ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 85.

An Act for dividing, allotting, and incloſing the Open and Common Fields, Common Paſtures, and Waſte Grounds within the Pariſh of *Lilſtock*, in the County of *Somerſet*. [11th *June* 1803.]

WHEREAS there are within the Pariſh of *Lilſtock*, in the County of *Somerſet*, ſeveral Open and Common Arable Fields, conſiſting of upwards of Two hundred and ten Acres: And whereas there are alſo within the ſaid Pariſh of *Lilſtock* certain Paſtures and Marſhes, wherein the Lord of the Manor of *Lilſtock*, and his Tenants or Leſſees only, have or claim any Paſturage or Right whatſoever: And whereas the Moſt Honourable *George Nugent Grenville* Marquis of *Buckingham*, is Lord of the Manor of *Lilſtock*: And whereas the ſaid Marquis of *Buckingham*, the Provoſt and Fellows of *Eton College*, the Right Honourable *George* Earl of *Egremont*, and *Robert Ridler* Yeoman, are the Owners and Proprietors of, or intereſted in, the ſaid Open and Common Arable Fields: And whereas the ſaid Provoſt and Fellows are ſeiſed of and entitled to the Advowſon, Right of Patronage, and Preſentation of, in, and to the Vicarage and Pariſh Church of *Stogurſey* in the ſaid County, with the Chapelry of *Lilſtock* thereto annexed, and the Reverend *Edward Palmer* Clerk, is the Vicar thereof, and in Right of his ſaid Vicarage is entitled to the Great and Small Tythes of the ſaid Pariſh of *Lilſtock*: 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 Open and Common Arable Fields lie very much intermixed and dispersed, and the same are, in their present State, very inconvenient for the Cultivation, Use, and Management thereof, but if the same were divided, allotted, and exchanged amongst the several Proprietors in lieu of and in Proportion to their several Rights and Interests therein respectively, and the Allotments thereof inclosed, they might be very much improved, and rendered more productive, and of much greater Value, but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Samuel Poole* of *Steening*, within the Parish of *Stogursey*, in the said County of *Somerset*, Gentleman, *Thomas Coombe* of the same Place, Gentleman, and *William Poole* of *Nether Stowey* in the said County, Gentleman, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Commissioners for dividing, allotting, laying in Severalty, and inclosing the several Open and Common Arable Fields, Pastures, and Marshes, within the Parish of *Lilstock*, in the County of *Somerset*, and for carrying the several Purposes of the said recited Act and this Act into Execution, and subject to the Regulations of the said recited Act (except in such Cases where the same are hereby varied or altered), and that all Acts, Matters, and Things hereby authorized and directed to be done and executed by the said Commissioners may be done and executed by any Two of them at their respective Meetings, to be holden in pursuance of this Act, and the same shall be as valid and effectual as if done and executed by all the Commissioners herein-before named.

Commissioners.

Election of new Commissioners.

II. And be it also enacted, That if any or either of the Commissioners herein-before named, or their Successors, to be appointed in Manner herein-after mentioned, shall die or refuse to act, or become incapable of acting as a Commissioner for the Purposes of this Act, that then and as often as the Case shall happen, the surviving or remaining Commissioners or Commissioner shall, and they or he are and is hereby authorized and required by Writing under their Hands and Seals or his Hand and Seal, from Time to Time, as soon as conveniently may be after such Death, Refusal, or Incapacity as aforesaid, to nominate and appoint such other Person not interested in the said intended Division, to be a Commissioner in the room of every Commissioner who shall so die, refuse to act, or become incapable of acting as aforesaid, as they or he shall judge to be a fit and proper Person to act as a Commissioner in the Execution of this Act; and that every new Commissioner so to be appointed, shall have the like Power and Authority to act in the Execution of the Powers hereby given as the Commissioner in whose Place he shall succeed was invested with.

Notice of Meetings.

