ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 58.

An Act for incloſing Lands in the Manor of *Laughton*, in the County of *Suſſex*. [15th *April* 1813.]

WHEREAS there are within the Manor of *Laughton* in the Pariſhes of *Laughton*, *Eaſthoathly*, *Chiddingly*, *Hellingly*, *Heathfield*, *Beddingham*, *Waldron*, *Chalvington*, *Ripe* and *Weſtfirle*, in the County of *Suſſex*, certain Open Common and Waſte Grounds, called *The Dicker*, *Laughton*, *Whiteſmith*, *Hawkhurſt*, and *Waldron*, and other Common or Waſte Grounds, containing by Eſtimation One thouſand eight hundred and twenty-four Acres, or thereabouts: And whereas *Thomas* Earl of *Chicheſter* is Lord of the ſaid Manor of *Laughton*, and as ſuch is Owner of the Soil of the ſaid Commons or Waſte Grounds, and entitled to Timber, Underwood and Buſhes growing thereon, and to all Mines, Minerals and Royalties of, within and under the ſame: And whereas the ſaid *Thomas* Earl of *Chicheſter*, and divers other Perſons, in reſpect of certain Meſſuages, Lands and Tenements, are or claim to be entitled to Common of Paſturage in and upon the ſaid 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 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 afford very little Profit or Advantage, but are capable of conſiderable Improvement; and the ſame would, if divided, allotted and incloſed,

General Incloſure Act, 41 G. 3. c. 109.

closed, be of great Advantage to the several Persons interested therein; but such Division, Allotment and Inclosure, cannot be made and effectually established without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Thomas Partington* of *Offham*, in the County of *Sussex*, Esquire, shall be and he is hereby appointed Commissioner for setting out, dividing, allotting and inclosing the said Commons and Waste Grounds within the said Manor of *Laughton*, and for otherwise carrying this Act and the said recited Act into Execution; under and subject to the Rules, Orders, Regulations and Directions contained in the said recited Act, except in such Cases where the same are hereby varied or altered.

Commissioner.

For supplying new Commissioners, in Cases of Death or Resignation.

II. And be it further enacted, That in case the said *Thomas Partington*, or any succeeding Commissioner to be appointed as herein-after mentioned, shall happen to die, or decline to act, or become incapable of acting in the Execution of this or the said recited Act, then and as often as it shall so happen, it shall be lawful to and for the major Part in Value (to be ascertained by the Land Tax Assessment) of the Proprietors or Persons interested in the said Commons and Waste Grounds hereby directed to be inclosed, who shall attend by themselves or their Agents or Attornies at a Meeting to be called by or by the Order of One or more of the said Proprietors for that Purpose, at *Laughton Pound*, of which Meeting Notice shall be previously given upon some *Sunday* before or during Divine Service, by Writing to be affixed on the principal Outer Door of each of the respective Parish Churches of *Laughton*, *Eastboathly*, *Chiddingly*, *Hellingly*, *Heathfield*, *Beddingham*, *Waldron*, *Chalvington*, *Ripe* and *Westfirle* aforesaid, and also by Advertisement to be inserted in the *Sussex Weekly Journal*, at least Ten Days before such Meeting, by Writing under their Hands, to appoint from Time to Time some other fit and proper Person, not interested in the said Division and Inclosure, to be a Commissioner in the room of the said *Thomas Partington*, or any of his Successors, and so from Time to Time as often as any Commissioner appointed by the said Proprietors, or the major Part in Value of them present at such Meeting as aforesaid, shall die or become incapable of acting, or shall neglect or refuse to act as aforesaid; and every such Commissioner so to be appointed shall (after taking the Oath prescribed in that Behalf by the said recited Act) be the Commissioner for executing this and the said recited Act, and shall have, and he and they is and are hereby invested with such and the like Powers and Authorities in all Respects for carrying this and the said recited Act into Execution, as if he or they had been herein named or appointed a Commissioner in and by this Act.

Commissioner may appoint a Clerk.

III. And be it further enacted, That it shall be lawful for the said Commissioner, and his Successor or Successors to be appointed as aforesaid, and he and they are hereby authorized and empowered to appoint a Clerk or Clerks to assist in the Execution of this Act, and from Time to Time to remove such Clerk or Clerks and appoint another in his Stead, as to such Commissioner shall seem meet; and from and out of the Money to be provided for the Purposes of this Act, to allow

and

and pay to such Clerk or Clerks such Salary or Allowance for his or their Trouble, as to such Commissioner shall appear just and reasonable.

Notice of Meetings.

IV. And be it further enacted, That the said Commissioner shall, and he is hereby required to cause public Notice to be given upon some *Sunday* before or during Divine Service, by Writing to be affixed upon the principal Outer Door of the said Parish Churches of *Laughton*, *Eastboathly*, *Chiddingly*, *Hellingly*, *Heathfield*, *Beddingham*, *Waldron*, *Chalvington*, *Ripe* and *Westfirle*, and also by Advertisement in the *Sussex Weekly Journal*, in Manner aforesaid, of the Time and Place of the First Meeting, and all other subsequent Meetings, for the Execution of this or the said recited Act, Ten Days at least before every such Meeting shall be held (Meetings by Adjournment only excepted); and the said Commissioner shall and may adjourn any and every such Meetings from Time to Time as he shall see Occasion for the Execution of this Act and the said recited Act; and in case the said Commissioner shall not be present at the Time and Place appointed for such Attendance, then it shall be lawful for the Person or Persons who shall act as Clerk or Clerks to the said Commissioner, to adjourn the same to any future Day, not exceeding Twenty-one Days from the Day of Adjournment: Provided always, that all Meetings of the said Commissioner held by virtue of this or the said recited Act, shall be at *Laughton Pound* aforesaid, or within the Distance of Eight Miles thereof; and in all Cases where, by the said recited Act or this Act, the Objection or Approbation of the Proprietors to any Act, Matter or Thing to be done or proposed to be done in pursuance of the said recited Act or this Act is directed to be made or testified at any Meeting or Meetings, it shall be lawful for the said Proprietors to attend at such Meeting or Meetings by their respective Agents or Proxies duly authorized, whose Acts or Votes shall be as effectual as if such Proprietors were present in Person.

Adjournment of Meetings.

Clerk may adjourn.

Other Notices how to be given.

V. Provided also, and be it further enacted, That all other Notices necessary or requisite to be given for carrying this Act into Execution, shall be so given by Advertisement to be inserted in the *Sussex Weekly Journal*.

Proceedings to be entered in a Book.

