ANNO SEXTO

GULIELMI IV. REGIS.

Cap. 8.

An Act for inclosing and exonerating from Tithes Lands in the Parish of *Stepingley* in the County of *Bedford*. [20th *May* 1836.]

WHEREAS there are within the Parish of *Stepingley* in the County of *Bedford* certain Open and Common Fields, Common Meadows, and other Commonable Lands, containing by Admeasurement Three hundred Acres or thereabouts, and also divers Homesteads, Gardens, Wood and other inclosed Lands, containing by Admeasurement Eight hundred Acres or thereabouts, and certain Commons and Waste Lands: And whereas the King's most Excellent Majesty in right of the Crown is Lord of the Manor of *Stepingley* within the Honor of *Ampthill*, and the Most Noble *John* Duke of *Bedford* is Lessee thereof, and the Most Honourable *Mary* Marchioness Dowager of *Downshire*, Baroness *Sandys*, is Lady of the Manor of *Stepingley* with its Members, and as such are respectively entitled to the Soil of the Commons and Waste Lands within the said Parish and Manors respectively: And whereas His said Majesty in right of the Crown is the Patron of the Advowson of the Rectory and Parish Church of *Stepingley* aforesaid, and the Reverend *William Henry Greene* is Rector thereof, and as such is entitled to certain Glebe Lands, and to all the Tithes, both Great and Small, issuing and arising out of and from all and every the Lands and Grounds within the said Parish: And whereas His said Majesty in right of the Crown, the said *John* Duke of *Bedford*, *Joseph Morris*, *Robert Lindsell*, *William Arnold*, *John Morris*, *William Woodward*, *George Gregory*,

and *Richard Cooke* are Owners or Proprietors, as well of the said old Inclosures as also of the said Open and Common Fields and other Commonable Lands and Grounds in the said Parish, and the Lands of the said several Proprietors are greatly intermixed, and lie dispersed in small Parcels, and it would be beneficial to all Persons interested therein if the said Open and Common Fields, Commons, and Wastes were divided, allotted, and inclosed, and all Rights of Common therein extinguished, and if all the Lands in the said Parish, as well open as inclosed, were exonerated from Tithes; but such Division, Allotment, Inclosure, and Exoneration from Tithes cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Forty-first Year of
41 G. 3, c. 109. the Reign of King *George* the Third, 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 another Act was passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth,
1 & 2 G. 4. c. 23. intituled *An Act to amend the Laws respecting the inclosing of Open Fields, Pastures, Moors, Commons, and Waste Lands in* England: 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

Appointment of Commissioner. assembled, and by the Authority of the same, That *Thomas Bloodworth* of *Kimbolton* in the County of *Huntingdon*, Gentleman, shall be and he is hereby appointed sole Commissioner for valuing, dividing, allotting, inclosing, and otherwise improving all the Open and Common Fields, Common Meadows, Commons, Wastes, and other Commonable Lands and Grounds in the Parish of *Stepingley* aforesaid, and for exonerating from Tithes all the Lands in the said Parish, as well open as inclosed, and for carrying into execution all the Powers and Purposes of this Act, and also all such of the Powers, Authorities, Directions, Regulations, Restrictions, and Provisions contained in the said recited Acts as are not varied, altered, or otherwise provided for by this Act.

Commissioner to make a Declaration. II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act until he shall have made and subscribed the following Declaration; (that is to say,)

'I *A.B.* do solemnly and sincerely declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Ability, execute and perform the several Trusts, Powers, and Authorities vested and reposed in me as a Commissioner by virtue of an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever.'

And such Declaration shall be in lieu of and as a Satisfaction for the Oath or Affirmation required by the said recited Act of the Forty-first Year of the Reign of King *George* the Third to be taken and subscribed by Persons acting as Commissioners in the Execution of an Act for dividing, allotting, or inclosing any Lands or Grounds; and such Declaration shall be to all Intents and Purposes as valid and effectual as the Oath or Affirmation in lieu whereof it shall have been so made and subscribed.

Penalty on making false Declaration.

III. And be it further enacted, That any Person making and subscribing a Declaration under the Authority of this Act, and who shall wilfully and corruptly make and subscribe such Declaration, knowing the Allegations thereof or any of them to be untrue, shall be subject to the like Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are or may be liable.

Power for Appointment of future Commissioners.

IV. And be it further enacted, That if the said *Thomas Bloodworth* shall die, or refuse to act, or become incapable of acting, or shall neglect for the Space of Forty Days to act as a Commissioner in the Execution of this Act, then it shall be lawful for the Lord or Lords, Lady or Ladies of the same several Manors, and the said *William Henry Greene*, or the Rector of *Stepingley* aforesaid for the Time being, and the several other Proprietors or Persons interested in the Lands and Grounds by this Act directed to be divided and inclosed, or the Majority of such Proprietors or Persons in Value (such Value to be ascertained from the Land Tax Assessment), who by themselves, or their known Agents or Attornies, shall be present at a Meeting to be held for that Purpose at some convenient Place in *Stepingley* aforesaid, or within Eight Miles therefrom, of which Meeting Fourteen Days previous Notice shall be given in Writing, signed by any Two or more of such Proprietors or Persons, to be affixed on the principal outer Door of the Parish Church of *Stepingley* aforesaid, and also by Advertisement to be inserted in some Newspaper published in the said County of *Bedford*, by Writing under their respective Hands to appoint some other fit and proper Person (not interested in the said Division) to be a Commissioner in the Place of the said *Thomas Bloodworth*, and so from Time to Time as often as any Commissioner who shall have been appointed in the Place of the said *Thomas Bloodworth* shall die, or refuse to act, or become incapable of acting, or shall neglect to act as aforesaid; and every Person who shall be appointed a Commissioner in pursuance of this Act shall, after making and subscribing the Declaration herein-before mentioned, have such and the like Powers and Authorities in all respects for carrying this Act and the said recited Acts into execution as if he had been originally appointed a Commissioner in and by this Act.

Allowance to Commissioner.

V. And be it further enacted, That the Commissioner hereby appointed, in case he shall continue to act in the Execution of this Act until his Award shall be deposited as hereby directed, or the said Commissioner and his Successors to be appointed in pursuance of this Act, shall be paid or allowed the Sum of One hundred and fifty Pounds, and no more, in full Satisfaction for all the Trouble and Expences which he or they shall be put to in and about and concerning the Execution of this Act and the said recited Acts, or the Powers thereof respectively, except for preparing and ingrossing the Award of the said Commissioner; and in case any other Person or Persons shall be appointed, in pursuance of this Act, as Successor or Successors to the said *Thomas Bloodworth*, then the said Commissioner and his Successor or Successors shall be paid or allowed respectively such Proportions of the said Sum of One hundred and fifty Pounds as shall be deemed reasonable and proper by the Auditor by and before whom the Accounts of the said Commissioner shall be audited and examined, and the additional Allowance for preparing and ingrossing the Award of the said Commissioner shall be at a Rate not exceeding the Sum of Two Shillings *per* Folio of One hundred Words; and the Clerk to be appointed by the said Commissioner

Commissioner shall be paid and allowed the Sum of Three Pounds and Three Shillings *per* Day for every Day he shall attend the said Commissioner.

Notice of Meetings.

VI. And be it further enacted, That the said Commissioner shall and he is hereby required to cause public Notice to be given by Writing, to be affixed upon the principal outer Door of the Parish Church of *Stepingley* aforesaid, and also by Advertisement to be inserted in some Newspaper published in the said County of *Bedford*, of the Time and Place of his First and every subsequent Meeting for executing the Powers vested in him by virtue of this Act, Ten Days at least before every such Meeting shall be held (Meetings by Adjournment only excepted), and the said Commissioner shall and may from Time to Time adjourn any such Meeting to such Time and Place as he shall think proper; and if at the Time and Place appointed for any such Meeting the said Commissioner shall not attend, it shall be lawful for the Clerk to the said Commissioner to adjourn such Meeting for any Time not exceeding Twenty-one Days from the Day of such Adjournment, to be held at the same Place, and the Clerk making such Adjournment is hereby required to give Notice thereof to the said Commissioner: Provided always, that all the Meetings of the said Commissioner for putting the said recited Acts and this Act into execution shall be held in the said Parish of *Stepingley*, or within the Distance of Five Miles therefrom.

How other Notices are to be given.

VII. And be it further enacted, That all other Notices requisite or necessary to be given by the said Commissioner in the Execution of the said recited Acts or this Act shall be given by Writing to be affixed on the outer Door of the Parish Church of *Stepingley* aforesaid, and by Advertisement to be inserted in some Newspaper published in the said County of *Bedford*.

Regulating the Duration of Meetings or Sittings.

VIII. And for regulating the Duration of all Meetings or Sittings to be holden for the Purposes of this Act, be it enacted, That a Day shall be deemed to consist of Eight Hours in all Meetings or Sittings to be held between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September*, and of Six Hours between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March*, and that any Meetings or Sittings to be holden for the Purposes of this Act of less Duration than Eight Hours or Six Hours (as the Case may be) shall be charged only as Half a Day, and the said Commissioner and the said Clerk shall be paid accordingly; and a Book shall be kept by the said Commissioner or his Clerk, in which shall be entered the several Days on which the said Commissioner shall hold his Meetings or Sittings, and in such Book shall also be entered at what Hour the said Commissioner and his Clerk were respectively present at such Meeting or Sitting, and at what Hour they respectively left the same; and such Book shall be signed by the said Commissioner and his Clerk at the Termination of each Meeting or Sitting, and shall be open to the Inspection of any Person or Persons interested, or his, her, or their Agents or Attornies, during all the Meetings or Sittings to be held in pursuance of this Act; and all such Persons shall and may take Copies of or Extracts from such Book without paying any thing for the same: Provided always, that it shall not be lawful for the said Commissioner to retain or pay himself or such Clerk out of any Money to be received by him, or over which he may have any Control, in the Execution of this Act, any

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Sum or Sums of Money on account of any Allowance herein-before directed to be made to such Commissioner and Clerk respectively, beyond One Third of such Allowance to which they shall be entitled as aforesaid, until after the Expiration of Six Calendar Months from the Day of the depositing of the Award herein-after directed to be made and deposited with the Clerk of the Peace of the County of *Bedford*, or in case the Accounts of the said Commissioner shall be appealed against, then not until the said Appeal shall have been heard and decided: Provided also, that in case of the Decease of the said Commissioner or of the said Clerk previous to the Execution of the Award herein-after directed to be made, the Commissioner for the Time being shall, after the Expiration of the Period allowed for Appeal against the Accounts herein-after directed to be made and stated, pay to the Executors or Administrators of such deceased Commissioner or of such deceased Clerk such Sum of Money as shall appear by the said Accounts to be due to the said Commissioner or Clerk.

Proprietors and others to pay their own Expences.

IX. And be it further enacted, That the said Commissioner and the Clerk to be by him appointed, and every Proprietor and other Person interested in the said Division and Inclosure, and their Solicitors and Agents, who shall attend any Meeting to be held by the said Commissioner, shall bear and pay his and their own Expences.

Plans already prepared may be adopted by the Commissioner.

