ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 33.

An Act for incloſing Lands within the Pariſh of *Puttenham*, in the County of *Hertford*.

[4th *May* 1814.]

WHEREAS there are within the Pariſh of *Puttenham*, in the County of *Hertford*, divers Open and Common Fields, Common Meadows, Commons and Waſte Grounds: And whereas *John William* Earl of *Bridgewater* is Lord of the Manor of *Puttenham*, and in Right of his ſaid Manor claims to be entitled to certain Rights and Intereſts of and in the Waſte Lands and Grounds by this Act directed to be divided, allotted, and incloſed: And whereas the Right Reverend Father in God *George* Lord Biſhop of *Lincoln* is Patron, and *Thomas Fanſhaw Middleton*, Doctor of Divinity, is Rector of the Rectory and Pariſh Church of *Puttenham* aforeſaid, and as ſuch is entitled to ſundry Glebe Lands, and to all Tithes ariſing from Lands and Grounds within the ſaid Pariſh of *Puttenham*, or to ſome Modus or Compoſition in lieu thereof, and to Common Right over the ſaid Open and Commonable Lands and Waſte Grounds in the ſame Pariſh in reſpect of the ſaid Glebe Lands: And whereas the ſaid *John William* Earl of *Bridgewater*, and *Thomas Cadell* Eſquire, *William Garrett*, *Robert Gibbs*, and divers other Perſons are the Owners and Proprietors of all the Lands and Grounds within the ſaid Pariſh of *Puttenham*, and in reſpect thereof are entitled to Right of Common on or otherwiſe intereſted in the ſaid Open and Common Fields, Common Meadows, Commons and Waſte Grounds, within the ſame

Pariſh: 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 Lands and Grounds of the ſeveral Proprietors of and in the ſaid Open and Common Fields, Common Meadows, Commonable Lands, and Waſte Grounds, lie intermixed and diſperſed in Small Parcels, and in their preſent State are incapable of any conſiderable Improvement, and the Proprietors thereof and Perſons intereſted therein are deſirous that the ſame ſhould be divided and allotted unto, between, and amongſt them proportionably and according to the Value of their reſpective Eſtates, Rights, and Intereſts therein, and be incloſed and holden in Severalty, and that Compenſation ſhould be made for all Tithes ariſing, renewing, and increaſing within the Pariſh of *Puttenham* aforeſaid, and for all Moduſes in lieu thereof; but as ſuch Purpoſes 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,

Appointment of Commiſſioners.

and by the Authority of the ſame, That *William Colliſſon* of *Brackley* in the County of *Northampton*, Gentleman, and *John Burcham* of *Coningsby* in the County of *Lincoln*, Gentleman, and their Succeſſors, to be elected in Manner herein mentioned, ſhall be and they are hereby appointed Commiſſioners for dividing, allotting, and incloſing all the ſaid Open and Common Fields, Common Meadows, Commons and Waſte Grounds, within the Pariſh of *Puttenham* aforeſaid, and for carrying this Act into Execution, ſubject to ſuch Rules, Orders, and Directions, as are hereinafter contained, and alſo ſubject to the Powers and Proviſions of the ſaid recited Act, (except in ſuch Caſes where the ſame are hereby altered or varied).

Umpire to be appointed.

II. And, for the Purpoſe of ſettling and determining any Difference or Diſpute that may ariſe between the ſaid Commiſſioners, touching or concerning any of the Matters or Things to be by them done and performed in purſuance of the ſaid recited Act or of this Act, be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required, (immediately after their taking and ſubſcribing the Oath or Affirmation, by the ſaid recited Act directed to be by them taken and ſubſcribed), by Writing under their Hands, to chooſe, nominate, and appoint ſome other proper and ſkilful Perſon, (not intereſted in the ſaid Diviſion and Incloſure), who ſhall be willing and conſent to act as an Umpire, and ſuch Umpire is hereby authorized and required to hear and determine any ſuch Difference or Diſpute as may ariſe between the ſaid Commiſſioners, touching any Matter or Thing relating to the ſaid Diviſion and Incloſure, and the Judgment and Determination of the ſaid Umpire, ſo far only as relates to the Matter immediately in Diſpute, ſhall be deemed and conſidered to be the Judgment and Determination of the ſaid Commiſſioners, and ſhall be final and concluſive upon the ſaid Commiſſioners, and upon all other Perſons concerned in the ſaid Diviſion and Incloſure, ſo far as the Acts of the ſaid Commiſſioners are by the ſaid recited Act or by this Act made final and concluſive: Provided always, and in caſe the Perſon ſo nominated and appointed by the ſaid Commiſſioners as Umpire ſhall die, or refuſe to act or become incapable of acting in the Execution of the ſaid recited

Act

Act or of this Act, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners to nominate and appoint one other fit and proper Perſon as Umpire in the Room and Stead of the Perſon ſo dying, refuſing to act or becoming incapable of acting in the Execution of the ſaid recited Act and of this Act, and ſo from Time to Time, as often as any Perſon ſo nominated and appointed as Umpire ſhall die, or refuſe to act or become incapable of acting in the Execution of the ſaid recited Act and of this Act; and in caſe any ſuch Umpire ſhall neglect to ſettle and determine any ſuch Difference or Diſpute, within Twenty Days next after the ſame ſhall have been referred to him by the ſaid Commiſſioners, ſuch Neglect ſhall be deemed and taken to be a Refuſal to act within the Intent and Meaning of this Act.

Umpire to be ſworn before he acts.

III. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as Umpire, in the Execution of this Act, until he ſhall have taken and ſubſcribed an Oath, in the Words or to the Effect following; (that is to ſay),

Oath.

'I *A. B.* do ſwear, (*or*, being One of the People called *Quakers*, do ſolemnly affirm), That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Ability, execute and perform the Power and Authority repoſed in me as Umpire, by virtue of an Act, paſſed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled *An Act* (*here inſert the Title of this Act*), according to Equity, and good Conſcience, and without Favour or Affection, Prejudice or Malice to any Perſon or Perſons whomſoever.

'So help me GOD.'

Which Oath or Affirmation it ſhall be lawful for either of the ſaid Commiſſioners to adminiſter, (who is hereby required to adminiſter the ſame); and ſuch Oath or Affirmation, when ſo taken or ſubſcribed by ſuch Umpire, ſhall be annexed to and enrolled with the Award of the ſaid Commiſſioners.

Appointment of new Commiſſioners.

IV. And be it further enacted, That if the ſaid *William Colliſſon*, or his Succeſſor for the Time being, ſhall die, or ſhall refuſe or become incapable to act as a Commiſſioner in the Execution of this Act, before the Powers and Authorities hereby veſted in him or them ſhall be fully executed and accompliſhed, then and in all ſuch Caſes the Majority in Value (to be aſcertained by the Land Tax Aſſeſſment) of the Proprietors and Perſons intereſted in the ſaid Diviſion and Incloſure, or their Agents duly authorized, (excluſive of the ſaid Biſhop of *Lincoln*) attending at any Meeting to be called for that Purpoſe by Notice in Writing, to be affixed on the Door of *Puttenham* Church Twenty-one Days before ſuch Meeting, ſigned by any Three or more of the Perſons intereſted in the Lands and Grounds to be divided and incloſed by virtue of this Act, ſhall and may, by any Writing under their Hands, appoint ſome proper Perſon (not intereſted in the ſaid Diviſion or Incloſure) to be a Commiſſioner in the Room or Stead of the ſaid *William Colliſſon*, or of his ſaid Succeſſor for the Time being, who ſhall ſo die, refuſe or become incapable to act as aforeſaid; and if the ſaid *John Burcham*, or his Succeſſor for the Time being, ſhall die, or ſhall refuſe or become incapable to act as a Commiſſioner in the Execution of this Act, before the Powers and Authorities hereby veſted in him or them ſhall be fully executed and accompliſhed, then and in ſuch Caſe the

the ſaid Biſhop of *Lincoln*, or his Succeſſor and the Rector of *Puttenham* for the Time being, ſhall and may, within Twenty-one Days after ſuch laſt mentioned Death, Refuſal, or Incapacity, ſhall be made known to them by any Writing under their Hands, nominate and appoint a proper Perſon (not intereſted in the ſaid Diviſion and Incloſure) to be a Commiſſioner in the Room or Stead of the ſaid *John Burcham*, or of his ſaid Succeſſor for the Time being, who ſhall ſo die, refuſe or become incapable to act; and every Commiſſioner ſo to be appointed ſhall, after taking the Oath preſcribed in that Behalf, have the like Power and Authority for carrying the ſaid recited Act and this Act into Execution to all Intents and Purpoſes as the Commiſſioner in whoſe Room or Stead he ſhall ſucceed was veſted with.

Proprietors omitting to appoint, Commiſſioners may.