VI. And be it further enacted, That all Orders, Proceedings and Determinations of the said Commissioner at any of the Meetings to be held in pursuance of this or the said recited Act, shall be entered in a Book or Books to be provided for that Purpose, and shall be signed by the Commissioner at such Meetings, and being so signed shall be deemed and taken for Originals; and all such Books shal and may be read in Evidence in all Cases of Appeal, Suits, Actions, and other Proceedings touching any Matter or Thing done or to be done in relation to or in pursuance of this or the said recited Act.

Commissioner to settle Disputes.

VII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Proprietors of or Persons interested or claiming to be interested in the said Commons or Waste Grounds, or any Part thereof, concerning the respective Rights or Interests which they

or any of them may have or claim to have in, or upon, or in any Manner respecting or relating to the same, or touching or concerning any Matter or Thing relating to the said Division, Allotment and Inclosure, it shall be lawful for the said Commissioner to hear, settle and determine the same.

Commissioner not to determine Titles, nor molest Possession.

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

Power to assess Costs.

IX. And be it further enacted, That in case the said Commissioner shall upon the Hearing or Determination of any Claim or Claims, Objection or Objections to be delivered to him in pursuance of this Act or the said recited Act, see Cause to award any Costs, it shall be lawful for the said Commissioner, and he is hereby empowered, upon Application made to him for that Purpose, to settle, assess and award such Costs and Charges as he shall think reasonable, to be paid to the Party or Parties in whose Favour any such Determination shall be made, by the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, whose Claim or Claims, Objection or Objections, shall be thereby disallowed or over-ruled; and in case the Person or Persons, Body or Bodies Politic, 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 every such Case it shall be lawful for the said Commissioner, and he is hereby authorized and required, by Warrant under his Hand, 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, Body or Bodies Politic, Corporate or Collegiate, so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand to the Person or Persons, Body or Bodies Politic, 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.

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

X. Provided always, and be it further enacted, That in case any Person or Persons interested or claiming to be interested in the said intended Division, Allotment and Inclosure, shall be dissatisfied with any Determination of the said Commissioner touching or concerning any Claim or Claims of any Rights of Common, or other Rights or Interests, in, over or upon the said Commons and Waste Grounds hereby directed to be divided, allotted and inclosed, or any Part thereof, it shall be lawful for the Person or Persons so dissatisfied to proceed to a Trial at Law of the Matters so determined by such Commissioner, in His Majesty's Court of King's Bench at *Westminster*, and for

for that Purpoſe the Perſon or Perſons who ſhall be diſſatisfied with the Determination of the ſaid Commiſſioner ſhall cauſe an Action to be brought upon a feigned Iſſue againſt the Commiſſioner for the Time being, in Caſes where the Matter of ſuch Claim and Determination ſhall be excluſively between the Party or Parties claiming, and the Commiſſioner deciding any ſuch Right or Intereſt in the ſaid Diviſion, Allotment and Incloſure; and in Caſes where the Matter of ſuch Claim and Determination ſhall be between Party and Party, then againſt the Perſon or Perſons in whoſe Favour ſuch Determination ſhall have been made; which Action ſhall be ſo commenced within Three Calendar Months next after ſuch Determination of the ſaid Commiſſioner ſhall have been made known to ſuch diſſatisfied Perſon or Perſons, and ſhall be proceeded in without Delay; and the Defendants or Defendant in ſuch Action or Actions ſhall, and they, he or ſhe are and is hereby required to name an Attorney or Attornies who ſhall file Common Bail, or appear thereto, 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 if at the Trial of any ſuch Iſſue or Iſſues, it ſhall appear that the Party claiming is entitled to any qualified or leſs Right or Rights, Intereſt or Intereſts, than was or were claimed by ſuch Party, then it ſhall and may be lawful for the Jury by whom ſuch Iſſue or Iſſues ſhall be tried, to find and declare the ſame by their Verdict, which ſhall be indorſed on the Poſtea, in Addition to the Verdict given on the Iſſue or Iſſues joined; but nevertheleſs the Coſts of ſuch Actions ſhall abide and be determined by the Verdict given upon the Iſſue or Iſſues joined, as if no ſuch Special Finding had been made; and the Verdict or Verdicts which ſhall be given in ſuch Action or Actions upon the Iſſue or Iſſues therein joined, in caſe there ſhall be no ſuch Special Finding and Indorſement; and alſo, if any ſuch ſhall be made, ſhall be final, binding and concluſive upon all and every Perſon or Perſons whomſoever, unleſs the Court wherein ſuch Action or Actions ſhall be brought ſhall ſet aſide ſuch Verdict or Verdicts, or Finding and Indorſement, and order a new Trial 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, or Special Finding or Indorſement ſhall be obtained, and not ſet aſide by the Court, the ſaid Commiſſioner ſhall and he is hereby required to act in conformity thereto, and to allow or diſallow the Claim or Claims thereby determined according to ſuch Verdict or Verdicts, or Finding and Indorſement as aforeſaid: Provided always, that in caſe the ſaid Commiſſioner ſhall be made Defendant in any ſuch Action or Actions, he ſhall be entitled to defray his Coſts and all incidental Expences by ſuch Ways and Means as the general Expences of executing this Act are directed to be paid and borne: Provided alſo, that the Determinations of the ſaid Commiſſioner touching ſuch Claim or Claims of any Rights of Common, or other Rights or Intereſts, in, over and upon the ſaid Commons and Waſte 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, and not cauſing ſuch Action at Law to be

brought and proceeded in as aforesaid, shall be final and conclusive upon all Parties.

If any of the Parties die Proceedings not to abate.

XI. 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.

If Parties die before Actions commenced, the same shall not stop by reason thereof.

XII. 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 Commissioner 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.

Suits respecting Titles not to impede the Execution of this Act.

XIII. And be it further enacted, That if any Suit or Suits shall be commenced or prosecuted, touching the Title of any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, in or to any Manor, Messuages, Lands, Tenements or Hereditaments, for or in respect of which any Right of Common or other Right or Interest in, over or upon the Lands or Grounds hereby directed to be divided, allotted and inclosed, or any Part thereof shall be claimed, such Suit or Suits shall not impede, delay, hinder or prevent the said Commissioner from proceeding in the Powers vested in him by this and the said recited Act, but the said Division, Allotment and Inclosure shall be proceeded in notwithstanding such Suit or Suits; and the Allotment or Allotments in respect of such Rights and Interests or any of them, may be had and taken by the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, who upon the Determination of such Suit or Suits shall become entitled to the same.

Death of Parties not to suspend the Execution of the Act.

