ANNO QUINQUAGESIMO SECUNDO

# GEORGII III. REGIS.

## *Cap.* 169.

## An Act for incloſing Lands in *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, in the County of *Angleſey*. [9th *June* 1812.]

WHEREAS there are, within the ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, in the County of *Angleſey*, ſeveral Commons and Waſte Grounds, containing by Eſtimation One thouſand two hundred Acres, or thereabouts: And whereas the King's moſt Excellent Majeſty, in Right of His Crown, is entitled to the Seigniory of the ſaid Commons and Waſte Grounds: And whereas the Right Reverend *Henry William* Lord Biſhop of *Bangor* is Rector of the ſaid Pariſhes of *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, as being annexed to and Part of the See of *Bangor*, and as ſuch Rector is entitled to the Tythes ariſing within the ſaid Pariſhes: And whereas the ſaid Lord Biſhop of *Bangor*, in Right of his See, is Patron of the Rectory of *Llangefni*; and the Reverend *Henry Hughes* Clerk is Rector of the ſaid Pariſh of *Llangefni*, and as ſuch is entitled to the Tythes ariſing within the ſame Pariſh: And whereas the Right Honourable *Henry William* Earl of *Uxbridge*, the Right Honourable *Thomas James Warren* Viſcount *Bulkeley*, the Right Honourable *Frederick* Lord *Boſton*, Sir *John Williams* Baronet, *John Owen*, *Paul Panton*, *John Hampton Hampton*, and *Owen Anthony Poole*, Eſquires, and ſeveral other Perſons, are ſeiſed and poſſeſſed of divers Meſſuages, Tenements, ancient incloſed Grounds and Hereditaments within the ſaid ſeveral Pariſhes; and in reſpect thereof, or as appendant, appurtenant, or belonging thereto, they or their Leſſees, Farmers or Tenants, are entitled to Right of Common in, upon, or over the ſaid Commons or Waſtes: 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 Lands are, in their preſent State, of little Value, but if the ſame were divided and incloſed, and ſpecific Parts allotted to the ſeveral Perſons entitled thereto or intereſted therein, it would be very advantageous, not only to ſuch Perſons, but ſuch Incloſure would

be otherwiſe of great public Utility; but as the beneficial Purpoſes aforeſaid 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 *John Maughan* of *Luton*, in the County of *Bedford*, Gentleman, ſhall be and he is hereby appointed a Commiſſioner for ſettling and dividing, allotting and incloſing the ſaid Commons or Waſtes, and for putting in Execution this Act, and ſuch of the Powers, Authorities, Directions, and Proviſions contained in the ſaid recited Act, as are not altered, controlled, or otherwiſe provided for or affected by this Act.

Commiſſioner appointed.

II. And be it further enacted, That if the ſaid *John Maughan*, or his Succeſſor or Succeſſors to be appointed as hereafter mentioned, ſhall die or become incapable of acting, or ſhall refuſe to act or qualify himſelf as a Commiſſioner in the Execution of this Act, or ſhall, for the Space of Two Months wilfully neglect to act as Commiſſioner before all the Powers veſted in him by this and the ſaid recited Act are completely executed, then and from Time to Time, as often as Occaſion may require, it ſhall be lawful for the Majority in Value (ſuch Value to be aſcertained by the Land Tax Aſſeſſment) of the ſaid Proprietors for the Time being, by themſelves or their known authorized or reputed Agents or Attornies, who ſhall be preſent at a public Meeting to be held for that Purpoſe, in purſuance of Notice in Writing, ſigned by Five or more of the ſaid Proprietors, to be affixed upon one of the Doors of each of the Pariſh Churches of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Gerrigceinwen* aforeſaid, and inſerted in the *North Wales Gazette*, or any other public Newſpaper circulated within the ſaid County of *Angleſey*, at leaſt Fourteen Days before ſuch Meeting, by Writing under their reſpective Hands, or the Hands of ſuch Agents or Attornies, to appoint a new Commiſſioner, not intereſted, nor Agent or Surveyor to any Perſon or Perſons intereſted in the ſaid Incloſure, in the room of the ſaid *John Maughan*; and every ſuch new Commiſſioner ſo to be appointed, ſhall, after having taken the Oath appointed by the ſaid recited Act, have the like Power and Authority, and ſhall be ſubject to be removed, and to the ſame Reſtrictions, as the Commiſſioner hereby appointed, or the Perſon in whoſe Place he ſhall be appointed was inveſted with and ſubject to by virtue of this Act.

For electing a new Commiſſioner.

III. And be it further enacted, That if the Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall not attend on having Twenty-one Days Notice given to him in Writing by the Proprietors aſſembled at any Meeting for that Purpoſe, or their Stewards or Agents, and proceed in the Execution of his Duty, every or any ſuch Abſence or Neglect ſhall be deemed and taken to be a Refuſal to act in the Execution of this Act.

What ſhall be deemed a Refuſal to act.

IV. And be it further enacted, That the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall have Power and he is hereby authorized to appoint ſome fit and proper Perſon to be his Clerk, for aſſiſting him in carrying this and the recited Act into Execution, and ſuch Clerk from Time to Time to remove, and to nominate and appoint ſome other fit and proper Perſon to ſucceed him in ſuch Office, as to the ſaid Commiſſioner ſhall ſeem meet.

Clerk to be appointed.

V. And be it further enacted, That the Commiſſioners of His Majeſty's Woods, Foreſts, and Land Revenues, or the Surveyor General of His Majeſty's Land Revenue for the Time being, may from Time to Time, by Writing under their or his Hands or Hand, nominate and appoint an Aſſiſtant Commiſſioner to carry this Act into Execution, as far as relates to His Majeſty's Rights and Intereſts to and in the ſaid Commons and Waſtes; and ſuch Aſſiſtant Commiſſioner, before he proceeds to the Execution thereof, ſhall take the ſame Oath as the Commiſſioners hereby appointed, or hereafter to be appointed, are required to take, and ſuch Aſſiſtant Commiſſioner ſhall be paid out of the Monies to be raiſed for the general Purpoſes of this Act, at the Rate of Two Pounds Twelve Shillings and Sixpence for every Day that he ſhall be actually employed in the Execution of the Duty hereby in him repoſed, including the Days of travelling to and from his Place of Abode, in full Satisfaction for his Trouble and Expences, and ſhall bear and pay his own Expences during the Time he ſhall be ſo employed.

Power to His Majeſty's Surveyor General to appoint an Aſſiſtant Commiſſioner to attend to His Majeſty's Intereſt.

VI. And be it further enacted, That the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall and he is hereby required to cauſe a Notice in Writing, under his Hand, to be affixed on the outer Door of each of the ſaid Pariſh Churches of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* aforeſaid, and alſo to be inſerted in the *North Wales Gazette*, or any other Newſpaper circulated within the ſaid County of *Angleſey*, and alſo to be given to the Commiſſioners of His Majeſty's Woods, Foreſts, and Land Revenues, or to the Surveyor General of His Majeſty's Land Revenue, of the Time and Place of the Firſt, Second, and Third Meetings reſpectively for putting this Act in Execution, at leaſt Fourteen Days next before ſuch reſpective Meetings; and that the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall, after his Third Meeting, from Time to Time appoint ſuch Time and Place for every ſuch ſubſequent Meeting as he ſhall think proper, cauſing Notice in Writing to be affixed on the outer Door of the ſaid Pariſh Churches of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* aforeſaid, and alſo to be inſerted in the *North Wales Gazette* Newſpaper, or ſuch other public Newſpaper circulated within the County of *Angleſey*, and alſo to be given to the Commiſſioners of His Majeſty's Woods, Foreſts, and Land Revenues, or to the Surveyor General of His Majeſty's Land Revenue, Fourteen Days at leaſt before every ſuch ſubſequent Meeting; but the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, at the Firſt, Second, and Third Meeting, or any other ſubſequent Meeting or Meetings, ſhall have full Power and Authority, from Time to Time, as he ſhall think it convenient, to continue ſuch Firſt, Second, or Third Meeting, or any other ſubſequent Meeting or Meetings, by Adjournment, for the due Execution of this Act, without giving any Notice whatever, otherwiſe than by leaving, at the Time and Place where ſuch Meeting or Meetings ſhall be held, Notice under his Hand when and where ſuch adjourned Meetings are to be held, from Time to Time; provided that the Meetings of the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, and the Proprietors, ſhall be held in one of the ſaid Pariſhes, or within Eight Miles of one of them; and that at all Meetings to be held in purſuance of this or the ſaid recited Act, the ſaid Proprietors, and all Perſons intereſted in the ſaid Incloſures, their Attornies and Agents, ſhall bear and pay their own Expences.