V. Provided always, That if at any Time or Times it ſhall happen that the ſeveral Perſons, Body or Bodies Politic, Corporate, or Collegiate, herein reſpectively authorized and empowered to appoint ſuch new Commiſſioners, ſhall not make ſuch Appointment, within the Time for that Purpoſe limited, and in Manner aforeſaid, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſurviving or remaining Commiſſioner, and he is hereby authorized and required from Time to Time, within Twenty-one Days next after the Expiration of ſuch Time allowed for appointing ſuch new and ſucceeding Commiſſioner as aforeſaid, by Writing under his Hand, to appoint ſome other fit and proper Perſon (not intereſted in the ſaid Diviſion and Incloſure) to be a Commiſſioner in the Room or Stead of every Commiſſioner dying, refuſing, or becoming incapable to act as aforeſaid; and every ſuch new Commiſſioner ſo appointed ſhall, after taking the Oath preſcribed in that Behalf, have the like Power and Authority for carrying the ſaid recited Act and this Act into Execution to all Intents and Purpoſes as the Commiſſioner in whoſe Name or Stead he ſhall ſucceed, was veſted with.

Commiſſioners Non-attendance deemed a Refuſal to act.

VI. Provided alſo, and be it enacted, That if either of the ſaid Commiſſioners ſhall refuſe or neglect to attend at the Firſt or Second Meeting appointed to be holden for putting the ſaid recited Act and this Act into Execution, and duly qualify himſelf by taking the Oath in that Behalf preſcribed; or if either of the ſaid Commiſſioners ſhall at any Time after the Firſt or Second Meeting wilfully abſent himſelf from any Two ſucceeding Meetings appointed to be holden as aforeſaid, ſuch Meetings being known to him by his being preſent at the Appointment thereof, or Notice thereof in Writing having been given to him, or left at his uſual Place of Abode by the Clerk to the ſaid Commiſſioners, and ſuch Commiſſioner not being prevented by Sickneſs, or other reaſonable Cauſe (to be allowed by the other Commiſſioner) from attending at ſuch ſubſequent appointed Meetings, or if any Commiſſioner hereafter to be elected and appointed in Manner aforeſaid, ſhall not attend and qualify himſelf at the Firſt or Second Meeting after his Election to be appointed by the ſurviving or the remaining Commiſſioner for putting the ſaid recited Act and this Act into Execution; or ſhall thereafter abſent himſelf in Manner aforeſaid, having firſt known of ſuch a Meeting, or after ſuch Notice and without ſuch Cauſe as hereinbefore is mentioned; every ſuch Abſence or Non-attendance ſhall be deemed and taken to be a Refuſal to act.

VII. And

VII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and empowered to appoint a Clerk to aſſiſt them in the Execution of the Powers and Authorities of the ſaid recited Act and this Act, and ſuch Clerk from Time to Time to remove, and another to appoint in his Room, as to them ſhall ſeem meet. Commiſſioners to appoint a Clerk.

VIII. And be it further enacted, That out of the Money which ſhall be raiſed for defraying the Expences of obtaining and executing this Act, there ſhall be paid to each of the Commiſſioners, and the ſaid Umpire and their Clerk, the Sum of Three Pounds Three Shillings for each Day they ſhall be reſpectively attending in the Execution of the ſaid recited Act and this Act, and in travelling to and from the Meetings to be held under the ſame, ſuch Sums to be in full Satisfaction for the Trouble and Expences of ſuch Commiſſioners, and the ſaid Umpire, and their Clerk reſpectively: Provided always, that the ſaid Proprietors, their Attornies or Agents, ſhall pay their own Expences, when they or any of them ſhall attend the ſaid Commiſſioners at any of their Meetings to be holden in purſuance of this Act. Commiſſioners Allowance how to be paid. Proprietors, &c. to pay their own Expences.

IX. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required to cauſe Notice in Writing of the Time and Place of their Firſt and every other Meeting for the Execution of this Act, to be inſerted in *The County Chronicle* and *County Herald*, if thoſe Newſpapers be then publiſhed, and if not, then in ſome other Newſpapers printed and circulated within the ſaid County of *Hertford*, and alſo to be affixed on the principal Door of the Church of *Puttenham* aforeſaid, Seven Days at leaſt before every ſuch Meeting, (Meetings by Adjournment only excepted), and every ſuch Meeting ſhall be holden within the ſaid Pariſh of *Puttenham*, or at ſome Place within Eight Miles of the ſaid Pariſh of *Puttenham*, and if at any Meeting appointed to be holden by the ſaid Commiſſioners not more than One of the ſaid Commiſſioners ſhall attend, the Commiſſioner ſo attending may adjourn ſuch Meetings to ſuch Time within the Space of Twenty-one Days as ſhall by him be deemed moſt convenient; and if no Commiſſioner ſhall attend, it ſhall be lawful for the Clerk to the ſaid Commiſſioners to adjourn ſuch Meeting for any Time not exceeding Twenty-one Days, due Notice being ſent to the Commiſſioners of ſuch Meeting. Notice of Meetings.

X. Provided always, and be it further enacted, That all other Notices neceſſary or requiſite to be given by the ſaid Commiſſioners ſhall be ſo given by Advertiſements in the ſaid *County Chronicle* and *County Herald*, if then publiſhed; and if not, then in ſome other Newſpapers printed and circulated in the ſaid County of *Hertford*, and alſo by Notices to be affixed on the principal Door of the Church of *Puttenham* aforeſaid. Other Notices.

XI. 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 Diviſion and Allotment, touching or concerning the reſpective Rights and Intereſts which they or any of them ſhall have or claim to have in, over, or upon the ſaid Commons and Waſte Grounds, or touching or concerning any other Matter or Thing relating to the ſaid Diviſion and Allotment, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required, upon Commiſſioners to ſettle Diſputes.

upon proper and ſufficient Enquiry and Evidence, to examine into, hear and determine the ſame: Provided always, that nothing in this Act contained ſhall authorize the ſaid Commiſſioners to determine the Title to any Meſſuages, Cottages, Lands, Tenements, and Hereditaments whatſoever.

Commiſſioners not to determine Titles.

XII. And be it further enacted, That in caſe the ſaid Commiſſioners ſhall upon the Hearing and Determination of any Claim or Claims, Objection or Objections to be delivered to them in purſuance of the ſaid recited Act or of this Act, ſee Cauſe to award any Coſts, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby empowered, upon Application made to them for that Purpoſe, to ſettle, aſſeſs and award ſuch Coſts and Charges as they ſhall think reaſonable to be paid to the Party or Parties, in whoſe Favour any Determination of the ſaid Commiſſioners ſhall be made, by the Perſon or Perſons, or by the Body or Bodies Politick, Corporate or Collegiate, whoſe Claim or Claims, Objection or Objections ſhall be thereby diſallowed or over-ruled; and in caſe the Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, who ſhall be liable to pay ſuch Coſts or Charges, ſhall neglect or refuſe to pay the ſame on Demand, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required by Warrant under their Hands and Seals directed to any Perſon whomſoever, to cauſe ſuch Coſts and Charges to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons, or Body or Bodies Politic, Corporate or Collegiate, 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: Provided always, that in caſe the Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, whoſe Claim ſhall have been ſo over-ruled or diſallowed by the ſaid Commiſſioners, ſhall cauſe an Action to be brought in Manner herein-after mentioned, and ſhall upon the Trial of ſuch Action eſtabliſh the Claim which ſhall have been ſo over-ruled or diſallowed by the ſaid Commiſſioners, the Coſts and Charges ſo aſſeſſed and awarded by the ſaid Commiſſioners ſhall not nor ſhall any Part thereof be paid by or be levied upon the Goods and Chattels of the Perſon or Perſons by whom the ſaid Commiſſioners ſhall have awarded the ſame to be paid as aforeſaid.

Commiſſioners may award Coſts.

XIII. Provided always, and be it enacted, That in caſe any Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners touching or concerning the Boundaries between the ſaid Manor and Pariſh of *Puttenham* and any adjoining Manor or Manors, Pariſh or Pariſhes, or if any Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, intereſted or claiming to be intereſted, in the ſaid intended Diviſion or Inclоſure, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners touching or concerning any Claim or Claims in, over, or upon the ſaid Commons and Waſte 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, then and in every ſuch Caſe it ſhall and may be lawful to and for the Perſon or Perſons, Body or Bodies Politic,

Parties may try Rights at Law by a feigned Iſſue.

