ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 30.

An Act for incloſing Lands in the Pariſh of *Rolleſby*, in the County of *Norfolk*. [1ſt *April* 1813.]

WHEREAS there are within the Pariſh of *Rolleſby*, in the County of *Norfolk*, divers Open Fields, and alſo certain Common Heaths, Marſhes, Doles, and Waſte Lands: And whereas *John Enſor* Eſquire is Lord of the Manors of *Rolleſby* otherwiſe *Rolleſby Hall*, *Boyſes* otherwiſe *Rolleſby Boyſes*, and *Barking* otherwiſe *Bills*, otherwiſe *Rolleſby Bills*, in the ſaid County of *Norfolk*, and who is, or claims to be entitled to the Soil of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands: And whereas the ſaid *John Enſor* is Patron of the Rectory of *Rolleſby*, and *Thomas Baker* Clerk is Rector thereof, and as ſuch is entitled to certain Glebe Lands ſituate within the ſaid Pariſh: And whereas the ſaid *John Enſor*, *Thomas Sowells*, *John Chriſtmas*, and ſeveral other Perſons are Owners and Proprietors of the ſaid Open Fields, and alſo of divers ancient Commonable Meſſuages and Cottages, and Tofts, (being the Sites of ancient Commonable Meſſuages or Cottages) with the Lands, Tenements, and Appurtenances thereto belonging, within the ſaid Pariſh, and have, in reſpect thereof, a Right of Common, or are poſſeſſed of other Rights and Intereſts in, to, over, and upon the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, and ſundry of ſuch Owners or Proprietors have, or claim to have, alſo excluſive Rights of cutting Whins, Fern, and Heath upon certain Parts of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands: 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* 41 G. 3 c. 109.

required on the passing of such Acts: And whereas the said Open Fields lie very much intermixed and dispersed in small Parcels, and are inconveniently situate for the several Owners and Occupiers thereof; and the said Common Heaths, Marshes, Doles, and Waste Lands in their present uncultivated State, yield very little Profit, but if the same were divided, and specific Parts or Shares thereof allotted to and amongst the several Persons entitled thereto, or having Right of Common thereon, or otherwise interested therein, according to their respective Estates, Rights, and Interests, and such Allotments inclosed and held in Severalty, and all Rights of Common in, over, and upon the same extinguished, it would be of great Advantage to such Persons, and of public Utility, but such Division, Allotment, and Inclosure cannot be made without the 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,

Commissioners. That the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, shall be set out, divided, allotted, and inclosed, in Manner hereinafter mentioned, and that *George Cubitt* of *Catfield*, in the said County of *Norfolk*, Esquire, *William Blake* of *Swanton*, in the same County, Esquire, and *John Goate Fisher* of *Great Yarmouth*, in the same County, Esquire, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Commissioners for setting out, dividing, allotting, and inclosing the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, and for putting this Act into Execution, in the Manner, and subject to the Rules, Orders, and Directions herein contained, and also subject to the Powers and Provisions of the said recited Act, except where the same are hereby varied and altered: Provided

Two Commissioners may act. always, that all Powers, Authorities, Directions, Acts, Matters, and Things, thereby or hereby vested in them, or authorized or directed to be done or executed by or before the said Commissioners, may be done and executed by or before any Two of them, and the same shall be as valid and effectual as if done and executed by or before all the said Commissioners.

Election of new Commissioners. II. And be it further enacted, That if any of the said Commissioners shall neglect, refuse, or become incapable to act in the Execution of the Powers hereby vested in him or them, or shall die before all the Powers and Authorities reposed in the said Commissioners shall have been fully executed and performed, it shall be lawful for the remaining or surviving Commissioners or Commissioner, and they and he are and is hereby required, by Writing under their Hands and Seals, or his Hand and Seal, from Time to Time, within the Space of Thirty Days next after the Neglect, Refusal, Incapacity, or Death of any such Commissioner or Commissioners, to appoint any Person not interested in the said intended Division, Allotment, and Inclosure, to be a Commissioner in the room of every such Commissioner so neglecting, refusing, or becoming incapable to act, or dying; and every Commissioner so to be appointed shall have the like Power and Authority to execute this Act and the said recited Act, as the Commissioner whom he shall succeed was vested with.

Allowance to Commissioners. III. And be it further enacted, That out of the Monies that shall be raised for defraying the Expences of this Act, and of carrying the same

and the ſaid recited Act into Execution, there ſhall be paid to each of the ſaid Commiſſioners, as a Recompence for his Pains and Trouble, the Sum of Four Pounds and Four Shillings, and no more, for every Day he ſhall be employed in travelling to, attending at, or returning from, the Meetings to be held for the Execution of this Act and the ſaid recited Act.

Directing how Notices ſhall be given.

IV. And be it further enacted, That all Notices and Advertiſements neceſſary or requiſite to be made and given by the ſaid Commiſſioners, and not herein-after or by the ſaid recited Act otherwiſe directed, ſhall be made and given by Advertiſement in the *Norfolk Chronicle*, or *Norwich Mercury*, or if neither of the ſaid Papers ſhall be publiſhed, then in ſome other public Newſpaper to be circulated in the ſaid County of *Norfolk*.

Notice of Meetings.

V. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required to give, or cauſe to be given, public Notice in the Pariſh of *Rolleſby* aforeſaid, upon ſome *Sunday* immediately after the Time of Divine Service, or by Advertiſement to be inſerted in the *Norfolk Chronicle* or *Norwich Mercury*, or ſome other public Newſpaper to be circulated in the ſaid County of *Norfolk*, of the Time and Place of the Firſt and every other Meeting for executing the Powers hereby veſted in them Ten Days at leaſt before every ſuch Meeting (Meetings by Adjournment only excepted); and that it ſhall be lawful for the ſaid Commiſſioners, at any of their Meetings to be holden in purſuance of this and the ſaid recited Act, from Time to Time, as they ſhall find it convenient, to continue ſuch Meetings by Adjournment, provided that if at any Meeting appointed to be holden as aforeſaid, it ſhall happen that only One of the ſaid Commiſſioners ſhall attend, ſuch Commiſſioner may adjourn ſuch Meeting to any future Day he ſhall ſee moſt convenient, giving due Notice to the others or other of the ſaid Commiſſioners, and ſo from Time to Time, as often as there ſhall be Occaſion, until Two or more of the ſaid Commiſſioners ſhall be preſent.

One Commiſſioner may adjourn.

Where Meetings to be held.

Proprietors to pay their own Expences.

VI. And be it further enacted, That all Meetings of the ſaid Commiſſioners for putting this Act into Execution ſhall be held within the ſaid Pariſh of *Rolleſby*, or within the Diſtance of Eight Miles thereof; and that the Proprietors intereſted in the ſaid Open Fields, Common Heaths, Marſhes, Doles, and Waſte Lands, and all Perſons claiming to be intereſted therein, ſhall pay their own Expences, and the Charges and Expences of their Agents, Attornies, and Witneſſes, when they ſhall attend the ſaid Commiſſioners at any of their ſaid Meetings.

Diſputed Claims to be heard and determined by the Commiſſioners.