XIV. And be it further enacted, That if any of the Parties interested in the said intended Division or Inclosure shall die before the same shall be completed, the Powers and Authorities hereby given to the said Commissioner shall not be thereby determined or suspended, but that the said Commissioner shall proceed in the Execution of the Powers given to him by this Act or the said recited Act, in such Manner as he might have done in case such Parties had not died, and that the Share or Shares of the Person or Persons so dying shall be allotted to such Person

or Perſons who by Law ſhall become entitled to the ſame, and ſhall be accepted and fenced by him, her or them, according to the Directions of this or the ſaid recited Act, and he, ſhe or they ſhall be liable to the Charges and Expences, and other Conditions of this and the ſaid recited Act.

Appointment of Surveyor.

XV. And be it further enacted, That the ſaid Commiſſioner ſhall be, and he is hereby authorized and empowered, when and as to him ſhall ſeem meet, to appoint any competent Perſon or Perſons, not intereſted in the ſaid intended Incloſure, and not being the Steward or Agent of any Perſon ſo intereſted, to be a Surveyor or Surveyors for the Purpoſes of the ſaid intended Diviſion and Incloſure, and from Time to Time to diſplace and remove any ſuch Perſon or Perſons ſo to be appointed, and to appoint any other competent Perſon or Perſons, not intereſted as aforeſaid, in the Room and Stead of any ſuch Surveyor or Surveyors ſo to be diſplaced or removed, and to pay, ſatisfy and diſcharge, to each and every Surveyor ſo to be appointed as aforeſaid, from and out of the Monies to be provided for the Purpoſes of this Act, all ſuch Remuneration for Labour, Recompence and incidental Expences, as to the ſaid Commiſſioner ſhall appear juſt and reaſonable.

Surveyor to take an Oath.

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

'I do ſwear, [*or*, being one of the People called *Quakers*, 'I do ſolemnly declare and affirm,] that I will faithfully, impartially 'and honeſtly, according to the beſt of my Skill and Ability, execute and 'perform the ſeveral Duties incumbent on me as a Surveyor by virtue 'of an Act paſſed in the Fifty-third Year of His Majeſty King *George* the 'Third, intituled [*here ſet forth the Title of this Act*] according to 'Equity and good Conſcience, and without Favour or Affection, Prejudice 'or Malice to any Perſon or Perſons whomſoever. So help me GOD.'

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

Survey to be made.

XVII. And for the more juſt and regular Diviſion of the ſaid Lands and Grounds hereby directed to be divided and incloſed, be it further enacted, That the ſaid Surveyor ſhall make or cauſe to be made, a Survey, Admeaſurement and Plan of the ſaid Commons and Waſte Grounds, and ſuch Survey, Admeaſurement and Plan ſhall be reduced into Writing, and the Number of Acres, Roods and Perches in Statute Meaſure contained in the ſaid Commons and Waſte Grounds aforeſaid, ſhall be ſet forth, and aſcertained and delivered to the ſaid Commiſſioner, and ſhall be verified upon Oath or Affirmation of the Perſon making the ſame, which Oath or Affirmation the ſaid Commiſſioner, or any Juſtice of the Peace for the ſaid County of *Suſſex*, is hereby authorized and required to adminiſter: Provided nevertheleſs, that if any Plan or Plans,

Survey

Plans and Surveys already made, to be made use of if the Commissioner shall think fit.

Survey or Surveys already made of the said Commons or Waste Grounds, or any Part or Parts thereof, shall be produced and laid before the said Commissioner, of the Authenticity of which he shall be satisfied, it shall be lawful for the said Commissioner to make use of the same, without causing such new Survey or Plan to be made.

Extinguishing Right of Common, &c.

XVIII. And be it further enacted, That from and after the First Day of *November* next, all Rights of Common and other Rights and Liberties of the Tenants of the said Manor of *Laughton*, in respect of their Lands and Tenements in the several Parishes aforesaid, in, over, and upon the said Commons or Waste Grounds called *Waldron*, *Hawkhurst*, *Laughton* and *Whitesmiths*, and other the Commons and Waste Grounds within the said Manor (except the *Dicker*) shall cease, determine, and be for ever extinguished and abolished, any Law, Usage or Custom to the contrary thereof notwithstanding.

Commissioner may suspend or extinguish Common Right before Award made, upon giving Notice.

XIX. And be it further enacted, That it shall be lawful for the said Commissioner, and he is hereby authorized at any Time or Times before the Execution of the Award by the said recited Act directed to be made, by Notice in Writing to be given and published as aforesaid, to order or direct all or any Part of the Rights of Common, in, over, or upon the said Common or Waste Grounds called the *Dicker*, or any Part thereof, to be extinguished, or the Exercise thereof to be suspended, for and during such Time as shall be expressed in such Writing; and that all such Rights of Common as the said Commissioner shall by such Writing order and direct to be so extinguished, or the Exercise thereof to be suspended as aforesaid, shall from the Time expressed in such Writing, cease, determine, and be for ever extinguished, or the Exercise thereof be suspended accordingly, any Law, Usage or Custom to the contrary thereof notwithstanding.

No Turf to be cut after the passing of this Act, under Penalty.

XX. And be it further enacted, That it shall not be lawful for any Person whomsoever, from and after the passing of this Act, and before the Execution of the said Award of the said Commissioner, to cut, dig, pare, flay, get and carry away any Turf, Clay, Soil, Gorse, Furze, Heath or Stone, in, upon or from the said Common or Waste Ground called the *Dicker*, or any Part thereof, without the Leave or Licence of the said Commissioner first had and obtained in Writing under his Hand, which Leave and Licence he is hereby empowered to grant under such Rules, Orders, Regulations and Restrictions as he shall think proper; and if any Person shall after the passing of this Act, cut, dig, pare, flay, get or carry away any Turf, Clay, Soil, Gorse, Furze, Heath or Stone, in, upon, or from such Common and Waste Ground, or any Part thereof, without the Leave and Licence of the said Commissioner, or having obtained such Leave and Licence, shall act in any Manner contrary thereto, or to the Rules, Orders, Regulations and Restrictions therein contained, every such Person being convicted thereof, either by his or her own Confession, or upon the Oath of One credible Witness before Two of His Majesty's Justices of the Peace for the said County of *Sussex*, not being interested (who shall and are hereby empowered and directed to summon the Parties concerned,

cerned, and examine Witneſſes upon Oath relating to the ſaid Complaint) ſhall for every ſuch Offence forfeit and pay ſuch Sum of Money as the ſaid Juſtices ſhall appoint, not exceeding the Sum of Five Pounds; and it ſhall be lawful for ſuch Juſtice, by Warrant under his Hand and Seal, directed to any Perſon or Perſons whomſoever, to cauſe the ſaid Penalty to be raiſed and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo offending, rendering the Overplus (if any) upon Demand, after deducting the Coſts and Charges of ſuch Diſtreſs and Sale, to the Perſon or Perſons ſo offending, and the ſaid Penalty when paid or levied ſhall be applied by the ſaid Commiſſioner for the Purpoſes of this Act.

