ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 159.

An Act for dividing, allotting, and incloſing Lands in the Tything or Hamlet of *Weſt Compton*, in the Pariſh of *Compton*, in the County of *Berks*.

[9th *June* 1812.]

WHEREAS there are within the Tything or Hamlet of *Weſt Compton*, in the Pariſh of *Compton*, in the County of *Berks*, ſeveral Open and Common Fields, Down Lands, Commons, and Waſte Grounds, containing together by Eſtimation Two thouſand Acres, or thereabouts: And whereas the Right Reverend *Richard* Lord Biſhop of *Bath* and *Wells*, in Right of his See, is Lord of the Manor and Hundred of *Compton*, and *Sarah Head Potenger* Widow, is beneficially entitled for Life to the ſaid Manor and Hundred, by virtue of a Leaſe granted by the late Lord Biſhop of *Bath* and *Wells*: And whereas the ſaid Lord Biſhop (in Right of his See), the ſaid *Sarah Head Potenger*, the Reverend *Head Pottinger*, *John Strange*, and *William Church*, and divers other Perſons, are the Owners and Proprietors of the ſaid Open and Common Fields, Down Lands, Commons, and Waſte Lands within the ſaid Tything or Hamlet: 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 Properties of the ſeveral Owners of the ſaid Open and Common Fields lie very much intermixed, and diſperſed in ſmall Parcels, ſo as to render the Cultivation thereof very inconvenient; and if the ſame, together with the ſaid Down Lands, and Commons, and Waſte Grounds, were divided and allotted unto and amongſt the ſeveral Perſons intereſted therein, according to their ſeveral and reſpective Rights and Intereſts, and ſuch Allotments incloſed, they would be rendered of much greater Value, and might be much improved; but

ſuch Diviſion, Allotment, and Incloſure cannot be effected without the Authority and Aid of Parliament; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Open and Common Fields, Down Lands, Commons, and Waſte Grounds in the ſaid Tything or Hamlet of *Weſt Compton*, ſhall, as ſoon as conveniently may be after the paſſing of this Act, be divided and allotted; and that *George Barnes* of *Andover*, in the County of *Southampton*, Gentleman, and *John Davis* of *Bloxham*, in the County of *Oxford*, Gentleman, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be and they are hereby appointed Commiſſioners for valuing, dividing, allotting, and incloſing the ſaid Open and Common Fields, Down Lands, Commons, and Waſte Grounds, within the ſaid Tything or Hamlet, and for putting this and the ſaid recited Act into Execution, ſubject to the Rules, Orders, and Directions herein-after contained, and alſo ſubject to the Powers, Proviſions, and Regulations of the ſaid recited Act, except where the ſame are hereby varied or altered.

Two Commiſſioners appointed.

Appointing a Third in caſe of Difference of Opinion.

II. Provided always, and be it further enacted, That if they the ſaid Commiſſioners, or their Succeſſors, ſhall differ in Opinion upon any of the Matters and Things directed to be executed by them by virtue of this Act, in that Caſe *William Buſhnell* of *Aſton Tirrold*, in the County of *Berks*, Gentleman, ſhall be and he is hereby appointed a Third Commiſſioner for carrying this and the ſaid recited Act into Execution with reſpect to ſuch Matters and Things only on which the ſaid Two Commiſſioners, or their Succeſſors, ſhall differ in Opinion as aforeſaid; and in ſuch Caſe it ſhall be lawful for any One of the ſaid Two Commiſſioners, or their Succeſſors, together with the ſaid *William Buſhnell*, or his Succeſſor, to execute all Powers, Authorities, Acts, Matters, and Things requiſite to be done in the Execution of this or the ſaid recited Act, and which ſhall be as valid and effectual to all Intents and Purpoſes as if done and executed by the ſaid Two Commiſſioners.

For appointing new Commiſſioners.

III. Provided always, and be it further enacted, That if before the Powers and Authorities repoſed in the ſaid Commiſſioners ſhall have been fully executed and performed, either of them the ſaid *George Barnes* and *John Davis* ſhall die, or refuſe or neglect to act or to qualify himſelf, or ſhall become incapable of acting as a Commiſſioner in the Execution of ſuch Powers and Truſts, it ſhall be lawful for the Majority in Value (ſuch Value to be aſcertained by the Land Tax Aſſeſſment) of the Proprietors and Perſons intereſted in the ſaid Open and Common Fields, Down Lands, Commons, and Waſte Grounds, in the ſaid Tything or Hamlet of *Weſt Compton*, who ſhall be preſent at a public Meeting to be held for that Purpoſe at *Compton* aforeſaid, in purſuance of a Notice to be given in Writing for that Purpoſe, by the Perſon or Perſons acting as Clerk or Clerks to the ſaid Commiſſioners, upon the outer Door of the Parith Church of *Compton* aforeſaid, and in the Newſpaper called *The Reading Mercury*, or in ſome other Newſpaper circulated in the County of *Berks*, at leaſt Fourteen Days before ſuch Meeting, by Writing under their Hands to appoint ſome other fit Perſon, not intereſted in the ſaid intended Diviſion and Allotment, to be a Commiſſioner in the Place of the ſaid Commiſſioner ſo dying, or

refuſing or neglecting to act or to qualify himſelf, or becoming incapable of acting as aforeſaid, for putting this and the ſaid recited Act into Execution as aforeſaid, and ſo from Time to Time as often as any Commiſſioner to be appointed by the ſaid Proprietors as aforeſaid ſhall die, or refuſe or neglect to act or to qualify himſelf, or become incapable of acting as aforeſaid.

IV. Provided alſo, and be it further enacted, That in caſe the ſaid *William Buſhnell* ſhall die, or refuſe or neglect to act or to qualify himſelf, or become incapable of acting as a Third Commiſſioner for the Purpoſe herein-before mentioned, it ſhall be lawful for the major Part in Value, (ſuch Value to be aſcertained as aforeſaid,) of the ſaid Proprietors, at a like public Meeting to be convened as aforeſaid, to appoint ſome other fit Perſon, not intereſted in ſuch Diviſion and Allotment, to be a Commiſſioner in the Place of the ſaid *William Buſhnell*, and ſo from Time to Time as often as any Commiſſioner to be appointed in the Place of the ſaid *William Buſhnell* ſhall die, or refuſe or neglect to act or to qualify himſelf, or ſhall become incapable of acting as aforeſaid; and if the ſaid Parties herein-before authorized to appoint a Commiſſioner in the Room of the ſaid *George Barnes*, *John Davis*, or *William Buſhnell*, ſhall for the Space of Twenty-one Days after Notice to them given by the ſurviving or remaining Commiſſioners or Commiſſioner, refuſe or neglect to appoint a new Commiſſioner in the Place and Stead of either of them the ſaid *George Barnes*, *John Davis*, and *William Buſhnell*, who ſhall die, or refuſe or neglect to act or to qualify himſelf, or ſhall become incapable of acting as aforeſaid, then and in every ſuch Caſe the ſurviving or remaining Commiſſioners or Commiſſioner ſhall from Time to Time, by Writing under their or his Hands or Hand appoint a fit and proper Perſon, not intereſted in the ſaid intended Diviſion and Allotment, to be a Commiſſioner in the Place of each Commiſſioner ſo dying, or refuſing or neglecting to act or to qualify himſelf, or becoming incapable of acting as aforeſaid, whoſe Place ſhall not be filled up by the Perſon or Perſons primarily enabled to appoint ſuch new Commiſſioners or Commiſſioner as aforeſaid; and every Commiſſioner to be appointed by the Perſon or Perſons reſpectively, and in the Manner hereby directed, ſhall have the like Powers and Authorities for putting this and the ſaid recited Act into Execution, as if he had been expreſsly named and appointed a Commiſſioner by this Act.