VII. And be it further enacted, That if any Claim of Right of Common, or other Right or Intereſt in or to the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, intended to be divided, allotted, and incloſed by virtue of this Act, ſhall, by Writing to be delivered to the ſaid Commiſſioners, at ſuch Time as ſhall be by them appointed for that Purpoſe, in purſuance of the ſaid herein-before recited Act, be objected to by any Perſon or Perſons claiming to be intereſted in the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, and the Party or Parties making ſuch Claim ſhall perſiſt therein, then the ſaid Commiſſioners ſhall, and they are hereby required, at a Meeting to be by them held for that Purpoſe, of which they ſhall give public Notice at leaſt Ten Days before the Time of holding the ſame, by Examination of Witneſſes upon Oath, and by ſuch other Evidence, Ways, and Means, as they ſhall think proper, to hear and determine

determine the Matter of every ſuch Claim ſo made and objected to, and perſiſted in as aforeſaid; but that nothing herein contained ſhall authorize the ſaid Commiſſioners to determine the Title to any Meſſuages, Cottages, Lands, Tenements, or Hereditaments whatſoever; and the ſaid Commiſſioners ſhall, and they are hereby empowered and required to aſſeſs ſuch Coſts and Charges as they ſhall think reaſonable to be paid by the Party or Parties, in whoſe Favour any ſuch Determination ſhall be made by the Party or Parties againſt whom the ſame ſhall be made, and the ſame ſhall be paid within ſuch Time as the ſaid Commiſſioners ſhall appoint; and if any Perſon or Perſons ſhall neglect or refuſe to pay ſuch Coſts and Charges within Ten Days next after Demand thereof made, the ſame ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo neglecting or refuſing, by Warrant under the Hands and Seals of the ſaid Commiſſioners, which Warrant the ſaid Commiſſioners are hereby empowered and required to grant upon Proof on Oath of ſuch Neglect or Refuſal, and of ſuch Demand as aforeſaid, and the Overplus (if any) after the Charges of levying the ſame ſhall have been deducted, ſhall be returned on Demand to the Owner of ſuch Goods and Chattels.

Diſputes to be ſettled by the Commiſſioners.

VIII. And be it further enacted, That in caſe any Diſpute or Difference ſhall ariſe between any of the Parties, touching the reſpective Shares and Proportions of the ſaid Open Fields, Common Heaths, Marſhes, Doles, and Waſte Lands, hereby intended to be ſet out, divided, allotted, and incloſed, which they or any of them are entitled to or ought to have, in lieu of their Rights of Common, or other Rights or Intereſts in, to, over, or upon the ſame, it ſhall be lawful for the ſaid Commiſſioners to examine into, hear, and determine the ſame.

Perſons diſſatisfied may try their Claims at Law.

IX. Provided always, and be it further enacted, That in caſe any Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, intereſted or claiming to be intereſted in the ſaid intended Diviſion, Allotment, and Incloſure, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners, touching or concerning any Claim or Claims of Common or other Right or Intereſt, into, over, or upon the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, 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, Corporate, or Collegiate, to try ſuch Claims at Law at the next or at the following Aſſizes to be holden for the ſaid County of *Norfolk* next after ſuch Determination, firſt giving Fourteen Days Notice to the ſaid Commiſſioners or their Clerk, of his, her, or their Intention to bring ſuch Action, and for that Purpoſe, the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, who ſhall be 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 after ſuch Determination of the ſaid Commiſſioners, and the Defendant or Defendants in ſuch Action is and are hereby required forthwith to appear to ſuch Action, accept a Declaration and plead to Iſſue, (ſuch Iſſue to be ſettled by the proper Officer of the Court in which the ſaid Action 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 euery Perſon and Perſons whomſoever,

ever, Body and 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, as is uſual in other Caſes; and that after ſuch Verdict or Verdicts ſhall have been 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.

If any of the Parties die, Proceedings not to abate.

K. 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.

Determination of the Commiſſioners to be final, unleſs Parties proceed at Law.

XI. Provided always, and be it further enacted, That all ſuch Orders and Determinations of the ſaid Commiſſioners as ſhall have been made as aforeſaid, with reſpect to ſuch Claims, touching which no ſuch Action at Law ſhall be brought or commenced, and proceeded in within the Time aforeſaid, ſhall be final, binding, and concluſive, upon all Perſons whomſoever, any Thing in this Act contained to the contrary notwithſtanding.

Proviſion in caſe of Death of Parties before Action brought.

XII. Provided always, and be it further enacted, That if any Perſon or Perſons in whoſe Favour 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, 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, and the Rights of all Parties ſhall be equally bound and concluded by the Event of ſuch Action or Actions.

Right of Poſſeſſion of Perſons not to be determined by Commiſſioners.

XIII. Provided alſo, and be it further enacted, That nothing in this Act ſhall extend to enable the ſaid Commiſſioners to determine any Right between any Parties contrary to the Poſſeſſion of any of ſuch Parties (except in Caſes of Encroachments made ſince the Year One thouſand ſeven hundred and eighty-three); 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.

To prevent breaking the Soil of the Commons without Leave.

XIV. And be it further enacted, That it ſhall not be lawful for any Perſon or Perſons whomſoever, from and after the paſſing of this Act, until the Execution of the Award of the ſaid Commiſſioners, to cut, dig, pare, grave, break up, flay, or carry away the Turf, Flags, or Soil, upon or from off the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, or any Part thereof, or to fell, lop, top, cut down, take or carry away, any Shrubs, Buſhes, Thorns, Ling, Furze, or Whins, growing thereon, without the Licence or Conſent of the ſaid Commiſſioners, in Writing under their Hands firſt had and obtained (which Licence or Conſent the ſaid Commiſſioners are hereby empowered to grant, under ſuch Rules, Orders, Regulations, and Reſtrictions as they ſhall think proper to inſert therein); and if any Perſon or Perſons ſhall, after the paſſing of this Act, and before the Execution of the ſaid Award, cut, dig, pare, grave, break up, flay, or carry away any Turf, Flags, or Soil, from any Part of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, or fell, lop, top, cut down, take, or carry away any Shrubs, Buſhes, Thorns, Ling, Furze, or Whins, growing or being in or upon the ſame, without ſuch Licence or Conſent as aforeſaid, or having obtained ſuch Licence or Conſent ſhall act in any Manner contrary thereto, or to the Rules, Orders, Regulations, and Reſtrictions therein contained, every ſuch Perſon being convicted thereof, either by his, her, or their own Confeſſion, or upon the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace acting in and for the ſaid County of *Norfolk*, not being intereſted in the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, (and which Oath or Oaths ſuch Juſtice is hereby authorized to adminiſter, and to ſummon the Perſon or Perſons complained of, and examine ſuch Witneſs or Witneſſes relating to the ſaid Complaint), ſhall, for every Offence, forfeit and pay ſuch Sum of Money as the ſaid Juſtice ſhall direct, not exceeding Five Pounds, to be applied by the ſaid Commiſſioners for the Purpoſes of this Act; and it ſhall be lawful for ſuch Juſtice, by Warrant under his Hand and Seal, directed to any Perſon or Perſons whomſoever, to cauſe the ſaid Penalty, or any other Penalty incurred under this Act, to be raiſed and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons offending (Demand having been firſt made thereof), rendering the Overplus (if any), after deducting the Charges of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels.

Power to ſhorten Boundary Fences.

XV. 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 Pariſh or Pariſhes, 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 by the Land Tax Aſſeſſment) of the Land Owners in any Pariſh or Pariſhes, intereſted in any Commons or Waſte Grounds adjoining to the ſaid Pariſh of *Rolleſby*, and alſo under the Hand or Hands of the Owner or Owners of any adjoining Lands upon which ſuch Fence or Fences are intended to be made, to ſet out, and aſcertain the Boundary Fences to be made between the ſaid Commons and Waſte Grounds adjoining to the Lands and Grounds hereby intended to be divided and allotted, in ſuch Manner

ner 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, and be deemed and taken to be, the Boundaries between the said Parish of *Rollesby* and such adjoining Parish or Parishes as aforesaid; any Law, Usage, or Custom to the contrary notwithstanding.

Encroachments since 1783, to be deemed Part of the Land to be allotted.

XVI. And be it further enacted, That all Encroachments which have been made upon the said several Common Heaths, Marshes, Doles, and Waste Lands, hereby intended to be divided, allotted, and inclosed, at any Time since the Year One thousand seven hundred and eighty-three, shall be deemed Part of the Lands to be divided and allotted by virtue of this Act, save and except such Parts thereof as have been inclosed by virtue of a Licence, in Writing, under the Hand of the Lord or Lady of any of the said several Manors, but no Person or Persons in Possession of any Land which has been so inclosed from the said Common Heaths, Marshes, Doles, and Waste Lands, within the Time aforesaid, shall be entitled to any Allotment in respect thereof, under or by virtue of this Act; and in case any Dispute shall arise touching any such Encroachments, or the Extent thereof, every such Dispute shall be finally determined by the said Commissioners.

Power to sell Encroachments, where Buildings are erected, to the Owners.