For ſhortening Boundary Fences.

XXI. And be it further enacted, That if the ſaid Commiſſioner ſhall deem it expedient or proper to ſhorten the Boundary Fences between the Lands and Grounds by this Act directed to be divided and allotted, and the Lands and Grounds in any Pariſh or Townſhip adjoining thereto, or to make the ſame Boundary Fences reſpectively regular, it ſhall be lawful for the ſaid Commiſſioner, with the Conſent in Writing under the Hand or Hands of the Lord or Lords of the Manor or Manors in which the Lands are ſituate, and of the Owner or Owners of the Lands upon which any Fence or Fences ſhall or may be intended to be made, to ſet out and aſcertain the Boundary between the Lands and Grounds by this Act directed to be divided and allotted, and the Lands lying in ſuch adjoining Pariſh or Townſhip, Pariſhes or Townſhips reſpectively, in ſuch Manner as he ſhall judge proper for the Purpoſes aforeſaid, and after ſuch Boundaries ſhall be ſet out and aſcertained as aforeſaid, the ſame ſhall be fenced by ſuch Perſon or Perſons in ſuch Manner and at ſuch Time or Times as the ſaid Commiſſioner ſhall direct, and ſhall for ever thereafter be deemed and taken to be the Boundaries between the Lands and Grounds by this Act intended to be allotted, and ſuch adjoining Pariſh or Townſhip, Pariſhes or Townſhips reſpectively, any Law, Uſage or Cuſtom to the contrary thereof notwithſtanding.

Commiſſioner to inquire into Encroachments.

XXII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioner to inquire and determine what Incloſures and Encroachments have been from Time to Time made upon or taken from the ſaid Commons and Waſte Grounds, or any Part or Parts thereof, by any Perſon or Perſons whomſoever within Twenty Years next before the paſſing of this Act, and that all Incloſures and Encroachments which ſhall have been made by Grant from the Lord of the ſaid Manor of *Laughton*, or which ſhall have been taken in, held and enjoyed for Twenty Years and upwards next before the paſſing of this Act without Interruption, ſhall after the paſſing of this Act be abſolutely veſted in the Perſon or Perſons holding the ſame, in ſuch Manner as he, ſhe or they have hitherto enjoyed ſuch Incloſures and Encroachments; and in caſe any Difference or Diſpute ſhall ariſe touching any ſuch Incloſures or Encroachments, or the Extent thereof, ſuch Difference or Diſpute ſhall be determined by the ſaid Commiſſioner.

Encroachments within Twenty Years to be deemed Part of the Commons.

XXIII. And be it further enacted, That all ſuch Lands as have been heretofore incloſed and encroached upon or from any of the ſaid Commons and Waſte Grounds within Twenty Years previous to the paſſing of this Act, unleſs by Grant from the Lord of the ſaid Manor of *Laughton*, ſhall be conſidered as Part of the Commons and Waſte Grounds intended to be hereby allotted and incloſed; and in caſe any Difference or Diſpute ſhall

ariſe touching any ſuch Incloſures or Encroachments being deemed Part or Parcels of the ſaid Commons or Waſte Grounds, ſuch Differences or Diſputes ſhall be examined into and determined by the ſaid Commiſſioner for the Time being.

Commiſſioner may alter Roads.

XXIV. And be it further enacted, That the ſaid Commiſſioner ſhall, and he is hereby authorized and required, in all Caſes where in his Judgment it ſhall appear requiſite or proper, to divert, ſtop up, diſcontinue, alter or change any old or accuſtomed public Road, Way or Path, paſſing or leading through or over the ſaid Commons and Waſte Grounds, as to the ſaid Commiſſioner ſhall ſeem meet and proper, with the Concurrence and Order of One Juſtice of the Peace, and ſubject to ſuch Proviſions, and under ſuch Regulations as are contained in the ſaid recited Act, reſpecting the ſtopping up of any old or accuſtomed public Road.

Allotment of Land for Sale.

XXV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioner, as ſoon after the paſſing of this Act as conveniently may be, and from Time to Time or at any Time as he or they ſhall ſee Occaſion, before the Execution of the Award, to ſet out and ſell by public Auction or private Contract ſuch Pieces or Parcels of the ſaid Commons or Waſte Lands, called *Laughton*, *Whiteſmith*, *Hawkhurſt* and *Waldron*, and other the Commons or Waſte Lands within the ſaid Manor except the *Dicker*, as he ſhall deem expedient, and proper and ſufficient for the Purpoſes of raiſing Money for defraying the Coſts, Charges and Expences of obtaining this Act and carrying the ſame into Execution, ſuch Sale to be ſubject to the Regulations and Directions mentioned in the ſaid recited Act; and all and every Part and Parts of the ſaid Commons and Waſte Lands which ſhall be ſo ſold by the ſaid Commiſſioner, ſhall upon Payment by the reſpective Purchaſer or Purchaſers thereof, of his, her or their Purchaſe Money for the ſame to the ſaid Commiſſioner, or to ſuch Perſon or Perſons, and at ſuch Places and Time as the ſaid Commiſſioner ſhall for that Purpoſe appoint, be conveyed by the ſaid Commiſſioner to and to the Uſe of ſuch Purchaſer or Purchaſers, and his, her or their reſpective Heirs and Aſſigns, in Fee Simple, or as he, ſhe or they ſhall direct or appoint; and the Pieces or Parcels of Common or Waſte Land ſo ſold and conveyed as aforeſaid, ſhall be incloſed and held by ſuch Purchaſer or Purchaſers, or ſuch other Perſon or Perſons as aforeſaid, and his, her or their Heirs and Aſſigns in Severalty, and the Receipt or Receipts of the Commiſſioner ſhall be a good and effectual Diſcharge to ſuch Purchaſer or Purchaſers, and ſuch other Perſon or Perſons as aforeſaid, for his, her or their Purchaſe Money, and every Part and Parcel thereof, and he, ſhe or they ſhall not be liable to ſee to the Application thereof, or be anſwerable or accountable for the Miſapplication or Non-application of the ſame, or any Part or Parcel thereof: Provided always, that the Perſon or Perſons who ſhall become the Purchaſer or Purchaſers of the ſaid Lands ſo to be allotted and ſold for the Purpoſe of defraying the Expences of this Act, and their reſpective Heirs and Aſſigns, ſhall be ſubject and liable to the making and keeping in Repair all ſuch Part of the Fences thereof as ſhall be directed by the ſaid Commiſſioner, and alſo to the due Obſervance and Performance of all Orders, Matters, Charges and Directions to be made, laid down and appointed by the ſaid Commiſſioner in and by his Award, in like Manner as if ſuch Lands had been allotted to ſuch Purchaſer or Purchaſers, his or their Heirs or Aſſigns, for or in reſpect of any Right in, over, or upon the ſaid Commons and Waſte Grounds.