Politic, Corporate, or Collegiate, ſo diſſatisfied, to proceed to a Trial at Law of the Matter ſo determined by the Commiſſioners, at the then Firſt or Second Aſſizes to be holden for the ſaid County of *Hertford* next after ſuch Determination, on firſt giving Thirty Days Notice in Writing of his, her, or their Intention to the ſaid Commiſſioners or their Clerk, and for that Purpoſe, the Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, 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 Three Calendar Months next after ſuch Determination of the ſaid Commiſſioners, 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, Body or Bodies Politic, Corporate, or Collegiate, unleſs the Court wherein ſuch Action or Actions ſhall be brought, ſhall ſet aſide ſuch Verdict or Verdicts, and order a new Trial to be had therein, which it ſhall be lawful for the Court to do in caſe the ſaid Court ſhall think proper, and that after ſuch Verdict or Verdicts ſhall be obtained 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, 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 not cauſing ſuch Action at Law to be brought and proceeded in as aforeſaid, ſhall be final and concluſive on all and every Perſon and Perſons, Body and Bodies Politic, Corporate, and Collegiate.

In caſe of the Death of Parties before Actions brought, to be carried on and defended in their Names.

XIV. 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 heretofore limited for bringing ſuch Action or Actions, it ſhall be lawful for the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, who might have brought ſuch Action or Actions againſt the Perſon or Perſons ſo dying, to bring the ſame within the Time ſo limited as aforeſaid, againſt ſuch Perſon or Perſons as if actually living, and to ſerve the Clerk of the ſaid Commiſſioners with Proceſs for commencing ſuch Action or Actions in the ſame Manner as the Party or Parties might have been ſerved therewith if living, and it ſhall thereupon be incumbent on the Heir or Heirs or other Perſon or Perſons who ſhall claim the Benefit of ſuch Determination as aforeſaid, to appear and defend ſuch Action or Actions in the Name or Names of the Perſon or Perſons ſo dead, and Proceedings ſhall be had therein in the ſame Manner as if ſuch Perſon or Perſons had been actually

living,

living, and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

Persons in Possession not to be molested without due Course of Law.

XV. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioners to determine any Right between any Parties contrary to the Possession of any such Parties, but in case the said Commissioners shall be of Opinion against the Right of the Person or Persons so in Possession, they shall forbear to make any Determination thereupon, until the Possession shall have been given up or recovered from such Person or Persons by Ejectment or other due Course of Law.

Death of Parties not to stop Proceedings.

XVI. 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.

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

XVII. And be it further enacted, That if any such Suit or Suits shall be commenced or prosecuted touching the Title of any Person or Persons in or to any Lands, Tenements, or Hereditaments within the said Parish of *Puttenham*, such Suit or Suits shall not impede, delay or hinder the said Commissioners from proceeding in the Execution of the Powers vested in them, by the said recited Act or this Act, but the said Division and Allotment shall be proceeded in notwithstanding such Suit or Suits, and the Allotment or Allotments to which any such Suit or Suits shall relate 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.

Power to suspend Right of Common.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered at any Time or Times before the Execution of the said Award, by giving Fourteen Days Notice in Writing under their Hands to be affixed upon the Door of the Parish Church of *Puttenham* aforesaid, to order and direct all or any Part of the Rights of Common in, over, and upon the said Open and Common Fields, Common Meadows, Commons, and Waste Grounds, or any Part thereof to be extinguished, or the Exercise thereof to be suspended, for and during such Time as shall be expressed in such Writing; and that all such Rights of Common, as the said Commissioners shall by such Writing order and direct to be extinguished, or the Exercise thereof to be suspended as aforesaid, shall from the Time to be specified in such Notice cease, determine, and be extinguished, or the Exercise thereof be suspended accordingly, any Law, Usage, or Custom to the contrary thereof notwithstanding.

Power to shorten Boundary Fences.

XIX. And be it further enacted, That in order to shorten the Boundary Fences between the Lands and Grounds by this Act directed to be divided, allotted, and inclosed, and any adjoining Parishes or Places, it shall and may be lawful to and for the said Commissioners, with the Consent in Writing under the Hand or Hands of the Lord or Lords, Lady or Ladies, of the Manor or Manors, or Owner or Owners of the Soil, and under the Hands of the major Part in Value to be ascertained as aforesaid, of the Land Owners in any Parish or Place, or Parishes or Places interested in any Grounds adjoining to the said Parish of *Puttenham*, and also under

the Hand or Hands of the Owner or Owners of any adjoining Lands, upon which any Fence or Fences are intended to be made, to set out and ascertain the Boundary Fences to be made between the Lands and Grounds hereby intended to be divided and allotted, and the other Lands adjoining thereto, in such Manner as they shall judge proper for the Purposes aforesaid; and after such Boundary Fences shall be set out and ascertained as aforesaid, the same shall be fenced by such Person or Persons in such Manner and at such Time or Times as the said Commissioners shall order and direct in and by their Award, and shall for ever thereafter be deemed and taken to be the Boundaries between the said Parish of *Puttenham* and such adjoining Parish or Place, or Parishes or Places as aforesaid, any Law, Usage, or Custom to the contrary notwithstanding.

Power to stop up Roads, &c.

XX. And be it further enacted, That it shall be lawful for the said Commissioners to stop up, discontinue, divert, or alter any Carriage Road, Bridle Way, or Footpath, leading through or over the Lands and Grounds intended to be divided and inclosed by virtue of this Act, or passing or leading through any of the inclosed Lands in the said Parish of *Puttenham*; and the Soil of the Roads and Ways so to be stopped up and discontinued shall be deemed and taken as Part of the Lands and Grounds to be divided and inclosed by virtue of this Act: Provided that no such Carriage Road, Bridleway, or Footpath passing or leading through any of the said inclosed Lands in the said Parish shall be stopped up or discontinued, diverted, or altered without the Concurrence and Order of Two Justices of the Peace for the said County of *Hertford*, and not interested in the Repair of such Roads, and which Order shall be subject to an Appeal to the Quarter Sessions for the said County, in like Manner as if the same had been originally made by such Justices.

Justices empowered to declare any of the Roads completed.

XXI. And be it further enacted, That when and so soon as Two or more of His Majesty's Justices of the Peace for the said County of *Hertford*, at any Special Sessions to be holden by them, shall find, and shall under their Hands and Seals certify and declare any of the public Carriage Roads to be set out in pursuance of the said recited Act and of this Act, or any Part of any such Road, to be fully and sufficiently formed, repaired, and completed, such Road or Roads, or so much thereof as shall in any such Certificate be described or certified, shall thenceforth be supported and kept in Repair by such Persons, and in like Manner as the public Roads within the said Parish of *Puttenham* are or ought to be by Law amended and kept in Repair; and every such Certificate shall at the General Quarter Session of the Peace to be holden for the said County of *Hertford* next after the Date thereof, be filed of Record by the Clerk of the Peace for the said County.

Power to turn Watercourses.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to direct, order, and award all or any of the Streams, Springs, and Watercourses within the said Parish of *Puttenham*, or which run between, or divide the said Parish, and any adjoining Parish, Place, or Liberty, or either of them, to be widened, scoured, cleansed, straightened, diverted, and turned or conveyed in such Course, and through such Lands or Grounds as they shall judge necessary and convenient, either for preventing any Lands or Grounds within the Parish of *Puttenham* from being

overflowed or injured by Water, or for draining or watering ſuch laſt mentioned Lands or Grounds; provided that no ſuch Stream, Spring, or Watercourſe be diverted or turned without the Conſent in Writing of the Owner or Owners of the Lands or Grounds out of or from which any ſuch Stream, Spring, or Watercourſe ſhall be diverted, or into which any ſuch Stream, Spring, or Watercourſe ſhall be turned.

Where the Pariſhes are divided by Roads, they are to be ſet out of the Lands of each.

XXIII. And be it further enacted, That in caſe any Public Roads or High ways ſhall be ſet out or continued in any Situation or Direction where the ſaid Pariſh of *Puttenham* is divided from any other adjoining Pariſh or Place, and where there now is or uſually hath been a Public Road or Meerway, then and in ſuch Caſe the ſaid Commiſſioners ſhall, and they are hereby authorized and required to ſet out One Half only of ſuch Road or Way from and out of the Lands and Grounds directed by this Act to be divided and incloſed for ſuch Road or Way.

Not to alter any Carriage Way acroſs the Grand Junction Canal.

XXIV. Provided always, and be it further enacted, That no Carriage Way, Bridle Way, or Foot Way leading over and acroſs The Grand Junction Canal, or any Collateral Cut or Cuts to the ſame, within the ſaid Pariſh of *Puttenham* ſhall be ſtopped up, diſcontinued, diverted, or altered, by virtue of the ſaid recited Act or this Act, and no Brooks, Streams, Ditches, Watercourſes, Tunnels or Bridges within the ſaid Pariſh of *Puttenham*, now running into or forming Part of the Works of the ſaid Canal, or of any Collateral Cut or Cuts thereto, ſhall be diverted, turned, or altered, without the Conſent of the Company of Proprietors of the ſaid Grand Junction Canal, in Writing under their Common Seal, and that nothing herein contained ſhall extend or be conſtrued to extend to enable the ſaid Commiſſioners to do or order or cauſe to be done any Act, Matter, or Thing, which ſhall injure or prejudice the Navigation or Works of the ſaid Canal, or of any Collateral Cut or Cuts thereto, through the ſaid Pariſh of *Puttenham*.