Commiſſioners to appoint a Clerk.

V. And be it further enacted, That the ſaid Commiſſioners ſhall appoint a Clerk or Clerks to aſſiſt them in the Execution of this and the ſaid recited Act, and ſhall or may remove ſuch Clerk or Clerks, and appoint another or others in his or their Room, as to them ſhall ſeem meet; and in caſe of the Death, Incapacity, or declining or neglecting to act, of any ſuch Clerk or Clerks, then and in any ſuch Caſe the ſaid Commiſſioners ſhall and may appoint any other Perſon or Perſons they may think proper to be their Clerk or Clerks.

Allowance to Commiſſioners.

VI. And be it further enacted, That each of the Commiſſioners acting in Execution of the Truſts and Powers hereby veſted in them, ſhall be allowed and paid, in Satisfaction for their Trouble and Expences, the Sum of Three Pounds Three Shillings, and no more, for every Day on which they ſhall be reſpectively employed in travelling to, attending at, or returning from the Meetings to be held in purſuance of this Act, and

and at all which Meetings the ſaid Commiſſioners and their Clerk or Clerks ſhall pay their own Expences.

Surveyor.

VII. And be it further enacted, That *Thomas Phillips*, of *Andover* aforeſaid, Land Surveyor, ſhall be and is hereby appointed Surveyor for the Purpoſes of this Act; and in caſe the ſaid *Thomas Phillips* ſhall die, refuſe or neglect to act, or be or become incapable of acting, the ſaid Commiſſioners or Commiſſioner ſhall and they are hereby required and authorized forthwith to elect and appoint another Surveyor in his Stead, and ſo from Time to Time as often as the Surveyor for the Time being ſhall die, or refuſe or neglect to act, or be or become incapable of acting; and no Perſon ſhall act as ſuch Surveyor until he ſhall have taken and ſubſcribed the Oath or Affirmation following; (that is to ſay,)

Oath.

'I *A.B.* do ſwear, [*or, being one of the People called Quakers*, do ſolemnly affirm,] That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Ability, execute and perform the ſeveral Truſts, Powers, and Authorities, veſted and repoſed in me as Surveyor by virtue of an Act of Parliament for [*here inſert 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.

'So help me GOD.'

Which Oath or Affirmation the ſaid Commiſſioners or any one of them are or is hereby authorized and required to adminiſter, and the ſaid Oath or Affirmation, ſo taken and ſubſcribed by ſuch Surveyor or Surveyors, ſhall be annexed to and depoſited with the Award of the ſaid Commiſſioners.

Meetings of Commiſſioners.

VIII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required to cauſe public Notice in Writing to be affixed upon One of the outer Doors of the Pariſh Church of *Compton* aforeſaid, on ſome *Sunday* before Divine Service, and alſo to be inſerted in the Newſpaper called *The Reading Mercury*, or in ſome other Newſpaper circulated in the County of *Berks*, of the Time and Place of their Firſt and every ſubſequent Meeting for putting this and the ſaid recited Act in Execution, at leaſt Fourteen Days before the Time appointed for holding ſuch Meetings reſpectively (Meetings by Adjournment only excepted); and it ſhall and may be lawful for the Commiſſioners, at any of their Meetings to be holden in purſuance of this Act, from Time to Time as they ſhall find it convenient, to continue ſuch Meetings by Adjournment, for the due Execution of this Act, leaving Notice at the Place where the ſaid Commiſſioners ſhall be ſitting at the Time of any Adjournment, of the Time and Place to which ſuch Meeting ſhall be adjourned: Provided always, that if only One of the ſaid Commiſſioners for putting this and the ſaid recited Act into Execution, ſhall attend at the Time and Place appointed for any Meeting to be holden purſuant to this Act, it ſhall be lawful for ſuch One Commiſſioner, and if no Commiſſioner ſhall attend at the Time and Place ſo appointed for any ſuch Meeting, then it ſhall be lawful for the Clerk or Clerks to the ſaid Commiſſioners, and ſuch Commiſſioner and Clerk or Clerks reſpectively have hereby full Power to adjourn ſuch Meeting to any future Day they ſhall reſpectively ſee moſt convenient, to be holden at the ſame or any other Place, the Clerk or Clerks giving due Notice to the abſent Commiſſioner of the Time and Place to which

which every Adjournment ſhall be made, and ſo from Time to Time as often as there ſhall be Occaſion, until Two Commiſſioners be preſent: Provided alſo, that all Meetings of the ſaid Commiſſioners in the Execution of this or the ſaid recited Act, ſhall be held at or within Eight Miles of the ſaid Pariſh of *Compton*.

Other Notices, how to be given.

IX. And be it further enacted, That all other Notices neceſſary or requiſite to be made and given by the ſaid Commiſſioners, ſhall be ſo made and given or advertiſed in the Newſpaper called *The Reading Mercury*, or in ſome other Newſpaper printed or circulated in the ſaid Pariſh of *Compton*, or the Neighbourhood thereof.

All Orders, &c. to be entered in a Book.

X. And be it further enacted, That all Orders, Proceedings, and Determinations of the ſaid Commiſſioners, at any of their Meetings to be holden in purſuance of this Act, ſhall be entered in a Book or Books to be provided for that Purpoſe, and ſhall be ſigned by the ſaid Commiſſioners, 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 Appeal, Suits, Actions, and other Proceedings, touching any Matter or Thing done in relation to or in purſuance of this Act.

Commiſſioners to ſettle Diſputes.

XI. And be it further enacted, That if any Diſpute or Difference ſhall ariſe between any of the Parties intereſted in the ſaid intended Diviſion, Allotment, and Incloſure, touching or concerning the reſpective Shares and Proportions, Rights, and Intereſts, which any of them ſhall claim of and in the Lands and Grounds hereby directed to be divided, allotted, and incloſed, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered to enquire into, hear, and determine the ſame reſpectively: Provided always, that nothing in this Act contained ſhall authorize the ſaid Commiſſioners to determine the Title to any Lands, Tenements, or Hereditaments whatſoever.

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

XII. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend to enable the ſaid Commiſſioners to determine any Right between any Parties contrary to the Poſſeſſion of any ſuch Parties, except in Caſes of Encroachments made within the Period of Twenty Years as herein-after mentioned; but in caſe the ſaid Commiſſioners ſhall be of Opinion againſt the Rights of the Perſon or Perſons ſo in Poſſeſſion, they ſhall forbear to make any Determination thereupon until the Poſſeſſion ſhall have been given up or recovered from ſuch Perſon or Perſons by Ejectment or other due Courſe of Law.

Power to award Coſts.

XIII. And be it further enacted, That in caſe the ſaid Commiſſioners ſhall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections, to be delivered to them in purſuance of this or the ſaid recited Act, ſee Cauſe to award any Coſts, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered, upon Application made to them for that Purpoſe, to ſettle, aſſeſs, and award ſuch Coſts and Charges as they ſhall think reaſonable to be paid to the Party or Parties in whoſe Favour any Determination of the ſaid Commiſſioners ſhall be made, by the Perſon or Perſons whoſe Claim or Claims, Objection or Objections, ſhall have been diſallowed or over-ruled; and in caſe the Perſon or Perſons who ſhall be liable to pay ſuch Coſts and Charges ſhall neglect or refuſe

refuſe to pay the ſame on Demand, then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and required, by Warrant under their Hands and Seals directed to any Perſon whomſoever, to cauſe ſuch Coſts and Charges to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo neglecting or refuſing to pay the ſame, rendering the Overplus (if any) upon Demand to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale.