XXVI. And

Allotments for Roads and Watering Places, and getting Stones, &c.

XXVI. And be it further enacted, That the ſaid Commiſſioner ſhall, and he is hereby authorized and empowered to ſet out and appoint the neceſſary public Carriage Roads and Highways through and over the ſaid Commons and Waſte Grounds hereby directed to be divided and incloſed, and to aſſign, ſet out and allot (ſubject to ſuch Rules, Orders and Regulations as the ſaid Commiſſioner for the Time being ſhall by his Award direct and appoint) ſuch and ſo many Plots and Parcels of the ſaid Commons and Waſte Grounds as he ſhall think proper and neceſſary, not exceeding Five Statute Acres in the Whole, to be uſed for the Purpoſes of public Wells, for the Accommodation of the neighbouring Inhabitants, and public Watering Places for Cattle, and for getting Sand, Stone, Gravel and other Materials for the making or repairing the Bridges, Highways and Roads within the ſaid Commons and Waſte Grounds to be incloſed by virtue of this Act; and that the Herbage growing and renewing in and upon the Lands ſo to be ſet out as aforeſaid, ſhall be veſted in ſuch Perſon or Perſons, and applied to ſuch Uſes, as by the Award of the ſaid Commiſſioner ſhall be directed and appointed.

Allotment to the Lord of the Manor.

XXVII. And be it further enacted, That the ſaid Commiſſioner, after ſetting out ſuch public and private Roads and Ways, and ſuch other Allotments for public Roads, for Sale to pay Expences for Wells and Watering Places, and for Stone and Gravel Pits, as are by the ſaid recited Act or this Act directed to be ſet out, ſhall and he is hereby required to ſet out, allot and award unto the ſaid *Thomas* Earl of *Chicheſter*, as Lord of the Manor of *Laughton* aforeſaid, or ſuch other Perſon or Perſons as for the Time being ſhall be the Owner or Owners of the ſaid Manor, his, her or their Heirs and Aſſigns, all ſuch Parts of the ſaid Commons or Waſte Grounds called *Laughton*, *Whiteſmith*, *Hawkhurſt* and *Waldron*, and all other the Commons and Waſte Grounds within the ſaid Manor, as ſhall not have been ſold by the Commiſſioner for the Time being for the Purpoſe of carrying this Act into Execution (except the ſaid Common called the *Dicker*) the ſame to be in lieu of and in full Satisfaction and Compenſation for all Rights and Intereſts in and to the Soil of the ſaid Common called the *Dicker*, and the Timber and Underwood thereon, and of all Right of Common of Paſture thereon in reſpect of his Farms and Lands in the Pariſhes of *Eaſthoathly*, *Laughton* and *Chiddingly*, or elſewhere.

Allotment of the Reſidue to the Proprietors.

XXVIII. And be it further enacted, That after the aforeſaid ſeveral Allotments ſhall have been made and ſet out for Roads, Watering Places, and for digging Sand, Stone and Gravel, according to the Directions hereinbefore contained, the ſaid Commiſſioner ſhall and he is hereby authorized and required to divide, apportion, ſet out and allot, all the Reſidue and Remainder of the ſaid Common called the *Dicker*, unto and amongſt the ſeveral Perſons entitled to Common of Paſture in or upon the Commons and Waſte Grounds reſpectively by this Act directed to be divided, allotted or incloſed as aforeſaid, or any Part thereof (except the ſaid *Thomas* Earl of *Chicheſter*, in reſpect of his Farms and Lands in the Pariſhes of *Eaſthoathly*, *Laughton* and *Chiddingly*, or elſewhere), in ſuch Shares and Proportions as the ſaid Commiſſioner ſhall judge and determine to be proportionate to their reſpective Rights and Intereſts in, to, over or upon ſuch Commons and Waſte Grounds reſpectively.

Conveniences and Situation to the Perſons entitled to be conſidered.

XXIX. Provided always, and be it further enacted, That in making the ſaid Allotments due regard ſhall be had by the ſaid Commiſſioner to the Convenience of the Parties intereſted therein reſpectively, not only with reſpect to the Situation of the Eſtates or Property contiguous or near adjoining to the ſaid Commons and Waſte Lands, but alſo with reſpect to the laying and plotting of the ſeveral Allotments to be made to any of ſuch Perſons together in one Plot, or otherwiſe, as the Neceſſity or Convenience of the Caſe may require, provided the ſame can in the Judgment of ſuch Commiſſioner be done without Prejudice to any other Proprietor, ſo as that all ſuch Perſons being deſirous of having their Allotments laid together, or as near as may be as aforeſaid, ſhall ſignify ſuch their Deſire to the ſaid Commiſſioner in Writing under their Hands, within the Space of Two Calendar Months next after the Firſt Attendance of the ſaid Commiſſioner for receiving the Claims of the Parties as aforeſaid, or at the Time of making ſuch Claims reſpectively.

Allotments to be fenced.

XXX. And be it further enacted, That the ſeveral Allotments to be made by virtue of this Act, ſhall be incloſed and fenced at the proper Coſts and Charges of the reſpective Perſons to whom the ſame ſhall be reſpectively allotted, in ſuch Proportions and Manner, and within ſuch Time or Times reſpectively as the ſaid Commiſſioner ſhall by his ſaid Award, or by any other Writing previous to the Execution thereof, order, direct or appoint; and that all ſuch Fences ſhall at all Times thereafter be maintained and repaired by and at the Expence of the Owners for the Time being of the Lands and Grounds to which they ſhall be reſpectively allotted or directed to belong.

Commiſſioner to deliver Poſſeſſion of Allotments.

XXXI. And be it further enacted, That the ſaid Commiſſioner ſhall and may from Time to Time as he ſhall find convenient, deliver to the ſeveral Perſons intereſted in the ſeveral Diviſions and Allotments to be ſet out under this Act, Poſſeſſion of their reſpective Allotments hereby directed to be made and ſet out, and ſuch Poſſeſſion ſo delivered ſhall be kept and retained by the ſeveral Perſons entitled thereto againſt all Perſons whomſoever, although the ſaid Award hereinafter directed ſhall not then be made and executed.

Parties may ſell their Intereſts in Allotments before the Award.