Notice of Meetings.

VII. And

Claims when to be made.

VII. And be it further enacted, That all Perſons having or claiming to have any Right of Common upon the ſaid Commons and Waſte Lands intended to be hereby allotted and incloſed, ſhall and they are hereby required, by themſelves, their Agents or Tenants for the Time being reſpectively, at the Firſt or Second Meeting of the ſaid Commiſſioner to put this Act into Execution, or at ſuch other Meeting as the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being, may think proper to appoint for that Purpoſe, to give and deliver, or cauſe to be given and delivered to the ſaid Commiſſioner hereby appointed, or to his Succeſſor for the Time being at ſuch Meeting, a full, true, and juſt Account or Accounts in Writing, under his, her, or their Hand or reſpective Hands, and to be confirmed, if required by the ſaid Commiſſioner, but not otherwiſe, by his, her, or their Oath or Oaths, of the Nature and Deſcription of the Property in reſpect whereof he, ſhe, or they reſpectively claim to be entitled to Right of Common upon the ſaid Commons and Waſte Lands, or any or either of them.

Settling Diſputes.

VIII. And be it further enacted, That if any Diſpute or Difference ſhall ariſe between any of the Parties intereſted or claiming to be intereſted in the ſaid intended Diviſion, Allotment, and Incloſure, touching or concerning the reſpective Shares, Rights, and Intereſts which they or any of them ſhall have or claim in, upon, or over the Lands and Grounds hereby intended to be divided, allotted, and incloſed, or any Part thereof, or touching or concerning the reſpective Shares and Proportions which they or any of them ought to have of or in the ſaid intended Diviſion and Allotment, or touching or concerning the Admeaſurement or Valuation of any Part of the Premiſes, or any other Matter or Thing relating to the ſaid intended Diviſion and Allotment, it ſhall and may be lawful for the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being, and he is hereby authorized and required to examine into, hear, and determine the ſame: Provided always, that nothing herein contained ſhall authorize or empower the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being, to determine the Title to any Meſſuages, Lands, Tenements, or Hereditaments whatſoever.

Commiſſioners not to determine againſt Perſons in Poſſeſſion.

IX. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to enable the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, to determine any Right between any Parties, contrary to the Poſſeſſion of any ſuch Parties (except in reſpect of Encroachments), but in caſe the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, 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.

May award Coſts.

X. And be it further enacted, That in caſe the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall, upon the hearing and determining of any Claim or Claims, Objection or Objections, to be delivered to him in purſuance of this or the ſaid recited Act, ſee Cauſe to award any Coſts, it ſhall be lawful for the ſaid Commiſſioner, or his Succeſſor, to be appointed as aforeſaid, and he is hereby empowered, upon Application made to him for that Purpoſe, to ſettle, aſſeſs, and award ſuch

ſuch Coſts and Charges as he ſhall think reaſonable to be paid to the Party or Parties in whoſe Favour any Determination of the ſaid Commiſſioner ſhall be made, by the Perſon or Perſons whoſe Claim or Claims, Objection or Objections, ſhall be by ſuch Award 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 Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, and he is hereby authorized and required, by Warrant under his Hand and Seal, 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 any 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 Rights at Law.

XI. Provided always, and be it further enacted, That in caſe any Perſon or Perſons intereſted, or claiming to be intereſted, in the ſaid Commons and Waſte Lands, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being as aforeſaid, touching or concerning the reſpective Rights and Intereſts which they or any of them have, or claim to have, in the ſaid Commons and Waſte Lands, 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 Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, at the then next or at the following Great Seſſions to be holden for the County of *Angleſey*, ſuch Perſon or Perſons ſo diſſatisfied as aforeſaid having firſt given Notice in Writing of ſuch his Diſſatisfaction to the ſaid Commiſſioner, within the Space of One Calendar Month next after the Determination of the ſaid Commiſſioner, or his Succeſſor for the Time being; and for that Purpoſe the Perſon or Perſons who ſhall be diſſatisfied with the Determination of the ſaid Commiſſioner, or his Succeſſor for the Time being as aforeſaid, ſhall cauſe an Action to be brought upon a feigned Iſſue or Iſſues againſt the Perſon or Perſons in whoſe Favour ſuch Determination ſhall have been made, within Six Calendar Months next after ſuch Determination of the ſaid Commiſſioner, or his Succeſſor for the Time being as aforeſaid; and the Defendant or Defendants in ſuch Action or Actions ſhall, and he, ſhe, and 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 the 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 ſaid Court of Great Seſſions for the County of *Angleſey*, in caſe the Parties differ about the ſame); and the Verdict or Verdicts which ſhall be given in ſuch Action or Actions ſhall be final, binding, and concluſive upon all and every Perſon and Perſons whomſoever, unleſs the Court in which ſuch Action or Actions ſhall have been 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, as is uſual in other Caſes to do; and after ſuch Verdict or Verdicts ſhall be given, and final Judgment obtained thereon, the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being, ſhall and he is hereby required to act in Conformity thereto, and to allow or diſallow the Claim or Claims thereby determined, accord-

ing to the Event of such Trial or Trials: Provided always, that the Determination of the said Commissioner hereby appointed, or his Successor, Commissioner for the Time being, touching such Rights or Interests in, over, or upon the said Commons and Waste Lands, which shall not be objected to, or which being objected to, the Party or Parties objecting not causing such Action at Law to be brought and proceeded in as herein-before directed, shall be final and conclusive upon all Parties: Provided also, that before any Trial shall be had, the Party or Parties desiring the same shall give Fourteen Days Notice of Trial in Writing to the said Commissioner hereby appointed, or to his Successor for the Time being, of his, her, or their Desire to proceed to such Trial.

Deaths not to abate Actions.

XII. And be it further enacted, That if any or either 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.

In case of Death before Actions brought.

XIII. 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 herein-before limited for bringing such Action or Actions, it shall be lawful for the Person or Persons 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 to 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 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 the Act.

XIV. And be it further enacted, That if any Suit or Suits shall be commenced or prosecuted touching or concerning the Title of any Person or Persons in or to any Lands, Tenements, or Hereditaments, for or in respect of which any Right or Interest in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, shall be claimed, such Suit or Suits shall not impede, delay, or hinder the said Commissioner from proceeding in the Execution of the Powers vested in him by this Act; but the said Division, Allotment, and Inclosure shall be proceeded in notwithstanding such Suit or Suits, and the Allotment may be had and taken by the Person or Persons who upon the Determination of such Suit or Suits shall become entitled to the same.

Deaths not to impede the Act.

