of the said Commons and Waste Grounds shall be made for or in respect of the Right of Common belonging to any Messuages, Cottages, Lands, or Hereditaments within the said Parish, which are held by any Tenants or Occupiers for a Term of Years, at Rack or extended Rent now subsisting by virtue of any Lease or Agreement thereof made, and such Tenants or Occupiers do not or shall not come to an Agreement with the Person or Persons to whom such Allotment shall be made, for the Use and Occupation thereof, such Tenants or Occupiers shall not be entitled to enter upon, occupy, or hold the said Allotment or Allotments, but shall nevertheless have and receive from the respective Owners or Proprietors thereof such an Abatement from the yearly Rent or Rents reserved and made payable in and by such Lease or Leases, Agreement or Agreements, for the Remainder of the Term or Terms at Rack or extended Rent now subsisting then to come therein, as the said Commissioners shall adjudge to be a reasonable Compensation to him, her, or them, for the Right of Common which hath been accustomed to be used and exercised by such Tenants or Occupiers, and which shall be extinguished by this Act.

No Sheep to be kept in the Inclosures for Seven Years.

XXVII. Provided always, and be it further enacted, That no Sheep or Lambs shall be kept on any of the Allotments to be made by virtue of this Act, during the Space of Seven Years next after the said Commissioners shall have executed their Award, unless the Person or Persons keeping the same shall first at his or their own Expence make and maintain a Fence sufficient to guard the Quick Fences round such Allotments from being cropped, hurt, or damaged by such Sheep or Lambs, whether such Quick Fences be planted or set by the Owner or Occupiers of such Allotments as aforesaid, or by the Owner or Occupier of the Allotment or Allotments adjoining thereto.

For allowing Exchanges to be made.

XXVIII. 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 *Grisson*, 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 Politick, Corporate, or Collegiate, Corporation Aggregate

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, 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, Lunaticks, 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 of the Body Politick, Corporate, or Collegiate, and under the Hands of the other conſenting Parties reſpectively; and all and every ſuch Exchange and Exchanges ſo 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 othe Eccleſiaſtical Benefice, without the Conſent teſtified as aforeſaid of the Lord Biſhop of the Dioceſe, and the Patron of the Living in which ſuch Lands, Tenements, or Hereditaments ſo to be exchanged ſhall lie or be ſituate: Provided alſo, that all Coſts, Charges, and Expences, attending the making any Exchanges and Partitions, ſhall be paid and borne by the ſeveral Perſons making ſuch Exchanges or Partitions, in ſuch Manner and in ſuch Proportion as the ſaid Commiſſioners ſhall by their ſaid Award order and direct.

For fencing Allotments.

XXIX. And be it further enacted, That the Lands or Grounds to be ſet out and allotted to and for the ſaid *Eli Morgan Price*, and his Succeſſors as Vicars as aforeſaid, and to the ſaid Surveyors of the Highways in the ſaid Pariſh of *Griſton*, and to the ſaid Truſtees for the Poor of the ſame Pariſh, by virtue of this Act, ſhall be incloſed and fenced on all ſuch Parts and Sides as ſhall not be already made, or be directed to be made, by any other Proprietors, with Ditches not leſs than Four Feet and an Half wide at the Top, Twelve Inches wide at the Bottom, and Three Feet and an Half deep perpendicularly, with a Bank laid with good White Thorn Layer or Briar, and with Half Hurdles, or a Stake-bound Hedge, or other ſufficient Fence to be ſet upon the Top of ſuch Bank, at the Expence of the Proprietors of the other Allotments of the Lands and Grounds hereby intended to be divided and incloſed, in ſuch Shares and Proportions as the ſaid Commiſſioners ſhall appoint or direct; and the ſaid Hedges, Ditches, and Fences, when properly made, ſhall be for ever thereafter kept, ſupported, maintained, and ſcoured out by and at the Expence of the ſaid Vicar, Surveyors of the Highways, and Truſtees for the Poor reſpectively, or the other Proprietors reſpectively, to whom the ſaid Fences ſhall be allotted or directed to belong; and the ſeveral other Allotments to be made by virtue of this Act ſhall be incloſed, hedged, ditched, and fenced, at the Expence of the reſpective Proprietors to whom ſuch Fences ſhall be allotted or directed to belong, with ſuch like Ditches, Hedges, and Fences as are herein-before deſcribed within ſuch Time as the ſaid Commiſſioners ſhall by their Award, or any Writing under their Hands, order or direct; all which aforementioned Fences ſhall be raiſed and made on the Grounds of the reſpective Perſons who ſhall in and by the ſaid Award be directed to make and raiſe the ſame; and where ſuch Fences ſhall be directed to be made againſt any Road or Roads, the Ditches thereof ſhall be made withinſide and towards the Allotments reſpectively, with Floor Banks againſt the ſaid Roads.