X. And whereas all and every the Homesteads, Gardens, Lands, and Grounds within the said Parish of *Stepingley*, as well open as inclosed, have been already surveyed and measured, and a Terrier of the old Inclosures and a Map or Plan of the open and common Fields, Meadows, Commons, and Wastes have been prepared and signed and acknowledged by the Rector of *Stepingley* aforesaid and by the said several Proprietors; be it therefore further enacted, That the said Commissioner shall not be required to make a fresh Survey or Admeasurement of the said Lands and Grounds within the said Parish, or to prepare fresh Maps or Plans thereof, but the said Commissioner shall be at liberty to use and adopt the Terrier, Map, or Plan so already prepared, signed, and acknowledged as aforesaid.

Proceedings to be entered in a Book.

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

Commissioner to determine Disputes.

XII. 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 Lands or Hereditaments intended to be divided or affected by this Act, touching or concerning any Rights or Interests which they or any of them have or claim to have therein, or touching or concerning any other Matters or Things relating to the Division, Allotment, Inclosure, or Exoneration from Tithes, it shall be lawful for the said Commissioner and he is hereby authorized and required to examine into, hear, and determine the same: Provided

Commissioner not to determine Titles, nor any Rights, contrary to the Possession.

Provided always, that nothing in this Act contained shall authorize the said Commissioner to determine the Title to any Lands, Tithes, Tenements, or Hereditaments whatsoever, nor to determine any Right between any Parties contrary to the Possession of any of such Parties (except in respect of Encroachments as herein-after mentioned); but in case the said Commissioner shall be of opinion against the Right of the Person or Persons so in Possession he shall forbear to make any Determination thereupon until the Possession shall have been given up by such Person or Persons, or recovered from such Person or Persons by Ejectment or other due Course of Law.

Power to assess Costs.

XIII. And be it further enacted, That in case the said Commissioner shall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections, see Cause to award any Costs, it shall be lawful for the said Commissioner, upon Request made to him for that Purpose, to settle, assess, award, and order such Costs and Charges as he shall think reasonable to be paid to the Person or Persons in whose Favour any Determination of the said Commissioner shall have been made by the Person or Persons whose Claim or Claims, Objection or Objections, shall have been disallowed or over-ruled; and in case the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall be liable to pay such Costs and Charges, shall neglect or refuse to pay the same on Demand, then and in every such Case it shall be lawful for the said Commissioner, and he is hereby authorized and required, by Warrant under his Hand and Seal directed to any Person or Persons whomsoever, to cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so neglecting or refusing to pay the same, rendering the Overplus (if any), upon Demand, to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, whose Goods and Chattels shall have been so distrained and sold, after deducting thereout the Costs and Charges attending such Distress and Sale.

Persons dissatisfied with the Determination of the Commissioner may try their Rights at Law.

XIV. And be it further enacted, That if 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 Commissioner touching or concerning any Claim or Claims of Common or other Rights or Interests in, over, upon, or out of the Lands or Grounds hereby intended to be divided, allotted, and inclosed, or any Part or Parts thereof, or any Objection or Objections to such Claim or Claims, it shall be lawful for the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so dissatisfied, to cause an Action or Actions to be brought in one of His Majesty's Courts of Record at *Westminster* upon a feigned Issue against the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, in whose Favour any such Determination shall have been made, within Three Calendar Months next after the Determination of the said Commissioner shall have been notified in Writing to the Party or Parties against whom such Determination shall have been so made, or to his, her, or their known Agent or Attorney; and thereupon the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so dissatisfied, shall proceed to a Trial at Law at the next or second Assizes to be holden for the said County of *Bedford* after such Action or Actions shall have been

commenced; 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 where such Action or Actions shall be commenced, if the Parties shall differ about the same); and the Verdict or Verdicts which shall be given in the said Action or Actions shall be final and conclusive upon all and every Person and Persons, Body and Bodies Politic, Corporate, or Collegiate whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, and order a new Trial or Trials to be had therein, which it shall be lawful for the Court to do, as is usual in other Cases; and after a Verdict or Verdicts shall be obtained, and not set aside by the Court, the said Commissioner is 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 if no such Action shall be commenced as aforesaid, or if any such Action shall be commenced, and the Plaintiff or Plaintiffs therein shall not proceed to Trial within the Time herein-before limited for that Purpose, then the Determination of the said Commissioner shall be binding, final, and conclusive to all Intents and Purposes whatsoever: Provided also, that no such Difference, Dispute, or Proceeding touching the Matters aforesaid shall impede or delay the Commissioner in the Execution of the said recited Acts and this Act, but the Division, Allotment, Inclosure, and Exoneration from Tithes hereby directed or authorized to be made shall be proceeded in notwithstanding such Differences, Dispute, or Proceeding; and the Allotment or Allotments in respect of such litigated Property shall be had and taken by the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who, upon the Determination of such Action or Actions, shall become entitled to the same.

Death of Parties not to abate Proceedings.

How Actions may be brought after the Death of Parties.

XV. And be it further enacted, That if any of the Parties in any Action or Actions to be brought in pursuance of this Act shall die pending the same, such Action or Actions shall not abate by reason thereof, but may be proceeded in as if no such Death had happened; and if any Person or Persons in whose Favour any such Determination as aforesaid shall have been made, and against whom any such Action or Actions might have been brought if living, shall die before any such Action or Actions shall have been brought, and before the Expiration of the Time herein-before limited for bringing such Action or Actions, it shall be lawful for the Person or Persons who might have brought such Action against the Person so dying to bring the same within the Time so limited as aforesaid against such Person as if actually living, and to serve the Clerk of the said Commissioner with Process for commencing such Action or Actions, in the same Manner as the Party or Parties might have been served therewith if living; and it shall be thereupon 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 had been actually living, and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

XVI. And

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

XVI. And be it further enacted, That if any of the Parties interested in the said Division, Allotment, Inclosure, or Exoneration from Tithes shall die before the same shall be completed, the Powers and Authorities vested in the said Commissioner shall not be thereby determined or suspended, but the said Commissioner shall proceed in the Execution of the Powers vested in him in such Manner as he might have done in case such Parties had not died; and the Share or Shares of the Person or Persons so dying shall be allotted to such Person or Persons as by Law shall become entitled to the same, and shall accordingly be accepted by him, her, or them.

Commissioner may suspend or extinguish the Right of Common.

XVII. And be it further enacted, That it shall be lawful for the said Commissioner, at any Time or Times before the Execution of his Award, by Notice or Notices in Writing under his Hand to be affixed on the principal outer Door of the Parish Church of *Stepingley* aforesaid, to suspend or totally extinguish all or any of the Rights of Common in, upon, and over the Lands and Grounds hereby directed or authorized to be divided and allotted, as the said Commissioner shall, in and by such Notice or Notices, order and direct.

No Sheep or other Cattle to be depastured after the Right of Common is suspended.

XVIII. And be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall, after such Extinguishment or during such Suspension of Common Right as aforesaid, stock or depasture with Sheep or other Cattle any Part of the said Lands or Grounds, contrary to such Notice as aforesaid, it shall be lawful for any Proprietor or Proprietors of the said Lands and Grounds, or any Person or Persons by the said Commissioner to be appointed from Time to Time, to distrain all such Sheep and other Cattle found grazing or depasturing upon any of the said Lands or Grounds contrary to such Notice, and to impound such Sheep or other Cattle until the Person or Persons offending shall have paid to the Person or Persons so distraining the Sum of One Shilling *per* Head for every Sheep or Pig, and the Sum of Two Shillings *per* Head for every Beast and other Kind of Live Stock, so distrained.

Encroachments made within 20 Years to be allottable.

XIX. And be it further enacted, That all Inclosures or Encroachments made from any of the said Commonable Lands and Grounds within Twenty Years next before the passing of this Act shall be considered as Part of the Commonable Lands and Grounds by this Act to be divided and allotted, and shall be divided and allotted accordingly; and in case any Difference or Dispute shall arise touching any such Inclosures or Encroachments being deemed Parcel or Parcels of the said Commonable Lands or Grounds, or touching the Extent thereof, every such Difference and Dispute shall be examined into and determined by the said Commissioner.

Ancient Roads may be widened, and new Roads set out.

XX. And be it further enacted, That it shall be lawful for the said Commissioner to cause any ancient Roads or Highways within the said Parish to be widened and extended to a convenient Breadth, not exceeding Forty Feet, on making Recompence and Satisfaction, out of the Lands and Grounds by this Act directed to be divided and allotted, to the respective Proprietors of the Lands to be taken for that Purpose, and also to set out and appoint any new public or private Carriage Roads, Bridleways, and Footpaths that he shall deem expedient or necessary through or over as well

well the Lands and Grounds hereby directed to be divided and inclosed as any of the ancient Inclosures within the said Parish, making such Recompence and Satisfaction as aforesaid to the respective Proprietors thereof.

Commissioner may divert or stop up Roads through inclosed Lands.

XXI. And be it further enacted, That it shall be lawful for the said Commissioner to turn, abate, or stop up, or cause or order to be turned, abated, or stopped up, any old or ancient Carriage Road or Way, Foot-path or Way, passing or leading from or through, over or between, any Part of the old Inclosures within the said Parish of *Stepingley*, or through any Lanes in the said Parish, into, through, over, or between any other inclosed Lands or Grounds in the said Parish, as the said Commissioner in his Judgment shall think fit: Provided always, that in case any Carriage, Drift, or Foot Road shall be set out, diverted, or turned through and over any inclosed Lands or Grounds within the said Parish, other than in the Direction in which such Roads now pass, the said Commissioner shall and he is hereby required to make a due and adequate Compensation to the Owners of the Lands through which such Carriage, Drift, or Foot Roads shall be diverted or turned, either in Money or by the Allotment of Lands, as to the said Commissioner shall seem just and reasonable.

Proceedings previously to diverting or stopping up Highways.

XXII. Provided always, and be it further enacted, That before any public Carriage Road, Highway, Bridle Road, or Footway shall be discontinued, stopped up, diverted, or altered by the said Commissioner, the said Commissioner shall cause to be affixed at each End of the said Highway so proposed to be discontinued, stopped up, diverted, or altered, a Notice to the Effect that such public Carriage Road, Highway, Bridle Road, or Footway is intended to be discontinued, stopped up, diverted, or altered, as the Case may be, by the Commissioner acting under or by virtue of this Act, and the said Commissioner shall also cause the same Notice to be inserted in One Newspaper published or generally circulated in the said County of *Bedford* for Four successive Weeks, and shall also cause a like Notice to be affixed on the Doors of the Parish Church of *Stepingley* aforesaid on the Four *Sundays* of the said Four successive Weeks, and shall cause a like Notice to be lodged with the Clerk of the Peace for the County of *Bedford* within Ten Days after the Date of such Notice; and the said Clerk of the Peace shall, at the General Quarter Sessions which shall be holden for the said County of *Bedford* next after such Notice shall be lodged with him as aforesaid, file and enrol the same amongst the Records or Proceedings of the said Court of Quarter Session; and after the said several Notices shall have been so affixed, published, filed, and enrolled as aforesaid, the said public Carriage Road, Highway, Bridle Road, or Footway shall be and shall be deemed to be discontinued, stopped up, diverted, or altered, as the Case may be, subject however to such Appeal to the Court of General Quarter Sessions for the County of *Bedford* as is hereinafter mentioned.

Persons who may think themselve aggrieved by any Road being ordered to be stopped up or diverted may Appeal.