XV. And be it further enacted, That if any Person or Persons by or for whom any Claim or Claims shall be made, shall happen to die before the intended Division shall be made and perfected, or before the said Commissioner hereby appointed, or his Successor, Commissioner for the

Time being, ſhall have made his Award touching the ſame, then and in ſuch Caſe the Powers and Authorities hereby and by the ſaid recited Act given to and veſted in the ſaid Commiſſioner, ſhall not in any wiſe be determined, ſuſpended, or affected by ſuch Death or Deaths, but that the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall proceed in and execute the Powers and Authorities hereby and by the ſaid recited Act given, and every of them, in ſuch and the like Manner as he the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, could or might have done if ſuch Perſon or Perſons had been living at the Time of the ſaid Award being made and executed; and that the Part or Parts, Share or Shares, of the Commons and Waſte Lands hereby directed to be divided, allotted, and incloſed, which any Perſon or Perſons ſo dying would have been entitled unto, ſhall be allotted and ſet out to the Perſon or Perſons who upon ſuch Death ſhall become entitled to the ſame; and the Perſon or Perſons who ſhall be ſo entitled ſhall accordingly accept and fence, and have, hold, and enjoy ſuch Part or Parts, Share or Shares, according to the ſeveral Limitations, Truſts, Powers, Proviſoes, and Intereſts, in anywiſe limited, declared, appointed or provided of and concerning the Premiſes in reſpect whereof he, ſhe, or they ſhall be entitled to ſuch Part or Parts, Share or Shares of the Commons and Waſte Lands hereby intended to be allotted and divided.

Appointment of Surveyor.

XVI. And be it further enacted, That the ſaid Commiſſioner, or his Succeſſor, Commiſſioner for the Time being, ſhall have Power and he is hereby authorized to appoint ſome fit and proper Perſon or Perſons to be Surveyor or Surveyors, and Aſſiſtants to ſuch Surveyors, for the Purpoſes of the ſaid intended Diviſions and Incloſures, and from Time to Time to diſplace and remove any ſuch Perſon or Perſons ſo to be appointed, and to appoint any other Perſon or Perſons in his or their Room, and to make or allow to ſuch Surveyor or Surveyors, Aſſiſtant or Aſſiſtants, ſuch Recompence for his and their Labour, Skill, and incidental Expences, as to the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall appear juſt and reaſonable.

Surveyor's Oath.

XVII. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Surveyor or Aſſiſtant as aforeſaid, until he ſhall have taken and ſubſcribed, before the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, an Oath in the Form following; (that is to ſay),

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly act, according to the beſt of my Skill and Judgment, in ſurveying and admeaſuring all the Lands and Tenements directed to be ſurveyed and admeaſured by virtue of an Act paſſed in the Fifty-ſecond Year of the Reign of His Majeſty King *George* the Third, intituled *An Act for incloſing Lands in* Llangefni, Llanddyfnan, Pentraeth, *and* Cerrigceinwen, *in the County of* Angleſey; and in making true Maps and Plans thereof, to be laid before the Commiſſioner for putting the ſaid Act in Execution.

'So help me GOD.'

Which Oath the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, is hereby authorized and required to adminiſter as often as Occaſion ſhall require; which Oath, and alſo the Inſtrument

Inſtrument or Inſtruments of Appointment of any new Surveyor or Aſſiſtant, ſhall be reſpectively inrolled and depoſited in the ſame Place or Places reſpectively, and Evidence thereof given in the ſame Manner as by the ſaid recited Act and this Act is directed concerning the general Award to be made by the ſaid Commiſſioner.

Surveys to be made.

XVIII. And be it further enacted, That the Surveys or Admeaſurements, including all neceſſary Re-ſurveys, and all Plans (except the fair Plan on Vellum herein-after mentioned) ſhall be paid for at and after the Rate of One Shilling and no more *per* Acre, for each and every Acre of the Land which ſhall be ſurveyed, admeaſured, and planned in purſuance of this Act; and the ſaid Surveyor ſhall at all Times bear and pay his own Expences; and in caſe of the Death of any ſuch Surveyor, before ſuch Surveys, Admeaſurements, and Plans as aforeſaid ſhall be finiſhed, then and in every ſuch Caſe, the Executors and Adminiſtrators of every ſuch Surveyor ſo dying ſhall be paid after the like Rate of One Shilling and no more *per* Acre, for each and every Acre which ſhall have been ſo ſurveyed and admeaſured in his Life-time: Provided always, that if any Plan or Plans, Survey or Surveys already made of the ſaid Commons and Waſte Lands, or any Part or Parts thereof, ſhall be produced and laid before the ſaid Commiſſioner, or his Succeſſor for the Time being as aforeſaid, of the Authenticity whereof he ſhall be ſatisfied, it ſhall be lawful for the ſaid Commiſſioner to make uſe of the ſame, without cauſing any new Survey to be made thereof.

Plan to be drawn.

XIX. And be it further enacted, That the ſaid Surveyor ſhall, after the ſaid Diviſion and Allotment of the ſaid Commons and Waſte Lands intended to be hereby divided and incloſed ſhall be completed, make a fair Plan upon Vellum of all the ſaid Commons and Waſte Lands intended to be hereby divided and allotted, whereon reſpectively ſhall be truly and diſtinctly delineated, ſet down, marked, and expreſſed, the ſeveral Matters and Things neceſſary or proper to be inſerted therein, for the better explaining the Award of the ſaid Commiſſioner; and for which fair Plan upon Vellum the Sum of Twenty Pounds and no more ſhall be paid.

Extinguiſhing Rights of Common.

XX. And be it further enacted, That from and immediately after the paſſing of this Act, all and ſingular Rights of Common and other Rights on, over, or upon the ſaid Commons and Waſte Lands, ſhall ceaſe and be for ever utterly extinguiſhed and aboliſhed.

Cutting Turves.

XXI. And be it further enacted, That if any Perſon or Perſons ſhall, after the paſſing of this Act, and before the Allotments to be made in purſuance of this Act ſhall be ſet out, cut, dig, take, pare, grave, flay, or carry away, any Turves, Flags, Whins, Furze, Land, Soil, Earth, Sand, or Sods, in, upon, or from the ſaid Commons or Waſte Grounds, without or contrary to the Licence of the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, firſt had and obtained in Writing for that Purpoſe (which Licence the ſaid Commiſſioner is hereby empowered to grant under ſuch Regulations and Reſtrictions as he ſhall think proper to inſert therein), every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the ſaid Commiſſioner,

ſioner, or any One of His Majeſty's Juſtices of the Peace of the ſaid County of *Angleſey*, upon the Oath of any credible Witneſs; and no Perſon ſhall be precluded from giving Evidence of ſuch Offence, by reaſon of his or her being a Proprietor or Occupier of Lands within, or an Inhabitant of, either of the ſaid Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* aforeſaid: Provided always, that if after ſuch Diſtreſs and Sale, and the Expence thereof, any Overplus ſhall remain, ſuch Overplus ſhall be returned, on Demand, to the Owner or Owners of ſuch Goods and Chattels ſo diſtrained; and in caſe no Diſtreſs can be found, then ſuch Offender or Offenders ſhall, for the ſaid Offence, be committed by the ſaid Commiſſioner or Juſtice as aforeſaid, to the Common Gaol of the ſaid County of *Angleſey*, for any Time not exceeding Three Calendar Months, until ſuch Penalty ſhall be paid; One Moiety of all which Penalty or Penalties ſhall go and be paid to the Informer or Informers, and the other Moiety thereof ſhall be paid to the Overſeers of the Poor of the Pariſh or Pariſhes in which ſuch Offence or Offences is or are committed, for the Benefit of ſuch Poor.

Reſpecting Encroachments.

