CHAPTER lxxxii.

An Act to confirm the Provisional Order for the Inclosure of certain Lands known as Redmoor and Golberdon Commons, situate in the parish of South Hill, in the county of Cornwall, in pursuance of a report of the Inclosure Commissioners for England and Wales. [3d July 1879.]

A.D. 1879.

WHEREAS the Inclosure Commissioners for England and Wales did, in pursuance of the Inclosure Acts, 1845–1878, issue, in the year one thousand eight hundred and seventy-nine, the Provisional Order of Inclosure set forth in the schedule hereto, and in a special report certified that it was expedient that the same should be confirmed by Parliament:

And whereas a Committee of the House of Commons, to which the same Provisional Order was referred, recommended that the same should be confirmed without modification:

And whereas the said inclosure cannot be proceeded with without the previous authority of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of Provisional Order.

1. The Provisional Order of Inclosure set forth in the Schedule to this Act is hereby confirmed.

Short title.

2. This Act may be cited as the Inclosure (Redmoor and Golberdon) Provisional Order Confirmation Act, 1879.

A.D. 1879.

SCHEDULE.

Provisional Order for the Inclosure of a Common.

Whereas persons interested in certain lands called or known as Redmoor and Golberdon Commons, situate in the parish of South Hill, in the county of Cornwall, such lands being commons within the meaning of the Inclosure Acts, 1845 to 1878, have made application to the Inclosure Commissioners for England and Wales to issue a Provisional Order for the inclosure of such commons, and to certify that it is expedient that such Provisional Order should be confirmed by Parliament:

And whereas it has been made to appear to the said Commissioners that the persons making the said application represent at least one third in value of such interests in the said commons as are proposed to be affected by the Provisional Order:

And whereas the said Commissioners, having taken the said application into consideration, were satisfied that a primâ facie case had been made out, and that, regard being had to the benefit of the neighbourhood as well as to private interests, it was expedient to proceed further in the matter, and accordingly ordered a local inquiry to be held by an Assistant Inclosure Commissioner:

And whereas the said Assistant Commissioner, having caused public notice to be given as required by the said Acts, held, pursuant to the said notice, public meetings on the sixth and seventh days of January one thousand eight hundred and seventy-nine, at the respective hours of eleven in the forenoon and seven in the evening, at Golding's Hotel, Callington, in the said county, to hear all persons desirous of being heard on the subject matter of the said application, and any information or evidence which might be offered in relation thereto, and inquired into the correctness of the statements in the said application, and otherwise into the expediency of making the Provisional Order applied for, and into the nature of the provisions to be inserted in such Provisional Order:

And whereas the said Assistant Commissioner inspected the said commons as required by the said Acts:

And whereas the said Assistant Commissioner duly reported in writing to the said Commissioners the result of the local inquiry and of the public meetings held by him, together with the information obtained by him as to the several particulars in the said application, and all other information required by the said Acts, and annexed to his report a map of the said commons, a copy of which map is hereto annexed:

And whereas the mines, minerals, stone, and other substrata under the said commons are excepted from the operation of the proposed inclosure:

A.D. 1879.

Now, therefore, in pursuance of the powers given to us by the said Acts, we, the Inclosure Commissioners for England and Wales, being satisfied that, having regard to the benefit of the neighbourhood as well as to private interests, the inclosure of the said commons is desirable, have framed for the consideration of the persons interested this our draft Provisional Order, specifying the terms and conditions on which, provided the necessary consents are given thereto, we are prepared to certify that it is expedient the Provisional Order should be confirmed by Parliament; that is to say,

That there be allotted for recreation grounds five acres on Redmoor Common and five acres on Golberdon Common, at or near the spots marked respectively A. and B. on the map hereunto annexed;

That there be allotted for field gardens four acres on Redmoor Common and six acres on Golberdon Common, at or near the spots marked respectively C. and D. on the said map;

That, if found necessary, carriage roads, bridle roads, and footpaths be set out, to the satisfaction of the Inclosure Commissioners, as may be most convenient for public use;

And that there be reserved to the owner or owners of the mines, minerals, stone, and other substrata under the said commons a right to enter the said commons when inclosed, for the purpose of opening, working, or winning such mines, minerals, stone, and other substrata, compensation to be made by the persons exercising such right for any damage to the surface which may thereby be done.

In witness whereof we have hereunto set our official seal this twenty-seventh day of February one thousand eight hundred and seventy-nine.

L.S.

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