Company of Proprietors of the Grand Junction Canal to pay Money for Slips of Glebe to Commiſſioners.

XXV. And be it further enacted, That the ſaid Company of Proprietors of the Grand Junction Canal ſhall and they are hereby authorized and required to pay to the ſaid Commiſſioners on Demand made thereof, the Sum of Ten Pounds Two Shillings and Sixpence, now due and owing for and in reſpect of the Two Slips of Open Field Land, Parcel of the ſaid Glebe Lands within the ſaid Pariſh of *Puttenham*, containing together Twenty-ſeven Perches, and already taken and uſed for making the ſaid Canal or Collateral Cut to *Ayleſbury*; and that ſuch Sum of Money ſhall be applied by the ſaid Commiſſioners towards the Expences of obtaining and executing this Act; and the ſaid Glebe Lands ſo taken and uſed ſhall be and the ſame are hereby veſted in the ſaid Company of Proprietors, their Succeſſors and Aſſigns for ever; and the ſaid Commiſſioners ſhall, and they are hereby required to allot to the ſaid *Thomas Fanſhaw Middleton*, and his Succeſſors, Rectors as aforeſaid, ſuch further Quantity of the Lands hereby intended to be divided and incloſed as in the Judgment of the ſaid Commiſſioners ſhall be a full Equivalent and Compenſation for the Glebe Lands ſo taken and uſed by the ſaid Company of Proprietors of the Grand Junction Canal.

Freeboards to be determined

XXVI. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and empowered to receive, hear, and determine

mine all Claims of Freeboard upon the intended Diviſion and Allotment; and if any ſuch Claim ſhall be fully eſtabliſhed by ſufficient Proof to the Satisfaction of the ſaid Commiſſioners, they are hereby authorized and empowered to ſet out one or more Plot or Plots, Allotment or Allotments of Land in lieu of any ſuch Freeboards ſo eſtabliſhed. by the Commiſſioners.

XXVII. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required, before any other Allotment or Allotments ſhall be made in purſuance of this Act, to ſet out and allot unto the Surveyors of the Highways of the ſaid Pariſh of *Puttenham* and their Succeſſors for the Time being, out of, from, and upon any of the Lands or Grounds intended to be by this Act divided, allotted, and incloſed, (if any Part of the ſaid laſt mentioned Lands or Grounds is found fit and proper to be ſet out for that Purpoſe), One or more Plot or Plots, Allotment or Allotments of Ground in ſuch Pariſh, for the Purpoſe of getting Stone, Gravel, Sand, and other Materials for the Repairs of the ſeveral Public and Private Roads and Ways within the ſaid Pariſh of *Puttenham*, as they the ſaid Commiſſioners ſhall think neceſſary and proper for that Purpoſe; which ſaid Allotment or Allotments ſhall be fenced in and incloſed, and the Fences thereof for ever after maintained and ſupported, in ſuch Manner, and by ſuch Perſon or Perſons in the ſaid Pariſh, as the ſaid Commiſſioners ſhall order or direct; and which ſaid Allotments reſpectively ſhall and may be annually ſet out at Rack Rent by the ſaid Surveyors, ſubject to ſuch digging of Materials for the Reparations of the ſaid Roads reſpectively, for the beſt Rents that can be gotten for the ſame, which ſaid Rents ſhall be applied to the Repairs of the ſaid Roads in the ſaid Pariſh of *Puttenham* for ever. Allotments for Stone and Gravel Pits.

XXVIII. And be it further enacted, That after the ſeveral Roads and Ways, and the Plots or Allotments for Stone and Gravel Pits, ſhall have been ſet out and appointed, the ſaid Commiſſioners ſhall and they are hereby authorized and required to ſet out, allot, and award, unto and for the ſaid *Thomas Fanſhaw Middleton*, and his Succeſſors, Rectors of the Rectory and Pariſh Church of *Puttenham* aforeſaid, ſuch Plot or Plots of the Lands and Grounds hereby directed to be divided and incloſed, and lying within the Pariſh of *Puttenham* aforeſaid, as in the Judgment of the ſaid Commiſſioners ſhall be a full Equivalent and Compenſation, (Quantity, Quality, and Situation conſidered), for the Glebe Lands, and Right of Common, belonging thereto. Allotment to the Rector of Puttenham for Glebe.

XXIX. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required, in the next Place, to ſet out, allot, and award unto the ſaid *Thomas Fanſhaw Middleton*, and his Succeſſors, Rectors of the ſaid Rectory and Pariſh Church of *Puttenham* aforeſaid, ſuch Part or Parts of the ſaid Open and Common Fields, Common Meadows, Commons, and Waſte Grounds within the Pariſh of *Puttenham* aforeſaid, as in the Judgment of the ſaid Commiſſioners ſhall be equal in Value to Two Ninth Parts of all the Arable Land, and to One Eighth Part of all the Reſidue of the Land and Ground within the whole Pariſh of *Puttenham* aforeſaid, ſubject and liable to the Payment of full Tithes, which ſhall remain after deducting the Land herein directed to be ſet out, to the ſaid Rector for Glebe Land and Right of Common; the Land to be ſet out for Roads and Ways, and for public Stone and Gravel Pits, Allotment to the Rector of Puttenham for Tithes.

Pits, within the ſaid Pariſh, and alſo as ſhall be equal in Value to all Moduſes and other Eccleſiaſtical Dues and Payments (Mortuaries, *Eaſter* Offerings, and Surplice Fees excepted); and ſuch Allotment or Allotments, when ſo aſſigned, ſet out, and allotted to the ſaid Rector and his Succeſſors, ſhall be and be deemed to be a full Satisfaction and Compenſation to the ſaid Rector and his Succeſſors for all Tithes, both Great and Small, and all Moduſes, and all other Eccleſiaſtical Dues and Payments (Mortuaries, *Eaſter* Offerings, and Surplice Fees excepted) yearly ariſing, iſſuing, renewing, encreaſing or payable out of or from the Lands and Grounds by this Act directed to be divided, allotted, and incloſed, and all and every the Meſſuages, Gardens, Orchards and Old Incloſures within the whole Pariſh of *Puttenham* aforeſaid.

A Money Payment to be made for Tithes of old Incloſures in certain Caſes.

XXX. And be it further enacted, That in caſe there are any Homeſteads, Gardens, Orchards, Homecloſes, or incloſed Lands and Grounds in the ſaid Pariſh of *Puttenham*, ſubject or liable to the Payment of Tithes in Kind, or to any Modus or other Payment in lieu of Tithes, and which are to be exonerated therefrom by virtue of this Act, the reſpective Proprietors whereof ſhall not happen to be entitled to any or to a ſufficient Allotment out of the Lands and Grounds hereby intended to be divided, allotted, and incloſed, to make Compenſation for the Tithes, Moduſes, or other Payments in lieu of Tithes iſſuing thereout; ſuch Proprietor or Proprietors ſhall reſpectively pay or cauſe to be paid unto ſuch Perſon or Perſons, and at ſuch Time or Times as the ſaid Commiſſioners ſhall direct or appoint, ſuch Sum or Sums of Money as the ſaid Commiſſioners ſhall adjudge and determine to be a full Compenſation and Satisfaction for the Tithes, Moduſes, and other Payments in lieu of Tithes, iſſuing out of ſuch Homeſteads, Gardens, Orchards, Homecloſes, and incloſed Lands and Grounds reſpectively, or for ſuch Part thereof for which a Compenſation in Land cannot be made by the reſpective Proprietors thereof as aforeſaid; which Sum or Sums of Money ſhall be applied towards Payment of the Charges and Expences of paſſing and executing this Act, and ſhall and may be raiſed, levied, and recovered in like Manner as the Charges and Expences of paſſing and executing this Act are to be raiſed, levied, and recovered; and in caſe there ſhall be any Surplus the ſame ſhall be divided and apportioned between the ſeveral Proprietors of the Lands hereby directed to be divided and incloſed, according to their ſeveral and reſpective Intereſts therein, and the Shares of ſuch of them as ſhall be Tenants in Fee Simple, ſhall be paid to them reſpectively, and the Shares of ſuch other Perſons reſpectively ſhall be paid into the Bank of *England*, in manner expreſſed in the ſaid recited Act with reſpect to Money thereby directed to be paid into the Bank for the Purchaſe or Exchange of Lands, Tenements, or Hereditaments, or any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the ſame Uſes.

For fencing Tithe Allotments.