XXII. And be it further enacted, That all Encroachments which ſhall have been made upon or from the ſaid Commons and Waſte Grounds for Twenty Years or upwards before the paſſing of this Act, ſhall, with the Buildings thereon, be deemed to belong to the Perſon or Perſons in his, her, or their own Right occupying or receiving Rent for the ſame, but he, ſhe, or they ſhall in no Caſe be entitled to any Allotment or Allotments in reſpect thereof under this Act.

Encroachments.

XXIII. And be it further enacted, That all Encroachments which ſhall have been made by the Erection of any Buildings, or by the Incloſure or fencing of any Part or Parts of the ſaid Commons and Waſte Grounds hereby directed to be divided and incloſed, within Twenty Years before the paſſing of this Act, ſhall be deemed Part and Parcel of the ſaid Commons and Waſte Grounds reſpectively from or on which the ſame were reſpectively taken in or made, and ſhall be divided, allotted, and incloſed by virtue of this Act: Provided nevertheleſs, that all ſuch Encroachments ſhall be allotted to the Perſon or Perſons being entitled to a Right of Common in or upon the ſaid Commons or Waſte Grounds, who ſhall, at the Time of making the Allotments, be in Poſſeſſion of ſuch Encroachments, or in Receipt of the Rents or Profits thereof, in lieu of the whole, if ſufficient for that Purpoſe, or if not, then in Part of the Share or Allotment of the ſaid Commons or Waſte Grounds to which ſuch Perſon ſhall be reſpectively entitled by virtue of this Act; and which Encroachments, in making ſuch Allotment or Allotments, ſhall be eſtimated according to the Value of the Land or Ground ſo taken in or encroached, and without conſidering the Value of any Erections or Buildings thereon; and if the Perſon or Perſons who ſhall be in Poſſeſſion of ſuch Encroachments reſpectively, or in the Receipt of the Rents and Profits thereof, ſhall be entitled to no Allotment, or to an Allotment not equal to the Value of ſuch reſpective Encroachments, but ſhall be willing to purchaſe the ſame, then the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall aſcertain the Price thereof, or of ſuch Part thereof as ſhall exceed the Value of the Allotment to be made to ſuch Poſſeſſor or Poſſeſſors thereof in reſpect of his, her, or their other Property, in aſcertaining which Value the ſaid Commiſſioner hereby appointed,

or his Succeſſor, Commiſſioner for the Time being, ſhall not eſtimate the Buildings or other Improvements thereon; and upon ſuch Perſon or Perſons paying ſuch Price thereof to the ſaid Commiſſioner hereby appointed, or to his Succeſſor for the Time being, at ſuch Time or Times as he ſhall for that Purpoſe direct, the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall give and ſign his Receipt or Receipts for the ſame, and ſhall thereupon allot to the Purchaſer or Purchaſers every ſuch Encroachment, or ſuch Part thereof as ſhall be ſo purchaſed, and the ſame ſhall, on ſuch Payment, be and become veſted in ſuch Purchaſer or Purchaſers thereof, and his or their reſpective Heirs or Aſſigns, in Fee Simple; and the ſaid Commiſſioner hereby appointed, and his Succeſſor, Commiſſioner for the Time being, ſhall apply the Purchaſe Money to ariſe thereby as Part of the Monies to be raiſed for defraying the general Expences of this Act; and if any Surplus Money ſhall remain, ſuch Surplus ſhall be divided and apportioned between the ſeveral Proprietors and Perſons intereſted in the ſaid Commons and Waſte Grounds, in ſuch Manner and Proportions as is herein-after directed concerning the Surplus to ariſe from the Sale of ſuch Part of the ſaid Commons and Waſte Grounds as ſhall be ſold for the Purpoſes of this Act: Provided, that if the Perſon or Perſons who ſhall be in Poſſeſſion of, or entitled to the Rents and Profits of ſuch Encroachment or Encroachments, ſhall not be willing to purchaſe the ſame, or ſo much thereof as ſhall be offered for Sale as aforeſaid, on the Terms aforeſaid, then the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall allot the Part thereof which was ſo to be ſold, to ſome other Perſon or Perſons, as Part of his, her, or their Allotment or Allotments, as to the ſaid Commiſſioner hereby appointed, or to his Succeſſor, Commiſſioner for the Time being, ſhall ſeem proper; or the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall and may ſell the ſame in ſuch Manner and under ſuch Regulations as he is authorized to ſell any Part or Parts of the ſaid Commons and Waſte Grounds, for defraying ſuch Expences as herein-after mentioned.

Power to ſtop up and divert Roads.

XXIV. And be it further enacted, That it ſhall be lawful to and for the ſaid Commiſſioner, with the Concurrence and Order of Two Juſtices of the Peace acting in and for the ſaid County, in Manner and ſubject to Appeal, as in the ſaid recited Act is mentioned, to divert, ſtop up, diſcontinue, alter, or change any old public Carriage Roads or Footways leading into, through, over, or upon the ſaid Commons and Waſte Grounds, or into, through, or upon the old Incloſures lying within the ſaid Pariſhes or any of them, as to him ſhall appear uſeleſs and unneceſſary, or proper to be diverted or altered; and that ſuch public Carriage Roads as ſhall be ſo ſtopped up and diſcontinued, ſhall be deemed Part of the Lands and Grounds to be divided, allotted, and incloſed purſuant to this Act.

Drains, &c.

XXV. And be it further enacted, That the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall and may ſcour out, deepen, widen, amend, and repair all ſuch ancient Ditches, Drains, Watercourſes, Banks, Sluices, Staunches, Tunnels, and Bridges, in the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*; and alſo ſhall make or cauſe to be made ſuch new Ditches, Drains, Watercourſes, Banks, Sluices, Staunches, Tunnels, and Bridges, and other Requiſites, as well in, through, over, and acroſs the ſaid ſeveral Commons

Commons and Waſte Lands hereby directed to be divided and incloſed, as alſo in, over, and through any ancient Incloſures or other Lands or Grounds within the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, or either of them, as ſhall be neceſſary and proper, making reaſonable Satisfaction to all and every Perſon and Perſons who may ſuſtain any Damage thereby, of ſuch Dimenſions and in ſuch Directions reſpectively as the ſaid Commiſſioner ſhall think proper; and the ſaid Commiſſioner ſhall and he is hereby required and directed, in and by any Writing or Writings under his Hand, or in and by his ſaid Award, to order and determine by whom and at whoſe Expence, at what Time or Times, and in what Manner the ſaid Ditches, Drains, Watercourſes, Banks, Sluices, Staunches, Tunnels, Bridges, and other Requiſites, ſhall be made, ſcoured out, deepened, widened, amended, and repaired, and by whom the ſame ſhall afterwards be reſpectively cleanſed, ſcoured out, repaired and maintained.

Allotments for Gravel Pits.

XXVI. And be it further enacted, That the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being, ſhall, after ſetting out the public Roads and Highways in Manner directed by the ſaid recited Act of the Forty-firſt of *George* the Third, aſſign, ſet out, and allot ſuch Parts of the ſeveral Commons and Waſte Grounds hereby directed to be divided, allotted, and incloſed, as the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being, ſhall think neceſſary, as and for public Quarries of Stone, Sand, Clay, and Gravel Pits, and Places for getting Gravel for the Repairs of the Roads to be made over the ſaid Commons and Waſte Grounds; and the ſaid Allotments, when ſo ſet out, ſhall for ever thereafter be uſed reſpectively by the Surveyors of the Highways for the Time being of the ſaid Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* reſpectively, and by the Owners of Lands, Tenements, and Hereditaments within the ſaid Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* reſpectively, and their Tenants or Leſſees for the Time being, and within the ſaid ſeveral Pariſhes only, but not to be elſewhere or otherwiſe diſpoſed of.

Allotment to His Majeſty as Lord of the Manor.