XVII. And be it further enacted, That in case any Cottages, Huts, or other Buildings, shall have been erected upon any Part of the said Common Heaths, Marshes, Doles, or Waste Lands, or upon any Encroachments which shall have been made thereon at any Time since the Year One thousand seven hundred and eighty-three, without such Licence as aforesaid, then the said Commissioners are hereby authorized and empowered, in case they shall think fit, to make sale and dispose of such Encroachments whereon such Cottages, Huts, or other Buildings shall stand, or such other Parts of the said Common Heaths, Marshes, Doles, and Waste Lands, in lieu thereof, as they the said Commissioners shall think most proper and convenient, (not exceeding the Quantity or Value of such Encroachments respectively), to the Owners of such Cottages, Huts, or other Buildings, or any of them respectively, at such Price or Prices, to be paid as after mentioned, as they the said Commissioners shall deem fair and reasonable, and in and by their Award to set out, allot, and convey the same to such Purchaser or Purchasers, his, her, or their Heirs accordingly, and the Monies arising from such Sale or Sales shall be applied in and towards the Payment of the Expences attending the passing and executing this Act: Provided always, that if any Surplus Money shall remain after Payment of such Expences as aforesaid, such Surplus shall be divided and apportioned between the several Proprietors and Persons interested in the said Lands and Grounds, in such Shares as shall be in Proportion to their respective Property and Interest 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 the other Proprietors and Persons of and in such Surplus Money, shall be applied and disposed of in Manner directed by the said recited Act, in those Cases where any Money is to be paid for the Purchase or Exchange of any Lands, Tenements, or Hereditaments, or of 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; but if the Owner or Owners of any ſuch Cottages, Huts, or other Buildings, ſhall refuſe to purchaſe their reſpective Encroachments, or ſuch other Parts of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, in lieu thereof, at the Diſcretion of the Commiſſioners, as they ſhall think moſt proper and convenient, not exceeding the Quantity or Value of ſuch Encroachment as aforeſaid, at the Price or Sum which the ſaid Commiſſioners ſhall value the ſame at, or ſhall refuſe or neglect to pay the reſpective Purchaſe Monies thereof, at ſuch Time and Place, and to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall, for that Purpoſe, at any Time before the Execution of their ſaid Award, by any Writing under their Hands direct, then and in ſuch Caſe it ſhall and may be lawful for the ſaid Commiſſioners to pull down, or cauſe to be pulled down, ſuch Buildings reſpectively, and convert the Materials thereof for the general Purpoſes of this Act,

Commiſſioners may ſtop up old Roads after new ones are made.

XVIII. 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, with the Concurrence and Order of Two Juſtices of the Peace for the ſaid County of *Norfolk*, acting in and for the Diviſion in which the Road or Roads, Footpath or Footpaths, to be ſtopped up ſhall be ſituate, and not intereſted in the Repair of ſuch Road or Roads, Footpath or Footpaths, to ſtop up, divert, or turn, and to direct to be diſcontinued any public Road or Roads, Footpath or Footpaths, through any Part or Parts of the ſaid Lands or Grounds in the ſaid Pariſh of *Rolleſby*, or any of them, which to the ſaid Commiſſioners ſhall appear to be uſeleſs or unneceſſary: Provided always, that ſuch Order ſo to be made ſhall be ſubject to an Appeal to the Quarter Seſſions, in like Manner, and under the ſame Forms and Reſtrictions as if the ſame had been originally made by ſuch Juſtices as aforeſaid: Provided alſo, that none of the preſent Roads or public Highways within the ſaid Pariſh of *Rolleſby*, ſhall be ſhut up or diſcontinued until the Roads intended to remain public Highways, within the ſaid Pariſh, ſhall be ſet out according to the Directions of the ſaid recited Act, and the ſame ſhall be properly formed and made ſafe and convenient for Horſes, Cattle, and Carriages.

Ditches to be cleanſed.

XIX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to cauſe any Ditches, Fences, Drains, Brooks, or Watercourſes within the ſaid Pariſh of *Rolleſby*, to be cleanſed, opened, ſcoured, widened, deepened, or enlarged, and alſo to cauſe any new Ditches, Fences, Bridges, Drains, Brooks, or Watercourſes to be made within the ſaid Pariſh, and to make ſuch Orders for maintaining ſuch Ditches, Fences, Bridges, Drains, Brooks, or Watercourſes in Repair as they ſhall think proper: Provided that no ſuch Works ſhall be made upon any incloſed Land without the previous Conſent of the Owner or Owners thereof, teſtified by Writing under his, her, or their Hands, and that no ſuch Brooks or Watercourſes ſhall be diverted or turned without the Conſent in Writing of the Owner or Owners of any incloſed Land from which any ſuch Brooks or Watercourſes ſhall be diverted or turned through, or into which the ſame ſhall be intended to be carried or conveyed.

XX. And

Allotments of Open Fields.

XX. And be it further enacted, That the ſaid Commiſſioners ſhall, after they have ſet out and appointed the public Carriage Roads and Highways, in, through, over, and upon the ſaid Open Fields intended to be divided, allotted, and incloſed, aſſign, ſet out, and allot all the ſaid Open Field Lands unto and amongſt the ſeveral Owners and Proprietors thereof; and all and every other Perſon or Perſons, and Body or Bodies Politic, Corporate, or Collegiate, having any Right or Intereſt in, to, over, or upon the ſame, or any Part thereof, in ſuch Shares and Proportions as the ſaid Commiſſioners ſhall adjudge and determine to be proportionate to the Value of, and a full Satisfaction and Compenſation to him, her, or them reſpectively, for his, her, or their reſpective Parts and Shares of and in ſuch Lands, and his, her, or their reſpective Rights and Intereſt therein.

Allotment for Watering Places, Clay, Gravel, and Sand Pits.

XXI. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby authorized and required, to ſet out and allot ſuch Parts or Parcels of the Common Heaths, Marſhes, Doles, and Waſte Lands hereby intended to be divided and incloſed as they ſhall think requiſite in the ſaid Pariſh of *Rolleſby*, as and for public Watering Places for Cattle, and as and for public Clay, Gravel, and Sand Pits, with convenient Roads to and from the ſame, to be uſed by the Proprietors of Lands and Eſtates in the ſaid Pariſh, and their reſpective Tenants, as well for their own neceſſary Uſes within the ſaid Pariſh, only in ſuch Manner, and under ſuch Rules and Regulations as the ſaid Commiſſioners ſhall, by their Award, direct or appoint, as in common for the Repairs of the public and private Roads within the ſame Pariſh; and that ſuch Allotments ſhall be veſted in the Surveyors of the Highways of the ſaid Pariſh of *Rolleſby*, in Truſt for the Purpoſes aforeſaid, and it ſhall be lawful for them, from Time to Time, to let the ſaid Allotments for Clay, Gravel, and Sand Pits (ſubject to ſuch Right of taking Clay, Gravel, and Sand therefrom), for the beſt Rents that can be gotten for the ſame, and to apply the Profits thereof towards the Repairs of the public Roads and Ways within the ſaid Pariſh.

Allotment for Right of Soil.

XXII. 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 Manors herein-before mentioned, or unto the Lord or Lords, Lady or Ladies of any other Manor or Manors, being Owner or Owners of the Soil of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, ſuch Part of the ſame as in the Judgment of the ſaid Commiſſioners ſhall be equal in Value to One-ſeventeenth Part of the Value of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands; which Allotment or Allotments ſhall be a full Recompence and Compenſation to ſuch Lord or Lords, Lady or Ladies, for his, her, or their Right or Rights in and to the Soil of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands.

Allotment for the Poor.