Allowing Parties diſſatisfied with Commiſſioners Determination, to try their Right at Law.

XIV. Provided always, and be it further enacted, That if any Perſon or Perſons, or Body or Bodies Politick or Corporate, who ſhall make any Claim or Claims to or upon any of the Commons and Commonable Lands, or any other Lands and Hereditaments intended to be divided or affected by this Act, or any Right or Intereſt therein, or who ſhall object to any Claim or Claims to be made by any other Perſon or Perſons, Body or Bodies Politic or Corporate, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners, touching or concerning any ſuch Claim or Objection, and ſhall give Notice thereof in Writing to the ſaid Commiſſioners within One Calendar Month after ſuch Determination ſhall have been ſo made by the ſaid Commiſſioners, of which Notice the ſaid Commiſſioners are hereby required, immediately upon or as ſoon as may be after the Receipt thereof, to cauſe a true Copy to be delivered to or left at the uſual Place of Abode of the adverſe Party or Parties, or of his, her, or their reſpective Agents or Attornies; then, but not otherwiſe, it ſhall be lawful for the Perſon or Perſons, Body or Bodies Politick or Corporate, giving ſuch Notice, or their reſpective Heirs, Succeſſors, or Aſſigns, to proceed to a Trial at Law of the Matter or Matters ſo determined by the ſaid Commiſſioners, at the then next Aſſizes to be holden for the County of *Berks*, unleſs ſuch next Aſſizes ſhall happen within Two Calendar Months after making the Determination in Queſtion, and in that Caſe at the following Aſſizes; and for that Purpoſe the Perſon or Perſons, Body or Bodies Politick or Corporate, who ſhall be diſſatisfied with the Determination of the ſaid Commiſſioners, ſhall cauſe an Action to be brought in one of His Majeſty's Courts at *Weſtminſter*, upon a feigned Iſſue, againſt the Perſon or Perſons, Body or Bodies Politick or Corporate, in whoſe Favour ſuch Determination ſhall have been made, and the Defendant or Defendants in ſuch Action or Actions ſhall name an Attorney or Attornies, who ſhall appear thereto, and accept one or more Iſſue or Iſſues, whereby the Claim or Claims, and the Right or Rights thereby inſiſted on, may be tried and determined, ſuch Iſſue or Iſſues to be ſettled by the proper Officer of the Court in which the ſaid Action or Actions ſhall be commenced, in caſe the Parties ſhall differ about the ſame; and the Verdict or Verdicts which ſhall be given in ſuch Action or Actions ſhall be final and concluſive upon all and every ſuch Perſon and Perſons, Body or Bodies Politick and Corporate, unleſs the Court wherein ſuch Action or Actions ſhall be brought ſhall ſet aſide ſuch Verdict or Verdicts, and order a new Trial or new Trials to be had therein, which it ſhall be lawful for the Court to do, and alſo, upon ſufficient Cauſe ſhewn, to put off the Trial of ſuch Iſſue, as is uſual in other Caſes; and after ſuch Verdict or Verdicts ſhall be obtained and not ſet aſide by the Court, the ſaid Commiſſioners ſhall and they are hereby required to act in Conformity thereto, and to allow or diſallow the Claim or Claims thereby determined according to the Event of ſuch Trial or Trials: Provided always, that in caſe the Determination

termination of the ſaid Commiſſioners touching the Matters aforeſaid ſhall not be objected to, or being objected to, the Party or Parties objecting ſhall not cauſe ſuch Action or Actions at Law to be brought and proceeded in within the Time and in the Manner for that Purpoſe mentioned, ſuch Determination ſhall be final and concluſive upon all Parties; and if any of the Parties, Plaintiffs or Defendants in any Action to be brought in purſuance of this Act, ſhall die pending the ſame, ſuch Action ſhall not abate by reaſon of ſuch Death, but ſhall be proceeded in as if ſuch Death had not happened.

Death of Parties not to abate Actions.

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

Suits not to impede the Execution of this Act.

XVI. And be it further enacted, That if any of the Proprietors or Perſons intereſted in the ſaid intended Diviſion and Incloſure ſhall happen to die before the making of the Allotments, or the Execution of the Award of the ſaid Commiſſioners, the Powers and Authorities in this Act contained ſhall not be determined or ſuſpended, but the Share or Shares in the Premiſes of the Party or Parties reſpectively ſo dying ſhall be allotted to the Perſon or Perſons who ſhall, at the Time of making the Allotments or the Execution of the ſaid Award, appear to the ſaid Commiſſioners to be in Poſſeſſion of or entitled to the ſame; and ſuch Perſon or Perſons ſhall be liable to the Charges and Expences, and other Conditions of this Act, in like Manner as if he, ſhe, or they had been in Poſſeſſion of or entitled to the ſame at the Time of paſſing this Act.

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

XVII. And be it further enacted, That if any Perſon or Perſons in whoſe Favour any ſuch Determination as aforeſaid ſhall have been made, and againſt whom any ſuch Action or Actions might have been brought if living, ſhall die before any ſuch Action or Actions ſhall have been brought, and before the Expiration of the Time herein-before limited for bringing ſuch Action or Actions, it ſhall be lawful for the Perſon or Perſons, Bodies Politick or Corporate, who might have brought ſuch Action or Actions, againſt the Perſon or Perſons ſo dying, to bring the ſame within the Time ſo limited as aforeſaid, againſt ſuch Perſon or Perſons as if actually living, and to ſerve the Clerk or Clerks to the ſaid Commiſſioners with Proceſs for commencing ſuch Action or Actions, in the ſame Manner as the Party or Parties might have been ſerved therewith if living; and it ſhall therein alſo be incumbent on the Heir or Heirs, or other Perſon or Perſons who ſhall claim the Benefit of ſuch Determination as aforeſaid, to appear and defend ſuch Action or Actions in the Name or Names of the Perſon or Perſons ſo dead, and Proceedings ſhall be had therein in the ſame Manner as if ſuch Perſon or Perſons had been actually living; and the Rights of all

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

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

When Rights of Common extinguished.

XVIII. And be it further enacted, That immediately after making the said Divisions and Allotments, and the Execution of the Award of the said Commissioners, or at such other Time as soon afterwards as the said Commissioners by Writing under their Hands to be affixed on the principal outer Doors of the said Parish Church of *Compton* on a *Sunday* before Divine Service, shall direct or appoint, all Rights of Common, and all other Rights and Interests whatsoever belonging to or claimed by any Person or Persons whomsoever, Bodies Politic, Corporate or Collegiate, in, over, or upon the said Lands and Grounds so to be divided, allotted, and inclosed, shall cease, determine, and be for ever extinguished.

Shortening Boundary Fences.

XIX. And be it further enacted, That in order to shorten the Boundary Fences between the Lands hereby directed to be divided and allotted, and the Lands and Grounds in any of the adjoining Parishes, Tithings, Hamlets, or other Places, it shall be lawful for the said Commissioners, (with the Consent in Writing under the Hand or Hands of the Lord or Lords, Lady or Ladies, of the Manors respectively, and of the Owner or Owners of any of the Lands upon which such Fence or Fences is or are intended to be made), in Writing under their respective Hands, to set out, ascertain, and determine, the Boundary Fences to be made between the Lands hereby directed to be divided and allotted, and the Lands and Grounds in any of the adjoining Parishes, Tithings, Hamlets, or Places, in such Manner as they shall judge proper for the Purposes aforesaid; and after such Boundary Fences shall be ascertained, determined, and set out as aforesaid, the same shall be fenced by such Person or Persons in such Manner and at such Time or Times as the said Commissioners shall order and direct in and by their Award, and shall be for ever thereafter deemed and taken to be the Boundaries between the Lands hereby directed to be divided and allotted, and such adjoining Parish or Parishes, Tithings or Hamlets respectively; any Law, Usage, or Custom, to the contrary thereof notwithstanding.