XXXI. And be it further enacted, That each of the ſeveral Allotments herein-before directed to be ſet out and allotted to the ſaid *Thomas Fanſhaw Middleton*, and his Succeſſors, in lieu of Glebe Lands and Right of Common and in Compenſation for Tithes, or for any Modus or Compenſation in lieu thereof as aforeſaid, ſhall be incloſed and fenced round the Boundary thereof with Quickſet Hedges and Ditches, or other proper Mounds or Fences, with proper Poſts, Rails, and other Guard Fences to ſuch Quickſet

Hedges, within ſuch Times, and in ſuch Manner as the ſaid Commiſſioners, ſhall order and appoint, and for Seven Years, after the ſame ſhall be properly made, ſhall be preſerved, repaired, or maintained by and at the Expence of all or ſuch of the Proprietors of the Lands and Grounds lying within the ſame Pariſh, which ſhall be incloſed or exonerated from Tithes by virtue of this Act, and in ſuch Manner and Proportions, as the ſaid Commiſſioners ſhall order and appoint.

Allotment to the Lord of the Manor for Soil.

XXXII. And be it further enacted, That the ſaid Commiſſioners ſhall in the next Place aſſign, ſet out, and allot, unto and for the Lord of the Manor of *Puttenham* aforeſaid, ſuch Part or Parts of the Commons and Waſte Grounds hereby directed to be divided, allotted, and incloſed, as in the Judgment of the ſaid Commiſſioners ſhall be equivalent to, and a full Compenſation and Satisfaction for his Right and Intereſt in and to the Soil of the ſaid Commons and Waſte Grounds, and over and above any other Allotment or Allotments which he ſhall or may be entitled to have and receive in reſpect of any other Right or Intereſt in the Lands and Grounds to be divided and allotted by virtue of this Act.

Allotment of the Reſidue.

XXXIII. And be it further enacted, That the ſaid Commiſſioners ſhall divide, ſet out, allot, and award all the Reſidue and Remainder of the ſaid Open and Commonable Fields, Meadows, Commons, Waſtes, and other Lands and Grounds hereby directed to be divided, allotted, and incloſed unto, between and amongſt the ſaid *John William* Earl of *Bridgewater*, *Thomas Cadell*, *William Garrett*, *Robert Gibbs*, and the ſeveral other Owners thereof and Perſons intereſted therein, in ſuch Quantities, Parts, Shares, and Proportions as the ſaid Commiſſioners ſhall adjudge to be a full and juſt Compenſation, Equivalent, and Satisfaction for their ſeveral and reſpective Lands, Grounds, Sheep Walks, Rights of Common, and other Rights and Intereſts therein, for which no Allotment or other Compenſation is herein-before ſpecially directed to be made.

Tithes payable until award made, or Commiſſioners ſhall otherwiſe direct.

XXXIV. Provided always, and be it enacted, That until the Execution of the Award to be made by the ſaid Commiſſioners, or until ſuch other Time previous thereto, as the ſaid Commiſſioners ſhall by Writing under their Hands direct or appoint, and until Satisfaction and Compenſation ſhall have been made for Tithes, or any Modus or Compenſation in lieu thereof as aforeſaid, the ſaid Rector and his Succeſſors ſhall be entitled to and ſhall have, receive, and enjoy all his and their reſpective Tithes, Moduſes, or other Compenſations in lieu thereof, in ſuch Manner as he or they reſpectively could or might have had, received, and enjoyed the ſame, in caſe this Act had not been made.

Allotments to be delineated on a Plan, and ſhown to the Proprietors.

XXXV. And be it further enacted, That when and ſoſoon as the ſaid Commiſſioners ſhall have aſcertained the reſpective Rights and Intereſts of the ſaid Proprietors, in the Lands and Grounds to be divided and allotted by virtue of his Act, and alſo the reſpective Shares and Proportions by them propoſed to be allotted to ſuch Proprietors reſpectively in lieu thereof, they the ſaid Commiſſioners ſhall give Notice in Manner aforeſaid of ſome convenient Time and Place when and where the ſaid Proprietors may be informed of ſuch intended Allotments, and ſee the ſame ſet out and delineated upon a Map or Plan thereof to be produced for their Inſpection; and as ſome Proprietors, may upon Inſpection of ſuch Map, be diſſatisfied with the

intended Allotments, the ſaid Commiſſioners ſhall at ſuch Time and Place as laſt aforeſaid, or ſome other Time or Place to be appointed by them for that Purpoſe, receive Statements in Writing of the Complaints and Objections againſt ſuch Allotments, and ſhall forthwith, or as ſoon after as conveniently may be, determine the ſame, and their Determination as to the Quantity and Situation of ſuch Allotments ſhall be final and concluſive on all Parties.

Allotment to be of the ſame Tenure as Lands for which they ſhall be allotted.

XXXVI. And be it further enacted, That all the Lands and Grounds which ſhall be ſet out or allotted by virtue of this Act to any Perſon or Perſons for or in reſpect of any Meſſuages, Cottages, Lands, or Grounds holden of any Manor or Manors by Copy of Court Roll, or for or in reſpect of any Leaſehold Meſſuages, Lands, or Tenements, or for or in reſpect of any Right of Common, or any other Right or Intereſt, appurtenant or appendant to any ſuch Copyhold or Leaſehold Premiſes, ſhall, from and after the Execution of the ſaid Award, be deemed and taken to be Copyhold or Leaſehold, and ſhall be held as ſuch by and under the ſame Tenure, Rents, Heriots, Reliefs, Payments, Fines, Cuſtoms, and Services, as the Copyhold or Leaſehold Meſſuages, Cottages, Lands, or Tenements reſpectively, for or in reſpect whereof ſuch Allotments ſhall be made are now holden, and that all and every Perſon or Perſons to whom ſuch Copyhold Lands and Premiſes ſhall be allotted as aforeſaid, ſhall from and after the Execution of the ſaid Award be deemed fully admitted Tenant or Tenants to the ſame, without paying any Fine or other Charge to the Lord or Lords, Lady or Ladies, or to the Steward or Stewards of the ſaid Manor or Manors; but in caſe any Perſon or Perſons to whom ſuch Lands and Premiſes ſhall be allotted ſhall die before the Execution of the ſaid Award, then the Cuſtomary Fines, Fees, and other Payments ſhall be due and payable on the Admiſſion of the Perſon or Perſons entitled to ſuch Lands and Premiſes; and the Copyhold Premiſes ſo to be allotted as aforeſaid ſhall at all Times be held under and ſubject to the ſame Tenures, Fines and other Payments as the preſent Copyhold Meſſuages, Cottages, Lands, or Tenements in reſpect whereof ſuch Lands and Premiſes ſhall be allotted are now holden under and ſubject to; and the ſaid Commiſſioners ſhall by their Award determine, deſcribe, and abut the Meſſuages, Cottages, Lands, and Grounds reſpectively, which are to be and remain Copyhold or Leaſehold; and all other Lands or Grounds to be allotted by virtue of this Act (except ſuch as ſhall be ſo aſcertained by the ſaid Commiſſioners to be Copyhold or Leaſehold) ſhall be thenceforth deemed, taken and enjoyed as Freehold Lands and Premiſes, ſubject nevertheleſs to ſuch Free Rents and Services as are now due or payable out of or for the reſpective Meſſuages, Lands, Tenements, or Hereditaments, for or in reſpect whereof the ſame ſhall or may be allotted.

Power to make Exchanges.

XXXVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to ſet out, allot, and award, any Lands, Tenements, or Hereditaments within the Pariſh of *Puttenham* aforeſaid, in lieu of and in exchange for any other Lands, Tenements, or Hereditaments within the ſaid Pariſh of *Puttenham*, or within any Pariſh, Hamlet or Townſhip adjoining the ſaid Pariſh of *Puttenham*, ſo as all ſuch Exchanges be aſcertained, ſpecified, and declared in the ſaid Award of the ſaid Commiſſioners, and be made with the Conſent of the reſpective Owners, Proprietors or other Perſons intereſted in any

ſuch

ſuch Lands, Tenements, or Hereditaments, whether ſuch Owners, Proprietors, or other Perſons ſhall be a Body or Bodies Politic, Corporate, or Collegiate, or a Tenant or Tenants in Fee Simple or in Fee Tail General or Special, or by the Courteſy of *England*, or for Life or Lives, or for Years determinable on any Life or Lives, or with the Conſent of the Guardians, Truſtees, Feoffees for Charitable and 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 any Corporation Aggregate, and under the Hands of the other conſenting Parties reſpectivelv, and that 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 nevertheleſs, that no Exchange ſhall be made by the ſaid *Thomas Fanſhaw Middleton* or his Succeſſors without the Conſent of the ſaid *George* Lord Biſhop of *Lincoln* or his Succeſſor for the Time being, under their Common Seal, nor of any Lands or Hereditaments, held in Right of any Church, Chapel, or other Eccleſiaſtical Benefice without the Conſent of the Patron thereof and the Biſhop of the Dioceſe reſpectively teſtified as aforeſaid.

