ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 107.

An Act for incloſing Lands in the Pariſh of *Waterbeach*, in the County of *Cambridge*.

[21ſt *May* 1813.]

WHEREAS there are within the Pariſh of *Waterbeach*, in the County of *Cambridge*, divers Common and Open Fields, Ings, Common Meadows, Common Paſtures, Commons, Open Marſh Grounds, Open Fen Grounds, and other Open Commonable Lands and Waſte Grounds: And whereas the Right Reverend *Bowyer Edward*, Lord Biſhop of *Ely*, is, in Right of his See, Appropriator of the Rectory of *Waterbeach* aforeſaid, and *Thomas Collins* Eſquire, *William Allen* Eſquire, and *John Lens* Eſquire, One of His Majeſty's Serjeants at Law, being the ſurviving Truſtees named and appointed in and by the Settlement made previous to the Marriage of the late *Henry Pointer Standly* Eſquire, deceaſed, are Leſſees thereof for Three Lives, and the ſaid *Bowyer Edward*, Lord Biſhop of *Ely*, and his ſaid Leſſees, are entitled to certain Glebe Lands and Rights of Common, and Tithes or Moduſes and Compoſitions, yearly ariſing, growing, renewing, and increaſing within the ſaid Pariſh of *Waterbeach*: And whereas the ſaid Biſhop of *Ely*, in Right of his ſaid See, is Patron of the Vicarage; and the Reverend *John Henry Michell* Clerk is Vicar of the Vicarage of *Waterbeach* aforeſaid, and as ſuch is, or claims to be, entitled to certain Glebe Lands, Rights of Common, Tithes, Moduſes, Compoſitions, Eccleſiaſtical Dues, Duties and Payments, ariſing and renewing within the ſaid

Pariſh: And whereas *Perſis Standly* Widow is Lady of the Manor of *Waterbeach*, with *Denny*, and as ſuch is intereſted in the Soil of the Waſte Lands and Grounds in the Pariſh of *Waterbeach* aforeſaid: And whereas the ſaid *Perſis Standly*, the ſaid *William Allen*, *John Hemington*, and *Thomas Ind*, and divers other Perſons, as Owners and Proprietors of divers ancient Meſſuages, Cottages, Incloſures, Tofts, Lands, Tenements, and Hereditaments in the ſaid Pariſh of *Waterbeach*, are reſpectively entitled as well to Rights of Common as to other Rights and Intereſts in and upon the ſaid Lands and Waſte Grounds in the Pariſh of *Waterbeach* aforeſaid, and are alſo Owners and Proprietors of the old incloſed Fields, Meadows, Paſtures, and alſo the Reſidue of the ſaid Common and Open Fields, Ings, Common Meadows, Common Paſtures, and the ſaid other Open Commonable Lands and Waſte Grounds within the ſaid Pariſh of *Waterbeach*, in different Proportions: And whereas an Act was paſſed in the Forty-firſt Year of the Reign of His preſent Majeſty, intituled *An Act for conſolidating in One Act certain Proviſions uſually inſerted in Acts of Incloſure, and for facilitating the Mode of proving the ſeveral Facts uſually required on the paſſing of ſuch Acts*: And whereas the Lands of the reſpective Proprietors in the ſaid Common and Open Fields, Ings, Common Meadows, and Common Paſtures, lie intermixed and diſperſed in ſmall Quantities, and are inconveniently ſituated with reſpect to the ſeveral Proprietors thereof, and the ſame and the ſaid other Commonable Open Lands and Waſte Grounds are capable of very conſiderable Improvement by an Incloſure, and it would be very beneficial to the Owners and Proprietors if all the ſaid Open Fields, Ings, Common Meadows, Common Paſtures, Commons, Commonable Lands, and Waſte Grounds were divided and incloſed, and ſpecific Shares allotted to the ſaid Lord Biſhop of *Ely* and his Succeſſors, the ſaid Vicar and his Succeſſors, and the ſeveral Proprietors, in lieu thereof, and in Proportion as near as may be to their ſeveral and reſpective Property, Rights of Common, and other Intereſts in and to the ſame reſpective Lands and Grounds, and Satisfaction made for the Tithes of all the ſaid old Incloſures, Fields, Ings, Meadows, Paſtures, Commonable Lands, and Waſte Grounds in Manner herein-after mentioned; but the ſame cannot be effectually carried into Execution without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

Commiſſioners. That *John Burcham* of *Coningsby*, in the County of *Lincoln*, *William Alexander Peppercorn* of *St. Neots*, in the County of *Huntingdon*, and *Alexander Watford* of *Cambridge*, in the County of *Cambridge*, Gentlemen, ſhall be and they and their Succeſſors to be appointed in Manner herein-after mentioned are hereby appointed Commiſſioners for dividing, ſetting out, allotting, and incloſing the ſaid Common and Open Fields, Ings, Common Meadows, Common Paſtures, Commons, and the ſaid Open and Commonable Lands and Waſte Grounds in the ſaid Pariſh of *Waterbeach*, and for carrying the ſeveral Purpoſes of this Act, and alſo the ſaid recited Act, into Execution, under and ſubject to ſuch of the Regulations, Directions, and Proviſions contained in the ſaid recited Act, as are not altered, varied, or controuled by, or repugnant to, the Powers and Proviſions of this Act: Provided always, that all the Powers, Authorities, Directions, Acts, Matters, and Things hereby or by the ſaid

Two Commiſſioners may act,

recited Act vested in or authorised to be done or performed by the said Commissioners, may be executed, done, and performed by any Two of such Commissioners, and the same shall be as valid and effectual, to all Intents and Purposes, as if all the said Commissioners had been present, and had executed, done, and performed the same.

Election of new Commissioners.

II. And be it further enacted, That in case either of them the said *William Alexander Peppercorn* and *John Burcham*, or their respective Successors, to be appointed as herein-after mentioned, shall, before the finishing and completing of the said Division and Inclosure, die or refuse to act, or become incapable of acting as a Commissioner in the Execution of this Act, then and from Time to Time in every such Case the surviving or remaining Commissioner or Commissioners shall within One Calendar Month after such Death, Refusal, or Incapacity shall happen, or so soon after as conveniently may be, by Writing under their Hands and Seals or Hand and Seal, appoint another Person, not interested in the said Division and Inclosure, to be a Commissioner in the room of every Commissioner so dying or refusing to act, or being incapable of acting as aforesaid; and in case the said *Alexander Watford*, or his Successor, to be appointed as herein-after mentioned, shall, before the finishing and completing of the said Division and Inclosure, die or refuse to act, or become incapable of acting as a Commissioner in the Execution of this Act, then and from Time to Time in every such Case it shall be lawful for the major Part in Value (to be ascertained by the Land Tax Assessment in the said Parish) of the Proprietors or Persons interested in the Lands and Grounds directed by this Act to be divided, allotted, and inclosed, (except the Lord or Lady of the said Manor for the Time being, and the said Appropriator and Vicar for the Time being,) or for the known Agents or Attornies of any of them, who shall be present at a Meeting to be held for that Purpose at some Place in *Waterbeach* aforesaid, in pursuance of Notice to be advertised by the surviving or remaining Commissioner or Commissioners in some Newspaper published or circulated in the County of *Cambridge*, and also affixed on the principal Outer Door of the Church of the said Parish, at least Fourteen Days before such Meeting, to appoint one other Person, not interested in the said Division and Inclosure, to be a Commissioner in the room of the said *Alexander Watford*, and so from Time to Time as often as any Commissioner to be appointed as last aforesaid shall die or refuse to act, or become incapable of acting; and in case the said Proprietors shall make Default in appointing a new Commissioner at such Meeting as aforesaid, then and from Time to Time in every such Case the surviving or remaining Commissioners or Commissioner shall, by Writing under their or his Hands and Seals or Hand and Seal, appoint another Person, not interested in the said Division and Inclosure, to be a Commissioner in the room of the said *Alexander Watford* or his Successor; and every such new Commissioner so to be appointed as aforesaid shall, after taking the Oath prescribed by the said recited Act, have such and the like Powers and Authorities for putting this and the said recited Act into Execution, and shall be subject to the like Rules, Regulations, and Restrictions, as if he had been nominated and appointed a Commissioner in and by this Act: Provided nevertheless, that the said Commissioners shall not appoint any Person as a Commissioner in the Stead of the said *William Alexander Peppercorn*, or his Successor, without the previous Approbation of the said *Persis Standly*; nor shall the said Commissioners

Commiſſioners appoint any Perſon as a Commiſſioner in the Stead of the ſaid *John Burcham*, or his Succeſſors, without the previous Approbation in Writing of the ſaid Biſhop of *Ely*, and the ſaid Vicar for the Time being reſpectively; and that the ſeveral Writings appointing ſuch new Commiſſioner or Commiſſioners, and every ſuch Writing of Approbation, ſhall be annexed to and inrolled with the Award of the ſaid Commiſſioners.

Commiſſioners to give Notice of Meeting.

III. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required to give public Notice in the Pariſh Church of *Waterbeach* aforeſaid, upon ſome *Sunday* immediately after Divine Service at the ſaid Church, or by Notice in Writing to be affixed on one of the Doors of the ſaid Church, of the Time and Place of their Firſt Meeting for executing the Powers hereby veſted in them, at leaſt Eight Days before ſuch Meeting, and ſhall alſo in like Manner give Eight Days Notice of every ſubſequent Meeting for the like Purpoſes (Meetings by Adjournment only excepted); and in caſe Two Commiſſioners ſhall not meet at the Time and Place appointed for any Meeting, or to which any Meeting ſhall be adjourned, it ſhall be lawful for any One of the ſaid Commiſſioners preſent at ſuch Time and Place to adjourn the Meeting to be held on any future Day, not exceeding Twenty-one Days from the Day of Adjournment, at the ſame or at any other Place within Eight Miles of *Waterbeach* aforeſaid; and the ſaid Commiſſioner making ſuch Adjournment is hereby required to give timely Notice to the abſent Commiſſioners.

Notice to be publiſhed in the Newſpapers.

IV. And be it further enacted, That all Notices which by the ſaid recited Act or this Act are required to be given or publiſhed in any public Newſpaper for the Purpoſe of executing the Powers hereby and by the ſaid recited Act veſted in the ſaid Commiſſioners, ſhall be given and publiſhed in *The Cambridge Chronicle*, or if that Newſpaper ſhall not then be publiſhed, then in ſome other Newſpaper uſually circulated in the ſaid County of *Cambridge*.

Commiſſioners to ſettle Diſputes, but not to determine Titles.

V. And be it further enacted, That if any Diſpute or Difference ſhall ariſe between any of the Parties intereſted or claiming to be intereſted in the ſaid intended Diviſion and Allotments, touching or concerning any of their Claims, Eſtates, Rights, and Intereſts therein, or any Allotment or Compenſation in lieu thereof, or touching or concerning any Right or Intereſt which ſuch Parties, or any of them, ſhall claim to have in or upon the Lands and Grounds hereby directed to be divided, allotted, and incloſed, or concerning any Timber Wood, Underwood, Buſhes, Thorns, Whins or Furze, growing thereon, or concerning any Allowance claimed or to be claimed for ploughing or ſowing Turnips, or Corn, laying down with Graſs Seeds, manuring or improving the ſaid Arable, Meadow, and Paſture Lands, or any Part thereof, or touching or concerning any other Matter or Thing relating to the ſaid Diviſion or Allotment, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authoriſed and required, to examine into, hear and determine the ſame.

Commiſſioners not to determine Titles, nor

VI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to authoriſe or empower the ſaid Commiſſioners to determine the Title to any Meſſuages, Cottages, Lands, Tenements,

ments, or Hereditaments whatſoever, nor to determine any Right between any Parties contrary to the Poſſeſſion of any of ſuch Parties, (except in Caſes of Encroachments,) but in caſe the ſaid Commiſſioners ſhall be of Opinion againſt the Right of the Perſon or Perſons ſo in Poſſeſſion, they ſhall forbear to make any Determination thereon, 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. moleſt Poſſeſſion.

VII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners at their Diſcretion, upon Requeſt made to them by all or any of the Parties in whoſe Favour they ſhall make their Award or Determination, his, her, or their Agent or Agents, to order and adjudge ſuch Coſts and Charges as they ſhall think reaſonable to be paid to the Party or Parties in whoſe Favour any Determination of the ſaid Commiſſioners ſhall have been made by the Perſon or Perſons, Body or Bodies Politic or Corporate, whoſe Claim or Claims, Objection or Objections, Complaint or Complaints, ſhall be thereby diſallowed, as the Caſe ſhall happen, and by Warrant under the Hands and Seals of the ſaid Commiſſioners, to levy ſuch Coſts and Charges by Diſtreſs and Sale of the Goods and Chattels of ſuch laſt mentioned Perſon or Perſons, together with the Coſts and Charges of ſuch Diſtreſs and Sale, returning the Overplus (if any) on Demand to the Owner or Owners of ſuch Goods and Chattels; and in caſe there ſhall be no Goods and Chattels whereby to levy the ſame, or in caſe a Body Corporate is to pay ſuch Coſts, then and in either of ſuch Caſes it ſhall be lawful for the Perſon or Perſons, in whoſe Favour ſuch Coſts ſhall be awarded, to recover the ſame by Action or Actions of Debt, or on the Caſe, in which it ſhall be ſufficient for the Plaintiff to declare that the Defendant is indebted to him in the Sum ſpecified in the Order of Adjudication made by the ſaid Commiſſioners, and in conſequence of ſuch Order of Adjudication, without ſetting forth any other of the Proceedings therein had. Commiſſioners may award Coſts.

VIII. Provided always, 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 Diviſion and Incloſure, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners touching or concerning any Claim or Claims to any Rights of Common or other Right or Rights in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and incloſed, or any Part thereof, or touching or concerning any Matter or Thing relating to the ſaid Diviſion and Incloſure, and ſhall, by Writing under the Hand of the Perſon or Perſons ſo diſſatisfied, or of his, her, or their Agent or Attorney, or under their Common Seal reſpectively, give Notice to the ſaid Commiſſioners, or their Clerk, within Three Calendar Months next after ſuch Determination ſhall be made, then and in every ſuch Caſe (but not otherwiſe) it ſhall have been lawful for the Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate ſo diſſatisfied, to proceed to a Trial at Law of the Matters ſo determined by the ſaid Commiſſioners at the then next or at the next following Aſſizes to be holden for the County of *Cambridge*, and for that Purpoſe the Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, who ſhall be ſo diſſatisfied with the Determination of the ſaid Commiſſioners, ſhall cauſe an Action or Actions to be brought upon a feigned Iſſue againſt the Perſon or Perſons, or Body or Bodies Politic, Corporate or Collegiate, in whoſe Power to try diſputed Claims.

Favour any Determination ſhall have been ſo made, within Three Calendar Months next after ſuch Determination ſhall have been made; and the Defendant or Defendants in ſuch Action or Actions ſhall, and he, ſhe, or they is and are hereby required to name an Attorney or Attornies who ſhall appear thereto, or file Common Bail, and accept one or more Iſſue or Iſſues, whereby ſuch Claim or Claims, and the Right or Rights thereby inſiſted on, may be tried and determined (ſuch Iſſue or Iſſues to be ſettled by the proper Officer of the Court in which the ſaid Action or Actions ſhall be commenced, in caſe the Parties ſhall differ about the ſame); and the Verdict or Verdicts which ſhall be given upon the Trial of ſuch Action or Actions ſhall be final, binding and concluſive, upon all and every Perſon and Perſons, Body and Bodies Politic, Corporate or Collegiate, unleſs the Court wherein ſuch Action or Actions ſhall be brought ſhall ſet aſide ſuch Verdict or Verdicts, and order a new Trial or Trials therein, which it ſhall be lawful for the Court to do in caſe the ſaid Court ſhall think proper; and it ſhall alſo be lawful for the ſaid Court to put off the Trial or Trials of ſuch Iſſue or Iſſues, upon ſufficient Cauſe ſhewn, as is uſual in other Caſes, and the Judge or Judges before whom ſuch Iſſue or Iſſues ſhall be tried ſhall be at Liberty to indorſe upon the *Poſtea* any ſpecial Matter which ſhall be found by the Jury or Juries relative to ſuch Iſſue or Iſſues; and after ſuch Verdict or Verdicts ſhall be obtained and not ſet aſide by the ſaid Court, the ſaid Commiſſioners ſhall and they are hereby required to act in conformity thereto, and to allow or diſallow the Claim or Claims thereby determined according to the Event of ſuch Trial or Trials: Provided always, that all ſuch Determinations of the ſaid Commiſſioners as ſhall not be objected to within the Time and in Manner aforeſaid, or being ſo objected to, the Party or Parties objecting not cauſing ſuch Action at Law to be brought and proceeded in within the Time and in Manner aforeſaid, ſhall be abſolute, binding, final and concluſive, upon all Parties whomſoever.

Actions may be proceeded in or brought, notwithſtanding the Death of Parties.

IX. And be it further enacted, That if any of the Parties in any Action to be brought in purſuance of this Act ſhall die pending the ſame, ſuch Action ſhall not abate by reaſon thereof, but ſhall be proceeded in as if no ſuch Event had happened; 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, Body or Bodies Politic, Corporate or Collegiate, who may have brought ſuch Action or Actions againſt the Perſon or Perſons ſo dying, to bring the ſame within the Time ſo limited as aforeſaid againſt ſuch Perſon or Perſons as if actually living, and to ſerve the Clerk of the Commiſſioners with Proceſs for commencing ſuch Action or Actions, in the ſame Manner as the Party or Parties might have been ſerved therewith if living; and it ſhall thereupon be incumbent on the Heir or Heirs, or other Perſon or Perſons, who ſhall claim the Benefit of ſuch Determination as aforeſaid, to appear and defend ſuch Action or Actions, in the Name or Names of the Perſon or Perſons ſo dead, and Proceedings ſhall be had thereon in the ſame Manner as if ſuch Perſon or Perſons had been actually living, and the Right of all Parties ſhall be equally bound and concluded by the Event of ſuch Action or Actions.