XXIII. Provided also, and be it further enacted, That it shall be lawful for any Person who may think that he would be injured or aggrieved if any such Carriage Road, Highway, Bridle Road, or Footway should be discontinued, stopped up, diverted, or altered, to make his Complaint thereof by Appeal to the Justices at any General or Quarter Sessions of the Peace to be holden for the said County of *Bedford* within Four Calendar Months next after the Date of such Notice, giving to the said Commissioner

missioner or his Clerk Ten Days Notice in Writing of such Appeal, together with a Statement in Writing of the Grounds thereof: Provided also, that it shall not be lawful for the Appellant to be heard in support of such Appeal unless such Notice and Statement shall have been so given as aforesaid, nor on any Hearing of Appeal to go into or give Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

In case of Appeal, Jury at Sessions to determine whether old Highway may be discontinued.

XXIV. And be it further enacted, That in case of such Appeal the Justices at the said Quarter Sessions shall, for the Purpose of determining whether the public Highway so intended to be discontinued, stopped up, or diverted or altered, or whether the said Party appealing would be injured or aggrieved, impannel a Jury of Twelve indifferent Men out of the Persons returned to serve as Jurymen at such Quarter Sessions; and if after hearing the Evidence produced before them the said Jury shall return a Verdict that the public Highway so discontinued, stopped up, diverted, or altered is wholly unnecessary, or may beneficially to the Public be discontinued, altered, or diverted, and that the Party appealing would not be injured or aggrieved, then the said Court of Quarter Sessions shall dismiss such Appeal, and in that Case the said Court of Quarter Sessions shall award the Costs and Expences of resisting the said Appeal to be paid by the Party appealing to the said Commissioner, and the same shall be recoverable from the said Party in such and the same Manner as any Penalties and Forfeitures are recoverable under the said recited Act passed in the Forty-first Year of the Reign of King *George* the Third; but if the said Jury shall return a Verdict that the Highway so discontinued or stopped up is not unnecessary, or that the Highway so diverted or altered could not beneficially to the Public be so diverted or altered, or that the Party appealing would be injured or aggrieved by the said Highway being discontinued, stopped up, diverted, or altered, as the Case may be, the said Court of Quarter Sessions shall allow such Appeal, and shall make an Order for restoring the said Highway so discontinued, stopped up, diverted, or altered by the Order of the said Commissioner to its original State; and in that Case the said Court of Quarter Sessions is hereby authorized and required to award to the Party or Parties giving Notice of Appeal such Costs and Expences as shall be incurred in prosecuting such Appeal, and such Costs and Expences shall be paid by the said Commissioner, and shall be raised by the said Commissioner in such and the same Manner as he is hereby directed or empowered to raise the Money necessary for discharging the Costs, Charges, and Expences of this Act.

Costs to be awarded on Appeal against stopping up, &c. Highways.

On Dismissal of Appeal, Order of Commissioner for discontinuing Highway to be final.

XXV. Provided always, and be it further enacted, That from and after the Dismissal of any such Appeal as aforesaid the Order or Award of the said Commissioner for discontinuing, stopping up, diverting, or altering any such public Carriage Road, Highway, Bridle Road, or Footway shall be final and conclusive, and be of full Force and Effect, any thing in this Act or in the said recited Acts contained to the contrary notwithstanding.

Drains and Watercourses.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioner, if he shall in his Discretion think it fit, to scour out, deepen, widen, enlarge, divert, turn, or alter any ancient Ditches, Drains, Watercourses, Tunnels, Watergates, Banks, and Bridges in the said Parish of

Stepingley, and to make or cause to be made any new Ditches, Drains, Watercourses, Tunnels, Watergates, Banks, and Bridges in, through, over, and upon, as well the Lands and Grounds hereby authorized to be divided and allotted, as in, through, over, and upon any ancient Inclosures within the said Parish (making such Satisfaction to the Proprietors of such ancient Inclosures for the Damage done thereby as the said Commissioner shall think reasonable); all which before-mentioned Ditches, Drains, Watercourses, Tunnels, Watergates, Banks, and Bridges shall be of such Depth, Breadth, and Dimensions, and in such Directions as the said Commissioner shall think proper, the Expence whereof shall be defrayed by the Persons interested therein and benefited thereby in such Proportions as the said Commissioner shall adjudge and determine, and the same shall be raised in the same Manner as the Expences of obtaining and executing this Act are directed to be raised; and the said Commissioner shall and may and he is hereby directed and required in and by his Award to order and determine by whom, and at whose Expence, and at what Time and in what Manner the said Ditches, Drains, Watercourses, Tunnels, Watergates, Banks, and Bridges so scoured out, deepened, widened, enlarged, diverted, turned, or altered shall be afterwards cleansed, scoured, and maintained; provided that no Stream, Spring, or Watercourse shall be diverted or turned without the Consent in Writing of the respective Owners or Proprietors of the Lands or Grounds from which the same shall be diverted, or into whose Lands the same shall be turned.

Allotments for Gravel Pits, &c.

XXVII. And be it further enacted, That the said Commissioner shall and he is hereby required to set out, appoint, and allot, in One or more Parcel or Parcels, a sufficient Quantity of the Lands and Grounds hereby authorized to be divided and allotted for Stone, Chalk, Rubble, or Gravel Pits or Quarries, for the Purpose of furnishing Materials for making and repairing the Roads and Ways in the said Parish of *Stepingley;* which Parcel or Parcels of Land shall be fenced in such Manner, and such Fences shall be kept in repair by such Person or Persons, as the said Commissioner shall by his Award order and direct; which Parcel or Parcels of Land, with the Grass and Herbage thereon, shall, from and after the Execution of the Award of the said Commissioner, be vested in the Surveyor or Surveyors of the Highways for the Time being within the said Parish of *Stepingley* upon the Trusts and for the Purposes aforesaid, and who shall from Time to Time let such Grass and Herbage for the most Money that can be made thereof, and apply the Rents and Profits arising from the same towards the Repairs of the Roads or Highways within the said Parish.

Allotment to the Lord of the Manor for Right of Soil.

XXVIII. And be it further enacted, That after the said Commissioner shall have set out or deducted all such Parts of the said Commons and Wastes as shall be allotted for public Carriage Roads and other public Purposes, it shall be lawful for the said Commissioner, and he is hereby authorized and required, to set out, allot, and award unto, for, and amongst the several Lord or Lords, Lady or Ladies of the said several Manors within which the said Commons and Waste Lands are situate, for and in lieu of their respective Rights to the Soil thereof, so much and such Part and Parts of the said Commons and Waste Lands hereby authorized to be divided and allotted as in the Judgment of the Commissioner shall be equal

equal in Value to One Sixteenth Part of all the said Commons and Waste Lands; such said One Sixteenth Part to be divided and allotted by the said Commissioner unto and amongst the said several Lord or Lords, Lady or Ladies of the said several Manors, according to their respective Rights and Interests in the said Commons and Wastes.

Allotments for Glebe.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioner and he is hereby required to set out, allot, and award unto and for the said *William Henry Greene* and his Successors, Rectors of the Parish of *Stepingley* aforesaid, in lieu of his Glebe Land and Right of Common thereunto belonging, such Plot or Plots of the Land and Ground by this Act directed or authorized to be divided and allotted as shall in the Judgment of the said Commissioner be a full Equivalent and Compensation for such Glebe Lands and Rights of Common.

Compensation for Tithes.

XXX. And be it further enacted, That the said Commissioner shall and he is hereby required, in the next place, to set out unto and for the said Rector and his Successors, from and out of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or, with the Consent of the respective Proprietors thereof, from and out of the old inclosed Lands and Grounds in the said Parish, One or more Plot or Plots of Ground, not exceeding together Thirty Acres, for and in respect and in part Compensation for the Tithes arising and payable to the said Rector within the said Parish; and the said Commissioner shall and he is hereby required to make a just and true Valuation of all the ancient inclosed Lands and Grounds and other Hereditaments within the said Parish subject and liable to the Payment of Tithes, and shall thereby ascertain and determine what yearly Sum or Sums of Money, together with the annual Value of the Plot or Plots of Ground so to be allotted to the said Rector in respect of his Tithes as aforesaid, shall in the Judgment of the said Commissioner be equal in Value to One Fifth Part of all the Arable Lands, as well open as inclosed, One Eighth Part of all such Meadow or Pasture Lands, and One Tenth Part of all other the Lands and Grounds within the said Parish, subject and liable to the Payment of Tithes to the said Rector, and which shall remain after the public Roads and Drains, and the Allotments for Stone and Gravel Pits, shall be deducted and taken therefrom; and the said Commissioner shall also ascertain and determine what Proportion or Proportions of such said yearly Sum or Sums shall be paid and payable by each Proprietor of Lands and Grounds within the said Parish respectively; and the yearly Sum or Sums of Money so to be apportioned and ascertained shall be and the same are hereby charged and made chargeable upon the Lands and Grounds of each such Proprietor respectively, and shall continue to be paid and payable until the same shall be altered or varied, pursuant to the Provisions herein-after contained, to the said Rector and his Successors, at the Rectory House of *Stepingley* aforesaid, by Four equal quarterly Payments on the Twenty-fifth Day of *March*, the Twenty-fourth Day of *June*, the Twenty-ninth Day of *September*, and the Twenty-fifth Day of *December* in every Year, the first Payment thereof to begin and be made on such of the said quarterly Days as the said Commissioner shall direct by his said Award, or by any Notice in Writing to be given and published previous to the said Award, in like Manner as herein-before is mentioned with respect to the Meetings of the said Commissioner; and in case the said yearly Rents or Sums, or any of them,

them, or any Part or Parts thereof, or any future Rents or yearly Sums to be substituted in lieu thereof as herein-after is mentioned, shall at any Time or Times be behind and in arrear, it shall be lawful for the said Rector and any of his Successors to have and exercise the same Powers and Remedies by Distress and otherwise for recovering the same as by the Laws of *England*, whether at Common Law or under any Statutes or Statute, are applicable for the Recovery of the Arrear of Rent reserved on any Lease or Demise of Lands; and upon the Death, Cession, Resignation, or Removal of any Rector of the said Parish before the Time at which any quarterly Payment of the said Rents shall become due, such Rector, his Executors or Administrators, shall be entitled to a Proportion of every such quarterly Payment according to the Number of Days elapsed from the quarterly Day of Payment then last past to the Day of his Death, Cession, Resignation, or Removal, and the Remainder of every such quarterly Payment shall belong to the Person who shall be Rector when the particular Quarter shall become complete, and such apportioned Sums shall be recoverable by the Persons respectively entitled to the same in the same Manner as an entire quarterly Payment of the said Rents are hereby made recoverable as aforesaid.

How such Rents may be apportioned.

XXXI. And be it further enacted, That it shall be lawful for the respective Owners for the Time being of any Lands or Tenements charged with the said yearly Rents or Sums, or any of them, or any Part or Parts thereof respectively, upon a Division of any such Lands either by Sale or otherwise, (except by Lease or Demise at Rack Rent,) by any Instrument in Writing to be by such respective Owners signed from Time to Time, to divide and apportion all or any Part of the said yearly Rents or Sums, and to declare what Parts and Proportions thereof respectively shall in future be severally charged upon any Part or Parts of the Lands or Grounds originally charged with such entire yearly Rents or Sums as aforesaid; and after every such Apportionment the yearly Rents or Sums so apportioned shall be payable in such Parts and Proportions, and chargeable only upon such Lands and Grounds, as shall be specified in such Instrument of Apportionment in that Behalf; provided that every such Apportionment be made with a due Regard to the Security of the several Parts or Proportions of the said yearly Rents or Sums, and that every such apportioned yearly Rent or Sum shall be subject and liable to the same Powers and Remedies for enforcing Payment and Recovery thereof as the original or unapportioned yearly Rent or Sum would have been subject or liable to; and that every such Instrument or a Duplicate thereof shall, within Three Calendar Months after the Date thereof, be entered with the Episcopal Registrar of the Diocese of *Lincoln*, for which Entry the Registrar shall be paid after the Rate of Sixpence for every One hundred Words; and a Copy of such Entry, signed by the Registrar or his Deputy, shall be admitted as legal Evidence thereof.