XXIII. And be it further enacted, That the ſaid Commiſſioners ſhall alſo aſſign, ſet out, and allot unto the Lord of the aforeſaid Manor, the Rector of the Rectory of *Rolleſby*, and the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Rolleſby* for the Time being, and to their reſpective Succeſſors, for the Uſe and Benefit of the poor Perſons reſiding within the ſaid Pariſh of *Rolleſby*, ſuch Part or Parts of the ſaid Common

Heaths, Marſhes, Doles, and Waſte Lands hereby intended to be divided, allotted, and incloſed, as in the Judgment of the ſaid Commiſſioners ſhall be equal in Value to One-fourteenth Part of the average Value of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands; and the ſame Allotments ſhall, on the Execution of the Award of the ſaid Commiſſioners, be veſted in the Lord of the ſaid Manors, the Rector of the ſaid Rectory, and the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Rolleſby* for the Time being, for ever, as Truſtees for the Poor of the ſame Pariſh; and the ſaid Truſtees, or the major Part of them, are hereby empowered from Time to Time, by Writing under their Hands and Seals, to leaſe and demiſe ſuch Allotment, or ſo much thereof as they ſhall think proper, to any Perſon or Perſons whomſoever, for any Term of Years, not exceeding Twenty-one Years, to commence in Poſſeſſion, and not in Reverſion, ſo as in every ſuch Leaſe there be reſerved and made payable to the ſaid Truſtees, or the major Part of them, by Two equal Half-yearly Payments in every Year, the moſt improved yearly Rent or Rents that can be obtained for the Land thereby demiſed, without taking any Income, Fine, Premium, or Foregift, in Conſideration of granting ſuch Leaſe or Leaſes; and that in all ſuch Leaſes there be contained the uſual Covenants and Stipulations between Leſſors and Leſſees, and ſuch other Covenants and Stipulations as the ſaid Truſtees, or the major Part of them, ſhall think proper to be inſerted therein; and the Rents and Profits ariſing from ſuch Allotment, or from ſo much thereof as ſhall be demiſed as aforeſaid, ſhall from Time to Time be laid out in purchaſing Fuel, and ſuch Fuel ſhall be diſtributed among the poor Inhabitants of the ſaid Pariſh of *Rolleſby*, who ſhall be legally ſettled and reſident therein, and ſhall not occupy Lands or Tenements of more than the yearly Value of Five Pounds, in ſuch Proportions and Quantities, and at ſuch Times in every Year, and according to ſuch Rules and Orders as the ſaid Truſtees for the Time being, or the major Part of them, ſhall appoint and preſcribe for that Purpoſe, and not otherwiſe; and ſo much of the laſt-mentioned Allotment as ſhall not be leaſed or demiſed as aforeſaid, ſhall be held, uſed, and appropriated by the ſaid Truſtees for the Purpoſe of cutting Fuel and Fodder, which Fuel and Fodder ſhall be diſtributed amongſt ſuch poor Inhabitants of the ſaid Pariſh of *Rolleſby* as are herein-before mentioned, in ſuch Shares and Proportions, and according and ſubject to ſuch Rules, Orders, and Regulations as the ſaid Truſtees for the Time being, or the major Part of them, ſhall appoint and preſcribe for that Purpoſe, and not otherwiſe.

Directions for the Application of the Overplus Rents.

XXIV. Provided always, That in caſe the Rents and Profits of the laſt-mentioned Allotment, or of the Part or Parts thereof which ſhall be demiſed or leaſed as aforeſaid, ſhall at any Time or Times, in the Opinion of the major Part of the ſaid Truſtees, be more than ſufficient to anſwer the Purpoſes for which the ſame is or are hereby directed to be ſet out, then and ſo often it ſhall be lawful for the ſaid Truſtees for the Time being, or the major Part of them, to apply and diſpoſe of the Overplus of ſuch Rents and Profits for the Relief and Benefit of the Poor for whoſe Benefit ſuch Allotment ſhall be ſet out, in ſuch Manner as the ſaid Truſtees, or the major Part of them, ſhall think proper.

Lord of the Manor, &c. to act by Proxy.

XXV. Provided always, That it ſhall and may be lawful to and for the Lord of the ſaid Manors, and the Rector of the ſaid Rectory of *Rolleſby* for

for the Time being respectively, to act in the Execution of the Trusts hereby reposed in them by their respective Agents or Proxies, such Agents or Proxies being appointed by Writing or Writings, under the respective Hands of the Lords of the said Manors and the said Rector respectively for the Time being, and producing their respective Appointments at the Time of their respectively acting by virtue thereof; and that in case any Difference of Opinion shall arise between the said Trustees, touching any of the Matters hereby made subject to their Order or Determination, and the Number of Votes on each Side shall be equal, the Lord of the said Manors shall have the casting Vote.

Allotment of the Residue.

XXVI. And be it further enacted, That after all the Allotments herein-before mentioned shall be made, the said Commissioners shall then assign, set out, and allot, all the Residue and Remainder of the said Common Heaths, Marshes, Doles, and Waste Lands, unto and amongst all and every Person and Persons, Body or 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 or Parts thereof, in such Parts and Shares as the said Commissioners shall adjudge and determine to be proportionate to the Value of, and a full Satisfaction and Compensation to him, her, and them respectively, for his, her, and their respective Rights of Common, or other Rights or Interests, in, over, or upon, the said Common Heaths, Marshes, Doles, and Waste Lands, or any Part or Parts thereof.

Allotment for Houses or Lands not to be affected on account of the Owners being entitled to the Soil.

XXVII. Provided always, and be it further enacted, That the Right of the said *John Enfor*, or any other Person or Persons, to an Allotment or Allotments of the said Commons and Waste Grounds, in the said Parish of *Rollesby*, for or in respect of his, her, or their Houses or Lands in the said Parish, shall not in any Manner be prejudiced, or affected, by or on account of the said *John Enfor*, or such other Person or Persons being entitled to the Soil of the said Commons and Waste Grounds in the said Parish of *Rollesby*, or any Part thereof, or of such Houses or Lands, or any of them, being, or at any Time heretofore having been, the Property of the Person or Persons who is, are, hath, or have been, the Owner or Owners of the Soil of the said Commons and Waste Grounds, or any Part thereof; but that the said *John Enfor*, and all such Owners and Proprietors of Houses or Lands in the said Parish of *Rollesby*, as shall prove to the Satisfaction of the said Commissioners the Exercise of Rights of Common in respect of such Houses or Lands, in, over, or upon the said Commons and Waste Grounds, and who shall deliver in their Accounts or Claims in Manner prescribed by the said recited Act, shall be deemed to be entitled to the Right or Rights of Common, the Exercise whereof shall be so proved, in the same Manner as such Person or Persons would have been, in case such Houses or Lands had never been the Property of the Person or Persons entitled to the Soil of the said Commons and Waste Grounds.

Commissioners to exhibit a Schedule of the intended Allotments.

XXVIII. Provided always, and be it further enacted, That when the said Commissioners shall have set out the several and respective Allotments to the said Owners and Proprietors respectively, of the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, to be set out, divided, and allotted, by virtue of this Act, they the said Commissioners shall give Notice in such Manner as is herein-before directed, with respect

to

to their Meetings, of ſome convenient Time and Place when and where all Perſons intereſted may peruſe a Schedule of ſuch intended Allotments, and may take a Copy of ſuch Schedule or any Part thereof; and in regard that ſome Perſon or Perſons may be diſſatisfied with their intended Allotments, the ſaid Commiſſioners ſhall give Notice as aforeſaid, of a Meeting to be held by them for receiving Complaints or Objections to ſuch intended Allotments, and for hearing and determining ſuch Complaints and Objections, and the Determination of the ſaid Commiſſioners, as to ſuch Allotments, ſhall be final, binding, and concluſive, upon all Parties, and all Perſons intereſted therein.

For laying Allotments conveniently.

XXIX. And be it further enacted, That in making the ſeveral Allotments aforeſaid, the ſaid Commiſſioners ſhall have due Regard as well to the Quantity and Quality of the ſaid Lands and Grounds ſo to be ſet out, divided, allotted, and incloſed as aforeſaid, as to the Situation and Contiguity of the ſame to the reſpective Habitations, Meſſuages, Barns, and other Property of the ſaid Parties, to or for whoſe Uſe ſuch Lands or Grounds ſhall reſpectively be aſſigned and allotted.

In caſe any Perſon ſells his Common Right, the Allotment to be made to the Purchaſer.