For defraying the Expences of the Act.

XXX. And be it further enacted, That the Costs, Charges, and Expences of inclosing the Lands or Grounds which shall by virtue of this Act be allotted to the Vicar of the said Vicarage of *Grifton*, in respect of the said Vicarage, and to the Surveyors of the Highways within the same Parish, and the Trustees for the Poor of the same Parish, and all the Costs and Charges incident to and attending the obtaining and passing of this Act, and of surveying, admeasuring, planning, valuing, dividing, and allotting the Lands and Grounds hereby directed to be divided, allotted, and inclosed, and of preparing the said Award, and the Copies thereof, and Extracts therefrom, and all the Charges and Expences of the said Commissioners, their Assistants and Servants, and all other necessary Charges and Expences of the several Persons to be employed by the said Commissioners in and about the Premises either before or after the Execution of the said Award, and all the Expences of forming, completing, and repairing the publick Carriage Roads and Highways to be set out and appointed by the said Commissioners, and all other Expences of carrying this Act and the said recited Act into Execution, shall be borne and defrayed by the several Persons and Body or Bodies Politick, Corporate, or Collegiate, to whom any Allotment or Allotments shall have been made by virtue of this Act, (save and except the Vicar of the said Vicarage of *Grifton* for the Time being, for or in respect of any Allotment or Allotments which shall be made to him in Right of the said Vicarage, and also save and except the Surveyor of the Highways within the said Parish, and the Trustees for the Poor of the same Parish, for or in respect of the Allotment or Allotments hereby directed to be made to them as aforesaid) which said Costs, Charges, and Expences, together with the Shares and Proportions thereof to be paid by the several Persons and Body or Bodies Politick, Corporate, or Collegiate hereby made liable to the Payment thereof, shall be settled and adjusted by the said Commissioners, and shall be paid at such Time and Place to such Person or Persons and in such Manner as the said Commissioners shall direct and appoint.

Directions for charging Copyholds with Expences.

XXXI. Provided always, and be it further enacted, That when and so often as it may be necessary to charge any Allotment or Allotments, or exchanged Messuages, Cottages, Lands, or Tenements with any Sum or Sums of Money, by way of Mortgage, for paying and discharging any Share or Shares of such Costs, Charges, and Expences as last aforesaid, and such Allotment or Allotments, Messuages, Cottages, Lands, or Tenements, or any Part thereof, shall be Copyhold, then and in such Case such Copyhold Lands and Premises shall be surrendered for the due Payment thereof with Interest, to the Use of such Person or Persons who shall advance and lend such Sum or Sums of Money by way of Mortgage, his, her, or their Heirs and Assigns, according to the Custom or Customs of the Manor or Manors whereof the same shall be holden, instead of being mortgaged and surrendered to such Person or Persons, his, her, or their Executors, Administrators, or Assigns, for a Term of Years, as mentioned in the said recited Act.

Proprietors and Agents to pay their own Expences.

XXXII. Provided always, That the said Proprietors, their Attornies, or Agents, shall pay their own Expences when they or any of them shall attend the said Commissioners at any of their Meetings to be holden in pursuance of this Act.

Money advanced to be repaid with Interest.

XXXIII. Provided also, That if any of the Persons interested in the Commons and Waste Grounds hereby directed to be divided and allotted, or any other Person or Persons, shall advance and pay any Money in discharge

charge of the Fees or other Expences of obtaining and executing this and the ſaid recited 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.

Wills and Settlements not to be affected.