For facilitating such Apportionments.

XXXII. And for facilitating the Apportionment of the said yearly Rents or Sums; be it further enacted, That the said Commissioner shall in a Schedule to his said Award specify and distinguish the several old Inclosures and the several Allotments of Lands and Grounds to be charged with the said several yearly Rents, the Names of the respective Owners, the Quantity in Statute Measure of each old Inclosure and Allotment, the Rate *per* Acre at which the same several old Inclosures and Allotments respectively

respectively shall be charged, the Quantity of Corn which is to govern the said several yearly Rents or Sums, and such other Particulars as the said Commissioner may judge necessary for facilitating the Apportionment of the said yearly Rents or Sums, and the Recovery thereof respectively.

Tithe Allotment may be exchanged for a Corn Rent.

XXXIII. And be it further enacted, That the said Commissioner shall and he is hereby directed, by and with the Consent in Writing of the said Rector and his Successors, to allot and award the said Plot or Plots of Ground so to be set out for Tithes as aforesaid, or any Part thereof, unto any Proprietor of Lands and Grounds within the said Parish willing to accept the same, and in lieu thereof to assign and award unto the said Rector and his Successors such a yearly Rent or annual Sum in the Nature of a Corn Rent as shall be equal in annual Value to the said Plot or Plots of Ground to be allotted and awarded as aforesaid; and such said yearly Rent or annual Sum shall be charged and chargeable upon and issuing and payable for ever to the said Rector and his Successors out of, as well the said Plot or Plots of Ground, as such other Lands and Grounds of the said Proprietor as the said Commissioner shall in and by his said Award specify, order, and direct, such other Lands and Grounds being, together with the said Plot or Plots of Ground, of an annual Value not less than Three Times the Amount of such Rent.

For ascertaining and regulating Corn Rents.

XXXIV. And be it further enacted, That the said Commissioner shall and he is hereby required to set forth in his said Award the Average Price of a Bushel of good marketable Wheat in the County of *Bedford* for Seven Years immediately preceding the Twenty-fifth Day of *March* One thousand eight hundred and thirty-six, and shall calculate and set forth what Number of Bushels and Decimal Parts of a Bushel of good marketable Wheat would be required, according to such Average, to produce each of the said several yearly Rents or Sums of Money so to be ascertained and payable as aforesaid; and that at any Time after the Expiration of Seven Years from the Date of the said Award it shall be lawful, as well for the said Rector and his Successors as for the Owner or Owners of any Lands or Tenements charged with the said yearly Rents or Sums, or any of them, or any Part or Parts thereof respectively, to apply to any Court of Quarter Sessions of the Peace to be holden at *Bedford* or elsewhere in and for the said County of *Bedford* (Notice of such Application in Writing under his or their respective Hand or Hands being affixed on the principal Door of the Parish Church of *Stepingley* aforesaid Three successive *Sundays* at the least, during Divine Service, before the Day on which such Sessions shall be appointed to be held,) to nominate and appoint Three Persons to be Arbitrators for ascertaining the Average Price of a Bushel of good marketable Wheat within the County of *Bedford* for the Term of Seven Years then last past; and the Justices then and there assembled shall, by Order of the same Court, upon Proof of such Notice having been given as aforesaid, nominate and appoint Three fit and disinterested Persons to be Arbitrators for the Purposes aforesaid, and if the Occasion shall appear to the said Justices to require it, to nominate and appoint any other such Person or Persons to the same Office, instead of any Person or Persons first nominated, until the Purpose of such Arbitration shall be wholly completed; and the said Arbitrators or any Two of them are hereby authorized and required from the *London Gazette*, or by such other Ways and Means as they shall think proper, to

ascertain

ascertain the Average Price of a Bushel of good marketable Wheat within the County of *Bedford* during the said Term of Seven Years then last past; and the said Arbitrators or any Two of them shall by their Report in Writing under their Hands, to be delivered to the Court of Quarter Sessions to be held at the Town of *Bedford* or elsewhere in and for the said County next after their Appointment, set forth such Average Price; and in case such Average Price shall be found more or less by the Value of Three-pence *per* Bushel than the Price so to be ascertained and set forth in the Award of the said Commissioner as aforesaid, or to the Average Price then last ascertained, as the Case may be, the yearly Rents or Sums then charged upon each Proprietor's Estate in lieu of Tithes shall be varied and increased or diminished in proportion to the Amount which the Average Price so found by them the said Arbitrators shall bear to the Price to be ascertained and set forth, or to the Average Price then last ascertained, as the Case may be; and the said Arbitrators or any Two of them shall by their said Report set forth the exact Amount to which each of such yearly Rents or Sums shall be increased or diminished as aforesaid; which said Report shall, by Order of the said Court, be confirmed, varied, or altered, as to the said Justices then and there assembled shall seem just; and the said several yearly Rents or Sums so varied and ascertained as last aforesaid shall, from the Quarter Day of Payment then last preceding, be, remain, and continue issuing and payable to the said Rector and his Successors, from and out of the several Lands and Tenements charged with the said several yearly Rents or Sums of Money first herein-before directed to be ascertained and made payable, for the Term of Seven Years then next ensuing, and until the same yearly Rent or Sum shall afterwards, upon a like Application, be again varied and ascertained, according to the Average Price of Wheat during the Term of Seven Years then last past; and such future Applications the said Rector and Proprietors are hereby respectively authorized to make from Time to Time after the Expiration of every Term of Seven Years for ever, in such or the like Manner and Form as herein-before are mentioned and directed with respect to the said first Application; but the Costs, Charges, and Expences of every such Application to the Court of Quarter Sessions, and of varying and re-ascertaining such several yearly Rents or Sums as aforesaid, shall be paid and defrayed by the Person or Persons who shall give Notice of such Application respectively.

Allotments and Corn Rents to be in full Satisfaction for Tithes.

XXXV. And be it further enacted, That the Plot or Plots of Ground which shall be set out for Tithes in pursuance of this Act, together with the said several yearly Rents or Sums of Money so to be ascertained and payable for Tithes as aforesaid, shall be accepted and taken by the said Rector and his Successors in lieu of and in full Compensation and Satisfaction for all Tithes, both great and small, and all other Ecclesiastical Dues and Payments whatsoever, except Mortuaries and Surplice Fees, arising and payable to the said Rector and his Successors within the said Parish; and that from and after the said Plot or Plots of Ground shall be set out as aforesaid, and the said yearly Rents or Sums shall have been ascertained, declared, and made payable as aforesaid, all Tithes, both great and small, arising and payable within the said Parish, and all other Ecclesiastical Dues and Payments whatsoever, except Mortuaries and Surplice Fees, shall cease and for ever determine.

XXXVI. And

Proprietors may redeem the Rents to be assigned in lieu of Tithes.

XXXVI. And whereas the Owners or Proprietors of Lands and Grounds within the said Parish of *Stepingley* may be desirous of redeeming the said yearly Rents or Sums upon Payment of a Sum of Money in gross in lieu thereof; be it therefore enacted, That it shall and may be lawful for all and every or any of the Owners or Proprietors of Estates within the said Parish of *Stepingley*, at any Time after the passing of this Act, to purchase and redeem the several yearly Rents or Sums which under and by virtue of this Act shall be charged and chargeable upon their respective Lands and Grounds in lieu of Tithes as aforesaid, upon Payment in manner herein-after mentioned of a Sum or Sums of Money in gross equal to the Amount of Twenty-five Years Purchase of such said several yearly Rents or Sums respectively.

Consideration Money for Redemption of Tithes, to be paid into the Bank, and a Certificate thereof given.

XXXVII. And be it further enacted, That the Consideration Money for the Purchase and Redemption of the several yearly Rents or Sums shall be paid into the Bank of *England*, and be applied in the Manner and for the Purposes herein-after mentioned; and upon every such Payment a Certificate shall be given by the Cashier of the Bank in the Form following; (that is to say,)

'THESE are to certify, That *A. B.* hath this Day paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Rector of the Rectory and Parish Church of *Stepingley* for the Time being, the Sum of being the Consideration for the Purchase and Redemption of the yearly Rent of charged upon the Lands and Grounds of the said *A.B.* within the said Parish, and payable to the Rector in lieu of Tithes, by virtue of an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act for inclosing and exonerating from Tithes Lands in the Parish of* Stepingley *in the County of* Bedford, which said Consideration Money is equal to the Amount of Twenty-five Years Purchase of such yearly Rent, pursuant to the Provisions of the said Act. As witness my Hand this Day of .'

A Copy of which said Certificate shall be forthwith delivered to the Rector of *Stepingley* aforesaid for the Time being, or left at his usual Place of Abode; and every such Certificate shall also be registered in the Episcopal Court of the Diocese of *Lincoln* by the Registrar or his Deputy of the said Registry; and such Registrar shall be paid for every such Certificate, having thereon a Certificate of its Registration subscribed by such Registrar or his Deputy, where the same shall not contain more than Twenty Folios of Seventy-two Words each, the Sum of Five Shillings and no more, and where the same shall exceed Twenty such Folios the further Sum of Four-pence *per* Folio for every such Folio above such first Twenty Folios; and the like Sums shall be paid to the said Registrar for every Copy of any such Certificate which shall be so registered, having a Certificate thereon subscribed by the said Registrar or his Deputy of the same, being a true Copy, and which Certificate of Registry and certified Copies of such Certificate of Purchase such Registrar or his Deputy is hereby required to give on Payment of the Fees aforesaid; and any Copy of such Certificate of Purchase so to be registered, and having thereon such Certificate of Registry (the Handwriting of such Registrar or his Deputy being duly proved), shall be admitted as Evidence by all Judges, Justices,

Justices, and others; and from the Quarter Day next after the Date of any such Certificate, a Copy thereof having been delivered to the said Rector or left at his Place of Abode as aforesaid, the yearly Rent or Sum mentioned in such Certificate shall cease and determine and be no longer payable to or recoverable by the said Rector of the Parish Church of *Stepingley* aforesaid, and the Property theretofore charged and made chargeable with such said yearly Rent or Sum shall thenceforth be freed and exonerated therefrom, and from all Claims and Demands in respect thereof.

Application of Consideration Money.