X. And

Right of Common, &c. to be extinguished.

X. And be it further enacted, That the ſeveral Lands and Grounds which ſhall be aſſigned, ſet out, appointed, and allotted unto and for the ſaid Biſhop of *Ely*, and Vicar, and the ſeveral Perſons who by virtue of this Act ſhall be entitled to the ſame, ſhall be in full Bar and Satisfaction and Compenſation for their ſeveral and reſpective Lands, Grounds and Tithes, Rights of Common, and other Rights and Property whatſoever, which they reſpectively had or were entitled to, in, and over the ſaid Lands and Grounds intended to be divided and incloſed as aforeſaid, immediately before the paſſing of this Act, and from and after making the ſaid Diviſion and Allotments, and the Execution of the Award or Inſtrument herein-after mentioned, or from and after ſuch other previous Time as the ſaid Commiſſioners ſhall, by Writing under their Hands, to be affixed to the public Door of the Pariſh Church of *Waterbeach* aforeſaid, direct or appoint, which Notice the ſaid Commiſſioners are hereby authoriſed and empowered to give, all Right of Common whatſoever, belonging to or claimed by any Perſon or Perſons whomſoever, Bodies Politic, Corporate or Collegiate, in, over, and upon the ſaid Lands and Grounds hereby intended to be divided and incloſed, and alſo all Tithes both Great and Small, and Moduſes in lieu of Tithes, (except Surplice Fees, Offerings, and Mortuaries,) iſſuing out of the ſaid Lands and Grounds hereby intended to be divided and incloſed, and alſo iſſuing out of the ancient Incloſures within the ſaid Pariſh, ſhall ceaſe, determine, and be for ever extinguiſhed.

To prevent the cutting of Turf, unleſs by Leave of the Commiſſioners.

XI. And be it further enacted, That it ſhall not be lawful for any Perſon or Perſons from and after the paſſing of this Act, until his, her, or their Allotment or Allotments ſhall be ſet out by the ſaid Commiſſioners, to dig, cut, pare or carry away, or cauſe to be dug, cut, pared or carried away, any Peat, Turf, Sods or Flags, in, upon, or from any of the Lands hereby directed to be divided and allotted, or any Part thereof, without Licence of the ſaid Commiſſioners firſt had and obtained in Writing for that Purpoſe (which Licence the ſaid Commiſſioners are hereby empowered to grant under ſuch Rules, Orders, Regulations, and Reſtrictions, as they ſhall think proper); and if any Perſon or Perſons ſhall from and after the paſſing of this Act, until his, her, or their Allotment ſhall be ſet out as aforeſaid, dig, cut, pare or carry away, or cauſe to be dug, cut, pared or carried away, any Peat, Turf, Sods or Flags, in, upon, or from the ſaid Lands, or any Part thereof, without or contrary to ſuch Licence as aforeſaid, every ſuch Perſon (being convicted thereof, either by his own Confeſſion, or upon the Oath of One credible Witneſs before one of His Majeſty's Juſtices of the Peace for the County of *Cambridge*, not being intereſted, who may ſummon the Parties and examine Witneſſes upon Oath, to be adminiſtered by him relating to the ſaid Complaint) ſhall for every ſuch Offence forfeit and pay ſuch Sum of Money as the ſaid Juſtice ſhall appoint, not exceeding the Sum of Five Pounds; and every Perſon ſhall be allowed to give Evidence of ſuch Offence, notwithſtanding he may be intereſted in the ſaid Lands hereby intended to be allotted and divided; and it ſhall be lawful for ſuch Juſtice, by Warrant under his Hand and Seal directed to any Perſon or Perſons whomſoever, to cauſe the ſaid Penalty to be raiſed and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon offending in the Premiſes, rendering the Overplus (if any) upon Demand to the Perſon whoſe Goods and Chattels ſhall have been diſtrained and ſold, after deducting

deducting the Coſts and Charges attending ſuch Warrant, Diſtreſs, and Sale; and the Money ſo to be levied as aforeſaid, ſhall be applied towards the defraying the Coſts and Charges of obtaining and executing this Act.

To ſet out Brooks, Drains, Ditches, &c.

XII. And be it further enacted, That the ſaid Commiſſioners ſhall and may and they are hereby authoriſed to ſcour, widen, divert, and ſtop up all or any of the ancient Brooks, Ditches, Drains, Watercourſes, Staunches, Sluices and Bridges, as they may think neceſſary and proper, within ſuch Part of the ſaid Pariſh of *Waterbeach* as is not within the Juriſdiction of the Commiſſioners for the draining of *Waterbeach Level*, and does not pay any Drainage Tax; and alſo ſhall and may make and erect, ſet out and appoint ſuch new Ditches, Drains, Watercourſes, Staunches, Sluices and Bridges, as well through and over any ancient Incloſure, as through any other Lands or Grounds within the ſaid Pariſh of *Waterbeach*, (making Satisfaction to the Proprietors of ſuch ancient Incloſures for ſo doing as they ſhall think proper,) of ſuch Depth and Breadth, and in ſuch Directions, as they the ſaid Commiſſioners ſhall think requiſite and neceſſary; and the ſaid Commiſſioners ſhall and may and they are hereby directed in and by their Award to order and direct what Part of the ſaid Ditches, Drains, Brooks, Watercourſes, Staunches, Sluices, Tunnels and Bridges, ſhall be made, and thereafter repaired, cleanſed, ſcoured, and maintained at the public Expence, and by whom and at whoſe Expence, and at what Time and in what Manner, the Reſidue of the ſaid Ditches, Drains, Brooks, Watercourſes, Staunches, Sluices, Tunnels and Bridges, ſhall be made, and thereafter repaired, cleanſed, ſcoured, and maintained, provided that no ſuch Works ſhall be made upon any other Lands and Grounds than thoſe hereby directed to be incloſed, without the previous Conſent of the Owner or Owners thereof, teſtified by Writing under his, her, or their Hand or Hands; and that no ſuch Brook or Watercourſe ſhall be made, diverted or turned, without the Conſent in Writing of the Owner or Owners of the Lands from which any ſuch Brook or Watercourſe ſhall be propoſed to be diverted or turned, and alſo of the Owner or Owners of the Lands into which the ſame ſhall be intended to be carried and conveyed.

Not to prejudice the Navigation of the River Cam.

XIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to authoriſe or empower the ſaid Commiſſioners to make, do, or execute, or cauſe to be made, done, or executed, any Work, Bank, Drain, Watercourſe, Fence, or other Thing whatſoever, which ſhall occaſion any Detriment, Prejudice or Hindrance, to the Navigation of the River *Cam*, or to the Hawling-ways or Towing-paths upon or along the Banks of the ſaid River, within the ſaid Pariſh of *Waterbeach*, belonging to the ſaid Navigation or the Proprietors thereof.

Not to interfere with the Powers of the Commiſſioners for the draining of Waterbeach Level.

XIV. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter or take away, any of the Powers, Rights, and Authorities veſted in the Commiſſioners for the effectual Draining and Preſervation of *Waterbeach Level*, by virtue of an Act paſſed in the Fourteenth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for the effectual Draining and Preſervation of* Waterbeach Level,

Level, *in the County of* Cambridge, *and to eſtabliſh an Agreement made between the Lord of the Manor of* Waterbeach cum Denny, *and the Commoners within the ſaid Manor:* And alſo an Act paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, intituled *An Act to alter, amend, and render more effectual an Act made in the Fourteenth Year of the Reign of His late Majeſty King* George *the Second, intituled* 'An Act 'for the effectual Draining and Preſervation of Waterbeach Level, *in the* 'County of Cambridge, *and to eſtabliſh an Agreement made between the* 'Lord of the Manor of Waterbeach cum Denny, *and the Commoners* 'within the ſaid Manor, *and alſo to raiſe a further Sum of Money for the* 'Improvement and Security of the ſaid Level;' but that all Rights, Powers, and Authorities whatſoever, which, by virtue of the ſaid Act of the Fourteenth of *George* the Second, and the ſaid Act of the Thirty-ſeventh of His preſent Majeſty, or of any other Act or Statute whatſoever, now are veſted in the ſaid Commiſſioners, or any of them, ſhall for ever hereafter enure, continue, and be in the ſaid Commiſſioners, as fully and amply to all Intents and Purpoſes as if this Act had never been made.

The Roads to be let annually for Support of public Drains.