XXXII. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons who ſhall be entitled to any Allotment to be made by virtue of this Act, to ſell, mortgage, demiſe and diſpoſe of all his, her or their Eſtate, Right, Title and Intereſt therein at any Time before the Execution of the Award, and on a proper Conveyance, Surrender and Diſpoſition thereof made, ſhall be good, valid and effectual in the Law; and alſo that it ſhall be lawful for any Perſon or Perſons intereſted in the ſaid Allotment, Diviſion and Incloſure, at any Time not being leſs than Two Calendar Months before the Execution of the Award, to ſell and diſpoſe of all ſuch Eſtate, Right, Title, Intereſt and Property which he, ſhe or they ſhall have in or to the ſaid Commons and Waſte Grounds, or in or to any Allotment or Allotments to be made in reſpect thereof by virtue of this Act, ſeparate from the Eſtate in Right of which he, ſhe or they ſhall be ſo entitled; and it ſhall be lawful for the ſaid Commiſſioner and he is hereby authorized and required to allot the ſame to the Purchaſer or Purchaſers thereof reſpectively.

XXXIII. And

XXXIII. And be it further enacted, That all and ſingular the Lands and other Premiſes which ſhall be allotted under or by virtue of this Act, for or in reſpect of any Meſſuages, Buildings, Lands, Tenements or Hereditaments, ſhall (immediately after ſuch Allotments ſhall be made) be held by and be ſubject to ſuch and the ſame Tenures, Cuſtoms, Rents and Services as the ſeveral and reſpective Meſſuages, Buildings, Lands, Tenements and Hereditaments, in reſpect whereof ſuch allotted Lands ſhall be made, are now ſubject to. Allotments to be of the ſame Tenure as the ancient inclоſed Lands.

XXXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioner to ſet out, allot and award any Lands, Tenements or Hereditaments within the ſaid Manor of *Laughton*, in lieu of and in exchange for any other Lands, Tithes, Tenements or Hereditaments within the ſaid Manor, provided that all ſuch Exchanges be aſcertained, ſpecified and declared in the Award of the ſaid Commiſſioner, and be made with the Conſent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tithes, Tenements or Hereditaments which ſhall be ſo exchanged, whether ſuch Owner or Owners, Proprietor or Proprietors, ſhall be a Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, or a Tenant or Tenants in Fee Simple or for Life, or in Fee Tail General or Special, or by the Courteſy of *England*, or for Years determinable on any Life or Lives, or with the Conſent of the Guardians, Truſtees, Feoffees for charitable or other Uſes, Huſbands, Committees, 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 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 Politic, Corporate or Collegiate, and under the Hands of the other conſenting Parties reſpectively; and all and every ſuch Exchange or 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 any other Eccleſiaſtical Benefice, without the Conſent, teſtified as aforeſaid, of the Patron thereof, and of the Biſhop of the Dioceſe in which ſuch Lands, Tenements or Hereditaments ſo to be exchanged, ſhall lie or be ſituate. Exchanges may be made.

XXXV. Provided always, and be it further enacted, That all the Coſts, Charges and Expences, attending the making of any ſuch Exchange or Partition, ſhall be borne, paid, and defrayed by the ſeveral Perſons making ſuch Exchanges or Partitions, in ſuch Manner and in ſuch Proportion as the ſaid Commiſſioner ſhall by his Award order or direct. Coſts of Exchanges how paid.

XXXVI. And be it further enacted, That all and every Leaſe and Leaſes upon Rack Rent now ſubſiſting, touching or in anywiſe affecting any Part or Parts of the Commons or Waſte Grounds to be incloſed as aforeſaid, by virtue of this Act, and all other Agreements for any Term or Terms of Years thereon at Rack Rent, ſhall ceaſe, determine and be void at ſuch Time or Times as the ſaid Commiſſioner ſhall by any Writing or Writings under his Hand in that Behalf, order, direct or appoint, the reſpective Owners and Proprietors of the Premiſes compriſed in ſuch reſpective Leaſes or Agreements making ſuch Satisfaction to their ſaid Leſſee or Leſſees, Leaſes at Rack Rent to be void.

Tenant or Tenants, and at such Time or Times as the said Commissioner shall ascertain, direct or appoint, as reasonable to be paid to such Lessee or Lessees, Tenant or Tenants, on Account thereof, or as an Equivalent for the same: Provided always, that nothing herein contained shall be construed to extend to avoid or affect any Agreement or Engagement already made between Landlord and Tenant in Contemplation of an Inclosure of the said Commons and Waste Grounds, or relating thereto.

Other Leaseholders to enjoy Allotments upon certain Conditions.

XXXVII. And be it further enacted, That the several Lessees or Tenants who have under Lease (other than a Lease or Leases at Rack Rent) any Estate or Estates, in respect of which any such Allotment or Allotments shall be made as aforesaid, (except such as have only Right of Common upon the said Commons and Waste Grounds so to be allotted, whilst the same remains unincloſed, or at the Will and Pleasure of the Owner or Owners of the Reversion or Inheritance of such Leasehold Estates) shall during the Continuance of their respective Leases have, hold and enjoy the several Parts and Shares of the said Commons and Waste Grounds that shall be allotted and set out for or in respect of such Estates, upon Condition only that such Lessee or Lessees, Tenant or Tenants, do and shall, within such Time or Times, and in such Manner as the said Commissioner shall order, direct, appoint or award, well and sufficiently incloſe, ditch, and fence out the Shares of the said Commons and Waste Grounds to be allotted to or in respect of such Estates, and also do and shall within such Time or Times as last aforesaid, pay his and their Part and Share, Parts and Shares, in Proportion to their Leasehold Interests therein respectively, of all Costs, Charges and Expences relating thereto, to be settled by the said Commissioner, and the Owners and Proprietors shall and they are hereby directed to pay within such Time or Times as the said Commissioner shall order, appoint or award, the Residue of such Charges and Expences for or in respect of such Estates in Lease respectively; and if any of the said Lessees or Tenants shall refuse or neglect well and sufficiently to incloſe, ditch and fence out their several Parts and Shares of the said Commons and Waste Grounds to be allotted for their several and respective Estates, or to pay their respective proportionable Parts and Shares of the Charges and Expences as aforesaid, within the Time or Times and in the Manner to be by the said Commissioner ordered, appointed and awarded, that then, and from and after such Refusal or Neglect, the said Parts and Shares of the said Commons and Waste Grounds, shall go, revert and remain unto, and be in the immediate Possession of the Proprietors or Owners of the Reversion of such Estates in Lease to which the same shall be respectively allotted as aforesaid, according to their several Estates and Interests therein respectively, exonerated and absolutely discharged from such Lease and Leasehold Interests, which the said Owners or Proprietors are hereby directed, ordered, and authorized to incloſe, ditch, and fence in, and pay for the same such Charges and Expences, and within such respective Time or Times and in such Manner as the said Commissioner shall order, appoint or award.