XXXIV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to revoke, make void, alter, or annul any Will or Settlement, or to prejudice any Perſon or Perſons, having any Right or Claim of Dower, Jointure, Portion, Debt, or Incumbrance, out of, upon, or affecting any of the Meſſuages, Buildings, Lands, Grounds, or Hereditaments, within the ſaid Pariſh of *Griſton*, or which ſhall be exchanged by virtue of this Act, or any Part or Parts thereof reſpectively, but that each and every Proprietor ſhall ſtand and be ſeiſed of the ſeveral Meſſuages, Buildings, Lands, and Grounds, to be allotted to or exchanged with him or her as aforeſaid, to ſuch and the ſame Uſes, for ſuch and the ſame Eſtates, and ſubject to ſuch and the ſame Wills, Jointures, Rents, and Charges, and no other, as the Meſſuages, Buildings, Lands, and Grounds, whereof ſuch Proprietor ſhall be ſeiſed or poſſeſſed at or immediately before the Execution of the ſaid Award, or for which or in reſpect whereof ſuch Allotments or Exchanges ſhall be made, would have been ſubject to, charged with, or affected by, in caſe this Act had not been made.

Commiſſioners to lay their Accounts before a Juſtice Once in every Year.

XXXV. 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 Act; and ſuch Statement or Account when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before ſome One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Norfolk*, to be by him or them examined or balanced, and ſuch Balance ſhall be by ſuch Juſtice or Juſtices 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 Statement or Account ſhall be binding on the Parties concerned, or valid in Law, unleſs the ſame ſhall have been duly allowed by ſuch Juſtice or Juſtices.

Directions for reading the Draft of the Award before being ingroſſed, and for depoſiting the Award.

XXXVI. And be it further enacted, That the Draft of the Award to be made by the ſaid Commiſſioners ſhall, before the ſame ſhall be ingroſſed, be read by them in the Preſence of the Proprietors who may attend at a Special General Meeting to be called for that Purpoſe, of which One Month's Notice ſhall be given in *The Norfolk Chronicle* and *Norwich Mercury*, or in ſome other Newſpaper publiſhed in the ſaid City of *Norwich*; and that the ſaid Award of the ſaid Commiſſioners, when inrolled in Manner directed by the ſaid recited Act of the Forty-firſt Year of the Reign of His preſent Majeſty, ſhall be depoſited in the Pariſh Church of *Griſton*, and there kept and preſerved, ſo that Recourſe may be had thereto by any Perſon or Perſons intereſted in the Premiſes; and that a Copy of the ſaid Award fairly tranſcribed into a Book ſhall be delivered to the ſaid *Benjamin Barker*, and another Copy thereof fairly tranſcribed as aforeſaid ſhall be delivered to the ſaid Biſhop of *Ely*, or his Leſſee, to be kept with the Court Books or Rolls of their reſpective Manors.

Appeal to the Seſſions.

XXXVII. And be it further enacted, That if any Perſon or Perſons or Body or Bodies Politick, Corporate, or Collegiate, ſhall think himſelf, herſelf,

herſelf, or themſelves, aggrieved by any Thing done in purſuance of this Act, or of the ſaid recited Act (other than and except ſuch Orders and Determinations of the ſaid Commiſſioners as are herein-before and as are therein declared to be final or 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 Juſtices at the General Quarter Seſſions of the Peace which ſhall be holden for the ſaid County of *Norfolk* within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, on giving to the ſaid Commiſſioners Ten Days Notice in Writing of ſuch Appeal, and of the Matter thereof; and the Juſtices (not intereſted in the Premiſes) at 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 and Damages, as to them in their Diſcretion ſhall ſeem reaſonable; and by their Order and Warrant to levy the Coſts and Damages 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, on Demand, to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Warrant, Diſtreſs, and Sale; and the Determination of ſuch Juſtices ſhall be final and concluſive to all Parties concerned, and ſhall not be removed by *Certiorari*, or any 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 or Appellants as to them in their Diſcretion ſhall ſeem reaſonable, and to be levied in Manner aforeſaid.

Right of Tythes not to be prejudiced.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall prejudice, leſſen, or defeat the Right, Title, or Intereſt of any Perſon or Perſons entitled to any Tythes ariſing or renewing out of or payable in reſpect of any Lands, Tenements, or Hereditaments, lying within the Pariſh of *Griſton* aforeſaid, and except for or in reſpect of the Allotments which ſhall be made purſuant to the Directions of this Act for the Uſe and Benefit of the Poor.

General Saving.

XXXIX. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon or Perſons, Body or Bodies Politick, Corporate, or Collegiate, and his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, all ſuch Right, Title, and Intereſt (other than and except ſuch as is and are hereby meant and intended to be barred, deſtroyed, and extinguiſhed) as they, every, or any of them could or ought to have had and enjoyed, of, in, to, or out of the ſaid Lands and Grounds hereby directed to be divided, allotted, and incloſed in caſe this Act had not been made.

Publick Act.

XL. 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. 1806.