III. And be it further enacted, That the said Commissioners shall and they are hereby required to give publick Notice, by Advertisement in the *Sherborne Mercury*, and by Writing under their Hands, to be affixed on the principal

principal Door of the Parish Church of *Lilstock* aforesaid, on some *Sunday* at or immediately before Divine Service, of the Time and Place of their First and every subsequent Meeting for executing the Purposes of this Act, at least Fourteen Days before every such Meeting; and if at any One Meeting no more than One of the said Commissioners shall attend, such Commissioner so attending may and he is hereby empowered to adjourn such Meeting to such Time and Place as he shall think most convenient; and every Proprietor or other Person interested in the Lands and Grounds hereby intended to be divided, allotted, and inclosed, who shall attend at any such Meetings, shall pay his own Expences; and the said Commissioners shall also give due Notice of perambulating the Boundaries of the said Manor and Parish of *Lilstock*, by Advertisement in such Newspaper as aforesaid.

Other Notices how to be given.

IV. Provided always, and be it enacted, That all other Notices necessary or requisite to be made and given by the said Commissioners shall be so made and given by Advertisement in the *Sherborne Mercury*, or in case such Newspaper shall not at that Time be published, then in some other Newspaper circulated in the said County.

Lands to be valued.

V. And be it further enacted, That the said Commissioners shall, as soon as conveniently may be after the passing of this Act, either by themselves or jointly with the Assistance of such Person or Persons as they shall think proper, carefully view all and singular the said Lands and Grounds hereby intended to be divided and allotted, and such other Lands and Grounds within the said Parish of *Lilstock*, as they shall see fit; and fairly and impartially value the same, as well according to their State, Condition, and Situation before the said intended Division, and also according to the real and proportionate Improvement which such Lands and Grounds may probably receive in consequence of the said intended Division and Allotment, and shall cause such several Valuations to be reduced into Writing, in order the better to enable the said Commissioners to make a just, equal, and impartial Division and Allotment of the said Lands and Grounds.

What Lands are to be allotted.

VI. And, for the better ascertaining what Lands shall be divided and allotted, pursuant to this Act, be it further enacted, That all Fields or Inclosures containing the Property of Two or more Persons within One Fence, whether such Property belong to different Lords or Landholders in Fee, or are held of One Lord or Landholder by different Copies of Court Roll, or Leases for long Terms of Years, or determinable on the Death of One or more Life or Lives, or by any other Mode whatsoever, whereby the Duration of Interest is different or uncertain, shall be deemed Part of the Lands to be divided and allotted by virtue of this Act, and be divided and allotted accordingly; and in such Cases where Allotments are made to Persons holding Estates for different Terms under the same Lord or Land Owner, the said Commissioners shall in their Award declare to which Estate the respective Allotments do severally belong.

Incroachments.

VII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required to inquire into and determine what Inclosures have been taken from,

and

and what Incroachments have been made upon the ſaid Lands and Grounds by this Act intended to be divided and allotted, or upon any Part or Parts thereof; and all ſuch Incroachments made on or from any of the ſaid Lands or Grounds, (ſave and except ſuch as have been enjoyed for Twenty Years laſt paſt without Interruption), which can be proved by Evidence to the Satisfaction of the ſaid Commiſſioners, ſhall be deemed Part and Parcel of the Lands and Grounds to be divided and allotted under or by virtue of this Act, and ſhall be divided and allotted accordingly.

Commiſſioners to ſettle Differences.

VIII. And be it further enacted, That if any Diſpute or Difference ſhall ariſe between any of the Parties intereſted in the ſaid Lands and Grounds hereby intended to be divided and allotted, or any Part thereof, touching the reſpective Rights, Shares, or Proportions which they or any of them may have therein, or touching any Common Rights or other Intereſts which they may have or claim in, upon, or over the ſame, it ſhall and may be lawful for the ſaid Commiſſioners to hear and determine the ſame: Provided always, that nothing herein contained ſhall authorize the ſaid Commiſſioners to determine the Title to any Meſſuages, Cottages, Lands, or Hereditaments whatſoever.

Power to award Coſts.

IX. 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 this Act, ſee cauſe to award any Coſts, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered, upon Application made to them for that Purpoſe, to ſettle, aſſeſs, and award ſuch Coſts and Charges as they ſhall think reaſonable to be paid to the Party or Parties in whoſe Favour any Determination of the ſaid Commiſſioners ſhall be made, by the Perſon or Perſons whoſe Claim or Claims, Objection or Objections, ſhall be thereby diſallowed or overruled; and in caſe the Perſon or Perſons who ſhall be liable to pay ſuch Coſts and Charges ſhall neglect or refuſe to pay the ſame on Demand, then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required and authorized by Warrant under their Hands and Seals, directed to any Perſon or Perſons whomſoever, to cauſe ſuch Coſts and Charges to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo neglecting or refuſing to pay the ſame, rendering the Overplus (if any) upon Demand to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale.