Wills and Settlements not to be affected.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act or the said recited Act contained shall extend or be construed, deemed or adjudged, or taken to extend to revoke, make void, alter or annul any Will or Settlement, or to prejudice any Person having or claiming any Jointure, Dower, Portion, Debt, Rent or Incumbrance, out of, upon

upon or affecting any of the Lands, Tenements or Hereditaments to be divided, allotted or exchanged by virtue of the ſaid recited Act or of this Act, or of any Part or Parts thereof reſpectively, but that the ſeveral Lands, Tenements or Hereditaments, which ſhall be ſo aſſigned, allotted or given in Exchange by virtue of this Act as aforeſaid, ſhall be, remain and enure, and the ſeveral Perſons to whom the ſame ſhall be aſſigned, allotted or given in Exchange as aforeſaid, ſhall from thenceforth be ſeiſed and poſſeſſed thereof, to, for and upon ſuch and the ſame Uſes, Truſts and Eſtates, with the ſame Powers, and ſubject to ſuch and the ſame Wills, Settlements, Limitations, Remainders, Charges, Rents and Incumbrances, and no other, as the ſeveral Lands, Tenements or Hereditaments, whereof ſuch Perſon was ſeiſed or poſſeſſed at or immediately before the Execution of the Award of the Commiſſioner, or for which or in reſpect or in lieu whereof ſuch Allotments and Exchanges ſhall be made as aforeſaid, would have been ſubject or liable to in caſe the ſame had remained unincloſed or unexchanged, or this Act had not been made.

Tythes, &c. not to be affected.

XXXIX. Provided always, and be it enacted, That nothing in this Act or the ſaid recited Act contained ſhall prejudice, leſſen, defeat, or in anywiſe affect the Right, Title or Intereſt of the Tythe Owner or Tythe Owners for the Time being reſpectively, in or to any Tythes, Moduſes, Dues, Payments, Mortuaries, *Eaſter* Offerings, Surplice or other Fees, happening, ariſing and renewing out of or payable in reſpect of any Lands, Tenements or Hereditaments within the ſaid Pariſhes of *Laughton*, *Eaſtboathly*, *Chiddingly*, *Hellingly*, *Heathfield*, *Beddingham*, *Waldron*, *Chalvington*, *Ripe* and *Weſtfirle*, but that ſuch Tythes, Moduſes, Dues, Payments, Mortuaries, *Eaſter* Offerings, Surplice and other Fees, ſhall be payable and paid at all Times hereafter in the ſame Manner as if this Act or the ſaid recited Act had not been paſſed.

No Sheep to be kept in the Incloſures, &c.

XL. And be it further enacted, That no Sheep or Lambs ſhall be depaſtured or kept in any of the Allotments to be made by virtue of this Act, where Quick Fences ſhall be planted, during the Space of Seven Years next after the Execution of the ſaid Award, unleſs the Perſon or Perſons ſo keeping the ſame, ſhall firſt at his, her or their own Expence make and maintain a Fence ſufficient to guard the young 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, or belong to, the Owner or Occupier, or Owners or Occupiers of ſuch Allotments as aforeſaid, or the Owner or Occupier, or Owners or Occupiers of the Allotment or Allotments adjoining thereto.

Expences of procuring and executing the Act.

XLI. And be it further enacted, That the Coſts, Charges and Expences of obtaining and paſſing this Act, and the Fees and Payments to the ſaid Commiſſioner, and his Succeſſor or Succeſſors, and all Charges and Expences already incurred and hereafter to ariſe, relative to the ſaid intended Diviſion, Allotment and Incloſure, and of ſurveying, planning, dividing and allotting the ſaid Lands and Grounds, and of preparing, making and depoſiting the Award of the ſaid Commiſſioner, and all Plans, Maps, Surveys, Inſtruments, Papers and Writings, or any of them reſpectively, directed by the Commiſſioner to be prepared and made out, and all other Coſts, Charges and Expences whatſoever, in anywiſe attending the Execution of this Act, or of any of the Powers, Authorities, Proviſions or Directions

thereof, and not otherwiſe provided for by this Act, ſhall be defrayed and paid out of the Money to ariſe by Sale of Parts of the ſaid Commons or Waſte Lands, except the *Dicker*, to be ſet out for that Purpoſe by the ſaid Commiſſioner in Manner herein-before mentioned; and that the Coſts, Charges and Expences of obtaining and paſſing this Act ſhall be firſt paid and diſcharged; and in caſe the Money to be raiſed by ſuch Sale or Sales ſhall not be ſufficient to pay and defray the Coſts, Charges and Expences aforeſaid, the Deficiency ſhall be made good by the ſaid *Thomas* Earl of *Chicheſter*, or the Lord or Lady for the Time being of the ſaid Manor of *Laughton*, and for that Purpoſe the ſaid *Thomas* Earl of *Chicheſter*, or the Lord or Lady for the Time being of the ſaid Manor of *Laughton*, and his and her lawful Guardian or Guardians, if a Minor, may and he, ſhe or they is and are hereby authorized and empowered to borrow and take up Money at Intereſt, and to charge the ſame upon the Lands ſo to be allotted to him, her or them as aforeſaid, not exceeding Five Pounds an Acre.

Proprietors, &c. to pay their own Expences.

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

Perſons advancing Money to pay the Expences of this Act, to be repaid with Intereſt.

XLIII. And be it further enacted, That if any Perſon or Perſons ſhall advance any Money in Diſcharge of the Fees or other Expences in or about the applying for and obtaining this Act, or carrying the ſame into Execution, ſuch Perſon and Perſons ſhall be repaid the ſame with Intereſt, after the Rate of Five Pounds *per Centum per Annum*, out of the Firſt Monies which ſhall be raiſed to defray the Expences of this Act.

Allowance to the Commiſſioner.

XLIV. And be it further enacted, That the ſaid Commiſſioner, and his Succeſſor or Succeſſors to be appointed as aforeſaid, who ſhall act in the Execution of this Act, ſhall be allowed the Sum of Five Pounds and Five Shillings, and no more for his Trouble and Expences for each and every Day he ſhall neceſſarily attend in the Execution of the Powers of this Act or the ſaid recited Act, or be employed in travelling to and from the Places of Meeting for that Purpoſe; and at all ſuch Meetings the ſaid Commiſſioner ſhall out of ſuch Allowance pay and defray his own Charges and Expences.

Commiſſioner to paſs his Accounts before Two Juſtices once every Year.