XXX. And be it further enacted, That if any Perſon or Perſons (ſave and except the Rector of the ſaid Rectory) ſhall or may have ſold, or at any Time before the Execution of the Award of the ſaid Commiſſioners ſhall ſell his, her, or their Right of Common, Intereſt, or other Rights, or any Part thereof, in, over, or upon the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, to any Perſon or Perſons whomſoever, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and required to make the Allotment of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, unto the Vendee or Purchaſer under ſuch Sale, or to his, her, or their Heirs or Aſſigns, for and in reſpect of the Eſtate under which the Vendor claims ſuch Right of Common, Intereſt, and other Rights, or ſuch Parts thereof ſo ſold as aforeſaid; and every ſuch Vendee or Purchaſer, and his or her Heirs or Aſſigns, ſhall and may, from and after the Execution of the ſaid Award, hold and enjoy the Lands ſo to be allotted to him or her as aforeſaid, in the ſame Manner, ſubject to the ſame Incumbrances, and 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 of Common, Intereſt, or other Right, had ſtill remained veſted in ſuch Vendor at the Time of making ſuch Allotment as aforeſaid.

Allotments to be of the ſame Tenure as the Lands for which they are allotted.

XXXI. And be it further enacted, That all the Lands and Grounds which ſhall be allotted to any Perſon or Perſons by virtue of this Act, or of the ſaid recited Act, for or in reſpect of any Meſſuages, Buildings, Lands, and 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 of the ſaid Commiſſioners, be deemed and taken to be Copyhold or Leaſehold, and ſhall be held as ſuch by and under the ſame Tenure, Rents, Payments, Fines, Cuſtoms, and Services, as the Copyhold and Leaſehold Meſſuages, Buildings, Lands, or Tenements reſpectively, for or in reſpect whereof ſuch Allotments ſhall be made, are now holden; and that all and every Perſon and

and Perſons to whom ſuch Copyhold Lands and Premiſes ſhall be allotted as aforeſaid, ſhall, within Six Calendar Months next after the Execution of the ſaid Award, or at the Firſt General Court Baron to be holden for each of the ſaid Manors next after the Expiration thereof, be 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 (ſave and except for the Stamp Duties and Parchment requiſite to be uſed for the Copies of ſuch Admiſſions reſpectively, and ſuch reaſonable Fees to the reſpective Steward or Stewards of the ſaid Manor or Manors as the ſaid Commiſſioners ſhall by their ſaid Award order and direct); but in caſe any Perſon or Perſons, to whom ſuch Lands and Premiſes ſhall be allotted, ſhall die without Admiſſion within the ſaid Six Calendar Months, or before the ſaid General Court Baron be holden, then the cuſtomary Fines and other Payments ſhall be due and payable on the Admiſſion of the Perſon or Perſons then entitled to ſuch Lands and Premiſes, and after every ſuch firſt Admiſſion as aforeſaid, the Copyhold Premiſes to be allotted as aforeſaid, ſhall at all Times be held under and ſubject to the ſame Tenure, Fines, and other Payments, as the Copyhold Meſſuages, Cottages, Lands, or Tenements, in reſpect whereof ſuch Lands and Premiſes ſhall be allotted, are now held under and ſubject to; and the ſaid Commiſſioners ſhall, by their ſaid Award, and by the Map or Plan to be thereto annexed, determine, deſcribe, and abut the Lands and Grounds reſpectively, which are to be and remain Copyhold or Leaſehold, and all other Lands and Grounds to be allotted by virtue of this Act or the ſaid recited Act, (except what ſhall be aſcertained by the ſaid Commiſſioners to be Copyhold or Leaſehold), ſhall be from thenceforth deemed, taken, and enjoyed as Freehold Lands and Grounds, ſubject nevertheleſs to ſuch Free Rents and Services as are now payable thereout.

Separate Allotments to be made for Eſtates held under different Titles.

XXXII. And be it further enacted, That in caſe any Proprietor or Proprietors of any Meſſuages, Lands, and Tenements, within the ſaid Pariſh of *Rolleſby*, ſhall hold the ſame by different Tenures, or for different Eſtates, or in different Rights, or under different Titles, the ſaid Commiſſioners ſhall, upon the Requeſt of any ſuch Proprietor or Proprietors, aſcertain and diſtinguiſh the Meſſuages, Lands, and Tenements, held by each of ſuch Tenures for each of ſuch Eſtates, and under each of ſuch Titles reſpectively, and ſhall accordingly, in their ſaid Award, aſſign, ſet out, and allot diſtinct and ſeveral Allotments by diſtinct and ſeveral Deſcriptions for ſuch reſpective Meſſuages, Lands or Tenements, and ſhall declare in Right of what Eſtate or Eſtates ſuch Allotments reſpectively ſhall have been made; and in caſe the ſaid Commiſſioners from Want of neceſſary Information, or for any other Cauſe, ſhall not diſcriminate and diſtinguiſh ſuch different Rights or Titles, different Eſtates, or different Tenures, in their Award, it ſhall be lawful for them at any Time within Twelve Calendar Months after the Execution of the ſaid Award, upon the Requeſt in Writing of any Perſon or Perſons intereſted to do, or cauſe to be done, all proper and neceſſary Acts for the Purpoſe of enabling them to make ſuch Diſcrimination and Diſtinction as aforeſaid, in the ſame Manner as they might or could have done by their ſaid Award; and when and ſo ſoon as the ſaid Commiſſioners ſhall have obtained ſufficient Information for the Purpoſe, by any Deed or Inſtrument in Writing under their Hands and Seals, to aſcertain and diſtinguiſh the Difference of ſuch

Tenures, Eſtates, Right and Titles reſpectively, and to make diſtinct and ſeveral Allotments in the ſame Manner as they are hereby authorized to do by their ſaid Award, and every ſuch Deed or Inſtrument ſhall have the ſame Force and Effect as if the ſame were contained in the ſaid Award, and ſhall be delivered to the Perſon or Perſons upon whoſe Requeſt the ſame ſhall have been executed, or to the Perſon or Perſons to whom the Cuſtody of the Deeds and Writings concerning the Title to the Premiſes in queſtion ſhall, in the Opinion of the ſaid Commiſſioners, properly belong, for the Time being; and all the Coſts, Charges, and Expences, which ſhall be occaſioned by the Proceedings of the ſaid Commiſſioners in making ſuch Diſcrimination or Diſtinction, and Allotment or Allotments, and of preparing and ſettling any ſuch Deed or Inſtrument, or in anywiſe relating thereto, ſhall be aſcertained and ſettled by the ſaid Commiſſioners, and ſhall be paid by the Perſon or Perſons who ſhall make ſuch Requeſt as aforeſaid, or by his, her, or their Heirs, Executors, or Adminiſtrators, to ſuch Perſon, and at ſuch Time and Place, as the ſaid Commiſſioners ſhall, by Writing under their Hands appoint; but in caſe ſuch Coſts, Charges, and Expences ſhall not be ſo paid, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required to raiſe and levy the ſame by ſuch Ways and Means as the Coſts, Charges, and Expences of obtaining this Act, and executing the ſaid recited Act and this Act, can or may be raiſed and levied.

Exchanges. XXXIII. 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, Tithes, or other Hereditaments, new Allotments, or old Incloſures, within the ſaid Pariſh of *Rolleſby*, in lieu of or in Exchange for any other Lands, Tenements, Tithes, or other Hereditaments, new Allotments, or old Incloſures within the ſaid Pariſh, or within any adjoining Pariſh, Townſhip, Hamlet, or Place; provided that all ſuch Exchanges be aſcertained, ſpecified, and declared in the ſaid Award of the ſaid Commiſſioners, and be made with the Conſent of the Owner or Owners, Proprietor or Proprietors, or other Perſons ſeized or poſſeſſed of, or intereſted in the Lands, Tenements, or Tithes, or other Hereditaments, which ſhall be ſo exchanged, whether ſuch Owner or Owners, Proprietor or Proprietors, or other Perſon or Perſons, 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 Owners or Proprietors as aforeſaid, who ſhall at the Time of making ſuch Exchange or Exchanges, be reſpectively Infants, Femes Covert, Lunatics, or under any other legal Diſability, or who ſhall be beyond the Seas, or otherwiſe incapable of acting for himſelf, herſelf, or themſelves, 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 nevertheleſs, that no Exchange ſhall be made of any Lands, Tenements, Tithes, or Hereditaments, held in Right of any Church or Chapel, or other Eccleſiaſtical Benefice, without the Conſent teſtified as aforeſaid, of the Patron thereof,

and of the Biſhop of the Dioceſe for the Time being, in which ſuch Lands, Tenements, Tithes, or Hereditaments ſo to be exchanged, ſhall lie and be ſituated: Provided alſo, that all the Coſts, Charges, and Expences attending the making of 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 by their ſaid Award order and direct.