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

X. Provided always, and be it enacted, That in caſe any Perſon or Perſons intereſted or claiming to be intereſted in the ſaid intended Diviſions and Allotments ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners touching or concerning any Claim or Claims of the Right to the Soil of the ſaid Open and Common Lands, or of any Rights of Common or other Rights or Intereſts in, over, or upon the Lands and 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 Matter ſo determined by the ſaid Commiſſioners, at the then next or at the following Aſſizes to be holden for the ſaid County of *Somerſet*; and for that Purpoſe the Perſon or Perſons who

who shall be so dissatisfied with the Determination of the said Commissioners shall cause an Action to be brought upon a feigned Issue against the Person or Persons, in whose Favour such Determination shall have been made, within Six Calendar Months next after the Determination of the said Commissioners shall be made, and the Defendant or Defendants in such Action or Actions, shall, and he, she, or they is and are hereby required to name an Attorney or Attornies who shall appear thereto, 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 and Persons whomsoever, unless the Court wherein such Action or Actions shall be brought, shall set aside such Verdict or Verdicts, and order a new Trial to be had therein, which it shall be lawful for the Court to do, as is usual in other Cases; and after such Verdict or Verdicts shall be obtained, and not set aside by the Court, the said Commissioners shall and they are hereby required to act in Conformity thereto, and to allow or disallow the Claim or Claims thereby determined according to the Event of such Trial or Trials: Provided always, that the Determination of the said Commissioners touching such Claim or Claims of Right to the Soil of the said Open and Common Lands, or other Rights or Interests in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, which shall not be objected to, or being objected to, the Party or Parties objecting, not causing such Action at Law to be brought and proceeded in as aforesaid, shall be final and conclusive upon all Parties.

Action not to abate by Death of Parties.

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.

Allotment to the Vicar in lieu of Tythes.

XII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, after setting out and deducting the publick Drains, and publick and private Roads and Ways, to set out, allot, and award unto and for the said *Edward Palmer*, and his Successors Vicars as aforesaid, in lieu of Tythes both Great and Small, arising or becoming due or payable to him, as well out of or from the Lands or Grounds hereby directed to be divided and inclosed, as out of or from the Gardens, Orchards, Homesteads, and inclosed Lands within the said Parish of *Lilstock*, liable to the Payment of Tythes in Kind, such Parcels or Quantity of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, as shall in the Judgement of the said Commissioners be equal in Value to not less than One Fifth Part of the Arable or Tillage Lands, both open and inclosed, and to not less than One Ninth Part of all the other Lands and Grounds hereby intended to be divided and inclosed, and of all such of the Gardens, Orchards, Homesteads, and inclosed Lands within the said Parish of *Lilstock*, as are subject and liable to the Payment of Tythes in Kind, and also equal in Value to all the Moduses or other Compositions (if any) payable to the said

Rector in lieu of the Tythes of any other Lands or Grounds in the said Parish.

For Ring-fencing the Vicar's Allotment.

XIII. And be it enacted, That the Allotment to be made to the said *Edward Palmer* and his Successors, Vicars as aforesaid, shall be ring-fenced at the Expence of the Proprietors of the Lands and Grounds hereby intended to be divided and inclosed, in such Proportions as the said Commissioners shall in and by their Award order and direct, and that such Fence shall for ever thereafter be maintained and kept in Repair by the said *Edward Palmer* and his Successors, Vicars as aforesaid.

Tythes to continue until Division made.

XIV. Provided always, and be it enacted, That until the Division and Allotment shall be made and finished, in pursuance of this Act; the said *Edward Palmer* and his Successors, Vicars as aforesaid, shall be entitled to, and shall receive and enjoy such and the same Tythes as if this Act had not been made.

Vicar to borrow Money.