XXVII. And be it further enacted, That the ſaid Commiſſioner ſhall (after ſuch neceſſary Roads and Highways and Quarries as aforeſaid ſhall have been ſet out) aſſign, ſet out, and allot unto and for the Uſe of the King's moſt Excellent Majeſty, His Heirs and Succeſſors, with the Concurrence and Approbation in Writing of the ſaid Aſſiſtant Commiſſioner, and not otherwiſe, ſo much and ſuch Part or Parts of the Reſidue of the ſaid Commons or Waſtes hereby directed to be incloſed, as ſhall be equal in Value to One full Twentieth Part or Share of ſuch Reſidue remaining, after deducting ſuch Roads, Highways, and Quarries ſo ſet out as aforeſaid, for and in Lieu, Satisfaction, and Extinction of the Rights and Intereſts of His Majeſty, His Heirs and Succeſſors, in, over, or upon the Soil of the ſaid Commons or Waſtes ſo directed to be incloſed as aforeſaid.

Allotment to be ſet out and veſted in Truſtees for the Poor.

XXVIII. And be it further enacted, That the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being as aforeſaid, ſhall, upon the Application of the reſpective Overſeers for the Time being of the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, or either of them, to be made within the Space of Six Calendar

Calendar Months from the paſſing of this Act, aſſign, ſet out, and allot unto the ſaid Overſeers of the Poor for the Time being of the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, on Behalf or on Account of whom ſuch Application ſhall be made, ſuch Part or Parts of the ſaid Commons and Waſte Lands as the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being as aforeſaid, ſhall think proper, not exceeding Six Acres in each of the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*; and the ſaid laſt-mentioned Allotment or Allotments ſhall, from and after the Execution of the Award of the ſaid Commiſſioner, be veſted in the ſeveral and reſpective Rectors and Overſeers of the Poor for the Time being of the ſaid Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* reſpectively, for ever, as Truſtees of the Poor who ſhall reſpectively be legally ſettled and reſident in the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, to the Intent that the ſaid Truſtees for the Time being ſhall permit and ſuffer the poor Inhabitants of the reſpective Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, who ſhall be legally ſettled and reſident therein, or in either of them reſpectively, to cut, take, and uſe Turf, Peat, and Fuel (if any there be) on ſuch Part or Parts of the ſame Allotment or Allotments, in ſuch Quantities, and at ſuch Time or Times in each and every Year, and under ſuch Regulations and Reſtrictions, as the ſaid Truſtees for the Time being, or the major Part of them, ſhall direct or appoint, and not otherwiſe; and the ſaid Truſtees, or the major Part of them, are hereby empowered from Time to Time, by Writing under their Hands or Seals, to leaſe or demiſe the Whole, or ſuch Part or Parts of the ſaid Allotment in the ſeveral and reſpective Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, which ſhall not produce Turf, Peat, or Fuel, as they from Time to Time ſhall think proper, to any Perſon or Perſons whomſoever, for any Term of Years not exceeding Fourteen Years, to commence in Poſſeſſion and not in Reverſion, ſo that in every ſuch Leaſe there be reſerved and made payable to the ſaid reſpective Truſtees as aforeſaid, or the major Part of them, by Two equal Half-yearly Payments in every Year, the beſt and moſt improved yearly Rent or Rents that can be obtained for the ſame reſpectively, without taking any Income, Fine, Premium, or Foregift, in Conſideration of granting any ſuch Leaſe or Leaſes as aforeſaid, and ſo as in every ſuch Leaſe there be contained proper and fair Covenants on the Part of the Leſſee, for the Uſage and Management of the Land thereby demiſed, and for leaving the ſame in a proper State and Condition at the Expiration of every ſuch Leaſe, together with all other uſual Covenants, Stipulations, and Proviſions between Leſſors and Leſſees, and ſuch Security for the Performance of the ſame, as the ſaid Truſtees reſpectively, or the major Part of them, ſhall think moſt proper to be inſerted therein; and the Rents and Profits ariſing from the ſame Allotment or Allotments reſpectively, ſhall from Time to Time be laid out in purchaſing Fuel, and ſuch Fuel ſhall be diſtributed among the poor Inhabitants of the ſaid Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* reſpectively, who ſhall be legally ſettled and reſident in the ſaid Pariſhes reſpectively, in ſuch Shares and Proportions, at ſuch Times in every Year, and according to ſuch Rules and Directions as ſhall from Time to Time be made and preſcribed by the ſaid Truſtees reſpectively, or the major Part of them, for that Purpoſe, and not otherwiſe; and the Part or Parts of the ſame Allotment or Allotments reſpectively which ſhall not be leaſed

or demiſed, ſhall be uſed and enjoyed ſolely and excluſively by ſuch poor Inhabitants of the reſpective Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* aforeſaid, as a Common of Paſture, in ſuch Manner, at ſuch Time or Times, and according to ſuch Rules and Directions as the ſaid Truſtees reſpectively for the Time being, or the major Part of them, ſhall appoint and preſcribe for that Purpoſe, and not otherwiſe; and that it ſhall be lawful for the Rectors of the ſaid Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen* reſpectively, to act in the Execution of the Truſts hereby repoſed in them reſpectively, by their Agents or Proxies, ſuch Agents or Proxies reſpectively being appointed in Writing under the Hands of ſuch Rectors reſpectively, and producing their reſpective Appointments at the Time of their acting by virtue thereof, if required ſo to do; but no Perſon ſhall act as Agent or Proxy for more than One Truſtee at the ſame Time. Truſtees for Poor may act by Proxy.

XXIX. And be it further enacted, That the ſaid Commiſſioner hereby appointed, or his Succeſſor, Commiſſioner for the Time being as aforeſaid, ſhall ſet out and allot the Reſidue and Remainder of all the ſaid Commons and Waſte Lands hereby directed to be divided and incloſed, unto and amongſt all and every Perſon and Perſons, Body and Bodies Politic, Corporate, or Collegiate, having any Right or Rights of Common, or other Rights or Intereſts in, over, or upon the ſame or any Part thereof, in ſuch Parts and Shares and in ſuch Manner as the ſaid Commiſſioner ſhall think fit, and ſhall adjudge and determine to be proportionate to the Value of his, her, or their reſpective Shares, Rights of Common, or other Rights or Intereſts in, over, or upon the ſaid Commons and Waſte Lands hereby directed to be divided or incloſed, or any Part thereof. Reſidue.

XXX. And be it further enacted, That the Allotments herein directed to be made to the Surveyors of the Highways of the ſeveral and reſpective Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, and alſo the Allotments for the Uſe of the Poor of the reſpective Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, ſhall be reſpectively incloſed and fenced round with ſuch Hedges, Ditches, Mounds, or other Fences, as the ſaid Commiſſioner ſhall think proper; and the Expences thereof ſhall be raiſed and paid in like Manner as the Expences of obtaining this Act and carrying the ſame into Execution are herein directed to be raiſed and paid; and that ſuch Hedges, Ditches, Mounds, and Fences ſhall for ever thereafter be maintained and ſupported by and at the Expence of ſuch Perſon or Perſons, and in ſuch Manner as the ſaid Commiſſioner ſhall in and by his Award direct and appoint. Fencing.

XXXI. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons intereſted in the ſaid Commons and Commonable Waſte Lands, at any Time before the Execution of the Award of the ſaid Commiſſioner, to give, grant, bargain, ſell, demiſe, mortgage, convey, aſſure, and diſpoſe of all ſuch Eſtate, Right, and Intereſt, as he, ſhe, or they hath or have in, to, or upon the ſame Commons and Commonable Waſte Lands, or in or to any Allotment or Allotments to be made in reſpect thereof by virtue of this Act, ſeparate from ſuch Eſtate in Right whereof he, ſhe, or they is, are, or ſhall be ſo entitled; and every ſuch Sale, Demiſe, Conveyance, and Diſpoſition thereof, ſhall be of the ſame Force and Validity as if made after the Execution of the ſaid Award; and it ſhall be lawful for the ſaid Sale of Intereſt before Award.