XV. And be it further enacted, That the Surveyor or Surveyors of the Highways of the ſaid Pariſh of *Waterbeach* for the Time being are hereby authoriſed and empowered from Time to Time, at the leaſt Once in every Year, to let to the higheſt Bidder, for the beſt Rent that can be obtained for the ſame, in ſuch Lengths and Proportions as he or they ſhall judge moſt adviſable, all or any of the Roads within the ſaid Pariſh, ſave and except the Roads on ſuch Banks, and the Forelands thereof as are now veſted in, poſſeſſed by, belonging to or under the Care or Authority of, the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens, called *Bedford Level*, or the Governor, Bailiffs, and Conſervators of the ſaid Corporation, or the Commiſſioners for the Drainage of the ſaid Level, called *Waterbeach Level*, to be depaſtured with Sheep only, without Lambs, for the firſt Ten Years, except the Fen Roads, which may be ſtocked with any Kinds of Sheep; and that all and every the Sum and Sums of Money received by them from ſuch letting as aforeſaid, ſhall be applied by them in and about the repairing, cleanſing, ſecuring, and maintaining ſuch of the Banks of the Rivulets, Brooks and Drains, ſo altered and ſtraightened, and ſuch of the Drains, Ditches, Watercourſes, Staunces, Sluices, Bridges, Aqueducts, Tunnels, Engines and Overfalls, as ſhall be declared by the ſaid Commiſſioners, in and by their Award, to be public Works, and ſhall account for the ſame in the like Manner, and at the ſame Time, as any other Accounts of Money raiſed by them for the Uſe of the ſaid Pariſh; and if there ſhould be any Overplus in their Hands, the ſame ſhall be applied by the ſaid Surveyor or Surveyors of the Highways of the ſaid Pariſh of *Waterbeach* for the Time being in and about the Repairs of the Highways of the ſaid Pariſh, and he or they are hereby required to account for ſo much Money as he or they ſhall ſo receive at the Time of his or their ſettling or balancing their yearly Accounts.

Gravel Pits to be ſet out.

XVI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authoriſed and required, to ſet out and appoint one or more Piece or Pieces of Ground, Part of the Lands and Grounds hereby intended to be divided and incloſed, not exceeding in the whole Two Acres, with convenient Road or Roads to and from

the ſame, for the Purpoſe of getting Stones and Gravel for repairing the Roads and Ways in, over, and through the ſaid Lands and Grounds hereby intended to be divided and incloſed, already made, or to be ſet out, by virtue of this or the ſaid recited Act; and that the Herbage growing and renewing in and upon ſuch Piece or Parcel of Ground ſhall belong to ſuch Perſon or Perſons as the ſaid Commiſſioners in and by their ſaid Award ſhall order and appoint.

Allotments in Right of Soil.

XVII. And be it further enacted, That the ſaid Commiſſioners ſhall, in the next Place, ſet out, allot, and award unto the ſaid *Perſis Standly*, as Lady of the Manor of *Waterbeach* with *Denny* aforeſaid, or to the Lord or Lady of the ſaid Manor for the Time being, ſuch Part of the Lands and Grounds hereby directed to be divided and incloſed, as ſhall, in the Judgment of the ſaid Commiſſioners, be equal to One Twentieth Part in Value of all the Waſte Lands and Grounds within the ſaid Pariſh, which ſhall remain after the ſetting out of the public Roads or Ways, and after ſuch Parts thereof as ſhall be neceſſary to be ſold for defraying the Expences of this Act ſhall have been ſet out and deducted as a Compenſation for the Right and Intereſt of the ſaid *Perſis Standly*, of and in the Soil of all the ſaid Waſte Lands and Grounds.

Allotment for Glebe Lands and common Rights of Rector and Vicar.

XVIII. And be it further enacted, That the ſaid Commiſſioners are hereby authoriſed and required, in the next Place, to ſet out for the ſaid Biſhop of *Ely*, and his Succeſſors, ſuch Part of the Lands and Grounds directed by this Act to be divided and incloſed, as ſhall, in the Judgment of the ſaid Commiſſioners, be a full Equivalent and Compenſation for ſuch Glebe Lands and Rights of Common, as he, the ſaid Biſhop of *Ely*, as Appropriator as aforeſaid, or his ſaid Leſſees as ſuch, is and are now entitled to, in, over, and upon the ſaid Lands and Grounds; and ſhall in like Manner ſet out for the ſaid *John Henry Michell*, or the Vicar of *Waterbeach* aforeſaid for the Time being, ſuch Part of the Lands and Grounds directed by this Act to be divided and incloſed, as, in the Judgment of the ſaid Commiſſioners, ſhall be a full Equivalent and Compenſation for his Glebe Lands and Rights of Common, in, over, and upon the ſaid Lands and Grounds.

Allotments for Tithes.

XIX. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and required, in the next Place, to ſet out and allot unto the ſaid Biſhop of *Ely*, as ſuch Appropriator as aforeſaid, and to the ſaid *John Henry Michell* Clerk, Vicar of the ſaid Pariſh, and their Succeſſors reſpectively, ſuch Plots or Parcels of the Lands and Grounds directed by this Act to be divided and incloſed, (Quantity, Quality, and Situation conſidered,) as the ſaid Commiſſioners ſhall in their Judgments think equal in Value to One-fifth Part of all the Lands and Grounds in the ſaid Pariſh, which now are or at any Time within the Space of Three Years next before the paſſing of this Act have been uſed as Arable or Tillage Lands, and One-eighth Part of all other Lands and Grounds lying and being within the ſaid Pariſh of *Waterbeach*, which are ſeverally ſubject or liable to the Payment of Tithes in Kind to the ſaid Appropriator or his Leſſees, or the ſaid Vicar reſpectively, and which ſhall remain after the ſeveral Allotments for public Roads and Gravel Pits, and before the ſetting out the Allotments to the ſaid Lord or Lady of the ſaid Manor of *Waterbeach* for Right of Soil, and the ſaid Biſhop of *Ely*, and Vicar herein-before

mentioned, and before the ſetting out of ſuch Parts thereof as ſhall be neceſſary for defraying the Expences of this Act as aforeſaid, ſhall be deducted therefrom, except of ſuch ancient incloſed Lands and Grounds within the ſaid Pariſh, not exceeding Twenty Acres, the Proprietor or Proprietors whereof ſhall not be entitled upon the ſaid Diviſion to a ſufficient Quantity of the Lands and Grounds hereby directed to be divided to exonerate the ſame from Tithes; and in caſe any of the ancient incloſed or Open Fields, Lands or Grounds in the Pariſh aforeſaid, are ſubject to the Payment of a Modus or Moduſes, Compoſition or Compoſitions in lieu of any Tithes to the ſaid Appropriator, his Leſſees, or Vicar, or either of them, or in caſe there be any Modus or Moduſes, Compoſition or Compoſitions, payable for or in reſpect of any Beaſts or other Cattle or Sheep born, depaſtured, fed or milked, upon any of the Commons, Lands or Grounds, within the ſaid Pariſh of *Waterbeach*, then the ſaid Commiſſioners ſhall ſet out for the ſaid Appropriator, and the ſaid Vicar reſpectively, ſuch farther Plots or Parcels of the Lands and Grounds hereby directed to be divided and incloſed, as, in the Judgment of the ſaid Commiſſioners, ſhall be equal in Value to One-eighth Part of ſuch Lands and Grounds, after deducting therefrom ſuch Portion thereof as ſhall in their Judgment be equal to the Value of the Tithe or Tithes for which ſuch Modus or Moduſes, Compoſition or Compoſitions, ſhall be due or payable; and the ſaid Commiſſioners ſhall further ſet out and allot for the ſaid Appropriator and Vicar, ſuch further Plots and Parcels of the ſaid Lands and Grounds hereby directed to be divided and incloſed, as in their Judgment ſhall be equal in Value to ſuch Modus or Moduſes, Compoſition or Compoſitions; which ſaid One-fifth and One-eighth, together with the Allotment or Allotments which ſhall be ſo ſet out as aforeſaid, ſhall be divided between the ſaid Biſhop of *Ely*, as Appropriator as aforeſaid, and the ſaid *John Henry Michell* Clerk, and his Succeſſors, Vicars as aforeſaid, in ſuch Manner, and in ſuch Proportions, as the ſaid Commiſſioners ſhall adjudge to be rateable and proportionable for and according to their reſpective Rights and Intereſts as Appropriator and Vicar; and the ſame Parcels of Lands ſo to be allotted and aſſigned unto the ſaid Biſhop of *Ely*, and his Succeſſors, and the ſaid *John Henry Michell* Clerk, and his Succeſſors reſpectively, ſhall be and the ſame are hereby veſted in them, and for ever hereafter ſhall be accepted by them in full Diſcharge of and as a Compenſation and Satisfaction for all Tithes, Modus or Moduſes, Compoſition or Compoſitions in lieu of Tithes whatſoever, belonging as aforeſaid to the ſaid Biſhop of *Ely*, and his Leſſees, and the ſaid *John Henry Michell* Clerk, and his Succeſſors reſpectively, ſaving to the ſaid *John Henry Michell* and his Succeſſors, as Vicar of the ſaid Pariſh of *Waterbeach*, the uſual and accuſtomed Offerings, Mortuaries, and Surplice Fees belonging to the ſaid Vicarage.

Allotment to the Poor in lieu of their Right of Common of Turbary.