Leaſes to be void as to Open Fields.

XXXIV. And be it further enacted, That for the Purpoſes of facilitating the ſetting out and allotting the Open Field Lands, and the exchanging any Part or Parts of the old incloſed Lands within the ſaid Pariſh of *Rolleſby*, all and every Leaſe and Leaſes, and other Agreements, for any Term or Number of Years, which is or are now ſubſiſting, of all or any Part of the Meſſuages, Buildings, Lands, Grounds, Tenements, or Hereditaments, within the ſaid Pariſh of *Rolleſby*, either alone or together, with any other Lands, Tenements, or Hereditaments, ſhall ceaſe, determine, and be void, ſo far as any ſuch Leaſe or Leaſes, or other Agreements, affect or concern any Open Field Lands, or old Incloſures, which ſhall be allotted or exchanged by virtue of this Act; and every Tenant or Occupier thereof ſhall, immediately after the ſigning of the Award of the ſaid Commiſſioners, or at any other Time or Times as the ſaid Commiſſioners ſhall thereby, or by any Writing under their Hands for that Purpoſe appoint, give and reſign up the full and peaceable Poſſeſſion of ſuch allotted or exchanged Lands to the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, to or with whom the ſame ſhall be reſpectively allotted or exchanged, but the Tenants or Occupiers of ſuch allotted or exchanged Lands ſhall, inſtead thereof, have and receive the quiet and peaceable Poſſeſſion of the Lands and Grounds to be taken by ſuch Leſſor, Owner, or Proprietor, in lieu of or in Exchange for ſuch Lands reſpectively, or ſhall receive from ſuch Leſſors, Owners, or Proprietors thereof, ſuch Satisfaction as the ſaid Commiſſioners ſhall aſcertain, order, direct, or appoint, to be paid to ſuch Tenants reſpectively, as an Equivalent for the Loſs or Loſſes they ſhall reſpectively ſuſtain thereby; and if the Money ſo to be aſcertained and directed to be paid as aforeſaid, ſhall not be paid to the Perſon or Perſons entitled to receive the ſame within Ten Days after Demand made thereof, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby 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 can or may be raiſed and levied: Provided always, that the Option of obtaining the Allotments, or receiving Satisfaction in lieu thereof, herein-before given to ſuch Tenants or Occupiers, ſhall be declared in Writing under his, her, or their Hands, and be delivered to the ſaid Commiſſioners within One Month from the Time of their exhibiting the Schedule of Allotments herein-before directed to be made and exhibited: Provided always, that if there ſhall be any Leaſe of Lands, Part of which ſhall lie in the ſaid Pariſh of *Rolleſby*, and Part in any adjoining Pariſh, all and every Leaſe and Leaſes upon Rack Rent now ſubſiſting may be vacated; but where any Land ſhall be taken in Exchange, which Land ſhall be under Leaſe, and wholly ſituate in any adjoining Pariſh, the Leaſe of ſuch laſt-mentioned Land ſhall not be vacated.

XXXV. And

Leaſes to be void as to Allotments of Common and Waſte Lands.

XXXV. And be it further enacted, That all and every Leaſe and Leaſes, and other Agreements at Rack or Extended Rent, which is or are now ſubſiſting, of all or any Part of the Meſſuages, Buildings, Lands, Grounds, Tenements, or Hereditaments, within the ſaid Pariſh of *Rolleſby*, either alone or together, with any other Lands, Tenements, or Hereditaments, ſhall ceaſe, determine, and be void, ſo far as ſuch Leaſe or Leaſes or other Agreements affect or concern any Allotment or Allotments of the Common Heaths, Marſhes, Doles, and Waſte Lands, which ſhall be made to any Perſon or Perſons whomſoever, for and in reſpect of any Meſſuages, Lands, Tenements, or Hereditaments, compriſed in any ſuch Leaſe or Leaſes or other Agreements; and it ſhall and may be lawful for the reſpective Leſſor or Leſſors, Landlord or Landlords of any Meſſuages, Lands, Tenements, or Hereditaments, to enter into and upon ſuch Allotment or Allotments, and to hold and enjoy the ſame for and during all ſuch Time and Term as the ſaid Leſſee or Leſſees, Tenant or Tenants, ſhall or may have to come or unexpired of ſuch Leaſes or Agreements reſpectively, making ſuch yearly Deduction or Allowance out of the Rent or Rents in and by ſuch Leaſes or Agreements, reſerved or agreed to be paid by ſuch Leſſees or Tenants reſpectively, for and during all the Reſidue of ſuch Term or Terms therein as the ſaid Commiſſioners ſhall in and by ſome Inſtrument or Inſtruments in Writing under their Hands for that Purpoſe aſcertain and determine to be a reaſonable Compenſation for the Loſs of the Right or Rights of Common, which hath or have been accuſtomed to be uſed and exerciſed by ſuch Leſſee or Leſſees, Tenant or Tenants, in virtue of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, ſo leaſed to or agreed to be held by him, her, or them reſpectively, unleſs in Caſes where by any ſuch Leaſe or Agreement the Right of Common is excepted and reſerved to the Landlord; but in caſe any ſuch Leſſors or Landlords ſhall not, within One Calendar Month next after the ſaid Commiſſioners ſhall have made ſuch Allotment or Allotments, and exhibited a Schedule thereof as herein-before directed, give Notice in Writing of his, her, or their Intention of taking and holding the Allotment or Allotments ſo to be made of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, to the Leſſee or Leſſees, Tenant or Tenants thereof reſpectively, ſuch Notice to be left at his, her, or their laſt or moſt uſual Place or Places of Abode, then and in every ſuch Caſe it ſhall be lawful for ſuch Leſſee or Leſſees, Tenant or Tenants reſpectively, to enter upon the ſaid Allotment or Allotments ſo to be made to ſuch Leſſor or Leſſors, Landlord or Landlords as aforeſaid, and to hold and enjoy the ſame for and during all ſuch Time and Term as he, ſhe, or they ſhall have to come and unexpired in ſuch Meſſuages, Lands, Tenements, and Hereditaments, by virtue of ſuch Leaſe or Leaſes, or other Agreements, upon paying ſuch further or advanced Rent or Rents to their reſpective Leſſors or Landlords, and under and ſubject to ſuch Orders and Regulations reſpecting the Tillage and Management thereof as ſhall be aſcertained and determined by the ſaid Commiſſioners, and be ſpecified in and by ſome Inſtrument or Inſtruments in Writing under their Hands, to be made at the joint Expence of ſuch Leſſors and Leſſees reſpectively, which Rent or Rents ſhall be paid at ſuch Time or Times, and in ſuch Manner as the ſaid Commiſſioners ſhall by ſuch Inſtrument or Inſtruments reſpectively appoint; and ſuch Leſſor or Leſſors, Landlord or Landlords, ſhall have ſuch Powers and Remedies for the recovering and obtaining ſuch additional Rent as he, ſhe, or they had, or was or were entitled to have had, for

Leſſors may hold ſuch Allotments if they ſee fit, making Allowance to the Leſſees.