Expences of Exchanges how to be paid.

XXXVIII. Provided always, and be it enacted, That all Coſts, Charges, and Expences attending the making and completing any Exchanges or 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.

Leaſes at Rack Rent to be void.

XXXIX. And be it further enacted, That all and every Leaſe or Leaſes at Rack Rent, and without Fine or Fee paid or payable for the Renewal thereof, ſubſiſting of all or any Part of the Lands or Grounds to be divided and incloſed, or exonerated from Tithes, either alone or jointly with any other Lands, Tenements, or Hereditaments within the ſaid Pariſh of *Puttenham*, and all other Agreements for any Term or Time therein, as to the whole of ſuch Lands, Tenements, or Hereditaments, comprized in ſuch Leaſe or Leaſes, or Agreements, ſhall on ſuch Day as the ſaid Commiſſioners ſhall by any Writing under their Hands for that Purpoſe limit or appoint, ceaſe, determine, and be utterly void, the reſpective Leſſees or Tenants thereof receiving from the reſpective Landlords or Proprietors of the ſame Premiſes, ſuch Satisfaction as the ſaid Commiſſioners ſhall aſcertain, order, and direct, as reaſonable to be paid to ſuch Leſſees or Tenants on account thereof; and ſuch Leſſees or Tenants reſpectively paying to the reſpective Landlords, Owners, and Proprietors of the ſame Premiſes, ſuch Rents or Sums of Money up to the Time of vacating ſuch Leaſes or Agreements reſpectively, for the Uſe or Occupation thereof, as the ſaid Commiſſioners ſhall in like Manner aſcertain, order, and direct as reaſonable and proper in that Behalf: Provided always, that if there ſhall be any Leaſe of Lands, Part of which ſhall lie in the ſaid Pariſh of *Puttenham*, and Part in any adjoining Pariſh or Place, all and every ſuch Leaſe or Leaſes upon Rack Rent now ſubſiſting may be vacated; but where any Land ſhall have been taken in Exchange, and which Land ſhall be under Leaſe, and wholly ſituate in any adjoining Pariſh or Place, the Leaſe of ſuch laſt mentioned Land ſhall not be vacated.

Leſſees to be compenſated.

XL. Provided

Leaſes of Eſtates where One Eighth Part is not Open Field Land to remain valid.

XL. Provided alſo, and be it further enacted, That if in any Caſe there ſhall not be included in the Eſtate or Eſtates ſo held under or by virtue of ſuch Leaſe or Leaſes, Agreement or Agreements, One Eighth Part thereof in Number of Acres of Open or Common Field Land or Ground ſo intended to be divided, allotted, and incloſed as aforeſaid, that then and in ſuch Caſe the ſaid Commiſſioners ſhall not have Power to vacate or in anywiſe render void ſuch Leaſe or Leaſes, Agreement or Agreements, (except as to Tithes) as to ſuch Parts of the Open or Common Field Land or Ground ſo intended to be allotted and incloſed, but the ſaid Leaſe or Leaſes, Agreement or Agreements, and all the Meſſuages, Lands, Tenements, and Hereditaments, held by virtue thereof (except as before excepted), and the Allotment or Allotments to be made in lieu of or in exchange for the ſaid Open and Common Field Land or Ground, ſhall be held by the Tenant or Tenants, Leſſee or Leſſees of any ſuch Eſtate during his or her Term or Intereſt therein; and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners to aſſign and allot the ſame reſpectively, unto ſuch Tenant or Tenants, Leſſee or Leſſees accordingly, and to fix and ſettle what additional Rent (if any) ſhall be thereafter paid by him or them to the Perſon or Perſons entitled thereto, for or in reſpect of the Expences which ſuch Perſon or Perſons ſhall ſuſtain by virtue of this Act, and alſo for any Improvement which may be made thereby; and the ſaid Commiſſioners are hereby authorized and empowered by any Writing under their Hands to preſcribe the Terms and Conditions as to the Cultivation and Management under which the ſaid Allotment or Allotments is or are to be held during the Reſidue of the Terms in ſuch reſpective Leaſes or Agreements mentioned.

Tenants to pay additional Rents for incloſing, &c.

But not to vacate beneficial Leaſes.

XLI. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend to ſet aſide or make void any beneficial Leaſe or Leaſes from any Body or Bodies Politic, Corporate, or Collegiate, of any Manor, Meſſuage, Cottage, Tithes, Lands, Tenements, or other Hereditaments in the ſaid Pariſh of *Puttenham*, to any Perſon or Perſons whomſoever; but the Perſon or Perſons entitled to ſuch beneficial Leaſe or Leaſes ſhall and may hold and enjoy his, her, and their ſeveral and reſpective Allotments in reſpect of the Meſſuages, Cottages, Lands, Tenements, Tithes, or other Hereditaments, demiſed by any ſuch Leaſe or Leaſes reſpectively, for his, her, and their ſeveral and reſpective Term and Terms, and under the ſame Rents and Covenants, as is or are ſpecified in his, her, or their reſpective Leaſe or Leaſes from the ſaid Body or Bodies Politic, Corporate, or Collegiate, to him, her, or them reſpectively.

Wills and Settlements not to be affected.

XLII. And be it further enacted, That nothing in the ſaid recited Act or in this Act contained, ſhall extend or be conſtrued to extend to revoke, make void, alter, or annul any Will or Settlement, or to prejudice any Perſon or Perſons having any Right or Claim of Dower, Jointure, Portion, Debts, Rents, or Incumbrances out of, upon, or affecting any of the Meſſuages, Buildings, Lands, Grounds, or Hereditaments, to be divided, allotted, or exchanged, or any Part or Parts thereof reſpectively, but that the reſpective Perſons, to whom any Lands or Hereditaments ſhall be allotted or given in exchange by virtue of the ſaid recited Act or this Act, ſhall be ſeiſed and poſſeſſed thereof to ſuch and the ſame Uſes, and to ſuch and the ſame Eſtates and ſubject to ſuch and the ſame Wills, Jointures, Rents, Charges, and

Incumbrances, and no other, as the Meſſuages, Buildings, Lands, Grounds, and Hereditaments, whereof ſuch Perſon was ſeiſed or poſſeſſed at or immediately before the Execution of the Award to be made by the ſaid Commiſſioners, or for which or in reſpect whereof ſuch Allotments or Exchanges ſhall be made, would have been ſubject or charged with or affected by in caſe this Act had not been made.

In Caſes where Proprietors have ſold their Rights, &c. the Allotment to be ſet out to the Purchaſer.

XLIII. Provided always, and be it further enacted, That if any Perſon hath ſold, or ſhall at any Time hereafter and before the Execution of the ſaid Award ſell his or her Right, Intereſt or Property in, over, or upon the ſaid Open Fields, and other Commonable Lands and Grounds or any Part thereof, to any other Perſon or Perſons, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required upon Application made to them for that Purpoſe by Writing under the Hands of the contracting Parties to make an Allotment or Allotments of Land to the Vendee or Purchaſer in ſuch Sale, or to his or her Heirs or Aſſigns for or in reſpect of ſuch Right, Intereſt or Property ſo ſold as aforeſaid, and every ſuch Vendee or Purchaſer and his and her Heirs and Aſſigns ſhall and may, from and after the Completion of ſuch Sale, hold and enjoy the Land ſo to be allotted to him, her or them as aforeſaid, in the ſame Manner, purſuant to the Terms of ſuch Sale, to all Intents and Purpoſes, as the Vendor in every ſuch Sale might, could, or ought to have held and enjoyed the ſame, in caſe ſuch Sale had not been made, or ſuch Right, Intereſt, or Property had been veſted in ſuch Vendor at the Time of making ſuch Allotment as aforeſaid.

Purchaſers of Copyholds before Award to be admitted.

XLIV. Provided always, and be it further enacted, That upon the Allotment of any Copyhold Land to any ſuch Vendee or Purchaſer as aforeſaid, and alſo upon every Alienation of any Allotment or Allotments of Copyhold Land by way of Sale, Exchange or otherwiſe, which ſhall be made before the Execution of the ſaid Award, the Perſon or Perſons to whom the ſame ſhall be ſo allotted or alienated ſhall be admitted by, and there ſhall be due and payable to the Lord or Lords, and Steward or Stewards of the Manor or reſpective Manors of which the ſame ſhall be held upon every ſuch Admiſſion, the Fine, Fees, Charges, and Payments cuſtomary for Admiſſions upon Alienation.

Commiſſioners to direct the Courſe of Huſbandry.