XX. And be it further enacted, That the ſaid Commiſſioners ſhall (after making ſuch Allotments as aforeſaid) ſet out, allot, and award unto the Vicar, Churchwardens, and Overſeers of the Poor of the ſaid Pariſh of *Waterbeach* for the Time being, ſuch Part or Parts of the ſaid Common and Waſte Lands hereby to be divided and incloſed, as, in the Judgment of the ſaid Commiſſioners, ſhall be a fair and juſt Compenſation for the Right of cutting, digging, and carrying away Turf for Fuel, in, upon, from, and out of the ſaid Lands and Grounds, claimed or enjoyed by the Poor of the ſaid Pariſh; and which ſaid Allotment or

Allotments

Allotments shall be and are hereby vested in the said Vicar, Churchwardens, and Overseers of the Poor of the said Parish for the Time being, for ever; and the said Vicar, Churchwardens, and Overseers, or the major Part of them, are hereby authorised and required from Time to Time, by Writing under their Hands and Seals, to lease or demise to any Person or Persons whomsoever the said Allotment or Allotments, or any Part or Parts thereof, for any Term of Years not exceeding Fourteen Years, so that in every such Lease there be reserved and made payable to the said Vicar, Churchwardens, and Overseers, or the major Part of them, by equal Half-yearly Payments in every Year, the best and most improved yearly Rent or Rents that can be obtained for the said Allotment or Allotments, or such Part or Parts thereof as shall be demised, without taking any Income, Fine, Premium, or Foregift in Consideration of granting such Lease or Leases, and so that in all such Leases there be contained the usual Covenants and Stipulations between Lessors and Lessees, and such other Covenants and Stipulations, and such Security for the Performance of the same, as the said Vicar, Churchwardens, and Overseers, or the major Part of them, shall think proper to be inserted therein; and the Rents and Profits arising from the said Allotment or Allotments shall from Time to Time be laid out in purchasing Fuel; and such Fuel shall be distributed among the poor Inhabitants of the said Parish of *Waterbeach*, who shall be legally settled and resident therein respectively, in such Shares and Proportions, at such Times in every Year, and according to such Rules and Directions, as shall from Time to Time be made and presented by the said Vicar, Churchwardens, and Overseers, or the major Part of them, for that Purpose, and not otherwise; and such Allotment or Allotments shall be in full Satisfaction of the said Right of digging and cutting Turf hitherto enjoyed and exercised by the Poor of the said Parish.

Orders and Regulations for the Distribution of Fuel to be made at a Meeting.

XXI. Provided always, and be it further enacted, That no Rules, Orders, or Regulations to be made or done by the said Vicar, Churchwardens, and Overseers of the Poor, and their Successors, touching or respecting the Distribution of the said Fuel, shall be binding or conclusive, unless the same shall be made or done at some Meeting to be held at the Vestry Room belonging to the said Parish, of which Ten Days previous Notice shall be given to the said Vicar, by the said Churchwardens and Overseers and their Successors, or some or one of them, or left for him at the Vicarage House (except the said Vicarage shall be then vacant); and that all such Orders, Rules and Regulations, shall be decided by the Majority present at every such Meeting, at which Meeting the said Vicar, if present, shall constantly preside; and in case of the Absence of the said Vicar, his Deputy, (which Deputy he is hereby authorised to name and appoint,) if present, shall constantly preside; and in case of an Equality of Voices upon any Question under Discussion at any such Meeting, the said Vicar or his Deputy, if present, shall have the casting Voice.

For allotting the Residue.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby authorised and required to set out, allot and appoint, immediately after making such Allotments as aforesaid, all the Residue and Remainder of the said Common and Open Fields, Ings, Common Meadows, Common Pasture, Commons, Open Marsh Grounds, Open

Fen

Fen Grounds, and other Open Commonable Lands and Waſte Grounds, by this Act directed to be divided and incloſed, unto and amongſt the ſeveral Proprietors thereof, and Perſons intereſted therein, in ſuch Quantities, Shares and Proportions, as the ſaid Commiſſioners ſhall adjudge and determine to be a fair, juſt, and reaſonable Compenſation and Satisfaction for their ſeveral and reſpective Lands, Grounds, Rights of Common, and other Rights and Intereſts therein.

The Bank of the River Ouſe not to be allotted.

XXIII. Provided always, and be it further enacted, That nothing herein contained ſhall extend to authoriſe or empower the ſaid Commiſſioners to allot, ſet out, or divide, as Part of the ſaid Common and Open Fields, Common Meadows, Common Paſtures, Commons, Open Marſh Ground, Open Fen Ground, and other Open Commonable Lands and Waſte Grounds, the Bank of the River *Ouſe*, or any Part of the Back or Front Forelands thereof adjoining, or lying open to any Part of the ſaid Commons, but that the ſaid Bank, and the Front and Back Forelands thereof, ſhall remain, continue, and be veſted in and poſſeſſed by the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens, called *Bedford Level*, or of the Governor, Bailiffs, and Conſervators of the ſaid Corporation, or the Commiſſioners of Drainage of the ſaid Level, called *Waterbeach Level*, according to their reſpective Rights and Intereſts therein.

For fencing the Tithe Allotment.

XXIV. And be it further enacted, That the Plot or Plots of Lands or Grounds to be ſet out and allotted unto and for the ſaid Biſhop of *Ely* as aforeſaid, and alſo ſuch Allotment and Allotments as ſhall be allotted to the ſaid Vicar as aforeſaid, ſhall be reſpectively incloſed and fenced round with ſuch good and ſufficient Gates, Hedges, Ditches, Mounds or other Fences, as the ſaid Commiſſioners ſhall direct; and that the Whole of ſuch Gates, Hedges, Ditches, Mounds or other Fences, ſhall be made at the Expence of the Proprietors of the other Allotments of the Lands or Grounds in the Pariſh of *Waterbeach* aforeſaid hereby intended to be divided and allotted; and the Owner or Owners, Proprietor or Proprietors of ſuch old Incloſures in the ſaid Pariſh, as ſhall be exonerated from the ſaid Tithes by virtue of this Act, (except the ſaid Biſhop of *Ely*, and his Leſſees as ſuch, and the ſaid Vicar and his Succeſſors, who reſpectively ſhall not bear or pay any Part of the Expence thereof, or of paſſing this Act, or relating thereto,) in ſuch Shares and Proportions, as the ſaid Commiſſioners ſhall direct and appoint; and the ſaid Commiſſioners ſhall appoint to whom the ſaid Gates, Hedges, Ditches, Mounds or other Fences, ſhall reſpectively belong; and after the ſaid Gates, Hedges, Ditches, Mounds or other Fences, ſhall have been properly made, the ſame ſhall be thereafter for ever kept, maintained, ſupported, and ſcoured by, and at the Expence of ſuch Perſon or Perſons to whom the ſame ſhall be reſpectively allotted or directed to belong as aforeſaid.

For fencing the other Allotments.

XXV. And be it further enacted, That the ſaid ſeveral other Allotments to be made by virtue of this Act, ſhall, within Six Calendar Months next after the Date and Execution of the Award herein-after mentioned, or within ſuch other Time or Times as the ſaid Commiſſioners ſhall by any Writing under their Hands direct and appoint, be incloſed, hedged, ditched, and fenced at the proper Coſts and Charges

of such Person or Persons to whom the same shall be respectively assigned and allotted, in such Manner as the said Commissioners shall by any Writing or Writings under their Hands or by their Award order and direct.

Gaps to be left in Fences.

XXVI. Provided always, and be it further enacted, That convenient Gaps and Openings shall be left in all the said Fences, for the Space of Six Calendar Months next ensuing the Date and Execution of the said Award for the passing of the Cattle, Carts, and Carriages in, by, and through the same, unless the said Commissioners shall direct or order the same to be sooner fenced in, made up, and inclosed.

For determining Objections to Allotments.

XXVII. And be it further enacted, That when and so soon as the said Commissioners shall have ascertained the respective Shares, Rights, and Interests of the said Proprietors, in the Lands and Grounds to be allotted and inclosed by virtue of this Act, and also the respective Shares and Proportions by them proposed to be allotted to such Proprietors respectively in lieu thereof, they the said Commissioners shall give Notice in Manner as aforesaid, of some convenient Time and Place when and where all Proprietors and Persons interested may peruse a Schedule of such intended Allotments, and inspect a Map or Plan whereon the same shall be set out and delineated, and may have and receive at his, her, or their own Costs and Charges, a Copy of such Schedule, or any Part thereof; and in regard that some Person or Persons may upon Perusal of the said Schedule, and Inspection of such Map or Plan, be dissatisfied with his, her, or their intended Allotments, the said Commissioners shall give Notice of One Meeting at the least, to be held by them for receiving Complaints and Objections, and their Determinations with respect to such Allotments being reduced into Writing, and signed by them, shall be binding and conclusive upon all Parties until the Execution of the Award hereinafter mentioned.

Allotments to be of the same Tenure as the Lands in lieu whereof the same shall be made.

XXVIII. And be it further enacted, That all the Lands and Grounds, or other Hereditaments, to be allotted under and by virtue of this Act, shall (immediately after such Allotments are made as aforesaid) be subject to such and the same Tenures, Customs, Heriots, Rents, Rent Charges, and Services, as the several and respective Messuages, Cottages, Lands, Tenements, old Inclosures, and other Hereditaments, in lieu or in respect whereof such Allotments shall be respectively made or taken as aforesaid, are now held under or subject to.

Copyholders may be admitted to their Allotments without paying any Fine in respect of their first Admittance (except in Case of Death or Alienation).