XV. And whereas the said *Edward Palmer* and his Successors will be put to considerable Expence in making the Subdivision Fences, and otherwise improving the Allotment herein directed to be made to him as Vicar as aforesaid, and it is therefore expedient that the said *Edward Palmer* and his Successors should be empowered to borrow a sufficient Sum of Money for that Purpose, be it further enacted, That it shall and may be lawful to and for the said *Edward Palmer* and his Successors Vicars as aforesaid, by any Deed or Deeds, Writing or Writings, under his or their Hand and Seal, or Hands and Seals, and attested by Two or more credible Witnesses, by and with the Consent of the Bishop of *Bath* and *Wells*, and the Patrons of the said Vicarage for the Time being, to charge the Glebe Lands belonging to the said Vicarage, or any Part thereof, with such Sum or Sums of Money not exceeding the Sum of One hundred Pounds, as the said Commissioners shall think proper, and for securing the Repayment thereof with Interest, to grant, mortgage, lease, or demise the said Glebe Lands, or any Part thereof, to such Person or Persons who shall advance and lend the same, and to his, her, or their Executors, Administrators, and Assigns, for any Term or Number of Years, so as every such Grant or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered when such Sum or Sums of Money thereby to be secured as aforesaid, with Interest thereof, shall be fully paid and satisfied, and also with another Proviso or Condition that the said *Edward Palmer* and his Successors Vicars as aforesaid for the Time being, shall, at the End of every Year from the making of such Grant or Demise, pay to the Person or Persons to whom such Grant or Demise shall be made, his, her, or their Executors, Administrators, or Assigns, One Twentieth Part of the Principal Money so to be borrowed, until the Whole thereof shall be paid off and discharged, and pay and keep down the Interest of the Money so to be borrowed in such a Manner that no future Vicar or Vicars of the said Parish becoming possessed of such Glebe Lands, shall be subject or liable to pay any further or larger Share of such Money than his or their Proportion thereof according to such last mentioned Proviso or Condition, or any Interest for the same, save only from the Day of the Death, Resignation, or Cession of the Predecessor of such future Vicar or Vicars respectively.

XVI. And

Allotments.

XVI. And be it further enacted, That the ſaid Commiſſioners ſhall in the next Place divide, ſet out, and allot the Reſidue of the ſaid Open and Common Fields, unto and for the ſaid Lord and other the ſeveral Owners, Proprietors, Leſſees, and cuſtomary Tenants thereof, and other Perſons intereſted therein, (except ſuch Properties for which Allotments ſhall have been made in Manner before directed), in Proportion to their ſeveral and reſpective Lands, Common Rights, and all other Rights whatſoever, in, over, and upon the ſame, which ſaid Allotments ſhall be in full Bar and Compenſation for all Rights of the ſeveral Parties, in, over, and upon the ſeveral Open and Common Fields as aforeſaid.

Courſe of Huſbandry.

XVII. Provided always, and be it enacted, That in the mean Time, and until ſuch Diviſions and Allotments ſhall be made as aforeſaid, all the Tillage, Paſture, and other Lands hereby intended to be divided and incloſed, ſhall be ſtocked with ſuch Cattle, and ſhall be cropped or ſown with ſuch Graſs Seeds, Corn, or Grain, and ſhall be kept, ordered, and continued in ſuch Courſe of Huſbandry as the ſaid Commiſſioners ſhall from Time to Time, by any Writing or Writings under their Hands in that Behalf, order, direct, and appoint, any Uſage or Cuſtom to the contrary notwithſtanding, of which ſaid Order and Direction ſo to be made, at leaſt Twenty-one Days Notice ſhall be given and affixed on the Church Door as aforeſaid, and that no Paſture or Greenſward Ground hereby intended to be divided and allotted, ſhall, before the making of ſuch Diviſions and Allotments be ploughed, broken up, or converted into Tillage; and that it ſhall and may be lawful for the ſaid Commiſſioners at any Time or Times hereafter, whenever and as often as they in their Diſcretion ſhall think convenient, by Notice in Writing for that Purpoſe under their Hands, to be affixed on the principal Door of the Church aforeſaid, to ſuſpend or totally extinguiſh all or any Parts of the Rights of Common in, over, and upon all or any Part of the ſaid Open and Common Fields, Common Paſtures, and Waſte Grounds hereby directed to be divided and allotted, and from and after ſuch Notices given, all ſuch Right of Common in, over, and upon the ſaid Open and Common Fields, Common Paſtures, and Waſte Grounds, or ſuch Parts thereof as by ſuch Notices ſhall be directed to be ſuſpended or extinguiſhed, ſhall ceaſe and be totally extinguiſhed, or otherwiſe ſuſpended accordingly.