XXXVIII. And be it further enacted, That all and every the Consideration Money for the Purchase and Redemption of the said yearly Rents or Sums so directed to be paid into the Bank of *England* as aforesaid shall be so paid in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Rector of the Rectory and Parish Church of *Stepingley* for the Time being, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall when so paid in there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Rector for the Time being of the said Rectory and Parish Church of *Stepingley*, and by and with the Consent and Approbation of the King's most Excellent Majesty as Patron of the said Rectory, such Consent to be signified in Writing under the Hand and Seal of the Right Honourable the Lord High Treasurer or the First Lord of His Majesty's Treasury, and of the Bishop of the Diocese, to be signified in Writing under his Hand and Seal, be laid out in the Purchase of Freehold Manors, Messuages, Lands, Tenements, or Hereditaments of an Estate of Inheritance in Fee Simple in Possession, free from all Incumbrances except Quit Rents, Fee-farm Rents, and other usual Outgoings, to be situate within the said Parish of *Stepingley* or within Twenty Miles thereof, and all such Freehold Manors, Messuages, Lands, Tenements, and Hereditaments shall be thereupon conveyed and assured unto and to the Use of the Rector of the Rectory and Parish Church of *Stepingley* and his Successors for ever, and the Costs and Charges attending such Conveyance and Assurance shall be paid and discharged out of the Funds so to be applied to such Purchase or Purchases as aforesaid; and all such Freehold Hereditaments shall, from the Time of such Conveyance or Assurance, be annexed to and for ever thereafter be and continue Part of the Glebe Lands of the same Rectory; and all such Conveyances and Assurances shall be registered in the Episcopal Registry of the Diocese of *Lincoln* by the Registrar or his Deputy of the said Registry; and such Registrar shall be paid for the Registration of every Deed of any such Conveyance or Assurance, having thereon a Certificate of its Registration subscribed by such Registrar or his Deputy, where the same shall not contain more than Twenty Folios of Seventy-two Words each, the Sum of Five Shillings, and no more, and where the same shall exceed Twenty such Folios the further Sum of Four-pence *per* Folio for every such Folio above such first Twenty Folios, and

1 G. 4. c. 35.

and the like Sum shall be paid to the said Registrar for any Copy of any such Deed which shall be so registered, having a Certificate thereon subscribed by the said Registrar or his Deputy of the same being a true Copy, and which Certificate of Registry and certified Copies of such Deed such Registrar or his Deputy is hereby required to give on Payment of the Fees aforesaid; and any Copy of any such Deed so to be registered, and having thereon such Certificate of Registry (the Handwriting of such Registrar or his Deputy being duly proved), shall be admitted as Evidence by all Judges, Justices, and others; and in the meantime and until such Order can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Rector of the Rectory and Parish Church of *Stepingley* for the Time being.

Application of Money until Purchases made.

XXXIX. Provided always, and be it further enacted, That if the Consideration Money for the Purchase and Redemption of the said yearly Rents which shall be paid into the Bank, and invested in the Purchase of Bank Annuities or other Securities in manner aforesaid, shall not be so laid out in the Purchase of such Freehold Manors, Messuages, Lands, Tenements, or other Hereditaments within the Term of Five Years from the passing of this Act, then the said Consolidated or Reduced Bank Annuities or Government or Real Securities, or so much thereof as shall be remaining so invested after the Expiration of such Term, shall be sold by the Accountant General of the said Court; and the Monies to be produced by such Sale, together with all other Monies which after the Expiration of the said Term of Five Years shall be paid into the Bank as Consideration Money for the Purchase and Redemption of any such yearly Rents in manner herein-before directed, shall in the meantime, and until the same Monies shall be invested in the Purchase of Freehold Manors, Messuages, Lands, Tenements, and Hereditaments, be from Time to Time laid out by the Accountant General of the said Court of Exchequer in the Purchase of Navy, Victualling, or Exchequer Bills; and the Interest arising from the Money so laid out in Navy, Victualling, and Exchequer Bills, and the Money received for the same as they shall respectively be paid off by Government, shall from Time to Time be laid out in the Name of the said Accountant General in the Purchase of other Navy, Victualling, or Exchequer Bills; provided that it shall and may be lawful to and for the said Court to make such General Order or Orders, or Special Order or Orders if necessary, that whenever the Exchequer Bills of the Date of those in the Hands of the Accountant General shall be in the course of Payment by Government, and new Exchequer Bills shall be issued, such new Exchequer Bills may be received in exchange for those which are so in the course of Payment as shall be effectual for enabling such Receipt in exchange, and that in that Event the Interest of the old Bills shall be laid out as before directed with respect to the Interest where the Bills are paid off; all which said Navy, Victualling, or Exchequer Bills shall

shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved as herein-before is directed, and until the same shall, upon a Petition setting forth such Approbation, to be preferred to the Court of Exchequer in a summary Way by the Person herein-before mentioned for that Purpose, be ordered to be sold by the said Accountant General for the completing such Purchase, in such Manner as the said Court shall think just and direct; and if the Money arising by the Sale of the said Navy, Victualling, or Exchequer Bills as last aforesaid shall exceed the Amount of the original Purchase Money paid for such said Navy, Victualling, or Exchequer Bills, then and in that Case only the Surplus which shall remain after discharging the Expences of the Application to the said Court shall be paid to such Person or Persons respectively as would have been entitled to receive the Rents and Profits of the Lands directed to be purchased in case the same had been purchased pursuant to this Act, or to the Representatives or Representative of such Person or Persons respectively.

Proprietors under Disability enabled to borrow Money.

XL. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords or Ladies of Manors, Tenants for Life or in Tail, or for any partial or qualified Estate or Interest, Tenants by Copy of Court Roll for Life or Lives or at the Will of the Lord, Husbands, Guardians, Trustees, or Feoffees in Trust for charitable or other Purposes, Heirs, Executors, Administrators, Successors, Committees for Lunatics and Idiots, and all other Trustees whomsoever, and for all Persons seised, possessed of, or interested in right of others being Persons labouring under any Disability or Incapacity, and all other Persons whomsoever, not only for and on behalf of themselves, and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their several and respective Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and for all Femes Covert who are or shall be seised, possessed of, or interested in any Lands or Grounds in the said Parish which shall have been charged with any such yearly Rent or Sum in lieu of Tithes as aforesaid, to borrow and charge such respective Property, or any Part or Parts thereof respectively, with any Sum or Sums of Money which shall have been paid in manner aforesaid, or may be required for the Purchase and Redemption of such said yearly Rents or Sums, pursuant to the Provisions of this Act, 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 of Money, and to his, her, or their respective Heirs, Executors, Administrators, or Assigns, in Fee or for any Term or Number of Years, so as 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 reconveyed 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 any Mortgagee or Mortgagees advancing or lending Money under the present Power shall pay the Sum or Sums of Money so to be advanced or lent into the Bank of *England* in the Manner herein-before mentioned with

regard

regard to the Purchase or Consideration Money to be paid for the Redemption of the said yearly Rents or Sums; and from and after such Payment or Payments shall be made, and a Certificate thereof shall be given by the Cashier of the Bank as aforesaid, such Mortgagee or Mortgagees shall not be obliged to see to the Application thereof, nor be in anywise accountable for any Misapplication or Nonapplication thereof or of any Part thereof; and so as 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 a Life or Lives, or upon any other Contingency, there be contained a Proviso or Condition that no Person who shall afterwards become entitled in Remainder or Reversion to the Lands or Tenements therein comprised 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 One Year preceding the Time that the Title to such Possession shall have commenced.

Proprietors under Disability enabled to sell.

XLI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords or Ladies of Manors, Tenants for Life or in Tail, or for any partial or qualified Estate or Interest, Tenants by Copy of Court Roll for Life or Lives or at the Will of the Lord, Husbands, Guardians, Trustees, or Feoffees in Trust for charitable or other Purposes, Heirs, Executors, Administrators, Successors, Committees for Lunatics and Idiots, and all other Trustees whomsoever, and for all Persons seised, possessed of, or interested in right of others being Persons labouring under any Disability or Incapacity, and all other Persons whomsoever, not only for and on behalf of themselves, and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their several and respective Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons or Person, and for all Femes Covert who are or shall be seised, possessed of, or interested in the same, and for all and every other Persons and Person whomsoever who are, is, or shall be seised, possessed of, or interested in any Lands or Grounds in the said Parish which shall have been charged under the Authority of this Act with any such yearly Rent or Sum in lieu of Tithes as aforesaid, to sell such Part of such respective Property as shall be sufficient to raise any Sum or Sums of Money which shall have been paid in manner aforesaid, or may be required for the Purchase and Redemption of such several yearly Rents or Sums pursuant to the Provisions of this Act, and to convey the same in Fee Simple to any Person or Persons who shall be willing to purchase the same; and the Purchaser or Purchasers shall pay his, her, or their Purchase Money or Purchase Monies into the Bank of *England* in manner aforesaid; and after such Payment or Payments shall be made, and a Certificate or Certificates thereof shall be given by the Cashier as in this Act mentioned, such Purchaser or Purchasers shall not be obliged further to see to the Application of such Purchase Monies, nor be in anywise answerable for any Misapplication or Nonapplication thereof, or of any Part thereof; and every such Sale and Conveyance shall, without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Person so conveying, but also to convey the Right, Estate, and Interest, Trust, Use, Property, Possession, Claim, or Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through,

or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be considered and deemed to bar and shall bar all Dower of the Wife or Wives of such Party or Parties, and all other Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of the same Party or Parties claiming under them or any of them respectively, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords or Ladies of Manors, Tenants for Life or in Tail, or for any partial or qualified Estate or Interest, Tenants by Copy of Court Roll for Life or Lives, or at the Will of the Lord, Husbands, Guardians, Trustees, or Feoffees in Trust, Heirs, Executors, Administrators, Successors, Committees, Trustees, and all other Persons whomsoever, are and shall be and they are hereby fully indemnified for what they shall respectively do by virtue and in pursuance of this Act.

Allotment of Residue.

XLII. And be it further enacted, That the said Commissioner shall and he is hereby required to set out, allot, and award all the Residue and Remainder of the said Open and Common Fields, Common Meadows, Common Pastures, Wastes, and other Commonable Lands by this Act intended to be divided and allotted unto and amongst all and every the Person and Persons, and Bodies Politic, Corporate, and Collegiate, having any Right or Interest in, to, over, or upon the said Lands and Grounds, in such Shares and Proportions as the said Commissioner shall determine to be a fair and just Compensation for their several and respective Lands, Rights of Common, and other Rights and Interests in, to, over, and upon the same Lands and Grounds.

Power to allot ancient Inclosures, with the Consent of Proprietors.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioner, at the Request and with the Consent of the respective Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, seised or possessed of any inclosed Lands or Grounds within the said Parish of *Stepingley* for any Estate of Freehold or Inheritance, to order and direct such inclosed Lands and Grounds, together with the Buildings which may be erected and standing thereon, to be considered as allottable Lands, and as Part and Parcel of the Lands hereby directed to be divided and allotted, and to divide and allot the same accordingly; but such Allowances shall be made to the respective Owners of such inclosed Lands and Grounds on account of Buildings, Situation, or any other beneficial Circumstances attending the same, as the said Commissioner shall adjudge to be fair and reasonable; and the said Commissioner is hereby authorized and required to set out, allot, and award unto and for the respective Owners of such inclosed Lands and Grounds and Hereditaments, and in lieu thereof, so much and such Part or Parts of the Lands and Grounds hereby directed to be divided and allotted as the said Commissioner shall think reasonable and just, subject to the Orders and Conditions herein contained.

Fencing the Allotments that are made in lieu of Glebe and Tithes.