XXIX. And be it further enacted, That all and every Person and Persons to whom any Lands, Grounds and Hereditaments, shall be allotted as aforesaid, in lieu or in respect of any Copyhold, or Customary Messuages, Cottages, Lands, or other Hereditaments, holden of the said Manor of *Waterbeach* with *Denny* aforesaid, may, at any Court which shall be holden for the Manor aforesaid, after the Execution of the said Award, be admitted Tenant and Tenants to the same, without paying any Fine or other Charge to the Lord or Lords, Lady or Ladies, or to the Steward or Stewards of the said Manor (save and except the Stamp Duties and Parchment requisite to be used for the Copies of such Admission, and the Customary Fees to the Steward or Stewards of the said Manor respectively); but in case the Person or Persons to whom such

Copyhold Lands and Hereditaments ſhall be allotted ſhall die, or ſhall ſell or diſpoſe of the ſaid Premiſes before Admiſſion thereto, then and in ſuch Caſe the cuſtomary Fines and other Payments ſhall be due and payable on the Admiſſion of any Perſon or Perſons to the ſaid Copyhold Lands and Hereditaments.

Exchanges to be made.

XXX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to ſet out and allot and award any Lands, Tenements or Hereditaments, within the ſaid Pariſh, in lieu of and in Exchange for any other Lands, Tenements or Hereditaments, within the ſaid Pariſh, or within any adjoining Pariſh, Townſhip, Manor, Hamlet or Place, provided that all ſuch Exchanges be aſcertained, ſpecified, and declared in the Award of the ſaid Commiſſioners, and be made with the Conſent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tenements, and Hereditaments which ſhall be ſo exchanged, whether ſuch Owner or Owners, Proprietor or Proprietors, ſhall be a Body or Bodies Politic, Corporate or Collegiate, or a Tenant or Tenants, in Fee Simple or for Life, or in Fee Tail General or Special, or by the Courteſy of *England*, or for Years determinable on any Life or Lives, or with the Conſent of the Guardians, Truſtees, Feoffees for charitable or other Uſes, Huſbands, Committees, or Attornies of or acting for any ſuch Proprietors of or Owners as aforeſaid, who at the Time of making ſuch Exchange or Exchanges ſhall be reſpectively Infants, Femes Covert, Lunatics, or under any other legal Diſability, or who ſhall be beyond the Seas, or otherwiſe diſabled to act for themſelves, himſelf or herſelf, ſuch Conſent to be teſtified in Writing under the Common Seal of the Body Politic, Corporate or Collegiate, and under the Hands of the other conſenting Parties reſpectively, and all and every ſuch Exchange and Exchanges ſo to be made, ſhall be good, valid, and effectual in Law, to all Intents and Purpoſes: Provided always nevertheleſs, that no ſuch Exchange ſhall be made of any Lands, Tenements or Hereditaments, held in Right of any Church, Chapel, or other Eccleſiaſtical Benefice, without the Conſent teſtified as aforeſaid of the Patron thereof, and of the Biſhop of the Dioceſe in which ſuch Lands, Tenements or Hereditaments, ſo to be exchanged ſhall lie and be ſituate.

Coſts of Exchange to be paid by Parties making the ſame.

XXXI. Provided always, and be it further enacted, That all Coſts, Charges, and Expences attending the making of any Exchanges or Partitions to be made by virtue of this Act, ſhall be paid, borne, and defrayed by the ſeveral Perſons making ſuch Exchanges or Partitions, in ſuch Manner and in ſuch Proportions, as the ſaid Commiſſioners ſhall by their ſaid Award order and direct.

Leaſes at Rack Rent, to be vacated.

XXXII. 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 or Grounds intended to be divided, incloſed or exchanged, by virtue of this Act as aforeſaid, either ſingly or together, with any Meſſuages, Cottages, ancient Incloſures, Lands, Tenements or other Hereditaments, lying in the Pariſh of *Waterbeach* aforeſaid, held therewith or included in ſuch Leaſe or Leaſes, and all other Agreements for any Term or Terms at Rack Rent, or from Year to Year, or at Will, ſhall reſpectively, at ſuch Time as the ſaid Commiſſioners ſhall appoint, by any Writing under their Hands, to be affixed upon the principal Outer Door

Door of the Parish Church of *Waterbeach* aforesaid, cease and be void; and the respective Lessors, or Owners and Proprietors of such Messuages, Cottages, Lands, and other Hereditaments, comprised in all such Leases, shall pay or receive such Sum or Sums of Money, or make or receive such Satisfaction and Compensation to or from such Lessee or Lessees, Tenant or Tenants, as the respective Lessors, Owners, and Proprietors, and their Lessee or Lessees, Tenant or Tenants, shall agree upon, or as the said Commissioners shall ascertain, order, direct, or appoint to be paid as a proper Equivalent for vacating such Leases: Provided always, that if there shall be any Lease of Lands, Part of which shall lie within the said Parish, and Part in an adjoining Parish, all and every such Lease and Leases upon Rack Rent now subsisting shall be vacated; but where any Land shall be taken in Exchange, which Land shall be under Lease, and wholly situate in an adjoining Parish, the Lease of such last-mentioned Land shall not be vacated.

Wills not to be affected.

XXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed, deemed, adjudged, or taken to extend, to revoke, make void, alter, or annul any Will or Settlement, or to prejudice any Person having or claiming any Jointure, Dower, Portion, Debt, Rent, or Incumbrance out of, upon, or affecting any of the Lands or Grounds so intended to be divided and inclosed, or any Messuages, Lands or Hereditaments, which shall be exchanged or partitioned in pursuance of this Act, or any Part or Parts thereof respectively, but that the respective Persons to whom any Lands or Hereditaments shall be assigned, allotted, or given in Exchange, or upon Partition as aforesaid, by virtue of this or the said recited Act, shall from thenceforth stand and be seised of the same, to such and the same Uses, Trusts, and Estates, and subject to the same Wills, Settlements, Limitations, Remainders, Charges, and Incumbrances, and no other, as the several Lands, Grounds, Tenements, and Hereditaments, in respect of or in lieu whereof such Allotments, Exchanges, and Partitions shall have been made as aforesaid, are, or should or would have been subject and liable to in case the same had remained uninclosed or unexchanged, and not partitioned, and in case this Act had not been made, except such Leases or Agreements for Leases at Rack Rent as are hereby made void; any Thing herein contained to the contrary notwithstanding.

Owners of certain ancient Inclosures, who have not sufficient Open Field Land, are to exonerate them from Tithes by a Payment in Money.

XXXIV. Provided always, and be it further enacted, That in case the Proprietor or Proprietors of any Messuages, Cottages, Homesteads, Gardens, Orchards, or other inclosed Lands or Grounds, in the said Parish of *Waterbeach*, (not exceeding Twenty Acres,) which are subject and liable to the Payment of Tithes in Kind, shall not be entitled upon the said Division to a sufficient Quantity of the Lands and Grounds hereby directed to be divided to exonerate his, her, or their ancient Inclosures from Tithes payable to the said Appropriator and Vicar for the same, then and in such Case the Commissioners shall and they are hereby authorised and required to charge the respective Proprietors thereof with such Sum and Sums of Money as shall, in the Judgment of the said Commissioners, be a just and full Compensation and Satisfaction for the Fee Simple of the Tithes in lieu thereof; and such Sum or Sums of Money shall be paid by such Proprietor or Proprietors to the said Commissioners, and be by them applied towards defraying the Expences of the several Persons

Perſons from whoſe Allotments any Deduction ſhall have been made, for making Compenſation for Tithes as aforeſaid, attending the obtaining this Act, and carrying the ſame into Execution; and in caſe of Non-payment thereof at the Time appointed for that Purpoſe, the ſame ſhall be raiſed and levied in ſuch Manner as is provided for raiſing and levying the Expences of obtaining and carrying this and the ſaid recited Act into Execution in caſe of Neglect or Refuſal to pay the ſame: Provided always, that if there ſhould be any Overplus of ſuch Sum or Sums of Money, the ſame ſhall be paid to the Perſon or Perſons from whoſe Allotment any Deduction ſhall have been ſo made as aforeſaid, in caſe they ſhall be ſeiſed in Fee Simple of their Eſtates, or otherwiſe ſuch Overplus ſhall be applied and diſpoſed of by the ſaid Commiſſioners, in Manner directed by the ſaid recited Act, with reſpect to the Money to be paid for the Purchaſe or Exchange of any Lands, Tenements or Hereditaments, or of any Wood or Timber growing thereon, and which Money ought to be laid out in the Purchaſe of other Lands, Tenements, and Hereditaments to be ſettled to the ſame Uſes.

Power for the Truſtees for the Uſe of the Poor to enfranchiſe their Copyhold Eſtate.