Commiſſioner, and he is hereby authorized and required to allot ſuch Eſtate and Intereſt as ſhall be conveyed or paſs under ſuch Aſſurances as aforeſaid, to the Purchaſer or Purchaſers thereof, or other Perſon or Perſons who ſhall be entitled to the ſame by virtue of ſuch Diſpoſition; and he, ſhe, or they ſhall, immediately after the Execution of ſuch Award as aforeſaid, have, hold, uſe, and enjoy ſuch Allotment or Allotments, and ſhall uſe and exerciſe any Act of Ownerſhip in and upon the ſame, in as full, large, ample, and beneficial a Manner, to all Intents and Purpoſes, as the former Proprietor or Vendor thereof could or might have done in caſe any ſuch Sale or Diſpoſition had not been made.

Allotments to be of the ſame Tenure.

XXXII. And be it further enacted, That all and ſingular the Commons and Waſte Lands which ſhall be allotted under and by virtue of this Act (immediately after ſuch Allotments are made) ſhall 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 Allotments ſhall be made, are now ſubject to.

Exchanges.

XXXIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioner to ſet out, allot, and award any Lands, Tenements, and Hereditaments within the ſaid ſeveral Pariſhes of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, or either of them, in lieu of or in Exchange for any other Lands, Tenements, or Hereditaments within the ſaid Pariſhes or either of them, or within any adjoining Pariſh, Hamlet, Townſhip, or Place, provided that all ſuchExchanges 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, Tenements, and Hereditaments which ſhall be ſo exchanged, whether ſuch Owner or Owners, Proprietor or Proprietors, ſhall be a Body or Bodies Politic, Corporate, or Collegiate, 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 and Exchanges ſo to be made, ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes whatſoever: Provided neverthelefs, that no Exchange ſhall be made of any Lands, Tenements, or Hereditaments held in Right of any Church, Chapel, or other Eccleſiaſtical Benefice, without the Conſent teſtified as aforeſaid of the Patron thereof, and of the Lord Biſhop of the Dioceſe in which ſuch Lands, Tenements, or Hereditaments ſo to be exchanged ſhall lie and be ſituate.

Expences thereof how paid.

XXXIV. Provided always, and be it further enacted, That all Coſts, Charges, and Expences attending the making any Exchanges and Partitions, ſhall be paid and borne by the ſeveral Perſons making ſuch Exchanges or Partitions,

Partitions, in ſuch Manner and in ſuch Proportions as the ſaid Commiſſioner ſhall, by his ſaid Award, order and direct.

Allotments in reſpect of Property held by Leaſes at Rack Rent, to be made to the Landlords.

XXXV. And be it further enacted, That all the Allotments to be made of the ſaid Commons and Waſte Grounds by virtue of this Act, in reſpect of any Lands, Tenements, Hereditaments, and Premiſes held by Leaſes at Rack Rents, or by Leaſes for which no Fines were paid to the Grantors, as the Conſiderations for the ſame, ſhall be allotted unto and held by the ſeveral Owners and Proprietors of ſuch Lands, Tenements, Hereditaments, and Premiſes freed and diſcharged from all Right or Claim of ſuch reſpective Leſſees to, in, or upon the ſaid Allotments or any Part thereof, to be derived under or by virtue of ſuch Leaſes; and in caſe any ſuch Leſſees ſhall think themſelves aggrieved thereby, and ſuch Landlords and Tenants ſhall not ſettle the ſame to their mutual Satisfaction, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being as aforeſaid, on Application to him made by either Party, to take the Matter in queſtion into his Conſideration, and to order and direct every ſuch Landlord to make unto every ſuch Leſſee for his or her Loſs by Means of the ſaid Diviſion, ſuch a fair and adequate Allowance, by Way of Abatement or Deduction in the Rents by ſuch Leaſes reſerved, as the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being as aforeſaid, ſhall think juſt and equitable.

Wills and Settlements.

XXXVI. Provided alſo, and be it further enacted, That nothing in this or the ſaid recited Act contained ſhall extend, or be conſtrued to extend to revoke, make void, alter, or annul any Will, Deed, or Settlement, or to prejudice any Perſon or Perſons having any Right or Claim of Dower, Jointure, Portion, Debts, Rents, or Incumbrances out of, upon, or affecting any of the Lands, Grounds, and Hereditaments to be divided and allotted, or which ſhall be exchanged or aſſigned in Compenſation for any other Eſtate or Right, by virtue of this or the ſaid recited Act, or any Part or Parts thereof reſpectively; but as well the Lands allotted, as the Tenements and other Hereditaments which ſhall be aſſigned in Exchange or in Compenſation for any other Eſtate or Right, ſhall immediately after ſuch Allotment, Exchange, or Aſſignment ſhall be made, be veſted, remain, and enure, and the ſeveral Perſons to whom the ſame ſhall be allotted, aſſigned, or given in Exchange as aforeſaid, ſhall thenceforth ſtand and be ſeiſed and poſſeſſed thereof reſpectively to ſuch and the ſame Uſes, and under and ſubject and liable to ſuch and the ſame Wills, Deeds, Settlements, Jointures, Portions, Debts, Rents, or Incumbrances, as the Meſſuages, Tenements, Lands, Grounds, and Hereditaments, in reſpect whereof ſuch Allotments, Aſſignments, and Exchanges ſhall be made, would have been ſubject to be charged with or affected by in caſe this Act had not been paſſed.

Tythes.

XXXVII. Provided always, and be it further enacted, That in Conſideration of the great Expence which the ſaid Proprietors muſt be at in dividing and incloſing the ſaid Commons and Commonable Waſte Lands, every Rector, Vicar, or other Eccleſiaſtical Perſon, and every Impropriator or other Perſon, and his and their Heirs or Succeſſors for the Time being, having any Right to any Tythes or Tenths whatſoever in, upon, out of, or from the ſaid Commons or Commonable Waſte Lands, or any Part or

Parts thereof, ſhall, for the Term of Four Years from the Execution of the ſaid Award, be entitled to have, receive or take, out of, upon, or from the ſaid Commons or Commonable Waſte Lands, One Moiety or Half Part and no more, of any ſuch Tenths or Tythes as they or either of them would otherwiſe be entitled to reſpectively; any Law, Statute, or Uſage to the contrary hereof notwithſtanding.

Expences of the Act, &c. how defrayed.