Power to divert Road.

XX. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to divert and stop up any old publick Carriage Road, Bridle Way, or Footpath, leading through and over the Lands and Grounds intended to be divided and allotted by virtue of this Act, or passing or leading through any of the old Inclosures in the said Tithing or Hamlet, and the Soil of the Roads or Ways so to be diverted or stopped up shall be deemed and taken as Part of the Lands and Grounds to be divided and allotted; provided that no such Carriage Road, Bridle Way, or Footpath, passing or leading through old Inclosures, shall be stopped up respectively without the Consent of the Owners of the respective old inclosed Lands or Grounds through or over which such Road or Highway, Bridle Way, or Footpath, doth or is intended to pass, (such Consent to be testified by some Writing under the Hands of such Owners respectively), nor without the Concurrence and Order of Two Justices of the Peace for the said County of *Berks*, acting in and for the Division or Hundred in which such Carriage Road, Bridle Way, or Footpath, shall be situate, and not interested in the Repair of such Roads; and which Order shall be subject to an Appeal to the Quarter

Quarter Seſſions for the ſaid County of *Berks*, in like Manner and under ſuch Forms and Reſtrictions as if the ſame had been originally made by ſuch Juſtices.

Power to make Drains, &c.

XXI. And be it further enacted, That the ſaid Commiſſioners ſhall and may ſcour and widen all ancient Brooks, Ditches, and Tunnels, in or upon the Lands and Grounds intended to be hereby allotted and divided, and alſo ſhall and may make, ſet out, and appoint ſuch new Ditches, Drains, Watercourſes, Tunnels, Water-gates, Sluices, Banks, and Bridges, as well in, through, and over the Lands and Grounds hereby intended to be divided and allotted as aforeſaid, as in, through, and over any ancient Incloſures, or other Lands and Grounds within the ſaid Tithing or Hamlet, with the previous Conſent in Writing of the Proprietors of ſuch ancient Incloſures, or other Lands and Grounds not hereby directed to be divided and allotted, of ſuch Depth and Breadth, and in ſuch Directions, as the ſaid Commiſſioners ſhall think fit; and the ſaid Commiſſioners ſhall and may, and they are hereby directed, in and by their Award, to appoint and order by whom and at whoſe Expence, and at what Time and in what Manner the ſaid Drains, Brooks, Ditches, Watercourſes, Tunnels, Watergates, Sluices, Banks, Bridges, and other Requiſites, ſhall be made, and thereafter repaired, cleanſed, ſcoured, and maintained; and alſo ſhall and may direct and order all or any of the Streams, Springs of Water and Watercourſes, within the ſaid Open and Common Fields, Lands, and Grounds hereby directed to be divided and allotted, or any incloſed Lands within the ſaid Tithing or Hamlet, to be conveyed, carried, or turned into ſuch Courſes, and through, over, and acroſs ſuch Parts of the Lands or Grounds hereby directed to be divided and allotted, or any other Land in the ſaid Tithing or Hamlet, as the ſaid Commiſſioners ſhall in their Diſcretion judge proper for the watering of the ſeveral Allotments to be made as aforeſaid; provided that no ſuch Brook or Watercourſe ſhall be turned from its preſent Courſe, in, through, from, or over any incloſed Lands or Grounds, without the Conſent in Writing of the Owner or Owners for the Time being of the Lands from which and into which the ſame ſhall be diverted and carried.

Allotments for Watering Places, Sand and Gravel Pits.

XXII. And be it further enacted, That after ſetting out the Roads and Ways directed to be ſet out by the ſaid recited Act, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required, in the next Place, to ſet out, allot, and award ſuch Parts and Parcels of the ſaid Lands and Grounds ſo intended to be divided, allotted, and incloſed as aforeſaid, as they ſhall think proper and ſufficient for the Purpoſe of common Watering Places for Cattle, and alſo for publick Sand or Gravel Pits, and for publick Chalk, Marl, Clay, or Mortar Pits, with convenient Ways thereto, to be uſed for the Repairs of the publick Roads and the Improvement of the Land within the Pariſh, and to award and direct to whom the Herbage of ſuch Allotments ſhall belong.

Encroachments within 20 Years ſhall be deemed Waſte Lands.

XXIII. And be it further enacted, That the ſaid Commiſſioners ſhall enquire into and determine what Incloſures have been taken from, and what Encroachments have been made upon, the ſaid Open and Common Fields, Down Lands, Commons, and Waſte Lands, and all ſuch Incloſures taken out, and Encroachments made upon or from any Part thereof reſpectively, within

within the Space of Twenty Years now last past, shall be deemed Part and Parcel of the said Commons and Waste Lands, and shall be divided and allotted accordingly.

Allotments to defray Expences of passing and carrying into Execution this Act.

XXIV. And be it further enacted, That the said Commissioners shall and may, in the next Place, by and with the Consent of the major Part in Value (such Value to be ascertained by the Land Tax Assessment) of the Proprietors and Persons interested in the said Open and Common Fields, Down Lands, Commons, and Waste Grounds hereby directed to be divided and allotted, who shall be present at a publick Meeting to be held for that Purpose at *Compton* aforesaid, in pursuance of a Notice to be given in Writing for that Purpose, by the Person or Persons acting as Clerk or Clerks to the said Commissioners, upon the outer Door of the Parish Church of *Compton* aforesaid, and in the Newspaper called *The Reading Mercury*, or in some other Newspaper circulated in the County of *Berks*, at least Ten Days before such Meeting, out of the Residue of the said Open and Common Fields, Down Lands, Commons, and Waste Grounds, mark and set out so much and such Part or Parts thereof as the said Commissioners shall think proper for the Purpose of Sale, to raise the Costs, Charges, and Expences of or relating to this Act, and the carrying the same into Execution; and the said Commissioners shall and they or he are and is hereby required to sell the Lands and Grounds so marked and set out in such Allotment or Allotments, as to them or him shall seem right and proper, to any Person or Persons, for the best Price or Prices that can be gotten for the same, by publick Auction or Auctions to be holden for that Purpose, of which Six Weeks previous Notice shall be given, and the Person or Persons so purchasing the same shall immediately pay, by Way of Deposit, into the Hands of the Commissioners, or such Person or Persons as they shall direct and appoint, One-tenth Part of his, her, or their Purchase Money, and pay the Remainder thereof within Three Calendar Months then next ensuing, or at such other Time as the said Commissioners shall appoint, and in Default thereof, the Money so deposited shall be forfeited, and shall be applied in carrying this Act into Execution; and the Allotment or Allotments for which the Whole of such Purchase Money shall not have been so paid, or for which there shall be no Bidding at such Auction, shall be again put up to Sale, and sold in Manner aforesaid for the best Price or Prices that can be gotten for the same, or be sold by the said Commissioners, by private Contract, for any Sum or Sums not less than the remaining Nine-tenths of the Price or respective Prices for which the same was or were respectively before sold; or the Amount of one Bidding above the Sum or respective Sums at which the same was or were respectively put up in the said former Auction; and every Allotment for which the full Purchase Money shall be paid, shall immediately thereupon be absolutely discharged of and from all Common and other Rights thereon or therein, and be vested in Fee Simple, and thenceforth held in Severalty by such Purchaser or Purchasers thereof respectively, as his, her, and their private and absolute Property, and shall be allotted accordingly by the said Commissioners; and the said Purchase Money shall be applied by the said Commissioners in defraying and discharging all the Costs, Charges, and Expences attending the obtaining and passing this Act, and of surveying, admeasuring, planning, and valuing all the Lands and Grounds to be divided, allotted, and inclosed by virtue of this Act, and also of all other Messuages, Cottages, Orchards, Gardens, Homesteads,