XLV. And be it further enacted, That from and after the paſſing of this Act, until the Execution of the Award of the ſaid Commiſſioners, all the Open and Common Fields within the ſaid Pariſh of *Puttenham* ſhall be ſubject and liable to ſuch Directions and Regulations as the ſaid Commiſſioners ſhall from Time to Time by Writing under their Hands appoint, as well with regard to the Stocking as to the Ploughing, Folding, Tilling, Sowing and laying down the ſame; and it ſhall and may be lawful to and for the ſaid Commiſſioners to order and direct ſuch Sum and Sums of Money in reſpect thereof to be paid by any Perſon or Perſons, intereſted in the ſaid Open and Common Fields, his, her, or their Tenant or Tenants, as they the ſaid Commiſſioners ſhall think reaſonable; and in caſe any Perſon or Perſons who ſhall be directed to pay any Sum or Sums of Money on any of the Accounts aforeſaid, ſhall neglect or refuſe to pay the ſame on Demand, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required to raiſe and levy the ſame for the Uſe and Benefit of the Perſon or

Perſons entitled thereto, by ſuch Ways and Means as the Coſts, Charges, and Expences of obtaining and executing this Act may be raiſed and levied.

Compenſation to be made for growing Crops.

XLVI. And be it further enacted, That in all Caſes where any Open or Common Field Land ſhall upon the ſaid Incloſure be allotted and awarded to any Perſon or Perſons other than the Proprietor or Proprietors thereof immediately before ſuch Diviſion and Allotment, it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby required to aſcertain, order and direct ſuch Satisfaction as they ſhall think reaſonable to be paid by ſuch Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, to whom ſuch Lands and Grounds ſhall be allotted, or his, her or their Tenant or Leſſee, to the Occupier or Occupiers of ſuch Lands or Grounds at the Time of the ſaid Allotment, for or on account of any Crops that ſhall be growing on ſuch Lands and Grounds ſo allotted and awarded as aforeſaid.

No Sheep, &c. to be kept in new Allotments for Five Years.

XLVII. And be it further enacted, That no Sheep or Lambs ſhall be kept in any of the Allotments to be made by virtue of this Act out of the ſaid Open and Common Fields, Common Meadows, Commons and Waſte Grounds, during the Space of Five Years next after the Allotments are ſet out by the ſaid Commiſſioners, unleſs the Perſon or Perſons ſo keeping the ſame ſhall firſt, at his, her, or their own Expence make and maintain a Fence ſufficient to guard the young Quick Fences round ſuch Allotments from being cropped, hurt, or damaged by ſuch Sheep or Lambs, whether ſuch Quick Fences be planted or ſet by the Owners or Occupiers of ſuch Allotments as aforeſaid, or by the Owner or Occupier of the Allotment or Allotments adjoining thereto.

Lands may be deducted from Allotments in lieu of and equivalent to the Expences.

XLVIII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, if they ſhall think the Meaſure expedient, to deduct from any Allotment or Allotments to be ſet out by virtue of this Act, ſo much Land, as in the Judgment of the ſaid Commiſſioners ſhall be equivalent to the Part or Proportion of the Expences of the paſſing and executing this Act, which ought to be paid in reſpect of ſuch Allotment or Allotments, and alſo the Expences of incloſing, hedging, ditching, and fencing ſuch Allotment or Allotments, and the Land ſo deducted ſhall be allotted to or amongſt the Proprietor or Proprietors, who ſhall pay the ſame Expences in Proportion to the Sums they ſhall reſpectively pay or contribute thereto; but under the Reſtriction, however, that no ſuch Deduction ſhall be made by the ſaid Commiſſioners, without the previous Conſent in Writing of the reſpective Proprietors and Perſons ſeiſed in Fee Simple or entitled in Poſſeſſion for any Eſtate of Inheritance leſs than an Eſtate in Fee Simple, or for Life or Lives, or as Leſſee under any beneficial Leaſe for any Term of Years, either abſolute or determinable on Lives, of or to ſuch Allotment or Allotments, or of the Huſbands, Guardians, Truſtees, Committees, or Attornies of any ſuch Proprietor or Proprietors being Femes Covert, Infants, Lunatics, beyond the Seas, or under any other legal Diſability of acting for themſelves.

Perſons from whoſe Allotments Lands ſhall be de-

XLIX. 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

not be lawful for the ſaid Commiſſioners 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 the ſaid recited Act or this Act empowered to borrow and charge on his, her, or their Lands, Tenements, or Hereditaments; but in caſe the Deduction ſo to be made from ſuch Allotment or Allotments ſhall not be equal in Amount to the Sum of Money that ſuch Proprietor or Proprietors is or are by the ſaid recited Act or this Act empowered to borrow and charge on his, her, or their Allotment or Allotments, then and in ſuch Caſe it ſhall 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 Sum of Money not exceeding the Exceſs or Difference, towards Payment of ſuch Expences.

Deducted not to charge their Lands with Money towards Payment of Expences.

L. And be it further enacted, That all the Coſts, Charges, and Expences of ring-fencing and incloſing, but not of ſubdividing the Allotments which ſhall by virtue of this Act be made to the ſaid *Thomas Fanſhaw Middleton* in lieu of his ſaid Tithes and Glebe Lands, and all the Coſts, Charges, and Expences incident to and attending the obtaining of this Act, and of ſurveying, meaſuring, planning, valuing, dividing, and allotting the Lands, Grounds, and Premiſes to be divided and allotted, or exonerated from Tithes by virtue of this Act, and of preparing and inrolling the Award of the ſaid Commiſſioners, and all Charges and Expences of the ſaid Commiſſioners, their Clerks, Aſſiſtants, and Servants, and other neceſſary Expences of the ſeveral Perſons to be employed by the ſaid Commiſſioners in and about the Premiſes, either before or after the Execution of the ſaid Award, and all the Expences of forming, completing, and repairing the Public Carriage Roads and Highways, to be ſet out and appointed by the ſaid Commiſſioners, and all other Expences of carrying this Act into Execution, ſhall be borne and defrayed by all and every the Proprietors and Owners of, or Perſons having Rights or Intereſts in the Lands or Grounds hereby directed to be divided and incloſed, and of the Homeſteads and ancient Incloſures, to be exonerated from Tithes by virtue of this Act (ſave and except the ſaid *Thomas Fanſhaw Middleton* and his Succeſſors, and the Surveyors of the Highways, in reſpect of any Allotment or Allotments to be made to them as Surveyors as aforeſaid; and alſo except the Perſons from whoſe reſpective Allotments Deductions ſhall have been made for their reſpective Shares of the ſaid Incloſure); 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 Commiſſioners, and ſhall be paid at ſuch Time and Place, and to ſuch Perſon or Perſons, as the ſaid Commiſſioners ſhall by any Writing under their Hands, from Time to Time, either before or after the Execution of their Award, appoint.

Coſts of the Act.

LI. And be it further enacted, That it ſhall be lawful for the ſeveral Owners and Proprietors for the Time being, of any of the Allotments to be made, or of any of the Homeſteads, Orchards, and ancient Incloſures, to be exonerated from Tithes in purſuance of this Act, or of any Part thereof, and to and for the Huſbands, Guardians, Truſtees, Committees, or Attornies of or for any of the ſaid Owners or Proprietors, who may be under Coverture, Minors, Lunaticks, or beyond

Proprietors enabled to borrow Money.

yond the Seas, or under any other Disability or Incapacity, and to and for all Persons acting as Guardians, Trustees, Committees or Attornies for any of the same Owners or Proprietors, and to and for any of the same Owners and Proprietors being Tenants in Tail or for Life or Lives, or Years determinable on a Life or Lives, or upon any other Contingency or otherwise interested as aforesaid, and to and for every of them respectively, other than and except the said Rector and his Successors, and such Persons from whose Allotments Deductions shall have been made for the Payment of the Expences of Inclosure, and other than and except the Surveyor and Surveyors of the Highways in respect of any Allotment or Allotments, as shall be made to them as Surveyors as aforesaid) by and with the Consent of the said Commissioners, in Writing under their Hands and Seals from Time to Time to charge such respective Allotments, Homesteads, and ancient Inclosures, or any Part or Parts thereof respectively, with any Sum or Sums of Money at the Discretion of the said Commissioners, not exceeding Five Pounds for every Acre of Land or Ground so to be allotted, and for every Acre of such Homesteads, Orchards, and ancient Inclosures, which shall be exonerated from Tithes by a Compensation in Land to be paid to such Person or Persons as the said Commissioners shall nominate and appoint, in order to be applied in defraying the several Shares and Proportions of such respective Proprietors of the Charges and Expences of obtaining and executing this Act, and of dividing and inclosing the respective Allotments and subdividing the same if proper, and to charge the several Homesteads and ancient Inclosures which shall be exonerated from Tithes wholly or in Part by any Payment in Money with any Sum or Sums not exceeding the Amount of the respective Payments which shall be made by the Direction of the said Commissioners as a Compensation for such Exoneration from Tithes and in Discharge of the Proportion and Share of the Expences of passing this Act and carrying the same into Execution, which shall be ascertained and apportioned by the said Commissioners in respect of the Homesteads and ancient Inclosures so exonerated, and for securing the Repayment of such respective Sums, with Interest, to grant, mortgage, surrender, or Demise such Lands and Tenements respectively to such Person or Persons as shall respectively advance and lend such Sum and Sums, and to his, her, and their respective Heirs, Executors, Administrators and Assigns in Fee, or for any Term or Number of Years, so that every such Grant, Mortgage, Surrender, or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be re-conveyed or surrendered, when such Sum or Sums of Money thereby to be secured, and the Charges occasioned by preparing and executing such Security, and of borrowing such Sum or Sums of Money with Interest for the same respectively shall be paid and satisfied; and so that in every such Grant, Mortgage, Surrender, or Demise, which shall by virtue of this Act be made by any Tenant in Tail, or for Life or Lives, or Years determinable on any Life or Lives, or upon any other Contingency, there be contained a Proviso or Condition that no Person who shall afterwards become entitled in Reversion or Remainder to the Lands or Tenements therein comprized, shall be liable to pay any further or larger Arrear of Interest in respect of the Money so to be charged as aforesaid than for Twelve Calendar Months preceding the Time that the Title to such Possession shall have commenced.