XXXVIII. And be it further enacted, That as well the Charges and Expences of ſoliciting, obtaining, and paſſing this Act, as the Coſts, Charges, and Expences of incloſing the Allotments which ſhall, by virtue of this Act, be made to the Surveyors of the Highways within the ſaid ſeveral Pariſhes reſpectively, and alſo the Allotment herein-before mentioned for the Poor of the ſeveral and reſpective Pariſhes aforeſaid, and all the Coſts, Charges, and Expences incident to and attending the obtaining this Act, and of ſurveying, meaſuring, planning, valuing, dividing, and allotting the ſaid Commons and Waſte Lands hereby directed to be divided and incloſed, and of preparing and inrolling the Award of the ſaid Commiſſioner, and of the Copies thereof, and all the Charges and Expences of the ſaid Commiſſioner, his Clerk, Surveyors or Aſſiſtants, and Servants, and all other neceſſary Expences of the ſeveral Perſons to be employed by the ſaid Commiſſioner in and about the Premiſes before the Execution of the ſaid Award, and all other Expences of carrying this Act into Execution, ſhall be borne and defrayed by the ſeveral Perſons to whom any Allotment or Allotments ſhall be made by virtue of this Act (ſave and except the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and the Surveyors of the Highways within the ſaid Pariſhes reſpectively for the Time being, for or in reſpect of the Allotment or Allotments hereby directed to be made to them as aforeſaid, and alſo the Overſeers of the Poor of the ſame reſpective Pariſhes for the Time being, for or in reſpect of the Allotment hereby directed to be made to them for the Poor); which ſaid Coſts, Charges, and Expences, together with the Proportions thereof to be paid by the ſeveral Perſons hereby made liable to the Payment thereof, ſhall be ſettled and adjuſted by the ſaid Commiſſioner; and in caſe any Sum of Money which ſhall have been ſo adjuſted and ſettled by ſuch Commiſſioner, he having firſt cauſed to be affixed on the Door of each of the Pariſh Churches of *Llangefni*, *Llanddyfnan*, *Pentraeth*, and *Cerrigceinwen*, Notice of ſuch Aſſeſſment of Apportionment having been made, ſhall remain unpaid for the Space of Two Calendar Months after the Publication of ſuch Aſſeſſment or Apportionment as aforeſaid, it ſhall be lawful for the ſaid Commiſſioner hereby appointed, or his Succeſſor for the Time being, by Writing under his Hand and Seal, to ſell to the beſt Bidder or Bidders, by public Auction, ſo much of ſuch Allotment or Allotments reſpectively, or any ſuch Part or Parts of any other Allotment or Allotments as he ſhall think proper, belonging to ſuch Perſon ſo refuſing to pay his Share as aforeſaid, as ſhall be ſufficient to raiſe the Amount of ſuch Sum unpaid as aforeſaid, and alſo the Coſts, Charges, and Expences attending ſuch Sale or Sales; and the Perſon or Perſons to whom ſuch Sale or Sales ſhall be made, ſhall be a lawful Purchaſer or Aſſignee, or Purchaſers or Aſſignees, of ſo much of the ſaid Allotment as ſhall be ſold, to all Intents and Purpoſes whatſoever: Provided always, that a Schedule of the Allotments ſo to be ſold by the ſaid Commiſſioner ſhall be affixed upon the Church Doors of the Pariſh or Pariſhes where ſuch Allotment ſhall be, Three ſeveral ſucceſſive *Sundays* next before the Day

Day of ſuch Sale as aforeſaid ſhall take place: Provided always, that previous to the ſelling of any ſuch Allotment as aforeſaid, the ſaid Commiſſioner ſhall cauſe Notice thereof to be given to the Owner or Proprietor, or Owners or Proprietors thereof, by delivering the ſame to him, her, or them in Perſon, or by leaving the ſame at his, her, or their uſual or laſt Place of Abode, if ſuch Place or Places of Abode be known to the ſaid Commiſſioner, and alſo ſhall give public Notice thereof in the *North Wales Gazette*, or ſome other public Newſpaper circulated in the ſaid County of *Angleſey*, Three Weeks at leaſt previous to ſuch Sale or Sales.

Not to deduct Land and borrow Money alſo.

XXXIX. Provided always, and be it further enacted, That in all Caſes where any Land ſhall be deducted from the Allotment of any of the ſaid Proprietors or Perſons, towards Payment of Expences as aforeſaid, it ſhall not be lawful for the ſaid Commiſſioner to deduct from any Allotment to be made to any Proprietor or Proprietors any further or greater Quantity of Land than would be equal in Value to the Sum of Money that ſuch Proprietor or Proprietors is or are by this or the ſaid recited Act empowered to borrow and charge on his, her, or their Lands, Tenements, or Hereditaments; nor ſhall it be lawful for the Proprietor or Perſon from whoſe Allotment Land ſhall be deducted as aforeſaid, to charge his, her, or their Lands, Tenements, or Hereditaments, by virtue of the ſaid recited Act or this Act, with any Money towards Payment of ſuch Expences.

Money advanced to be repaid with Intereſt.

XL. And be it further enacted, That if the Proprietors, or any or either of them, or any other Perſon or Perſons whomſoever, ſhall lend and advance any Money, for the Purpoſe of defraying the Expences of applying for and obtaining this Act, and for carrying the ſame into Execution, the Perſon or Perſons ſo advancing ſuch Money ſhall be repaid by the Direction of the ſaid Commiſſioner, with lawful Intereſt for the ſame, out of the firſt Monies to be raiſed for defraying the Expences of obtaining and executing this Act.

For borrowing Money to pay Expences.

XLI. And be it further enacted, That it ſhall be lawful for the ſeveral Owners for the Time being of any Allotment or Allotments to be made by virtue of this Act, being Tenants for Life or in Tail, and for Mortgagees in Poſſeſſion, or after Proviſo for Redemption broken, and alſo for the Huſbands, Guardians, Truſtees, Committees, or Attornies of or for ſuch of the ſaid Owners or Proprietors as ſhall be under Coverture, Infants, Children unborn, Idiots, Lunatics, or beyond the Seas, or otherwiſe incapable of acting for themſelves, and for the Truſtees for any Charity or Charities, or other Uſes, and for every or any of them reſpectively, to borrow Money, and by Writing under his, her, or their Hand and Seal, or Hands and Seals, from Time to Time, to charge the Allotment or Allotments of the ſaid Commons and Waſte Lands, which ſhall be aſſigned and ſet out unto ſuch Owners, Mortgagees, or their Mortgagers, or to Truſtees reſpectively, by virtue of this Act, with ſuch Sum or Sums of Money as the ſaid Commiſſioner ſhall by Entry in Writing in the Book of Proceeding, or upon the Deed or Inſtrument of every ſuch Charge reſpectively ſigned by him, direct or appoint, not exceeding Five Pounds for every Acre of Statute Meaſure of the Lands ſo to be allotted to them reſpectively, to be paid to ſuch Perſon or Perſons as the ſaid Commiſſioner ſhall appoint, in order to be applied and diſpoſed of towards the Expences of fencing and improving the ſaid Allotments reſpectively; and for ſecuring the Repayment of ſuch Sum or Sums of Money with Intereſt, every

or any such Owner, Husband, Guardian, Trustee, Committee, and Mortgagee, may demise or grant in Mortgage, such Allotment or Allotments unto or in Trust for any Person or Persons who shall respectively advance and lend such Money, his, her, and their respective Executors, Administrators, or Assigns, for any Term or Number of Years, so as every such Demise or Grant be made with a Proviso or Condition of Redemption, or to cease and be void, or with an express Trust to be surrendered when the Money thereby secured, with the Interest thereof, shall be fully satisfied and paid, and so as in every such Demise or Mortgage from or on account of all and every Tenant or Tenants for Life or Lives, there be contained a Covenant to pay and keep down the Interest of the said Money so secured during his, her, or their respective Life or Lives, in such Way and Manner as that no Person or Persons coming afterwards in Remainder or Reversion shall be subject or liable to pay any further or larger Arrear of Interest than for One Year preceding the Death of the Tenant for Life, or the Time when the Right of Possession of the Remainder-man or Reversioner shall accrue or commence; and every such Grant, Mortgage, Demise, or Charge of the said Lands and Premises, or any Part or Parts thereof so to be made in pursuance of this Act, shall be good and effectual in the Law for the Purposes thereby intended.

Commissioner's Allowance.

XLII. And be it further enacted, That out of the Monies to be raised for the general Purposes of this Act there shall be paid to the said Commissioner, or to his Successor, Commissioner for the Time being, and his Clerk for the Time being, the Sum of Two Pounds Two Shillings each, and no more, for each Day respectively they shall be employed in travelling to and from and attending the Execution of this and the said recited Act; and that as well the said Commissioner, or his Successor for the Time being, and his Clerk, shall pay their own Expences at all Meetings to be holden under the Authority of this Act.