XLIV. And be it further enacted, That the said Commissioner shall order and cause all and every the Allotment and Allotments of Land to be made to the Rector in lieu of Glebe and Tithes to be inclosed and fenced on the outward Boundaries thereof respectively with Ditches and Quickset Hedges, and properly guarded with Posts and Rails on both Sides, in

in which Fences shall be put down in proper Places good and sufficient Gates, with Gate Posts and Gate Irons; and unless the Commissioner shall direct the same to be done by the Proprietor or Proprietors of any adjoining Allotment or Lands, the Expence thereof, together with the Expences of raising, repairing, and maintaining the said Quicks and Fences for the Space of Seven Years then next ensuing, shall be paid and defrayed by such Owner or Owners, Proprietor or Proprietors of Lands and Grounds within the said Parish, and in such Shares and Proportions, as the said Commissioner shall order and direct; and for the Purpose of raising and paying the Expences of making and maintaining during the Term of Seven Years such Fences as last aforesaid in case any such Fences shall become necessary to be so provided for, the said Commissioner is hereby authorized and required to make a special Rate and Assessment or special Rates and Assessments upon all and every such Proprietors and Owners as last aforesaid, distinct and separate from any other Rate or Assessment; and such special Rate or Rates, Assessment or Assessments, shall be recoverable by all or any of the Ways or Means which by the said first-recited Act are given or provided for levying and recovering the Expences of obtaining and executing Acts of Inclosure in Cases where such Expences are directed to be paid in proportion by the Proprietors of Lands to whom any Allotments shall be made.

Fencing the other Allotments.

XLV. And be it further enacted, That the several other Allotments to be made of the Lands and Grounds by this Act directed to be divided and allotted shall, within the Space of Twelve Calendar Months next after the Execution of the said Award, or such other Time as the said Commissioner shall order and direct, be inclosed, hedged, ditched, and fenced, and good Quicksets shall be planted in such Hedges, and there shall be good Oak Posts and Rails, or other proper Fences, placed to guard the same, and such Ditches shall not be less than Three Feet wide at the Top, at the proper Costs and Charges of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom the same shall be respectively allotted, or of such Person or Persons interested in the said Division (except the Rector of the said Parish in right of his said Rectory), and in such Manner as the said Commissioner shall order and direct.

Equalizing the Share of Fencing.

XLVI. Provided always, and be it further enacted, That in case through Necessity of Situation, or other Accident or Circumstance, it shall happen that any One or more of the said Proprietors of the Lands hereby directed to be divided, allotted, and inclosed shall not have a proportionable Share of the Boundary Fences allotted to them, then it shall be lawful for the said Commissioner to ascertain and order and appoint what Sum or Sums of Money such Proprietor or Proprietors shall respectively pay and contribute towards making the said Boundary Fences of the Allotment or Allotments of such other of the said Proprietors who shall have too great a Proportion thereof to make by virtue of this Act, the same to be paid to such Person or Persons and in such Manner as the said Commissioner shall by any Writing under his Hand order, direct, or appoint; and the Money so ordered, directed, and appointed shall be raised, levied, and recovered by all or any of the Ways and Means which by the said recited Acts are given or provided for levying and recovering the Expences of obtaining and executing Acts of Inclosure in Cases where such Expences are directed to be paid in proportion by the Proprietors of Lands to whom

any Allotments shall be made; and such Order or Orders of the said Commissioner shall be final, binding, and conclusive on all Parties interested and concerned therein.

Rector may lease his Allotment.

XLVII. And be it further enacted, That it shall be lawful for the Rector of *Stepingley* aforesaid for the Time being, by Indenture or Indentures under his Hand and Seal, with the Consent and Approbation of the Bishop of the Diocese and of the Patron of the said Rectory, to lease or demise all or any Part or Parts of the Lands, Grounds, and Hereditaments to be allotted or given in exchange to or purchased for such Rector by virtue of this Act, to any Person or Persons whomsoever, for any Term not exceeding Twenty-one Years, to commence within Twelve Calendar Months from the passing of this Act, so that the Rent or Rents for the same shall be thereby reserved to the Rector for the Time being by Four equal quarterly Payments in every Year, and so that there be thereby also reserved and made payable to such Rector the best and most improved Rent or Rents that can be reasonably had or gotten for the same, without taking any Fine, Foregift, Premium, Sum of Money, or other Consideration for the making or granting any such Lease or Demise, and so that no such Lessee by any such Lease or Demise be made dispunishable for Waste by any express Words to be therein contained, and so that there be inserted in every such Lease Power of Re-entry on Non-payment of the Rent or Rents to be thereby reserved within a reasonable Time to be therein limited after the same shall become due, and so that a Counterpart of such Lease be duly executed by the Lessee or Lessees to whom such Lease shall be so made as aforesaid; and every such Lease shall be valid and effectual, any Law or Usage, or any thing in the said recited Acts, contained to the contrary notwithstanding: Provided always, that whenever any Lease or Leases so to be granted by any such Rector shall by any Means become forfeited or void or be surrendered before the Expiration by Effluxion of Time of the Term or Terms thereby granted, then and in such Case and as often as the same shall so happen it shall and may be lawful for the Rector for the Time being of the said Rectory, by and with such Consent and Approbation as herein-before mentioned, to grant a new Lease of the Lands so demised for such Term or Terms of Years as shall at the Time or Times of such Avoidance be then to come and unexpired of the original Lease or Leases, subject nevertheless to the Provisions and Conditions contained in such original Lease or Leases, and then remaining unperformed and capable of having effect.

Openings to be left in Fences.

XLVIII. And be it further enacted, That convenient Gaps and Openings shall be left in the Fences to be made by virtue of this Act for the Passage of Persons, Cattle, Carts, and Carriages in and through the same, in such Places and for such Time as the said Commissioner shall order and direct.

Distinct Allotments to be made for Lands holden for different Estates.

XLIX. And be it further enacted, That in case any Proprietor or Proprietors of any Lands or other Hereditaments hereby authorized to be divided, allotted, or inclosed shall hold their respective Lands or Hereditaments by different Tenures, or for different Estates, or under different Titles, the said Commissioner shall, upon the Request of such respective Proprietors in Writing under their Hands, ascertain and distinguish the

Lands

Lands or other Hereditaments held by each of such Tenures for each of such Estates, and under each of such Titles respectively, and shall accordingly in his Award set out and distinguish distinct and several Allotments for such respective Lands or other Hereditaments; and where, from the Want of necessary Information before the said Commissioner, or from any other Cause, his Award shall have omitted distinguishing, as herein-before is required, such different Titles, different Estates, and different Tenures, and within Twelve Calendar Months after the making the said Award Request shall be made in Writing to the said Commissioner by any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, interested, to have such Omission supplied by a separate Instrument, then and in every such Case the said Commissioner is hereby authorized and required to do every thing necessary for supplying such Omission, and so far as that Purpose shall require to examine Witnesses, and in every other respect to proceed and act as if his Award had not been made; and when he shall have obtained what he shall think sufficient Information he is hereby also authorized and required by any Deed under his Hand and Seal to ascertain and distinguish the Difference of such Estates, Titles, and Tenures respectively, and accordingly to make such distinct and several Allotments in the same Manner as hereby required where such Discriminations shall be contained in the said Award; and every such separate Instrument shall have the same Force and Effect as if it were contained in the said Award; and the same supplemental Instrument shall be delivered to the Person or Persons upon whose Request the said Omission shall have been supplied, or to the Person or Persons to whom the Custody of the Deeds or Writings concerning the Title to the Premises in question shall, in the Opinion of the Commissioner, most properly belong for the Time being, such supplemental Instrument being enrolled in the Manner directed by the said recited Act of the Forty-first Year of the Reign of King *George* the Third for enrolling Awards made by Commissioners under Acts of Inclosure; and all Expences which shall be reasonably incurred in and about or relating to such separate Instrument as aforesaid shall be payable by the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall have so requested the said Commissioner to make and execute the same; and every such separate Instrument shall, from and immediately after the due Execution thereof by the said Commissioner, have the same Effect to all Intents and Purposes as if the Contents thereof had been inserted and contained in his said Award.

Proprietors may convey Allotments before the Award.

L. And be it further enacted, That it shall be lawful for any Person or Persons who shall be entitled to any Allotment or Allotments by virtue of this Act to give, grant, bargain, sell, mortgage, demise, surrender, limit, convey, and assure the same for all or any Part of his, her, or their Estate or Interest therein or Right thereto at any Time before the Execution of the Award of the said Commissioner; and every such Gift, Grant, Bargain, Sale, Mortgage, Demise, Surrender, Limitation, Conveyance, and Assurance shall be of the same Force and Validity as if made after the Execution of the said Award; and also that it shall be lawful for any of the Owners or Proprietors of any Common Right upon the Lands and Grounds hereby directed to be divided and allotted to sell and dispose of the same, or of the Allotment or Allotments to be made and set out in respect thereof by virtue of this Act, separately and distinctly from the Estate

Estate in right of which they, he, or she are or is entitled to the same, in such Manner as they, he, or she might have done at any Time after the Execution of the said Award.

The Allotments to be of the same Tenure as the Lands in lieu of which they were made.

LI. And be it further enacted, That all Lands and Hereditaments which shall be allotted or taken in exchange by virtue of this Act or the said recited Acts to any Person or Persons shall be held by such Person or Persons of the same Manor or Manors, under the same Rents, Customs, and Services, and shall be of the same Tenures as the Lands and Hereditaments in respect of which such Allotments or Exchanges shall be made were respectively held under and subject to at or immediately before the making of such Allotments or Exchanges respectively; and the said Commissioner shall in and by his Award express and declare of what Tenure and of what Manor the said Messuages, Lands, Grounds, and Hereditaments so to be allotted or taken in exchange as aforesaid respectively are or shall in future be within and held as Part or Parcel; and all and every the Lands and Hereditaments which by virtue of the Powers and Authorities of this Act shall be allotted, given in exchange, or otherwise awarded to any Person or Persons for or in lieu or in respect of any Copyhold Messuages, Land, or Hereditaments to which such Person or Persons shall have been duly admitted, shall, from and immediately after the Execution of the said Award, be well and effectually vested in such Person or Persons, without his, her, or their being admitted thereto, and without paying any Fine or Heriots or other Customary Payments in respect of the same; but in case such Person or Persons shall not have been admitted to the Hereditaments in lieu or in respect of which such Allotment or Allotments shall be made, or before the Execution of the said Award shall die, or alienate the same, then the Person or Persons thereby becoming entitled to such Allotment or Allotments shall be duly admitted to the same, and shall pay the Fines, Heriots, or other Customary Payment due in respect of such Admission.

Exchanges may be made.

LII. And be it further enacted, That it shall be lawful for the said Commissioner to set out, allot, and award any Lands, Tenements, or Hereditaments within the said Parish of *Stepingley* in lieu of and in exchange for any other Lands, Tenements, or Hereditaments within the said Parish, or within any adjoining Parish, Township, or Place, provided that all such Exchanges be ascertained, specified, and declared in the Award of the said Commissioner, and be made with the Consent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tenements, or Hereditaments which shall be so exchanged, whether such Owner or Owners, Proprietor or Proprietors, shall be a Body or Bodies Politic, Corporate, or Collegiate, or a Tenant or Tenants in Fee Simple, Fee Tail, General or Special, or for Life or Lives, or by the Courtesy of *England*, or a Lessee or Lessees for Years determinable on a Life or Lives, and by and with the Consent of the Lessor or Lessors of such Leasehold Hereditaments, but not otherwise, 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 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 Consents to be testified in Writing under

the Common Seal of any such 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 Law to all Intents and Purposes whatsoever: Provided nevertheless, that no Exchange shall be made of any Allotments, or any Messuages, Lands, Tenements, or Hereditaments allotted to or held in right of any Church, Chapel, or other Ecclesiastical Benefice, without the Consent testified as aforesaid of the Patron thereof, and of the Lord Bishop of the Diocese in which the Lands, Tenements, or Hereditaments so to be exchanged shall lie and be situate.