Charging the Lands with the Proportion of the Expences.

LII. Provided always, and be it further enacted and declared, That inſtead of any ſuch Grant, Mortgage, Surrender, or Demiſe as aforeſaid, it ſhall be lawful for the ſaid Commiſſioners by any Deed or Deeds, Writing or Writings under their Hands and Seals, to be atteſted by Two or more credible Witneſſes at the Requeſt of any of the ſaid Owners and Proprietors being Tenants in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or on any other Contingency, or otherwiſe intereſted as aforeſaid, who ſhall reſpectively pay and diſcharge his, her, and their Part and Proportion of the Payment, Charges and Expences aforeſaid, to authorize and empower ſuch Owners and Proprietors, or either of them making ſuch Requeſt, to charge and ſubject the ſaid Lands and Grounds ſo to be exonerated from Tithes or allotted to or for them reſpectively with any Sum or Sums of Money, not exceeding the reſpective Sums herein-before limited, with Intereſt for the ſame as aforeſaid, which Sum or Sums of Money, ſo to be charged as laſt aforeſaid, ſhall be payable within One Year next after the Deceaſe of every ſuch Tenant in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or after the Determination of any ſuch contingent Eſtate or Intereſt reſpectively, with Intereſt to be computed from his, her, or their reſpective Deceaſe, or from the Determination of ſuch contingent Eſtate or Intereſt, unto ſuch Perſon or Perſons as ſuch reſpective Tenants in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or upon ſuch other Contingency reſpectively by any Deed or Will duly executed and atteſted ſhall direct or appoint; and in Default of ſuch Direction or Appointment to ſuch Perſon or Perſons, his, her, or their Executors or Adminiſtrators.

Perſons advancing Money to be repaid with Intereſt.

LIII. And be it further enacted, That the Perſon or Perſons who ſhall advance and lend any Sum or Sums of Money for defraying the Expences of applying for and obtaining this Act, and of carrying the ſame into Execution, ſhall be repaid the ſame out of the firſt Monies which ſhall be raiſed and collected in purſuance hereof, with Intereſt at the Rate of Five Pounds *per Centum per Annum*, from the Time of advancing and lending the ſame reſpectively.

Commiſſioners to lay Accounts before Two Juſtices once a Year.

LIV. And be it further enacted, That once at leaſt in every Year during the Execution of this Act (ſuch Year to be computed from the Day of the paſſing thereof), the ſaid Commiſſioners ſhall and they are hereby required to make a 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, and ſuch Statement or Account when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before any Two of His Majeſty's Juſtices of the Peace for the ſaid County of *Hertford*, not intereſted in the ſaid Incloſure, to be by them examined and balanced, and ſuch Balance ſhall be by ſuch Juſtice ſtated in the Book of Accounts, to be kept in the Office of the Clerk of 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.

Rector of Puttenham to raiſe Money for incloſing

LV. And whereas it will be neceſſary that a Sum of Money ſhould be raiſed by the ſaid Rector of *Puttenham* towards the defraying of the Expences of making the Interior Subdiviſion Fences to the Allotments to be made

the Allotments.

made to him and his Succeſſors, in purſuance of this Act, and of erecting Buildings neceſſary for the Occupation thereof, or for draining or otherwiſe improving ſuch Allotments; be it therefore enacted, That it ſhall and may be lawful for the ſaid Rector of *Puttenham*, or his Succeſſors, to charge the Lands, which ſhall be allotted to him and them as aforeſaid, or any Part thereof, with ſuch Sum or Sums of Money as in the Judgement of the ſaid Commiſſioners ſhall be ſufficient to defray the Expences of making ſuch Interior or Subdiviſion Fences, and of erecting and making ſuch Buildings and other Conveniencies, or of draining or otherwiſe improving ſuch Allotments, as the ſaid Commiſſioners ſhall think neceeſſary for the Occupation of the Allotments to be made to the ſaid Rector as aforeſaid; and for ſecuring the Re-payment of the Money ſo to be borrowed with Intereſt for the ſame, it ſhall and may be lawful for the ſaid Rector or his Succeſſors, by any Deed or Deeds under his or their Hand and Seal, or Hands and Seals, to grant, mortgage, or demiſe the ſame Lands or any ſuch Part thereof as ſhall be ſufficient Security unto the Perſon or Perſons who ſhall advance and lend ſuch Money, and to his, her, or their Executors, Adminiſtrators, and Aſſigns reſpectively, for any Term or Number of Years, ſo as every ſuch Grant, Mortgage, or Demiſe be made within Two Years from the paſſing of this Act, and with a Proviſo to ceaſe and be void, or with an expreſs Truſt or Condition to be ſurrendered when ſuch Sum or Sums of Money thereby to be ſecured ſhall be fully paid and ſatisfied, and ſo as that the ſaid Rector and his Succeſſors do and ſhall reſpectively pay and keep down the Intereſt of the Money to be borrowed, in ſuch Manner as that no further or larger Arrear of Intereſt than One Year ſhall be permitted to remain due at any one Time, and ſo as that he and they do and ſhall pay off and diſcharge One-twentieth Part of the Principal Sum yearly and every Year, ſo and in ſuch Manner as that the Whole of ſuch Money to be borrowed, and all Intereſt, ſhall be fully diſcharged and paid off within the Term of Twenty Years, from the Date of ſuch Deed or Deeds reſpectively, the firſt of which annual Payments ſhall be made at the End of Twelve Calendar Months next after the Date and Execution of ſuch Grant, Mortgage, or Demiſe.

Award where to be depoſited.

LVI. And be it further enacted, That the Award to be made by the ſaid Commiſſioners ſhall, after the ſame ſhall have been inrolled in Manner directed by the ſaid recited Act, be depoſited in the Pariſh Church of *Puttenham* aforeſaid.

Appeal to the Quarter Seſſions.

LVII. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done in purſuance of this Act (other than and except ſuch Orders and Determinations of the ſaid Commiſſioners as are by the ſaid recited Act or this Act directed to be final, binding, and concluſive, and except in ſuch Caſes wherein an Iſſue at Law ſhall be tried as herein mentioned), then and in every ſuch Caſe he, ſhe, or they may appeal to the General Quarter Seſſions of the Peace, which ſhall be holden for the ſaid County of *Hertford*, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, on giving to the ſaid Commiſſioners or their Clerk and to the Party or Parties concerned Ten Days Notice in Writing of ſuch Appeal and of the Matter thereof, and the Juſtices (not intereſted in the Premiſes) in their ſaid General Quarter Seſſions are hereby required to hear and determine

the Matter of every ſuch Appeal, and to make ſuch Order, and award ſuch Coſts and Damages, as to them in their Diſcretion ſhall ſeem reaſonable, and by their Order or Warrant to levy the Coſts and Damages which ſhall be ſo awarded, by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Warrant, Diſtreſs, and Sale, and the Determination of the ſaid Juſtices ſhall be final and concluſive on all Parties concerned, and ſhall not be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, or elſewhere; but in caſe ſuch Appeal ſhall appear to the ſaid Juſtices to be frivolous, vexatious, or without Foundation, then the ſaid Juſtices ſhall award ſuch Coſts to be paid to the Appellant or Appellants as to them in their Diſcretion ſhall ſeem reaſonable, and ſuch Coſts ſhall be levied in Manner aforeſaid.

General Saving.

LVIII. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators (except the ſeveral Perſon or 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, and extinguiſhed, and all Perſons 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 in, to, or out of the Lands and Grounds hereby directed to be divided, allotted, or incloſed, in caſe this Act had not been made.

Act to be printed by the King's Printer.

LIX. 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. 1814.