XXXV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authoriſed upon Application in Writing, under the Hands of the receiving Truſtees for the Uſe and Benefit of the poor Inhabitants of *Waterbeach*, and by and with the Conſent in Writing of the ſaid *Perſis Standly*, Lady of the Manor of *Waterbeach cum Denny* aforeſaid, to ſet out and allot to the ſaid *Perſis Standly*, Lady of the ſaid Manor, ſuch Part or Parts of the Lands and Grounds of and belonging to the ſaid Truſtees, and now being Part, Parcel, or holden of the ſaid Manor by Copy of Court Roll, as, in the Judgment of the ſaid Commiſſioners, ſhall be (Quantity, Quality, and Situation conſidered) a fair and juſt Equivalent for all Quit Rent or Quit Rents, or other Seignioral Rent or Rents, Due or Dues, or other Service or Services, Profit or Profits of Tenure ariſing or accruing to the ſaid *Perſis Standly*, as Lady of the ſaid Manor, by reaſon of ſuch Lands and Grounds being Part, Parcel, or holden of the ſaid Manor, in lieu and in full Satisfaction for the ſame, and from and immediately after ſuch Allotment or Allotments as laſt aforeſaid, ſuch Lands and Grounds ſhall thereafter ceaſe to be Parcel of, or holden of the ſaid Manor, to all Intents and Purpoſes whatſoever, or to be any longer ſubject to any Quit Rent, Due, or other Service or Profit of Tenure whatſoever, as Parcel or holden of the ſaid Manor.

Commiſſioners may direct the Courſe of Huſbandry.

XXXVI. And be it further enacted, That in the mean Time, and until ſuch Diviſion and Allotment ſhall be made as aforeſaid, all the Tillage, Paſture, and other Lands hereby intended to be divided and incloſed, ſhall be ſtocked with ſuch Cattle, and ſowed by the reſpective Owner or Owners, Occupier or Occupiers thereof, with ſuch Sorts of Corn and Grain, and ſhall be kept, ordered, and continued in ſuch Courſe of Huſbandry, as the ſaid Commiſſioners, by any Writing or Writings under their Hands and Seals in that Behalf, ſhall award, order, direct or appoint, any Uſage or Cuſtom of Stocking or Sowing to the contrary notwithſtanding; and that no Meadow, Paſture, or freſh Grounds, Part of the Lands and Grounds hereby intended to be divided and incloſed, and not now in Tillage, ſhall before that Time be ploughed, broken up, or converted into Tillage; and if, after the Suſpenſion or Extinguiſhment of Right of Common

under this Act, any of the said Proprietors or Occupiers shall permit his, her, or their Cattle to go, depasture, or feed on any of the Lands or Grounds so exonerated from Common, then it shall be lawful for any of the said Proprietors or Occupiers to distrain such Cattle, being upon such Lands or Grounds contrary to such Order, and to impound the same, until the Person or Persons so offending shall pay to the Person or Persons distraining any Sum not exceeding Five Pounds, nor less than Twenty Shillings, for each of the Cattle so distrained; and in case the same shall not be paid before the next Meeting of the Commissioners, after such distraining and impounding, then the said Commissioners are hereby authorised and empowered, upon Proof of such Offence or Offences having been committed, and Non-payment of the Penalty hereby imposed, to cause the Cattle so distrained, or such Part thereof as they shall think necessary, or other Goods and Chattels of the Person or Persons so offending, to be sold for the raising and paying the Penalties aforesaid, together with the Costs and Charges attending such Distress and Sale, rendering the Overplus (if any) on Demand to the Owner of such Cattle.

Proprietors, whose Allotments shall have been ploughed, to make Satisfaction for the same.

XXXVII. And be it further enacted, That the several Proprietors, whose Allotments in the said Division and Inclosure shall have been ploughed, sowed, or manured by the Direction of the said Commissioners, shall pay unto the several Persons who shall have ploughed, sown, or manured the same, such Sums of Money, and at such Times, as the said Commissioners shall think reasonable, and by any Writing under their Hands ascertain, order, and direct; and in case any of the said Sums of Money shall not be paid at the Times so ordered by the said Commissioners, the same shall be raised, levied, and recovered in such Manner as is provided for raising, levying, and recovering the Expences of obtaining this Act, and carrying the same into Execution, in case of Neglect or Refusal to pay the same.

Commissioners to make Satisfaction for standing Crops.

XXXVIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized, empowered, and required, upon Request to them for that Purpose, by any Writing or Writings under their Hands, to ascertain, order, and appoint what Recompence and Satisfaction in Money shall be made to the Owner or Owners of any Crops of Corn or Turnips growing upon the Lands and Grounds hereby intended to be divided and inclosed at the Time such Allotments and Division shall be made for the said Crops, by the Person or Persons to whom the Lands and Grounds on which such Crops are growing shall be allotted, unless such Owner or Owners shall, within the Time to be appointed by the said Commissioners for that Purpose, declare his, her, or their Intention to cut, reap, or carry away, or feed off the same; and in case of Non-payment of such Recompence and Satisfaction for such Crops, at the Time, and in the Manner to be directed by the said Commissioners, or in case of such Election to reap, and take away, or feed off the same, then it shall be lawful for such Owner or Owners, and his, her, or their Agents, Servants, and Workmen, with Horses, Carts, and Carriages, and with Sheep, or other Cattle, to enter into and upon the Lands and Grounds, whereon such Crops shall be growing, and to cut, reap, carry away, or feed off the same, for his, her, and their own Use and Benefit: Provided always, that all such Crops of Turnips shall be consumed upon the Lands whereon the same are grown, and be fed

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off in a husband-like Manner; and the Commissioners shall and they are hereby authorized and required, upon Request as aforesaid, by any Writing or Writings under their Hands, to ascertain, order, and appoint what Recompence and Satisfaction in Money shall be paid, and to whom, for the Standing of such Crops, by the Owner or Owners neglecting to carry away or feed off the same as aforesaid; and also what Recompence and Satisfaction in Money shall be paid, and by whom, to the Owner or Owners of any Plants or Seeds growing upon the said Lands hereby directed to be divided and allotted at the Time of the said Division and Allotment; and also what Recompence and Satisfaction in Money shall be paid, and by whom, to any Tenant or Tenants, Occupier or Occupiers of Land, within the said Parish of *Waterbeach*, as well for ploughing, tilling, and manuring any of the Lands and Grounds which shall be divided and allotted by virtue of this Act, for the Benefit and Advantage accruing thereby to the Person or Persons to whom such Lands and Grounds shall be allotted, as for any Loss or Disadvantage which any such Tenant or Tenants, Occupier or Occupiers, shall or may sustain by the Loss of their following or waygoing Crops upon the Lands and Grounds by this Act intended to be divided, allotted, and inclosed; and if, in any or either of the said Cases, the Money to be paid for such Recompence and Satisfaction shall not be paid at the Time and in Manner to be appointed as aforesaid by the said Commissioners, it shall and may be lawful for the said Commissioners, and they are hereby authorised and required, to levy and raise the same for the Use of the Person or Persons entitled thereto by such Ways and Means as the Costs, Charges, and Expences of obtaining and executing this Act may be raised and levied: Provided also, that it shall be lawful for the said Commissioners, if they shall think fit, to order and direct that any such Allotment or Allotments as aforesaid, or any Part thereof, shall remain in the Possession of the former Occupier or Occupiers thereof for any Period they shall appoint, between the Time of setting out such Allotment and the Execution of their Award.

Land to be sold for defraying the Expences.

XXXIX. And be it further enacted, That for providing a Fund for defraying the Costs, Charges, and Expences of obtaining and executing this Act, the said Commissioners shall and they are hereby required, as soon as conveniently may be after the passing of this Act, from Time to Time, to sell and dispose of, in Manner directed by the said recited Act, such Parts and Parcels of the Great and Little Bouts hereby directed to be allotted and inclosed, as they shall judge most proper and expedient, and as shall be requisite for the Purpose aforesaid; and all Lands to be sold under and virtue of this Act, on Payment of the full Purchase Money for the same, shall be conveyed, as Freehold of Inheritance in Fee Simple, unto the Purchaser or Purchasers thereof respectively, and a Conveyance or Conveyances by Lease and Release, made and executed by the said Commissioners, shall be valid and effectual in the Law, to vest the same in such Purchaser or Purchasers, and his, her, or their respective Heirs and Assigns, absolutely for ever, subject and liable to such Orders, Directions, and Restrictions, as shall be laid down and appointed by the said Commissioners in and by their Award, to be made by virtue of this Act; and the said Commissioners shall, after Payment of the Costs, Charges, and Expences attending such Sale or Sales, or in anywise relating thereto, pay and apply the Residue of the Monies arising therefrom for the Purposes above mentioned: Provided always, that the

Money to arise from the Sale or Sales of the said Parts or Parcels of the Great and Little Bouts shall only be applied towards defraying the Costs, Charges, and Expences of the several Persons entitled to any Right of Common, or any other Right or Rights or Interests into, over, and upon the said Great and Little Bouts.

Expences of Act how paid.

XL. And be it further enacted, That the Costs, Charges, and Expences attending the applying for and obtaining this Act, and carrying the same and the said recited Act into Effect, and of surveying, measuring, planning, valuing, dividing, and allotting the said Lands and Grounds, and for all other the Purposes of this Act and the said recited Act, and of preparing, executing, and depositing the Award in this Act mentioned, and all other the necessary Charges and Expences arising and accruing in the Course of carrying the Powers herein and in the said recited Act contained into complete Execution of the several Parties and Persons entitled to Right of Common, or any other Right or Interest in the said Great and Little Bouts, shall be paid and discharged by the said Commissioners out of the Monies to arise by Sale of Land as hereinbefore directed.