and ancient inclosed Lands and Grounds, pursuant to the said recited Act, and of dividing, inclosing, and allotting the said Open and Common Fields, Down Lands, Commons, and Waste Grounds to be divided, allotted, and inclosed by virtue hereof; and all the Charges of the said Commissioners, their Assistants and Servants, and the Expence of preparing and enrolling the Award of the said Commissioners, and all the Expences of forming, completing, and repairing the publick Carriage Roads and Highways to be set out and appointed by the said Commissioners and Umpire, and all other Expences of carrying this Act into Execution, other than and except such Expences as are herein otherwise directed to be paid; and the Overplus of such Purchase Money (if any) after defraying such Costs, Charges, and Expences, shall be equally distributed amongst the several Persons interested in the said Commons and Waste Grounds, in Proportion to their several Rights and Interests therein, or otherwise such Surplus shall be paid into the Bank of *England*, in Manner directed by the said recited Act with respect to Money thereby directed to be paid into the Bank for the Purchase or Exchange of Lands, Tenements, or Hereditaments, or of any Timber or Wood growing thereon, and which Sum of Money ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the same Uses.

Proprietors empowered to pay their own Share of Expences of Act, and have Allotment enlarged.

XXV. Provided always, and be it further enacted, That if any of the said Proprietors of, or Persons interested in the said Open and Common Fields, Down Lands, Commons, and Waste Grounds, hereby intended to be divided and allotted, shall be desirous of paying in Money his, her, or their Share or Proportion of the said Costs, Charges, and Expences of obtaining and passing this Act, and of the several Matters and Things herein-before mentioned, and of all other Expences of carrying this Act into Execution, (to be ascertained and apportioned by the said Commissioners,) and of such his, her, or their Desire, shall give Notice in Writing to the said Commissioners, or their Clerk or Surveyor, when required so to do by the said Commissioners, and shall pay the same at such Time and Place and to such Person or Persons as the said Commissioners shall appoint, then and in that Case it shall and may be lawful for the said Commissioners, and they are hereby directed and required to set out, allot, and award unto and for such Person or Persons, in Addition to his, her, or their Allotment or Allotments by virtue of the Clause herein-after contained for dividing the Residue of the Lands and Grounds hereby directed to be divided and allotted, such Part or Parts of the said Open and Common Fields, Down Lands, Commons, and Waste Grounds as the said Commissioners shall think adequate to the Share or Proportion of the said Costs, Charges, and Expences of such Person or Persons who shall be so desirous of paying and shall actually pay the same when required by the said Commissioners.

Allotment to the Bishop of Bath and Wells, or his Lessee.

XXVI. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, in the next Place, to set out, to and for the said Lord Bishop of *Bath* and *Wells* and his Successors, or his Lessee or Lessees, if he, she, or they shall appear to be entitled thereto, so much of the Commons and Waste Grounds as by the said Commissioners shall be adjudged to be equal in Value to One-twentieth Part of the then Residue and Remainder of such Commons and Waste Grounds, for and in lieu

and

and Satisfaction of all Rights to the Soil of such Commons and Waste Grounds.

Power for the Bishop to lease for Three Lives, or 21 Years, as heretofore.

XXVII. Provided always, and be it further enacted, That the Lord Bishop of *Bath* and *Wells* and his Successors shall have full Power and Authority from Time to Time to grant any Lease or Leases of all or any Part of the Allotment and Allotments herein directed to be made to him and them, either for Three Lives or for Twenty-one Years, in such Manner and Form in all Respects as the said Lord Bishop of *Bath* and *Wells*, and his Predecessors, are and have been enabled to lease their Lands and Estates belonging to the See of *Bath* and *Wells*.

Allotment of the Residue.

XXVIII. And be it further enacted, That the said Commissioners shall, after making such Allotments as aforesaid, divide, set out, and allot the Residue of the Lands and Grounds hereby directed to be divided and allotted unto and amongst the several Proprietors thereof and Persons interested therein, in such Shares and Proportions as the said Commissioners shall adjudge and determine to be a fair and just Compensation for their respective Lands, Grounds, Rights of Common, and other Rights and Interests therein, due Consideration being had to the Quantity, Quality, and Convenience of Situation for such Proprietors respectively.

Allotments in respect of Tithe-free Lands, to be Tithe-free.

XXIX. Provided also, and be it further enacted, That all and every such Allotment and Allotments as shall be made either of the said Common Fields or Down Lands, or of the said Commons and Waste Grounds, in respect of any Messuages, Lands, and Hereditaments, which are wholly or in Part Tithe-free or exempt from Tithes, shall in like Manner also be Tithe-free or exempt from Tithes; and that all and every such Allotment or Allotments as shall be made either of the said Common Fields, Down Lands, Commons, and Waste Grounds, in respect of any Messuages, Lands, and Hereditaments, which are subject to any Tithes, Moduses, or other Payments in lieu of Tithes, shall in like Manner be and remain subject to Tithes, Moduses, or other Payments in lieu of Tithes.

Several Inclosures within One Fence to be deemed Part of Lands to be allotted, &c.

XXX. And for better ascertaining what Lands shall be divided, allotted, and inclosed, pursuant to this Act, be it further enacted, That all Fields or Inclosures containing the Property of Two or more Persons within One Fence, shall be deemed Part of the Lands to be divided and allotted by virtue of this Act, and shall be divided and allotted accordingly, other than and except such Lands as are herein directed to be deemed and taken as old inclosed Lands.

Down Lands held in Severalty to be deemed old inclosed Lands.

XXXI. Provided always, and be it further enacted, That all and singular the Down Lands within the said Tithing or Hamlet which are held in Severalty by any Person or Persons, Body or Bodies Politick or Corporate, and all and singular the Common Field Lands which now are and for Ten Years last past have been surrounded by any Hedge or Hedges, shall be deemed and taken as old inclosed Lands.

Power to divide and allot ancient Inclosures.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners, by and with the Consent of the respective Owners of old inclosed Lands or Grounds, or Lands or Grounds by this Act directed to be

be deemed and taken as old inclosed Lands, lying within the said Tything or Hamlet, and having Open and Common Field Land adjoining or lying near thereto, to order and direct such last-mentioned Land, or such Part or Parts thereof as the Owners thereof respectively shall consent and desire in Writing to be surveyed, measured, and taken up, for the Purpose of being divided and allotted under this Act, and the same shall be divided and allotted as Part and Parts of the Lands and Grounds hereby directed to be divided, allotted, and inclosed; and thereupon such Allowances shall be made to the respective Owners thereof, on Account of the beneficial Difference of Property between old inclosed Land and Common Field Land, as the said Commissioners shall adjudge to be just and reasonable; and the said Commissioners shall and they are hereby required to set out, allot, and award, unto and for the respective Owners of such old inclosed Lands, in lieu thereof, so much and such Plot or Plots of Land, Part of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, as they the said Commissioners shall think reasonable.

Act not to compel the Inclosure of Arable Down Lands.