Church Lands not to be exchanged without the Consent of the Patron and Bishop.

Expences of Exchanges and Partitions to be borne and paid by the Parties.

LIII. Provided always, and be it further enacted, That all Costs, Charges, and Expences attending the making and completing any Exchanges and Partitions which shall be made under or by virtue of the said recited Acts and this Act shall be paid and borne by the several Persons, Body or Bodies Politic, Corporate, or Collegiate, making such Exchanges or Partitions, in such Manner and Proportions as the said Commissioner shall order and direct.

Power to enfranchise Copyholds.

LIV. And be it further enacted, That it shall be lawful for the said Commissioner and he is hereby empowered, with the Consent of the King's most Excellent Majesty, to be signified in Writing under the Hand and Seal of the Lord High Treasurer or First Lord of His Majesty's Treasury for the Time being, with respect to the Manor of *Stepingley* within the Honor of *Ampthill*, and also with the Consent of the said *Mary* Dowager Marchioness of *Downshire* with respect to the said Manor of *Stepingley*, with its Members, and other the Lord or Lords, Lady or Ladies, for the Time being of the Manor or Manors of whom any Messuages, Cottages, Lands, or Tenements in the Parish of *Stepingley* aforesaid are or shall be respectively holden by Copy of Court Roll, and of the Customary Tenant or Tenants of any such Messuages, Cottages, Lands, or Tenements, or of the Husbands, Trustees, Guardians, Committees, or Attornies of or for any such Lord or Lords, Lady or Ladies being Femes Covert, Minors, Lunatics, beyond the Seas, or under any other Disability or Incapacity, or whether such Lord or Lords, Lady or Ladies, or such Customary Tenant or Tenants shall be a Body or Bodies Politic or Corporate or Collegiate, or Tenant or Tenants in Fee Simple, Fee Tail, or for Life or Lives, or Lessee or Lessees for Years determinable on a Life or Lives, in and by the Award of the said Commissioner, or by any other Writing or Writings to be signed or sealed by him at any Time after the passing of this Act, and before the Expiration of Six Calendar Months from the Date of the said Award, to declare any such Copyhold or Customary Messuages, Cottages, Lands, or Tenements, or the Allotment or Allotments which shall be set out or given in exchange in lieu or in respect thereof, to be enfranchised, and the Tenures by which the same are holden, and the Fines, Heriots, Rents, and other Customary Payments and Services incident thereto, to be discharged and extinguished; and the said Commissioner shall and he is hereby required to assign and award to the Lord or Lords, Lady or Ladies of the same Manor or Manors, any Sum or Sums of Money, or such Compensation by Part of such Customary and Copyhold Lands and Tenements, or by and out of any of the Lands and Grounds hereby directed to be divided and inclosed, or any other Lands, Tenements, or Hereditaments of such Customary or

Copyhold Tenant in *Stepingley* aforesaid, as shall in the Judgment of the said Commissioner be an Equivalent and Satisfaction for the Customary Tenure, Payments, Burthens, Rents, and Services to which such Copyhold Messuages, Cottages, Lands, or Tenements respectively shall have been subject or liable; and from and after any such Declaration shall be made and executed, and such Sum of Money or other Compensation shall be paid or assigned in lieu of and in exchange for such Copyhold Tenure, Rents, and Services, the Lands and Tenements in every such Declaration comprised and thereby expressed to be enfranchised shall be held, possessed, and enjoyed by the Owner or Owners thereof paying or making such Compensation, their respective Heirs or Assigns or other Persons claiming in Reversion or Remainder of the Lord or Lords, Lady or Ladies of such Manors respectively, in Free or Common Socage, discharged of the Tenure by Copy of Court Roll, and of all Customary Payments, Rents, Dues, and other Services incident to such Tenure; and the Lands or other Hereditaments so to be assigned to such Lord or Lords, Lady or Ladies, shall be by him, her, or them, and by his, her, or their Heirs or Assigns, held and enjoyed in compensation for the Tenure, Rents, and Services so to be extinguished; any Want of Title in such Lord or Lords, Lady or Ladies, Tenant or Tenants, or any Will, Settlement, Limitation, or Incumbrance notwithstanding.

Compensation Money.

LV. Provided always, and be it further enacted, That the Consideration Money for every such Enfranchisement shall be paid to the Lord or Lords, Lady or Ladies of the Manor or Manors whereof the Lands or Tenements so to be enfranchised shall at the Time of such Enfranchisement be holden, where such Lord or Lords, Lady or Ladies, shall be seised of the said Manor or Manors in Fee Simple; and in all other Cases such Compensation Money shall be paid and applied in the Manner directed by this Act with respect to Money 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.

Leases at Rack Rent to be void.

LVI. And be it further enacted, That all and every Lease or Leases upon Rack Rent now subsisting of all and every or any Part or Parts of the said Lands and Grounds hereby directed to be divided and allotted, and of all and every the Messuages, Cottages, Tenements, old Inclosures, and Hereditaments held therewith, and all Agreements for any Term or Terms at Rack Rent, or from Year to Year, or at Will, shall, at such Time as the said Commissioner shall direct, if Request shall be made to him for that Purpose by the Owners or Proprietors, Lessor or Lessors, cease and be void, the respective Owners and Proprietors, Lessor or Lessors of the said Lands and Grounds so directed to be divided and allotted, who have made or granted any Lease or Leases, Agreement or Agreements, making such Satisfaction to the Lessee or Lessees, Tenant or Tenants thereof, as the said respective Owners or Proprietors, Lessor or Lessors, and their Lessee or Lessees, Tenant or Tenants, shall agree upon, or as the said Commissioner shall ascertain, order, direct, or appoint to be paid to such Lessee or Lessees, Tenant or Tenants, on account thereof, or as an Equivalent for the Loss or Losses he or they shall or may respectively sustain on account

account of the Determination of the same Leases or Agreements; and in default of paying any Sum or Sums of Money so ordered or appointed by the said Commissioner to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, entitled to receive the same, within Fourteen Days after Demand thereof in Writing by the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom the same shall be payable, it shall and may be lawful to and for the said Commissioner and he is hereby required to raise and levy the same for the Benefit of such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate: Provided always, that if there shall be any Lease of Lands as to which no Request to vacate the same shall be made by the Owners or Proprietors, Lessor or Lessors as aforesaid, to the said Commissioner, or if there shall be any Lease of Lands Part of which shall lie in the said Parish of *Stepingley*, and the Homestead or other Part of the Lands so leased or let shall be situate in any adjoining Parish, or if there shall be any Lease of old Inclosures or Land now held in Severalty only, and without having any Commonable Land included therewith, and the same shall be only exonerated from Tithes in pursuance of this Act, or where any Lands shall have been taken in exchange, and which shall be under Lease, and wholly situate in any adjoining Parish, then and in every or any such Case or Cases the Leases or Agreements of all such Lands shall not be vacated, but the Commissioner shall and he is hereby required in every such Case to ascertain, and by his Award or some other Writing under his Hand to appoint and determine, what additional annual Rent shall be paid by the Tenant or Tenants to the Landlord or Landlords for the Remainder of the Term which such Tenant or Tenants may have to come in any such Lease in consequence of the same Lands being exonerated from the Payment of Tithes and the Expences to be incurred by the Execution of the Powers hereby and in the said recited Acts given, and the inclosing, fencing, and other Charges attending the same.

Wills and Settlements not to be affected.

LVII. And be it further enacted, That nothing in this Act or the said recited Acts 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, Body or Bodies Politic, Corporate, or Collegiate, 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 parted by virtue of this Act or the said recited Acts, or any Part or Parts thereof respectively, but that the respective Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom any Lands, Grounds, or Hereditaments shall be allotted or awarded in exchange or on Partition or otherwise, by virtue of this Act or the said recited Acts, shall be seised or possessed thereof to such and the same Uses, and for such and the same Estates, and subject to such and the same Wills, Jointures, Rents, Charges, and Incumbrances, as the Messuages, Buildings, Lands, Grounds, or Hereditaments whereof such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, was or were seised or possessed at or immediately before the Execution of the Award to be made by the said Commissioner, or for which or in respect whereof such Allotments or Exchanges shall be made, would have been subject to be charged with or affected by in case this Act had not been passed.

LVIII. And

Course of Husbandry.

LVIII. And be it further enacted, That from and after the passing of this Act, until such Division and Allotment shall be made as aforesaid, all the Tillage and other Lands lying in the said Common Fields and Grounds hereby directed to be divided and allotted, or which shall be exchanged, in pursuance of this Act or the said recited Acts, shall be stocked with such Cattle, and planted or sown by the Owners or Occupiers thereof with such Corn, Grain, and other Seeds, at such Times and in such Proportions and Manner, and shall be kept and continued in such Course of Husbandry, and subject to such Regulations, as well with respect to the Management as to the quitting the same respectively, as the said Commissioner shall direct or appoint; and the several Owners or Occupiers of such Lands and Grounds shall pay or receive such pecuniary or other Compensation on account of such Management, stocking, planting, sowing, or quitting, from such Person or Persons, as the said Commissioner shall think just and equitable, and shall by any Writing or Writings under his Hand from Time to Time order, direct, or appoint, and which Order or Orders of the said Commissioner shall be final, binding, and conclusive on all Parties whomsoever; and in case such Compensations shall not be paid to the Person or Persons entitled to receive the same within Ten Days after Demand thereof made in Writing, it shall and may be lawful for the said Commissioner, and he is hereby authorized and required, to raise and levy the same by such Ways and Means as by the said recited Acts are given or provided for recovering and levying the Expences of obtaining and executing Acts of Inclosure in Cases where such Expences are directed to be paid in proportion by the Proprietors of Lands to whom any Allotments shall be made.

Money advanced to be repaid with Interest.

LIX. And be it further enacted, That the Money that shall be advanced by any Person or Persons for the Purpose of defraying the Expences of applying for and obtaining this Act, or which shall or may be advanced or lent for carrying the same into execution, shall be repaid, with lawful Interest for the same, to the Person or Persons lending, advancing, or paying the same, out of the first Money to be raised for defraying the Expences of obtaining and carrying this Act into execution.

Expences of the Act.

LX. And be it further enacted, That the Costs and Charges incident to and attending the obtaining and passing of this Act, and of surveying and admeasuring the Lands and Grounds by this Act directed to be divided and inclosed, shall be borne and defrayed by the Proprietors of or Persons having Rights and Interests in the Lands and Grounds hereby directed to be divided, allotted, and inclosed; and the Costs and Charges of making the public Roads and Drains, of fencing the Allotments to the Rector and Surveyor of Highways, of enrolling the Award of the said Commissioner, and all other Costs and Charges attending the Execution of this Act, shall be borne and defrayed by the Proprietors of or Persons interested in all the several Lands, Tenements, and Hereditaments within the said Parish of *Stepingley*, which shall be exonerated from Tithes, Regard being had to the Expences occasioned by each Person's Estate and the improved Value thereof, (other than and except the said Rector in right of his said Rectory, and the Surveyor or Surveyors of the Highways for the Time being,) in such Proportions, and shall be paid by and to such Person or Persons, and at such Time or Times either before or after the Execution of the said Award, as shall be settled, adjusted, determined, and directed

by the said Commissioner by any Writing under his Hand, and shall and may be levied and recovered by the Means and in the Manner provided by the said first-recited Act.