Application of Surplus Money.

XLI. And be it further enacted, That in case any Part or Parts of the said Lands and Grounds shall be sold for more Money than will be required to defray such Charges and Expences as aforesaid, then and in such Case such Surplus Money shall be divided and apportioned between the several Proprietors of the said Lands hereby directed to be divided, allotted, and inclosed, according to their several and respective Interests therein; and the Shares of such of them as shall be Tenants in Fee Simple shall be paid to them respectively, and the Shares of such other Persons respectively shall be paid into the Bank of *England* in Manner directed by the said recited Act.

If Money arising by Sale of Land insufficient to pay the Expences of the Act, the Deficiency to be made up by the Proprietors.

XLII. And be it further enacted, That in case the Money to arise by such Sale or Sales as are hereby authorized shall not be sufficient to pay and discharge such Costs, Charges, and Expences as aforesaid, then the Deficiency shall be made up and paid to the said Commissioners by the several Persons interested in the Division and Inclosure of the said Lands and Grounds, (except the said Lord Bishop of *Ely*, and his Lessees as such, and the Vicar of *Waterbeach*, and the said Vicar, Churchwardens, and Overseers of the Poor for the Time being, Trustees as aforesaid,) in such Shares and Proportions, and within such Time or Times, as the said Commissioners shall, by any Writing or Writings under their Hands, order, direct, and appoint; and if any such Person shall refuse or neglect to pay his or her Share or Proportion of the said Costs, Charges, and Expences, to the Person or Persons authorised to receive the same, at the Time which shall be appointed by the said Commissioners for the Payment thereof, the same shall and may be levied and recovered in the Manner directed by the said recited Act; and the Proportion of the Costs, Charges, and Expences attending the obtaining, passing, and executing this and the said recited Act, and of all such Expences as aforesaid of all Parties and Persons not interested in the said Great and Little Bouts, shall be assessed, raised, and paid in Manner directed by the said recited Act with respect to paying the Expences of Inclosures.

XLIII. And

"LIII. And be it further enacted, That in caſe it ſhall be found expe- The Com-
t or neceſſary before ſuch Sale or Sales, as by this Act is or are miſſioners
orized to be made, can or ſhall be effected to raiſe any Sum or Sums may borrow
of Money for defraying the Expences as aforeſaid, it ſhall and may be Money till
lawful for the ſaid Commiſſioners to borrow and take up at Intereſt ſuch Sale.
Sum or Sums of Money as they ſhall from Time to Time think neceſſary for the Purpoſes aforeſaid; which Money ſo to be borrowed ſhall be repaid with Intereſt, after the Rate of Five Pounds *per Centum per Annum*, out of the Monies to be raiſed by virtue of this Act.

XLIV. And be it further enacted, That out of the Monies that ſhall Allowance
be raiſed for defraying the Expences of obtaining and executing this Act, to Commiſ-
there ſhall be paid to each of the ſaid Commiſſioners, and to any other ſioners.
Commiſſioner who may be appointed by virtue of this Act, as a Recompence for his Pains and Trouble, the Sum of Three Guineas, and no more, for each and every Day he ſhall be employed in travelling to or returning from, and attending in the Execution of this Act; and that at all Meetings to be held in purſuance of this Act, the ſaid Commiſſioners ſhall pay their own Expences.

XLV. And be it further enacted, That Once at leaſt in each and every Commiſſion-
Year during the Execution of this Act, (ſuch Year to be computed from ers' Accounts
the Day of paſſing of this Act,) the ſaid Commiſſioners ſhall and they are to be annually
hereby required to make a true and juſt Statement or Account of all laid before
Sums of Money by them received and expended or due to them for their the Juſtices
own Trouble and Expences in the Execution of this or the ſaid recited of the Peace.
Act, and ſuch Statement or Account when ſo made out, together with the Vouchers relating thereto, ſhall be by them laid before any Two or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Cambridge*, to be by them examined and balanced; and ſuch Balance ſhall be by ſuch Juſtices ſtated in the Book of Accounts, to be kept at the Office of the Clerk or Clerks to the ſaid Commiſſioners; and no Charges or Items in ſuch Account ſhall be binding on the Parties concerned, or valid in the Law, unleſs the ſame ſhall have been duly allowed by ſuch Juſtices as aforeſaid.

XLVI. And be it further enacted, That the Award to be made with Awards to be
the Plan annexed by the ſaid Commiſſioners, when inrolled according to depoſited in
the Directions of the ſaid recited Act, ſhall be depoſited in the Pariſh the Pariſh
Church of *Waterbeach* aforeſaid. Church of
Waterbeach.

XLVII. And be it further enacted, That if any Perſon or Perſons ſhall Appeal to
think himſelf, herſelf, or themſelves aggrieved by any Thing done or the Quarter
omitted to be done in purſuance of this Act, or the ſaid recited Act, other Seſſions.
than and except ſuch Claims, Matters, and Things as are herein-before directed or authoriſed to be determined by the Verdict of a Jury; and alſo except ſuch Orders and Determinations of the ſaid Commiſſioners as are by this Act, or by the ſaid recited Act rendered final or concluſive, then and in every ſuch Caſe he, ſhe, or they may appeal to the General Quarter Seſſions of the Peace which ſhall be held for the ſaid County of *Cambridge*, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, on giving to the ſaid Commiſſioners, and to the Party or Parties concerned, Thirty Days' Notice in Writing of ſuch

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

Saving Rights, &c. of Bedford Level Corporation.

XLVIII. Provided always, and be it further enacted, That nothing in this or the ſaid recited Act contained ſhall extend, or be conſtrued to extend, to relieve, exonerate, or diſcharge any Part or Parcel of the Lands and Grounds containing Ninety-five thouſand Acres, called *The Adventurer's Lands*, and mentioned in an Act of Parliament paſſed in the Fifteenth Year of the Reign of His late Majeſty King *Charles* the Second, intituled *An Act for ſettling the Draining of the Great Level of the Fens called* Bedford Level; or in an Act paſſed in the Twentieth Year of the Reign of His ſaid late Majeſty King *Charles* the Second, intituled *An Act for the taxing and aſſeſſing of the Lands of the Adventurers within the Great Level of the Fens*, from the Payment of all or any of the Taxes to which the ſaid Ninety-five thouſand Acres of Adventurer's Lands, or any Part or Parcel thereof, are now ſubject or liable, or to which they may hereafter become ſubject or liable, by virtue of the ſaid Two laſt mentioned Acts, but that all and every Part and Parcel of the ſaid Ninety-five thouſand Acres of Adventurer's Lands ſhall for ever hereafter remain ſubject and liable to all ſuch Taxes and Powers of taxing, impoſing, charging, and aſſeſſing the ſame, and of levying and recovering of ſuch Taxes, as are now, by virtue of the ſaid Two laſt mentioned Acts, or otherwiſe veſted in the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens, called *Bedford Level*, or in the Governor, Bailiffs, and Conſervators of the ſaid Corporation; and that nothing in this or the ſaid recited Act contained ſhall extend, or be conſtrued to extend, to empower the ſaid Commiſſioners, or any of them, or any other Perſon or Perſons whomſoever, to have, uſe, or exerciſe any Power or Authority over, or to alter, obſtruct, or intermeddle with any of the Sluices, Tunnels, Bridges, or other Works, or with the Rivers, Sewers, Drains, Wear Dykes, or the Banks of the Front or Back Forelands thereof, veſted in, poſſeſſed by, belonging to, or under the Care or Authority of the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators of the ſaid Corporation, or to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers, and Authorities veſted in the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators by the ſaid laſt mentioned Acts of the Fifteenth and Twentieth Years of the Reign of His ſaid late Majeſty

King *Charles* the Second, or by any other Act, Statute, or Charter Law of Sewers, or otherwise howsoever; but that all Rights, Powers, and Authorities, which are now vested in the said Governor, Bailiffs, and Commonalty, or in the said Governor, Bailiffs, and Conservators, or in every or any of them, shall for ever hereafter remain, continue, and be in the said Governor, Bailiffs, and Commonalty, and in the said Governor, Bailiffs, and Conservators, and every of them, as fully and amply to all Intents and Purposes as if this Act had not been passed.

General Saving.

XLIX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all other Persons, Bodies Politic, Corporate and Collegiate, their Heirs, Executors, Administrators, and Assigns, (other than and except the several Persons, Bodies Politic, Corporate or Collegiate, to whom any Allotment or Compensation shall be made, their Heirs, Successors, Executors, Administrators, and Assigns respectively, and except such other Rights and Interests as the Intents and Purposes of the Inclosure hereby authorized shall absolutely require to be barred, destroyed, or extinguished by virtue of this Act,) all such Estates, Rights, Titles, and Interests as he, they, every, or any of them, had or enjoyed of, in, to, or out of the Common and Open Fields, Ings, Common Meadows, Common Pastures, Commons, and other Open and Commonable Lands, and Waste Grounds hereby directed to be divided, allotted, and inclosed before the passing of this Act, or could or might have been had or enjoyed if this Act had not been made.

Act made Evidence.

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

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