Accounts to be audited yearly.

XLIII. 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 said Commissioner hereby appointed, or his Successor, Commissioner for the Time being, shall and he is hereby required to make a true and just Statement or Account of all and every Sum and Sums of Money by him received or expended, or due to him for his own Trouble and 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 Two or more of His Majesty's Justices of the Peace in and for the said County of *Anglesey*, (not interested in the said intended Division and Inclosure), 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 Commissioner; 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 in Writing by such Justices.

Award.

XLIV. And be it further enacted, That the Award to be made by the said Commissioner hereby appointed, or by his Successor for the Time being, shall be executed and published within the Space of Three Years from the passing of this Act, and when inrolled in Manner directed by the said recited Act, shall be deposited in a Tin Box, and kept for public Inspection in the Parish Church of *Llangefni* aforesaid.

XLV. And

XLV. And be it further enacted, That the ſaid Commiſſioner ſhall, and he is hereby required to make an Extract on Parchment, under his Hand and Seal, of ſo much of his ſaid Award as ſhall contain an accurate Deſcription of the Allotment or Allotments to be made to His ſaid Majeſty, together with ſuch Regulations or Proviſions relative to ſuch Allotment or Allotments, or to any other Rights or Intereſts of His Majeſty as may be contained in ſuch Award, and alſo a Map or Plan of ſuch Allotment or Allotments, and tranſmit the ſame to the Commiſſioners of His Majeſty's Woods, Foreſts, and Land Revenues, or to the Surveyor General of His Majeſty's Land Revenue for the Time being, within Two Calendar Months next after the making and executing the ſaid Award, to be by them or him filed and kept among the Muniments of their or his Office, and which ſaid Extract may be produced and ſhall be admitted in Evidence on all Occaſions where any Queſtion, Doubt, or Controverſy may ariſe, relating to or affecting the Rights and Intereſts of His Majeſty, His Heirs and Succeſſors.

Commiſſioners to tranſmit an Extract from the Award to His Majeſty's Surveyor General.

XLVI. And be it further enacted, That it ſhall and may be lawful for the Commiſſioners of His Majeſty's Woods, Foreſts, and Land Revenues, or the Surveyor General of His Majeſty's Land Revenue for the Time being, at any Time before or after the Execution of the ſaid Award, to contract and agree with any Perſon or Perſons, or any Bodies Politic, Corporate, or Collegiate, for the Sale of all or any Allotments or Allotment to be made to His Majeſty, His Heirs and Succeſſors, by virtue of this Act, for the beſt Prices or Conſiderations in Money which the ſaid Commiſſioners of His Majeſty's Woods, Foreſts, and Land Revenues, or the ſaid Surveyor General, ſhall be able to procure for the ſame; and the Purchaſe Money ariſing from ſuch Sale ſhall be paid into the Bank of *England*, to the Account of the Commiſſioners of His Majeſty's Treaſury, in like Manner as the Monies ariſing from the Sales of certain Parts of the Property of the Crown, authorized by an Act paſſed in the Forty-eighth Year of His preſent Majeſty, intituled *An Act to improve the Land Revenue of the Crown in* England, *and alſo of His Majeſty's Duchy of* Lancaſter, are directed to be paid; and the Sale of ſuch Allotments or Allotment ſhall be made in the ſame Manner and Form, and under the like Rules, Regulations, and Proviſions, and ſhall be to all Intents and Purpoſes as valid and effectual as if the ſame were made under the ſaid laſt recited Act; and if ſuch Sale ſhall be made before the Execution of the ſaid Award, it ſhall be lawful for the ſaid Commiſſioners for executing this Act, and they are hereby authorized and required to aſſign, ſet out and allot ſuch Allotments or Allotment to the Purchaſers or Purchaſer thereof, their Heirs and Aſſigns, or other Perſons or Perſon who ſhall be entitled thereto by virtue of ſuch Sale; and he, ſhe, or they ſhall immediately after the Execution of the ſaid Award as aforeſaid, have, hold, uſe, and enjoy ſuch Allotments or Allotment, and ſhall uſe and exerciſe any Act of Ownerſhip in and upon the ſame, in as full, large, ample, and beneficial a Manner, to all Intents and Purpoſes, as His Majeſty, His Heirs or Succeſſors, or his or their Leſſees or Grantees, could or might have done in caſe ſuch Sale had not been made; but ſubject nevertheleſs to the Right or Intereſt in or to any Mines, Ores, Minerals, Coal, Limeſtone or other Stone, or Matters whatſoever, in or under the ſame, as herein-after ſaved and reſerved.

Power to ſell His Majeſty's Allotment.

XLVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall prejudice or defeat the Right or Intereſt of His Majeſty, His Heirs or Succeſſors, in and to all Mines, Ores, Minerals, Coals,

Saving the Rights of His Majeſty to Mines, &c.

Coals, Quarries of Lime and Stone, and other Matters, of what Nature or Kind ſoever, in or under the ſaid Commons and Waſte Lands, but His ſaid Majeſty, His Heirs and Succeſſors, and His and their reſpective Leſſee or Leſſees, Grantee or Grantees, Agents, Servants, Colliers, Miners, and other Workmen, ſhall and may from Time to Time and at all Times hereafter enter into, have, hold, enjoy, ſearch for and work all Mines and Mine Works, Pits, Holes, Beds, Veins, and other Bearings of Mines, Ores, Minerals, and Coal, and Quarries of Lime and Stone whatſoever, as fully and effectually, to all Intents and Purpoſes whatſoever, as he or they have or might have done before the paſſing of this Act.

**Appeal.** XLVIII. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Order, Determination, Conviction, or Judgment of the ſaid Commiſſioner, or his Succeſſor, Commiſſioner for the Time being, or of any Juſtice or Juſtices of the Peace under this Act, or the ſaid recited Act, (except ſuch Orders and Determinations of the ſaid Commiſſioners as are by the ſaid recited Act or this Act declared to be final and concluſive), ſuch Perſon or Perſons may, firſt cauſing Thirty Days Notice in Writing to be given to the ſaid Commiſſioner, or his Succeſſor for the Time being, or to the Juſtice or Juſtices acting therein, appeal to the then next Quarter Seſſions for the ſaid County of *Angleſey*, where the Appeal ſhall be ſummarily heard and determined, or adjourned to the next following Quarter Seſſions, and then finally heard and determined, and confirmed or reverſed, or Penalties mitigated, or returned, with Satisfaction for Coſts and Damages, as to the Juſtices preſent ſhall ſeem juſt and reaſonable; and no Proceeding which ſhall be had or heard before any Juſtice or Juſtices, or at the Quarter Seſſions under this Act, ſhall be quaſhed or vacated for Want of Form, or removed by *Certiorari* or other Proceſs to any of His Majeſty's Courts at *Weſtminſter*, or of the Great Seſſions in *Wales*; any Law to the contrary notwithſtanding.

**General Saving.** XLIX. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every Perſon and Perſons, Bodies Politic or Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, (other than and except the ſeveral Perſons, Bodies Politic or Corporate, to and among whom the ſaid Commons and Waſte Lands ſhall be allotted and divided in purſuance of this Act, and whoſe Rights are hereby intended to be barred), all ſuch Right, Title, and Intereſt as they, every, or any of them had or enjoyed of, in, to, within, upon, under, or out of the ſaid Commons and Waſte Lands, at the Time of paſſing this Act, or could or might have had or enjoyed, in caſe this Act had not been made, and which are not expreſsly barred or extinguiſhed by virtue of this Act.

**Evidence of the Act.** 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. 1812.