Expences may be raised by Sale.

LXI. And be it further enacted, That it shall be lawful for the said Commissioner and he is hereby directed, upon the Request of any of the Proprietors or Persons interested in the Lands hereby directed to be divided and allotted, being Tenants in Tail, or for Life or Lives, or for any Number of Years on Life or Lives, or for any other determinable Estate or Interest, or at the Request of the respective Husbands, Guardians, Trustees, Committees, Agents, or Attornies of or for any such Proprietors being under Coverture, Minors, Lunatics, or beyond the Seas, or under any other Disability or Incapacity, to raise the Share and Proportion or respective Shares and Proportions of the Person or Persons by or on whose Behalf any such Request shall be made of the Costs, Charges, and Expences of passing and carrying this Act into execution, and of ditching, draining, fencing, and subdividing their respective Allotments, not exceeding the Rate of Five Pounds for every Acre of the Land allotted to such Person or Persons by virtue of this Act, by Sale of any of the Lands or Hereditaments to be allotted to such Person or Persons by virtue of this Act; and such Sale shall be made by the said Commissioner in such Manner and subject to the Directions prescribed by the said first-recited Act with respect to the Sale of Lands authorized to be sold for paying the Expences of obtaining and carrying into execution Acts of Inclosure; provided that no more shall be sold of the Lands or other Hereditaments of the Person or Persons by whom or on whose Behalf any such Request shall be made than the said Commissioner shall estimate to be sufficient to raise the Sum or Sums payable by such Person or Persons for the Purposes aforesaid, and the reasonable Expences of such Sales; and if any Surplus shall remain in the Hands of the said Commissioner after paying such last-mentioned Costs, Charges, and Expences, such Surplus shall be applied and disposed of in manner directed by this Act with respect to Money to be paid into the Bank of *England* for the Purchase 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, as therein mentioned.

Power to borrow Money.

LXII. And be it further enacted, That it shall be lawful for the Husbands, Guardians, Trustees, Committees, or Attornies of or for any of the Proprietors of the Allotments to be set out and awarded by virtue of this Act, being under Coverture, Minors, Lunatic, beyond the Seas, or under any other Disability or Incapacity to act for themselves, himself, or herself, or for any of the said Proprietors being Trustees or Feoffees for charitable, parochial, or other public Use or Uses, or a Tenant or Tenants in Tail, or for Life or Lives, or for Years determinable on a Life or Lives, or entitled to Dower, or upon any other Contingency, or for any limited or defeasible Estate, to charge their respective Allotments with any Sum or Sums of Money which the said Commissioner by any Writing or Writings under his Hand and Seal shall allow and declare to be necessary to pay and defray such Proprietors respective Shares and Proportions of the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, and carrying the same into execution, and of ditching, draining, and fencing their respective Allotments, and making necessary

necessary Subdivision Fences, and of charging the Allotments therewith, so that the same shall not exceed the Rate of Five Pounds for every Acre of such Allotments, which Money shall be paid to such Person or Persons and applied in such Manner as the said Commissioner shall direct, and for securing the Repayment of the said Sum or Sums of Money, with lawful or any less Rate of Interest, to grant, demise, surrender, or otherwise convey and assure the Lands so to be charged unto any Person or Persons respectively who shall advance such Money, his, her, or their Executors, Administrators, and Assigns, or to any other Person or Persons in Trust for him, her, or them, for any Term or Number of Years, or in Fee, or for any other Estate or Interest, according to the Nature or Tenure of the said Estate, by way of Mortgage, for securing the Payment of the Sum or Sums which shall be so advanced, with lawful Interest for the same; and every such Grant, Demise, Surrender, Conveyance, and Assurance and Charge shall be good, valid, and effectual in the Law for the Purposes thereby intended, and have Priority over all other Incumbrances; provided 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 surrendered or re-assigned, when the Sum or Sums of Money to be thereby secured, with the Interest thereon, shall have been fully paid and satisfied, and also with a Covenant to pay and keep down the Interest accruing thereon, so that no Person or Persons who shall afterwards become seised or possessed of or entitled to any of the Lands so charged shall be liable to pay any further or larger Arrear of Interest than for Six Calendar Months preceding the Time when his, her, or their Title to such Possession shall have commenced.

Not more than 5*l.* an Acre to be raised by Mortgage.

LXIII. Provided always, and be it further enacted, That it shall not be lawful for the Person or Persons from whose Allotment Land shall be sold as aforesaid to charge his, her, or their Allotment or Allotments, by virtue of the said recited Acts or this Act, with any Money towards the Payment of such Expences, unless the Money to arise by such Sale shall not amount to the Sum of Five Pounds *per* Acre of such Allotment or Allotments, and then and in such Case it shall be lawful for such Person or Persons to charge his, her, or their Allotment or Allotments, or to raise by Mortgage thereof, or by such other Ways and Means as are mentioned in the said recited Acts or this Act, the Remainder of such Money, for the Payment of the Expences of obtaining and executing this Act, so as that the whole Sum to be raised by virtue of this Act shall not exceed the Sum of Five Pounds *per* Acre, according to the Number of Acres contained in such Allotment or Allotments.

Application of Compensation Money if amounting to 200*l.*

LXIV. And be it further enacted, That whenever any Money is, under the Provisions of the said recited Act of the Forty-first Year of the Reign of His Majesty King *George* the Third, or this Act, to be paid for the Purchase or Exchange of any Lands, Tenements, or Hereditaments, or for the Enfranchisement of any Copyhold or Customary Messuages, Lands, Tenements, or Hereditaments, or of any Timber or Wood growing thereon, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or

Persons

Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, and which Money ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the same Uses, it shall and may be lawful for the said Commissioner out of such Money to defray such Proportion of the Expence of passing this Act, and of carrying the same and the said recited Acts into execution, as shall (if any) be charged upon any of the Lands, Tenements, or Hereditaments of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, Feoffee, Executor, Administrator, Husband, Guardian, Committee, or Trustee in Possession of the Lands, Tenements, or Hereditaments so purchased or exchanged, or on which such Timber or Wood actually grew; and in case the Surplus of such Money shall amount to or exceed the Sum of Two hundred Pounds, the same shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Commissioner for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth,
1 G. 4. c. 35. intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall when so paid there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or redeemed, or paid or discharged, or such Part or Parts thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the aforesaid Lands, Tenements, or Hereditaments stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Order can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents

and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

Where less than 200*l.* and amounting to 20*l.*

LXV. And be it further enacted, That in case the Surplus of such Money shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased or exchanged, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, or other Incapacity, with the Approbation of the said Commissioner to be signified in Writing under his Hand, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where under 20*l.*

LXVI. And be it further enacted, That in case the Surplus of such Money shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased or exchanged, for his, her, or their own Use and Benefit, or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons entitled thereto.

Auditor of the Commissioner's Accounts.

LXVII. And be it further enacted, That once at least in every Three Calendar Months during the Execution of this Act (to be computed from the Day of passing thereof) the Commissioner shall and he is hereby required to make a true and just Statement or Account of all Sums of Money by him received and expended or due to him for his own Trouble and Expences in the Execution of this Act, and in such Statement or Account shall be particularly stated and specified the several Items and Articles for which each particular Sum has been paid and disbursed; and such Statement or Account so made, together with the Vouchers relating thereto, shall be by the said Commissioner laid before the Reverend *John Hull* Clerk, or any One of His Majesty's Justices of the Peace of the said County of *Bedford* not interested in the said Division, to be by the said Reverend *John Hull* or such Justice examined and balanced; and such Balance shall be by such Auditor stated in the Book of Accounts to be kept by the said Commissioner; and no Charge or Item in any such Account shall be

binding on the Parties concerned, or be valid in Law, unless the same shall be duly allowed by the said Auditor.

Award to be made and deposited.

LXVIII. And be it further enacted, That as soon as conveniently may be after the said Division and Allotment shall be completed the said Commissioner shall form, draw up, and execute an Award, which, together with a proper Map or Plan thereto annexed, shall within Ten Days after the Execution thereof be delivered to the Clerk of the Peace for the County of *Bedford*, who is hereby required to deposit and keep the same among the Records of the said County, for the Reception whereof the Fee of Three Pounds Three Shillings, and no more, shall be paid, and 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 thereof to the said Clerk of the Peace, be deemed and taken to be enrolled within the Intent and Meaning of the said first-recited Act; and a Copy of the said Award and of the said Map or Plan, signed by the said Commissioner, shall within the Time aforesaid be deposited within the Parish Church of *Stepingley* aforesaid, and there kept in a proper Box to be provided for that Purpose; and the said Award and the said Copy thereof, and any other Copy of the said Award, or any Part or Parts thereof, attested by the Clerk of the Peace for the Time being of the said County or his Deputy, (for every Sheet of which containing One hundred Words Sixpence, and no more, shall be paid,) shall from Time to Time and at all Times thereafter be admitted and allowed as legal Evidence of the Matters and Things therein contained in all Courts whatsoever.

Extract from Award and Plan of the King's Allotment to be sent to the Surveyor General.

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

Persons aggrieved may appeal to the Quarter Sessions.

LXX. And be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall think himself, herself, or themselves aggrieved by any thing done or omitted to be done in pursuance of this Act or the said recited Acts, then and in every such Case (except any Matter or Thing herein-before authorized to be determined by an Issue at Law, and except in such Cases where the Orders and Determinations of the said Commissioner are by the said recited Acts or this Act directed to be final, binding, or conclusive,) he, she, or they may appeal to any General or Quarter Sessions of the Peace to be holden for the said County of *Bedford* within Four Calendar Months next after the

Cause of Complaint shall have arisen, on giving to the said Commissioner and to the Party or Parties concerned Ten clear Days Notice in Writing of such Appeal and of the Matter thereof; and the Justices (not interested in the Premises) in such Sessions assembled are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein and award such Costs as to them in their Discretion shall seem reasonable, and by their Order and Warrant to levy the Costs which shall be awarded by Distress and Sale of the Goods and Chattels of the Party or Parties who shall be ordered to pay the same, rendering the Overplus (if any), on Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; and the Determination of the said Justices upon every such Appeal shall be final and conclusive upon all Parties concerned, and shall not be removed or removeable by Certiorari, or any Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Saving to the Lords of the Manor.

LXXI. And be it further enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the present or any future Lord or Lords, Lady or Ladies of any Manor or Manors whereof any Copyhold Lands or Hereditaments in the said Parish of *Stepingley* are holden, of, in, and to the Seigniories or Royalties incident or belonging to the said Manor, but that the Lord or Lords, Lady or Ladies of the said several Manors for the Time being shall and may from Time to Time have, hold, receive, and enjoy all Rents, Services, Emoluments, and Profits of Courts, and other Rights, Royalties, and Privileges to the said Manor incident, appendant, and belonging or appertaining, (other than those which are meant and intended to be barred by this Act,) in as full, large, ample, and beneficial a Manner to all Intents and Purposes as he, she, or they might or ought to have held and enjoyed the same in case this Act had not been made.

General Saving.

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

Act to be printed by the King's Printers.

LXXIII. 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 SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1836.