Or if Leſſors chooſe, Leſſees may hold the ſame, paying additional Rent.

for obtaining and recovering the original Rent reserved by such Lease or Leases, or other Agreements; but if such Lessee or Lessees, Tenant or Tenants, shall not within One Calendar Month next after the Date of such Instrument or Instruments as aforesaid, give Notice in Writing of his, her, or their Intention of holding such Allotment or Allotments, and thereby agree to pay for the same such Rent or Rents as the said Commissioners shall have so appointed to be paid to the Lessor or Lessors, Landlord or Landlords thereof, (such Notice to be left at his, her, or their last or most usual Place of Abode), that then and in such Case the Allotment or Allotments so to be made in Right of the said Messuages, Lands, Tenements, or Hereditaments respectively, leased or agreed to be held by such Lessee or Lessees so neglecting or refusing to give Notice as aforesaid, shall go to, and remain unto, and be held and enjoyed by his, her, or their respective Lessors or Landlords, freed and discharged of and from all Right and Interests in such respective Leases.

If Lessees refuse, Lessors may hold the same without Allowance.

XXXVI. Provided always, and be it further enacted, That nothing 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, Debt, or Incumbrance, out of, upon, or affecting any of the Messuages, Buildings, Lands, Grounds, or Hereditaments within the said Parish of *Rollesby*, or which shall be exchanged by virtue of this Act, or any Parts thereof respectively, but that each and every Proprietor shall stand and be seized of the several Messuages, Buildings, Lands, and Grounds to be allotted to or exchanged with him or her as aforesaid, to such and the same Uses, for such and the same Estates, and subject to such and the same Wills, Jointures, and Charges, and no other, as the Messuages, Buildings, Lands, and Grounds, whereof such Proprietor shall be seized or possessed at or immediately before the Execution of the said Award, or for which or in respect whereof such Allotments or Exchanges shall be made would have been subject to, charged with, or affected by, in case this Act had not been made.

Wills and Settlements not to be affected.

XXXVII. And be it further enacted, That the said Rector of the said Parish of *Rollesby*, and his Successors for the Time being, shall be, and he and they is and are hereby empowered to ask, demand, sue for, recover, and receive of and from every Occupier, Owner, or Proprietor of the several Allotments of the said Common Heaths, Marshes, Doles, and Waste Lands, to be made by virtue of this Act, (from which he and they shall be respectively entitled to receive Tithes), for in lieu and full Satisfaction of all the Great and Small Tithes, which shall yearly arise, renew, increase, or be produced in and upon such Allotments respectively in the first Three Years next after the passing of this Act, such Sum and Sums of Money annually, and no more, as the said Commissioners shall, in and by their said Award, or some other Instrument or Schedule under their Hands, order, direct, or appoint to be paid for or in respect of such Tithes respectively; and from and after the Expiration of the said Three Years, the said Rector for the Time being shall be entitled to receive and take in Kind all and all Manner of Great and Small Tithes arising, renewing, or increasing, or which shall arise, renew, increase, or be produced in and upon the same Allotments from which he shall be entitled to receive Tithes as aforesaid, and every or any of them.

Payment for Great and Small Tithes for the first Three Years, to be settled by the Commissioners.

Commissioners to direct the Course of Husbandry over the Open Fields.

XXXVIII. 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 Fields hereby directed to be divided and allotted, 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 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 empowered 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 this Act may be raised and levied.

No Cattle to be kept in the Highways.

XXXIX. And be it further enacted, That no Person or Persons shall graze or keep any Sort of Cattle or Swine whatsoever, in or upon any Part of the public Roads or Ways, which the said Commissioners shall order and direct to be set out and fenced on both Sides, and every Proprietor or Occupier of Lands and Tenements within the said Parish, and their and every of their Servants and Labourers is and are hereby empowered to take and impound every such Bullock, Cow, Horse, Ass, Sheep, Lamb, Head of Swine, or other Beast, which shall be so found grazing as aforesaid, at any Time or Times after any live Fences shall have been made or planted next the said Roads or Ways so fenced off as aforesaid.

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

XL. And be it further enacted, That no Cattle, Sheep, or Lambs, shall be kept on any of the Allotments to be made by virtue of this Act, out of the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, during the Space of Seven Years next after the Execution of the Award of the said Commissioners, unless the Person or Persons so keeping the same shall first, at his 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 Cattle, Sheep, or Lambs, whether such quick Fences be planted or set by the Owner or Occupier of such Allotments as aforesaid, or by the Owner or Occupier of the Allotment or Allotments adjoining thereto.

Expences of new Roads by whom paid, and at what Time.

XLI. And be it further enacted, That all the Costs, Charges, and Expences of making and forming the public Carriage Roads, and of putting the same into good and sufficient Repair, and of the Surveyor or Surveyors to be appointed, as by the said recited Act is directed, shall be borne by the several Persons who are by this Act charged with or made liable to the Payment of the Costs, Charges, and Expences of obtaining and executing the same, or any Part thereof, according to the annual Value of their several Allotments (save and except the Rector of the said Parish of *Rollesby*, and the Surveyors of the Highways, and Trustees of the Poor of the said Parish of *Rollesby*, in respect of the Allotments to be made to them as aforesaid), and the same, together with the Costs, Charges and Expences

pences of raiſing and making the Fences againſt ſuch Roads (if any ſhall be made and raiſed by the ſaid Commiſſioners under the Proviſions of this Act) ſhall be paid by them the ſaid Proprietors reſpectively to ſuch Perſon or Perſons, and at ſuch Time or Times, previous to their making their ſaid Award, as they the ſaid Commiſſioners ſhall, by any Rate or Rates to be made and ſigned by them, or by any Writing or Writings, under their Hands for that Purpoſe, direct or appoint; and in caſe any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their Share or Shares of ſuch Charges and Expences, or any Part thereof, to the Perſon or Perſons who ſhall be thereby appointed to receive the ſame, within the Time to be limited by the ſaid Commiſſioners as aforeſaid, then and in ſuch Caſe the ſaid Commiſſioners ſhall cauſe the ſame to be levied and recovered in Manner directed by the ſaid recited Act.

Expences of the Act how to be paid.

XLII. And be it further enacted, That the ſeveral Sums of Money herein-before directed to be paid to the ſaid Commiſſioners for their Trouble and Attendance in the Execution of this and the ſaid recited Act, and the Allowance to the Surveyor or Surveyors to be appointed by them, for ſurveying and admeaſuring, planning and mapping the ſaid Open Fields, Common Heaths, Marſhes, Doles, and Waſte Lands, to be divided, allotted, and incloſed, by virtue of this Act, and the Lands, Tenements, and Hereditaments, in reſpect whereof a Right of Common, or other Right, or Intereſt thereon or therein ſhall be claimed, and alſo the Coſts and Charges in any way occaſioned by, incident to, and attending the obtaining and paſſing of this Act, and of valuing, dividing, and allotting the ſaid Open Fields, Common Heaths, Marſhes, Doles, and Waſte Lands, and alſo of opening, cutting, and making any Ditches or Drains neceſſary for preſerving and improving the ſaid Lands and Grounds, and the Coſts, Charges, and Expences of incloſing and fencing the ſaid ſeveral Allotments herein-before directed to be incloſed and fenced at the general Expence, and of preparing and enrolling the Award of the ſaid Commiſſioners, and all other neceſſary Expences of the ſeveral Perſons employed by the ſaid Commiſſioners in and about the Premiſes, and of all public Works, and all other Coſts, Charges, and Expences of carrying this and the ſaid recited Act into Execution, ſhall be borne and defrayed by the ſeveral Perſons, and Body or Bodies Politic, Corporate, or Collegiate, to whom ſuch Allotments ſhall be made by virtue of this Act, in Proportion to the Value of the Lands to be allotted to them reſpectively, to be aſcertained by the ſaid Commiſſioners, and ſhall be paid by them the ſaid Proprietors reſpectively, at ſuch Time or Times as they the ſaid Commiſſioners ſhall think proper, and in and by their Award mention and appoint for that Purpoſe; and in caſe any of the Perſons aforeſaid ſhall neglect or refuſe to pay his, her, or their Share or Shares of ſuch Charges and Expences, or any Part thereof, to the Perſon or Perſons who ſhall be appointed to receive the ſame within the Time to be limited by the ſaid Commiſſioners as aforeſaid, then and in ſuch Caſe the ſaid Commiſſioners ſhall cauſe the ſame to be levied and recovered in Manner directed by the ſaid recited Act: Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, to the charging or making liable the ſaid Rector of the ſaid Rectory of *Rolleſby* for the Time being, for or in reſpect of any Allotment or Allotments to be made to him, of any Open Fields or Common Heaths which ſhall be made to him in Right of the ſaid Rectory, or the Surveyors of the Highways of the ſaid Pariſh of *Rolleſby*,

Rolleſby, for or in reſpect of the Allotments to be made to them, or the ſeveral Perſons to whom the ſaid Allotments for the Benefit of the ſaid poor Perſons, ſhall be made as aforeſaid, or to ſuch Perſon or Perſons whoſe Real Property within the ſaid Pariſh of *Rolleſby* or elſewhere ſhall not, in the Judgment of the ſaid Commiſſioners, exceed the yearly Value of Five Pounds, to the Payment of the Coſts, Charges, and Expences, or any Part thereof herein-before directed to be paid, but the ſame ſhall be charged upon and borne and defrayed by the reſt of the ſaid Proprietors.