XXXIII. And be it further enacted, That nothing in this Act or the said recited Act contained shall extend, or be construed to extend, to oblige or compel any Person or Persons to whom any Allotments or Allotment of the Arable or Down Lands, hereby directed to be divided and allotted, shall be made by virtue of this Act, to fence or mound such Allotments or Allotment, or any Part thereof, nor shall any Thing herein contained extend or be construed to extend to prevent or hinder the inclosing or fencing any such Allotment or Allotments; and as the inclosing and fencing such Allotments may in various Instances take place by the voluntary Act of the said Proprietors, or some of them, the said Commissioners shall and they are hereby required to lay down and prescribe in their Award, such Rules and Regulations as they may think fit and necessary, to be observed by any Proprietor or Proprietors in inclosing, fencing, and maintaining the Inclosures and Fences of any such Allotment or Allotments of Arable or Down Land, when the same shall be done, and such Rules and Regulations shall be observed by, and at all Times thereafter be binding upon the said Proprietors and other Persons interested in such Allotment or Allotments; and all such Inclosures and Fences, when made and put up, shall be deemed to be made and put up under the Authority and for the Purposes of this Act and the said recited Act.

Proprietors of adjoining Lands to contribute towards Expences of inclosing and fencing.

XXXIV. Provided always, and be it further enacted, That the said Commissioners shall, in and by their said Award, declare and direct in what Manner, and by and at whose Expence the inclosure and fencing of each distinct Allotment, and of the maintaining and keeping the same in Repair shall be borne and defrayed; and in case any Proprietor or Proprietors shall at any Time or Times, either before or after the Execution of the said Award, by his, her, or their voluntary Act or Acts, inclose and fence his, her, or their Allotment or Allotments as aforesaid, then and in such case the Proprietor or Proprietors of any Allotment or Allotments adjoining, who under the Directions or Award of the said Commissioners are or ought to be at the Expence of inclosing and fencing the Part or Parts of his, her, or their Allotment or Allotments adjoining the Allotment or Allotments of the Proprietor or Proprietors so inclosing, shall, and he, she, and they is and are hereby required to inclose and fence such adjoining Part or Parts, in such Manner as the said Commissioners

ſioners by any Note or Memorandum in Writing, before the Date and Execution of their ſaid Award, or in and by their ſaid Award ſhall order and direct, within the Space of Three Months next after the incloſure and fencing by ſuch voluntary Act or Acts of any Proprietor or Proprietors; or in Default thereof, it ſhall and may be lawful to and for ſuch laſt-mentioned Proprietor or Proprietors to incloſe and fence ſuch adjoining Part or Parts, the Coſts and Charges whereof ſhall be borne and defrayed by the Proprietor or Proprietors of ſuch adjoining Part or Parts, and ſhall and may be recovered or recoverable after Demand and Refuſal, or Neglect to pay the ſame for the Space of Seven Days, in any One of His Majeſty's Courts at *Weſtminſter*, together with all Coſts, Charges, and Expences attending the Recovery thereof.

Allotments of Meadow Ground to be fenced.

XXXV. And be it further enacted, That the ſeveral Allotments of the Meadow or Paſture Ground, to be made purſuant to and by virtue of this Act, ſhall be fenced by and at the Expence of the reſpective Proprietors thereof, in ſuch Manner, within ſuch Time, in ſuch Shares and Proportions, and under ſuch Orders and Regulations, and the Mounds and Fences ſhall be for ever after maintained and kept in Repair, as the ſaid Commiſſioners ſhall, in and by their Award, order and direct.

Diſtinct Allotments to be made for Lands holden by different Tenures.

XXXVI. And be it further enacted, That where any Perſon or Perſons ſhall be ſeiſed or poſſeſſed of Lands or other Hereditaments hereby directed to be divided, allotted, and incloſed, held by different Tenures, or for, by, or under different Eſtates or Titles, the ſaid Commiſſioners ſhall, upon the Requeſt of the Perſons ſo ſeiſed or poſſeſſed reſpectively, enquire into, aſcertain, and determine the reſpective Lands or other Hereditaments held by ſuch ſeveral Tenures, or for, by, or under ſuch different Eſtates or Titles reſpectively, and ſhall ſet out diſtinct Allotments in reſpect of the ſame or ſuch Parts thereof as ſhall be within the Common and Open Fields, or other the Lands and Grounds hereby directed to be divided, allotted, and incloſed.

Where Lands are held by different Tenures, Allotments to be diſtinguiſhed.

XXXVII. And be it further enacted, That where the Proprietor or Proprietors of any Lands or Hereditaments which ſhall be divided, allotted, incloſed, partitioned, or exchanged, by virtue of this or the ſaid recited Act, ſhall hold their reſpective Lands or Hereditaments by different Tenures, or for different Eſtates, or under different Titles, the ſaid Commiſſioners ſhall, upon the Requeſt of ſuch reſpective Proprietors in Writing under their Hands, aſcertain and diſtinguiſh the Lands or other Hereditaments held by ſuch Tenures, for each of ſuch Eſtates reſpectively, and ſhall accordingly in their Award diſtinguiſh and ſet out diſtinct and ſeveral Allotments for ſuch reſpective Lands or other Hereditaments; and where, from the Want of the neceſſary Information before the Commiſſioners, or from any other Cauſe, their Award ſhall omit diſcriminating as herein-before is mentioned ſuch Titles, different Eſtates, and different Tenures, and within Twelve Calendar Months next after making the ſaid Award, Requeſt ſhall be made to the ſaid Commiſſioners by any Perſon or Perſons intereſted, by Writing under his, her, or their Hand or Hands, to have ſuch Omiſſions ſupplied by a ſeparate Inſtrument or Inſtruments, then and in every ſuch Caſe the ſaid Commiſſioners are hereby authorized 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

proceed and act in the Cases aforesaid as if the Award had not been made; and when they shall have obtained what they shall think sufficient Information, they are hereby also authorized, by any Deed or Deeds under their Hands and Seals, to ascertain and distinguish the Difference of Tenures, Estates, and Titles respectively, and accordingly to make distinct and several Allotments in the same Manner as they are hereby required to do in Cases where such Discrimination is directed to be contained in the said Award; and every such separate Instrument, after having been duly executed by the said Commissioners, shall have the same Effect as if it was contained in the said Award, and such Instrument shall be deposited, and Evidence thereof shall be given, in the same Manner as by this Act is directed concerning the Award of the said Commissioners herein-after mentioned; and all Expences which shall be reasonably incurred in and about any such supplemental Instrument as aforesaid, shall be payable by the Person or Persons who shall have so requested the said Commissioners as aforesaid, or by his, her, or their Heirs, Executors, or Administrators.

Power to sell Allotments before Award.

XXXVIII. And be it further enacted, That it shall be lawful for any Person or Persons who shall be entitled to any Allotment or Allotments under or by virtue of this Act, to give, grant, bargain, sell, demise, mortgage, convey, assure, and dispose of, all their Estate, Right, Title, and Interest therein, at any Time before the Execution of the Award of the said Commissioners, and every such Gift, Grant, Bargain, Sale, Demise, Conveyance, and Disposition thereof, shall be of the same Force and Validity as if made after the Execution of the said Award; and it shall also be lawful for any of the Owners or Proprietors of any Common Right upon the Lands and Grounds hereby directed to be divided and inclosed, 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 in Right of which he or she is or may be entitled to the same, in such Manner as he or she might have done at any Time after the Execution of the said Award; and it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to award all and every such Allotment and Allotments which shall be so sold and disposed of, to the Purchaser or Purchasers thereof, or other Person or Persons who shall be entitled to the same by any such Sale or Disposition.