Satisfaction for Damages.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered, by Writing under their Hands, to order, direct, and appoint, that every Proprietor, Owner, or Occupier, who ſhall not have his, her, or their proper Quantity or Proportion of the Allotments to be made by virtue of this Act, in good Order and in Courſe for an enſuing Wheat Crop, or who ſhall receive any Detriment or Injury whatſoever in conſequence of any Thing done or omitted to be done in purſuance of this Act, ſhall have and receive ſuch pecuniary or other Compenſation from ſuch of the other Proprietors, Owners, or Occupiers as the ſaid Commiſſioners ſhall adjudge to be equitable and proper, and that the ſaid Commiſſioners ſhall and may in all ſuch Caſes ſet out, ſpecify, regulate, and appoint, in what Manner, in what Quantities and Proportions, and by what Perſons ſuch new Allotments, or any Part thereof, ſhall be manured, ſown, occupied, and enjoyed, ſo as to be moſt beneficial to each and every Proprietor, for One Year next after ſuch Allotments ſhall have been made, any Thing herein contained to the contrary notwithſtanding.

XIX. And

Allotments to enure to the same Uses.

XIX. And be it further enacted, That all and singular the Lands and other Premises which shall be respectively allotted or exchanged under or by virtue of this Act and the said recited Act, shall immediately after such Allotments and Exchanges are made, be, remain, and enure to and for such and the same Uses, Estates, Trusts, and Purposes, and be held under and subject to such and the same Wills, Settlements, Limitations, Powers, Remainders, Leases, Charges, Royalties, Tenures, Customs, Heriots, Rents, Services, and Incumbrances as the several and respective Messuages, Buildings, Lands, Tenements, Tythes, Hereditaments, new Allotments, or old Inclosures, in lieu or in respect whereof such allotted Lands or exchanged Premises shall respectively be made or taken, now are, or might or would have been subject or liable to be charged with or affected by, in case this Act had not been made, except as to any Estate or Estates held at Rack Rent as aforesaid, where the said Commissioners shall direct any additional Rent or Rents to be paid.

Expence of Exchanges and Partitions to be be paid by the Parties.

XX. Provided always, and be it enacted, That all Costs, Charges, and Expences attending the making and completing any Exchanges and Partitions shall be paid and borne by the several Persons making such Exchanges or Partitions, in such Manner and in such Proportions as the said Commissioners shall order and direct.

Death of Parties not to delay Inclosure.

XXI. And be it further enacted, That if any of the Proprietors or Persons interested in the said intended Division, or in any Allotment to be made, or Exchange to take place, pursuant to this Act, shall die before the same shall be perfected, the Powers and Authorities herein contained, shall not be determined or suspended, but the Share or Shares in the Premises of the Person or Persons so dying, shall be allotted or assigned to or for the Use of such Person or Persons, who, by Descent, Will, or otherwise, would have been entitled to the same, in case such Allotment or Exchange had been completed previous to the Death of such Person or Persons, and all such Persons to whom such Shares or Share shall be allotted or assigned, shall be liable to the Charges, Expences, and other Conditions of this Act; and it shall be lawful for the said Commissioners to execute all the Powers and Authorities hereby given, in such Manner as they might have done in case no such Death had happened.

Expences of the Act.

XXII. And be it further enacted, That each of the said Commissioners who shall act in the Execution of the Trusts and Powers vested in them by this Act, shall be allowed and paid the Sum of One Pound Eleven Shillings and Sixpence for every Day he shall so act or travel for the Purpose of acting, or be returning Home from acting, in full Satisfaction for the Trouble and Expence which he shall be put unto in the Execution of the said Trusts and Powers; and that the same, together with all the Charges and Expences incident to and attending the obtaining and passing of this Act, and of any Survey, Admeasurement, and Plan of the said Parish of *Lilstock* as shall have been already made and approved of by the said Commissioners, and of all other Surveys, Plans, and Admeasurements which shall be made by their Order, and also of valuing, dividing, setting out, allotting, and exchanging the said Lands, Grounds, and Premises, or any Part of the same, and of providing, sowing, and managing such Grass Seeds as may be sown in pursuance of this Act,