XLV. And be it further enacted, That once at leaſt in each and every Year during the Execution of this Act (ſuch Year to be computed from the Day of the paſſing of this Act) the Commiſſioner ſhall and is hereby required to make a true and juſt Statement and Account of all Sums of Money by him received and expended, or due to him for his own Trouble or Expences, in the Execution of this and the ſaid recited Act; and ſuch Statement and Account when ſo made, together with the Vouchers relating thereto, ſhall be by him laid before any One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Suſſex*, to be by them examined and balanced, and ſuch Balance ſhall be by ſuch Juſtices ſtated in the Books of Accounts to be kept in the Office of the Clerk of the ſaid Commiſſioner; and no Charge or Item in ſuch Account ſhall be binding on the Parties concerned, or valid in the Law, unleſs the ſame ſhall have been duly allowed by ſuch Juſtices.

XLVI. And

Award.

XLVI. And be it further enacted, That the ſaid Commiſſioner ſhall, as ſoon as conveniently may be after he ſhall have finiſhed and completed the ſaid intended Diviſion and Allotment, and he is hereby authorized and required to form and draw up, or cauſe to be formed and drawn up, an Award in Writing, which ſaid Award, together with the Maps, Plans and Surveys to be annexed thereto, ſhall within Three Calendar Months next after the Execution of the ſaid Award by the ſaid Commiſſioner, be enrolled with the Clerk of the Peace of the County of *Suſſex*, which Enrolment ſhall be by him kept amongſt the Records of the ſaid County; and ſuch Clerk of the Peace or his Deputy, is hereby authorized and required to receive and depoſit the Enrolment, upon receiving a Fee of Five Guineas for ſo doing; and the ſaid Award, together with the Map or Plan thereto annexed, ſhall immediately after the Enrolment of ſuch Award be put under the Care of the Churchwardens of the Pariſh of *Laughton* for the Time being, and lodged for ſafe Cuſtody in the Pariſh Church of *Laughton* aforeſaid; and all Perſons intereſted in the ſaid Commons or Waſte Lands may at all ſeaſonable Times have Acceſs to the ſaid Award, or the Enrolment thereof, paying One Shilling for each Time of inſpecting the ſame; and the ſaid Award, and alſo any Copy thereof, or of any Part or Parts thereof, duly atteſted by the ſaid Clerk of the Peace for the Time being, after ſuch Enrolment, ſhall from Time to Time and at all Times be admitted and allowed in all Courts whatſoever as legal Evidence, which Copy the ſaid Clerk of the Peace, or his Deputy for the Time being, is hereby required to make and deliver unto any Perſon or Perſons requiring the ſame, upon Payment of the accuſtomed Fees allowed to be taken for Copies of Records made in ſuch Offices, and no more; and the ſaid Award ſo to be executed ſhall be, and is hereby declared to be binding and concluſive unto and upon all and every the Perſons intereſted therein.

Allowing an Appeal to the Quarter Seſſions.

XLVII. And be it further enacted, That if any Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, ſhall think himſelf, herſelf or themſelves aggrieved by any Thing done or omitted to be done under or in purſuance of this or the ſaid recited Act, (other than and except as to ſuch Claims, Matters and Things as are herein-before or by the ſaid recited Act directed or authorized to be tried, ſettled or determined by an Iſſue at Law, or where any of the Clauſes of the ſaid recited Act or of this Act ſhall expreſs that the ſame ſhall be the Orders and Determinations of the Commiſſioner final and concluſive) then and in every ſuch Caſe he, ſhe or they may appeal to the General Quarter Seſſions of the Peace which ſhall be held at *Lewes*, in and for the ſaid County of *Suſſex*, within Two Calendar Months next after the Cauſe of Complaint ſhall have ariſen; and the Juſtices of the Peace in ſuch Seſſions are hereby required to hear and determine the Matter of every ſuch Appeal, provided that Notice in Writing of every ſuch Appeal, ſpecifying the Cauſe of Complaint, be given to the Commiſſioner, or the other Party or Parties intereſted in the Matter of any ſuch Appeal, his or their Agent or Agents for the Time being, One Calendar Month at leaſt before ſuch Seſſions; and the ſaid Juſtices in their ſaid Seſſions aſſembled, may, if they ſee ſufficient Cauſe, reſpite every ſuch Appeal to the then next General Quarter Seſſions to be holden at *Lewes* aforeſaid, in and for the ſaid County; and the ſaid Juſtices ſhall make ſuch Order touching the Matter of ſuch Appeal, and award ſuch Damages and Coſts, as to them in their Diſcretion ſhall ſeem reaſonable, and by their Order or Warrant 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) upon Demand to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of every ſuch Diſtreſs and Sale; and every Order and Determination of the ſaid Juſtices upon every ſuch Appeal, ſhall be final and concluſive to all Parties concerned, and ſhall not be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Saving Manorial Rights.

XLVIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall be conſtrued to defeat, leſſen or prejudice the Right, Title or Intereſt of the ſaid *Thomas* Earl of *Chicheſter*, or any of the future Lord or Lords, Lady or Ladies of the Manor of *Laughton* aforeſaid, to the Seigniories, Royalties, Fiſheries, Cuſtoms or Services incident or belonging to the ſaid Commons or Waſte Grounds hereby intended to be incloſed; but that the ſaid *Thomas* Earl of *Chicheſter*, or ſuch other Perſon or Perſons as aforeſaid, ſhall and may continue to uſe, exerciſe and enjoy all ſuch Rights, and the ſame are hereby reſerved to him and them, with full and free Liberty, Power and Authority, from Time to Time and at all Times hereafter, to hold and enjoy the ſame in the moſt full, complete and beneficial Manner, to all Intents and Purpoſes, as if this Act had not been paſſed.

General Saving.

XLIX. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and alſo to all Perſons, Bodies Politic, Corporate and Collegiate, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns (other than and except the ſeveral Perſons, Bodies Politic, Corporate or Collegiate, to whom any Allotment or other Compenſation ſhall be made or provided by virtue of this Act, in reſpect of the Intereſt or Proportion for which ſuch Allotment or Compenſation ſhall be made, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, and except ſuch other Rights and Intereſts as the Intent and Purpoſe of the Incloſure hereby authorized ſhall abſolutely require to be barred, deſtroyed or extinguiſhed, by virtue of this Act), all ſuch Eſtates, Right, Title and Intereſt, as he, they, every or any of them had or enjoyed, of, in, to or out of the ſaid Commons and Waſte Grounds hereby directed to be divided, allotted and incloſed, before the paſſing of this Act, or could or might have been had or enjoyed if this Act had not been made.

Printed Act made Evidence.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1813.