Allotments to be delineated upon a Plan.

XXXIX. And be it further enacted, That when and so soon as the said Commissioners shall have ascertained the respective Rights and Interests of the said Proprietors, in the Lands and Grounds to be divided, allotted, and inclosed by virtue of this Act, and also the respective Shares and Proportions by them proposed to be allotted to each of such Proprietors respectively under or by virtue of this Act, the said Commissioners shall give Notice in Manner aforesaid, of a convenient Time and Place when and where the said Proprietors may be informed of such intended Allotments, and see the same as they are then set out and delineated upon a Map or Plan thereof to be produced for their Inspection; and as some Proprietors may, upon Inspection of such Map, be dissatisfied with the intended Allotments, the said Commissioners shall, at such Time and Place as last aforesaid, or some other Time or Place to be appointed by them for that Purpose, receive Statements in Writing of the Complaints and Objections against such Allotments, and shall forthwith, or as soon after as may

be, determine the ſame, and their Determination, as to the Quantity and Situation of ſuch Allotments, ſhall be final and concluſive upon all Parties.

Exchanges to be made.

XL. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners to ſet out, allot, and award any Lands, Tenements, or Hereditaments within the ſaid Tything or Hamlet, in lieu of and in Exchange for any other Lands, Tenements, and Hereditaments, within the ſaid Tything or Hamlet, or within any adjoining Pariſh or Hamlet, Townſhip 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 for the Time being, ſeiſed of or entitled in Poſſeſſion to the Lands, Tenements, Tythes, or Hereditaments which ſhall be ſo exchanged, or to the actual Receipt of the Rents, Iſſues, and Profits thereof, whether ſuch Owner or Owners, Proprietor or Proprietors, ſhall be a Body or Bodies Politic or Corporate, or a Body or Bodies Collegiate, Corporation Aggregate or Sole, 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, or the major Part of ſuch Truſtees reſpectively, Huſbands, Committees, or Attornies of or acting for any ſuch Proprietors or Owners as aforeſaid, who at the Time of making ſuch Exchange or Exchanges ſhall be reſpectively Infants, Femes Covert, Lunatics, or under any legal Incapacity, 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 Parties conſenting reſpectively; and all and every ſuch Exchange and Exchanges ſo to be made ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes whatſoever.

Commiſſioners to make Partition.

XLI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered to make Partition of any Meſſuages, Tenements, Lands, or other Hereditaments within the ſaid Tything or Hamlet of *Weſt Compton*, belonging to any Perſon or Perſons as Coparceners, joint Tenants, or Tenants in common, ſo that every ſuch Partition be made upon Application from, and by the Conſent and Approbation of any One of the Proprietors thereof or Perſons intereſted therein, and be ſpecified in Writing under his, her, or their Hand or Hands, or under the Hands of the Guardians, Truſtees, Committees, or Attornies duly authorized, of ſuch of the Proprietors or Perſons intereſted as are under Coverture, Minors, Lunatics, or beyond the Seas, or any other Diſability or Incapacity of acting for themſelves, and be ſpecified in the Award of the ſaid Commiſſioners; and every ſuch Partition ſhall be good, valid, and effectual, to all Intents and Purpoſes whatſoever: Provided nevertheleſs, that no Exchange ſhall be made of any Lands, Tenements, Tythes, or Hereditaments, held in Right of any Church, Chapel, or other Eccleſiaſtical Benefice, without the Conſent teſtified as aforeſaid of the Patron thereof, and of the Lord Biſhop of the Dioceſe in which ſuch Lands, Tenements, Tythes, and Hereditaments, ſo to be exchanged, ſhall lie or be ſituate.

XLII. Provided

Expences of Exchange and Partitions, by whom to be paid.

XLII. Provided always, and be it further enacted, That the Coſts, Charges, and Expences attending the making and completing any Exchanges or Partitions, ſhall be paid and borne by the ſeveral Perſons, Bodies Politic, Corporate, or Collegiate, except the ſaid Lord Biſhop of *Bath* and *Wells*, making ſuch Exchanges or Partitions in ſuch Manner and in ſuch Proportions as the ſaid Commiſſioners ſhall order and direct, and the ſame ſhall and may be recovered in the Manner herein-after directed for the Recovery of the Coſts of obtaining and executing this Act.

Leaſes at Rack Rents to be void.

XLIII. And be it further enacted, That all and every Leaſe and Leaſes at Rack Rent ſubſiſting of all or any Part of the Lands or Grounds hereby intended to be divided, allotted, and incloſed, or the Tythes thereof, or any Part thereof, either alone or jointly with any other Lands, Tenements, Tythes, or Hereditaments, and all ſubſiſting Agreements for any Term or Time therein as to the Whole of the Tenements comprized in ſuch Leaſe or Leaſes, Agreement or Agreements (except as herein-after is mentioned), ſhall on ſuch Day as the ſaid Commiſſioners, upon Application and at the Requeſt of the reſpective Leſſors, ſhall by Writing under their Hands for that Purpoſe limit or appoint, ceaſe, determine, and be utterly void; and the reſpective Leſſees or Tenants thereof ſhall thereupon be entitled to demand and receive of and from the reſpective Landlords, Owners, or Proprietors of the ſame Premiſes, ſuch Allowance or Satisfaction in Money, and at ſuch Time or Times as ſuch Commiſſioners ſhall aſcertain, order, and direct, as reaſonable to be paid to ſuch Leſſees or Tenants on Account thereof, or as an Equivalent for the ſame; and ſuch Leſſees or Tenants reſpectively ſhall, upon the Determination of every ſuch Leaſe or Agreement, be liable to pay the reſpective Landlords, Owners, and Proprietors of the ſame Premiſes, ſuch Rents or Sums of Money, up to the Time of vacating ſuch Leaſes or Agreements reſpectively, for the Uſe and Occupation thereof, as the ſaid Commiſſioners ſhall in like Manner aſcertain, order, and direct as reaſonable and proper in that Behalf; Provided always, that if there ſhall be any Leaſe or Leaſes of Land, Part of which ſhall be in the Tything or Hamlet of *Weſt Compton* aforeſaid, and Part in any other Tything, Hamlet, or Pariſh, all and every ſuch Leaſe or Leaſes upon Rack Rent now ſubſiſting may and ſhall be vacated; but where any Land ſhall have been taken in Exchange, which Land ſhall be under Leaſe and wholly ſituate in an adjoining Tything, Hamlet, or Pariſh, the Leaſe of ſuch laſt-mentioned Lands ſhall not be vacated.

Leaſes at Rack Rent not to be vacated if Tenant conſent to pay advanced Rent.