Act, and of preparing, drawing up, and inrolling the Award of the ſaid Commiſſioners, and all other neceſſary Charges of the ſaid Commiſſioners, and of the ſeveral Perſons to be employed by them, either before or after the executing the ſaid Award or Inſtrument, and all other neceſſary Charges and Expences whatever, in and about the Premiſes, ſhall be paid, borne, and defrayed by the ſeveral Owners and Proprietors, and Perſons intereſted in the ſaid Lands, Grounds, and Premiſes hereby intended to be divided, allotted, or exchanged, (except the ſaid *Edward Palmer* and his Succeſſors), in and by ſuch Rate or Rates, and in ſuch Manner, Forms, Shares, and Proportions, at ſuch Time or Times, and to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall, by Writing under their Hands, order and direct.

Commiſſioners Accounts to be laid annually before Two Juſtices.

XXIII. 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 paſſing thereof), the ſaid Commiſſioners ſhall and they are hereby required to make a true and juſt 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, ſuch Statement or Account, when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before any Two Juſtices of the Peace for the County of *Somerſet*, to be by them examined and balanced, and ſuch Balance ſhall be by ſuch 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 Accounts ſhall be binding on the Parties concerned or valid in Law, unleſs the ſame ſhall have been duly allowed by ſuch Juſtices.

Money advanced to be repaid with Intereſt.

XXIV. And be it further enacted, That if any Perſon ſhall advance any Sum or Sums of Money, for the Purpoſe of defraying the Expences of obtaining and paſſing this Act, or of carrying the ſame into Execution, every ſuch Perſon ſhall be repaid the ſame, with Intereſt, at the Rate of Five Pounds *per Centum per Annum* out of the firſt Monies that ſhall be raiſed for defraying ſuch Expences by virtue of this Act.

Award to be depoſited in *Lilſtock* Church.

XXV. And be it further enacted, That the Award to be made by the ſaid Commiſſioners ſhall be depoſited in the Pariſh Church of *Lilſtock* aforeſaid, or in ſuch other Place as the ſaid Commiſſioners ſhall direct.

Appeal.

XXVI. And be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Matter or Thing done in purſuance of this Act, except as to ſuch Claims, Matters, and Things, as are herein-before directed or authorized to be tried, ſettled, or determined by the Verdict of a Jury, or where any of the Clauſes or Proviſions of the ſaid recited Act ſhall expreſs that the ſame ſhall be final and concluſive, then and in every ſuch Caſe he, ſhe, or they may appeal to any General Quarter Seſſions of the Peace which ſhall be held in and for the ſaid County of *Somerſet*, within Six Calendar Months next after the Cauſe of Complaint ſhall have ariſen, giving Fourteen clear Days Notice of ſuch Appeal to any One of the ſaid Commiſſioners, and the Juſtices in the ſaid General Quarter Seſſions are hereby authorized and required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order or Orders therein, and award ſuch Coſts as to them in their Diſcretion

cretion shall seem reasonable, and by their Order or Warrant to levy such Sum or Sums of Money, or cause to be done such other Matter or Thing which shall be so awarded, together with such Costs, by Distress and Sale of the Goods and Chattels of the Party or Parties, Person or Persons liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale, which Determinations or Orders of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

General Saving.

XXVII. 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, his, her, and their Heirs, Successors, Executors, and Administrators, (except the several Persons to whom any Allotment or Allotments shall be made in pursuance of this Act, for and in respect of such Rights and Interests as are hereby meant and intended to be barred, destroyed, or extinguished, and all Persons respectively claiming under them, or in Remainder after them), all such Right, Title, and Interest as they, every, or any of them could or ought to have had and enjoyed into or out of the Lands and Grounds hereby directed to be divided, allotted, and inclosed in case this Act had not been made.

Act to be given in Evidence as a publick Act.

XXVIII. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and when so printed, may be given in Evidence in all Courts of Justice, and before all Judges and Justices whomsoever, who shall take judicial Notice thereof in like Manner as if the same had been declared to be a publick Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1803.