Power to charge Copyhold Lands with Expences.

XLIII. Provided always, and be it further enacted, That when and ſo often as it may be neceſſary to charge any Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be allotted by virtue of this Act, and which are, or ſhall be, or become Copyhold, with any Sum or Sums of Money by way of Mortgage, for paying and defraying any Share or Shares of the Coſts, Charges, and Expences of obtaining and executing this Act and the ſaid recited Act, then and in ſuch Caſe ſuch Copyhold Premiſes ſhall be ſurrendered to the Uſe of the Perſon or Perſons who ſhall advance or lend ſuch Sum or Sums of Money, and his, her, or their Heirs and Aſſigns, according to the Cuſtom of the Manor or Manors whereof the ſame ſhall be holden, by way of Mortgage, for ſecuring ſuch Sum or Sums of Money, and Intereſt for the ſame, inſtead of being mortgaged and ſurrendered to ſuch Perſon or Perſons, his, her, or their Executors, Adminiſtrators, and Aſſigns, for a Term of Years as mentioned in the ſaid recited Act.

Commiſſioners may borrow Money to defray Expences.

Money advanced to be repaid with Intereſt.

XLIV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to borrow and take up at Intereſt, of any Perſon or Perſons willing to advance and lend the ſame, ſuch Sum or Sums of Money as ſhall from Time to Time be neceſſary for defraying the Charges and Expences of this Act, and of carrying the ſame and the ſaid recited Act into Execution; and the Money which ſhall be ſo advanced for the Purpoſes aforeſaid ſhall be repaid with lawful Intereſt, to ſuch Perſon or Perſons out of the firſt Monies which ſhall be raiſed from the ſeveral Proprietors as herein-before mentioned and directed, for defraying the Expences of obtaining and executing this Act.

Commiſſioners Accounts to be examined yearly by a Perſon appointed for that Purpoſe.

XLV. And be it further enacted, That once at leaſt in each and every Year during the Execution of this Act (ſuch Year to be computed from the Day of the paſſing 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 and the ſaid recited Act, and ſuch Statement or Account when ſo made, together with the Vouchers relating thereto, ſhall be examined by the Reverend *Benjamin Wymberley Salmon*, One of His Majeſty's Juſtices of the Peace of and for the ſaid County of *Norfolk*, and in caſe of his Death or Refuſal to act, then by ſome other Juſtice of the Peace acting for the ſaid County of *Norfolk* not intereſted in the ſaid Diviſion and Incloſure, and the Amount or Balance thereof ſhall be, by the ſaid *Benjamin Wymberley Salmon*, or ſuch other Juſtice of the Peace ſtated in the Book of Accounts by the ſaid recited Act required to be kept in the Office of the Clerk of the ſaid Commiſſioners, and that no Charge or Item in ſuch Account ſhall be binding upon the Parties concerned, or be valid in Law, unleſs the ſame ſhall be duly allowed by the ſaid *Benjamin Wymberley Salmon*, or by ſuch other Juſtice as aforeſaid.

XLVI. And

Persons aggrieved may appeal.

XLVI. And be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall think himself, herself, or themselves aggrieved, by any Thing done in pursuance of the said recited Act or 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 where an Issue at Law shall be tried as herein-before 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 *Norfolk*, within Four Calendar Months next after the said Cause of Complaint shall have arisen, on giving the said Commissioners, or the Party or Parties intended to be appealed against, Fourteen Days Notice of such Appeal, and of the Matter thereof; and the Justices in their said General Quarter Sessions are hereby authorized and required to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs and Damages, as to them in their Discretion shall seem reasonable; and in case of Non-payment thereof before the then next General Quarter Sessions, to levy, by their Order or Warrant, 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 Distress and Sale, which 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 Justices to be frivolous or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants, as to them the said Justices, in their Discretion, shall seem reasonable, and to be levied in Manner aforesaid.

Award to be deposited with the Clerk of the Peace.

XLVII. And be it further enacted, That within Six Calendar Months after the said Commissioners shall have made and executed their said Award according to the Directions of the said recited Act, they shall cause the same Award, and the reduced Map or Plan, or reduced Maps or Plans thereto annexed, to be deposited in the Office of the Clerk of the Peace for the said County of *Norfolk*; who is hereby required, upon Payment of the Sum of Two Guineas, to receive and deposit the same with the Records of the same County, to the End that Recourse may be had thereto by any Person or Persons interested therein, for the Inspection and Perusal whereof the Sum of One Shilling and no more shall be paid; and the said Award shall, from and after the Delivery of the same to the said Clerk of the Peace, be deemed and taken to be enrolled according to the Directions and within the Meaning of the said recited Act; and the said Award, and such Map or Plan, Maps or Plans, thereto annexed, or any Copy thereof, or of any Part thereof, signed by the said Commissioners, or by the said Clerk of the Peace or his Deputy, certifying the same to be a true Copy, shall at all Times be admitted and allowed in all Courts whatsoever, as legal Evidence of the Matters and Things therein contained; and the said Clerk of the Peace and his Deputy for the Time being, is and are hereby required upon the Request of any Person or Persons interested, or claiming to be interested therein, to make and deliver to such Person or Persons requiring the same, a true Copy of the said Award, or of any Part or Parts thereof, and to sign and certify the same to be a true Copy; for which

Copy no more ſhall be paid than Four-pence *per* Sheet, each Sheet containing Seventy-two Words; and the ſaid Award, and the ſeveral Allotments, Partitions, Orders, Directions, Matters, and Things therein contained, ſhall be and are hereby declared to be binding, final, and concluſive upon all and every Perſon and Perſons, Body and Bodies Politic, Corporate, or Collegiate, intereſted in the Premiſes; and all Rights of Common of Paſture, and all other Commonable Rights and Intereſts whatſoever, in, over or upon all the Commons and Waſte Lands hereby directed to be divided and allotted, ſhall, from and immediately after the Execution of the ſaid Award, ceaſe, determine, and be for ever extinguiſhed; and the ſame Commons and Waſte Grounds ſhall for ever thereafter be held and enjoyed in Severalty by the reſpective Owners and Proprietors thereof.

A Counterpart of the Award or a Copy thereof to be depoſited in the Pariſh Church.

XLVIII. And be it further enacted, That a Counterpart of the ſaid Award, or a Copy thereof, with a Plan annexed (as the ſaid Commiſſioners may direct), ſigned by the ſaid Commiſſioners, ſhall be depoſited with the Pariſh Regiſters, in the Pariſh Church of *Rolleſby* aforeſaid.

General Saving.

XLIX. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every Perſon and Perſons, Body and Bodies Politic, Corporate, or Collegiate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, all ſuch Eſtate, Right, Title, and Intereſt (other than and except ſuch as are meant and expreſſed to be barred, deſtroyed, and extinguiſhed by this Act), of, in, to, or out of the ſaid Lands and Grounds hereby intended to be divided, allotted, and incloſed, as they, every or any of them, could or ought to have had and enjoyed in caſe this Act had not been made.

For printing the Act by the King's Printer.

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

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