XLIV. Provided always, and be it further enacted, That no Leaſe or other Agreement at Rack Rent ſhall be vacated or made void in any Caſe where the Leſſee or Tenant, Leſſees or Tenants, ſhall by a Notice in Writing under his, her, or their Hand or Hands, to be given to the ſaid Commiſſioners at any Meeting to be held in purſuance of this or the ſaid recited Act, previous to the marking or ſtaking out of the Allotments in the ſaid Open and Common Fields and Commonable Lands, that ſuch Leſſee or Tenant, Leſſees or Tenants, will accept the Allotment or Allotments then made or to be made for or in lieu or in reſpect of the Common Fields, Lands, and Common Rights comprized in ſuch Leaſe or Agreement, for and during the Continuance thereof, at ſuch advanced Rent as in the Judgement of the ſaid Commiſſioners will be equal to the Amount of Intereſt, to be computed at the Rate of Five Pounds *per Centum per Annum* upon the groſs Amount of Expences, to be fairly and reaſonably

ably (in the Judgement of the ſaid Commiſſioners,) incurred under or by virtue or in purſuance of this and the ſaid recited Act, by the Landlord or Owner of the Lands and Premiſes demiſed by or held under ſuch Leaſe or Agreement, in addition to the yearly Rent reſerved by ſuch Leaſe or Agreement; and which groſs Amount of Expences for the Purpoſe aforeſaid, the ſaid Commiſſioners ſhall and they are hereby reſpectively required to fix and aſcertain accordingly; and then and in ſuch Caſe ſuch Leſſee or Tenant, Leſſees or Tenants, ſhall be ſubject and liable, from and after the Time of his, her, or their taking Poſſeſſion of ſuch Allotment or Allotments, to pay upon ſuch Days and Times, and in ſuch Proportion and Manner as the Rent originally reſerved by ſuch Leaſe or Agreement was or is ſtipulated or agreed to be paid.

Act not to vacate beneficial Leaſes.

XLV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to ſet aſide or make void any beneficial Leaſe or Leaſes from any Bodies Politic or Corporate, or other Perſon or Perſons, of any Lands, Tenements, Tythes, or Hereditaments, in the Tything or Hamlet of *Weſt Compton* aforeſaid, to any Perſon or Perſons whomſoever; but the Perſon or Perſons entitled to ſuch beneficial Leaſe or Leaſes ſhall and may hold and enjoy his, her, or their ſeveral and reſpective Allotments of ſuch Lands, Tenements, Tythes, or Hereditaments, for his, her, or their ſeveral and reſpective Terms, and under the ſame Rents and Covenants as is or are ſpecified in his, her, or their reſpective Leaſes from the ſame Bodies Politic or Corporate, or other Perſon or Perſons, to him or them reſpectively.

Nor to alter or revoke Wills or Settlements.

XLVI. And be it further enacted and declared, That nothing in this Act contained ſhall extend to revoke, make void, annul, or alter, any Settlement, Deed, or Will, or to prejudice any Perſon having any Right or Claim of Dower, Jointure, Annuity, Rent, Charge, Debt, or Incumbrance whatſoever, in, out of, upon, or affecting any of the Lands, Tenements, and Hereditaments hereby directed to be divided and allotted, or which ſhall be exchanged or aſſigned in Compenſation for any other Eſtate or Right in purſuance of this Act reſpectively; but as well the Lands allotted, as the Tenements and other Hereditaments which ſhall be aſſigned in Exchange or aſſigned in Compenſation for any other Eſtate or Right, ſhall immediately after ſuch Allotment, Exchange, or Aſſignment ſhall be made, be veſted, remain, and enure, and the ſeveral Perſons to whom the ſame ſhall be allotted, aſſigned, or given in Exchange as aforeſaid, ſhall thenceforth ſtand and be ſeiſed and poſſeſſed thereof reſpectively to, for, and upon ſuch and the ſame Uſes, Eſtates, Intents, Truſts, and Purpoſes reſpectively, and ſubject and liable to ſuch and the ſame Wills, Settlements, Limitations, and Remainders, Conditions, Charges, and Incumbrances, as the ſeveral Lands, Tenements, and Hereditaments, in reſpect whereof ſuch Allotments, Aſſignments, and Exchanges ſhall have been made, ſhould or would have ſtood ſeverally limited, ſettled, veſted, or ſubject or liable to, or been held by, in caſe the ſame had not been allotted, aſſigned, or exchanged, and this Act had not been made, ſave and except ſuch Leaſes and Tenancies at Rack Rent as ſhall become void by virtue of this Act.

Commiſſioners to direct the Courſe of Huſbandry.

XLVII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required, ſo ſoon after the paſſing of this Act as conveniently

veniently may be, by ſome Writing or Writings under their Hands, to be affixed on the principal outer Door of the ſaid Pariſh Church of *Compton*, to order and direct the Courſe of Huſbandry that ſhall thenceforth be uſed in, over, and upon the ſaid Open and Common Fields and other Grounds hereby directed to be divided, allotted, and incloſed, until the Time when they ſhall have completed the reſpective Allotments thereof, as well with reſpect to the ploughing, ſowing, fallowing, tilling, and laying down, as to the ſtocking and paſturing thereof, and by the ſame or any other Writing or Writings under their Hands, to be affixed in Manner aforeſaid, ſhall and may make ſuch Orders, Rules, and Regulations, as to them ſhall ſeem expedient, touching the Conduct of the Farmers and Occupiers within the ſaid Tything or Hamlet, for preventing them from ploughing up or tilling any Meadow, Paſture, or freſh Ground, or committing any Waſte or Deſtruction upon any Part of the ſaid Lands or Grounds hereby directed to be divided, allotted, and incloſed, until the ſetting out and allotting thereof ſhall be completed as aforeſaid; all which Rules, Orders, and Regulations of the ſaid Commiſſioners ſhall be final and concluſive upon all the ſaid Farmers and Occupiers, and all other Perſons intereſted therein; and the ſaid Commiſſioners ſhall order and direct ſuch Sum and Sums of Money in reſpect thereof, to be paid by any Perſon or Perſons intereſted in the ſaid Diviſion and Allotments, as the ſaid Commiſſioners ſhall think reaſonable; and the Proprietors whoſe Allotments on the ſaid Diviſion ſhall have been tilled, ploughed, ſown, folded, or manured by any former Proprietor or Occupier thereof, ſhall pay unto the Perſon or Perſons reſpectively who ſhall have tilled, ploughed, ſown, folded, or manured the ſame, or any Part thereof, his, her, or their Executors or Adminiſtrators, ſuch Sum and Sums, and at ſuch Time and Times, as the ſaid Commiſſioners ſhall think reaſonable, and ſhall by Writing under their Hands aſcertain and direct; and if by reaſon of the Management of any former Occupier of the preceding Crop or Crops, or by any other Means, it ſhall happen that the Allotment or Allotments to any Proprietor ſhall not contain a due and reaſonable Proportion of Land in a proper State for Wheat or other Crop, or if any ſuch Allotment or Allotments ſhall, in the Judgement of the ſaid Commiſſioners, be from any Cauſe in a worſe Condition to be occupied than the Average of the Land allotted by virtue hereof, then the Perſon or Perſons to whom any ſuch Allotment or Allotments ſhall be made, ſhall receive ſuch Compenſation and Satisfaction from any other of the Proprietors, or from the former Occupier, as the ſaid Commiſſioners ſhall determine and adjudge to be juſt and equitable; and in caſe any of the Sums which ſhall by the ſaid Commiſſioners be directed to be paid as aforeſaid, ſhall not be paid to the Perſon or Perſons, and at the Time or Times to be appointed by the ſaid Commiſſioners for Payment thereof, it ſhall be lawful for them or him, and they are reſpectively hereby required to levy the ſame in like Manner as the Expences of paſſing this Act and carrying the ſame into Execution are directed to be raiſed and levied in caſe no Allotment or Allotments of Land ſhall be ſold by the ſaid Commiſſioners for the Purpoſe of defraying the ſame: Provided always, that nothing in this Act or the ſaid recited Act contained ſhall extend, or be conſtrued to extend to authorize, empower, or enable the ſaid Commiſſioners to order and direct the Courſe of Huſbandry that ſhall be uſed in, over, and upon the ſaid Open and Com-

mon Fields and other Grounds hereby directed to be divided, allotted, and incloſed, until after the Twenty-ninth Day of *September* next after the paſſing of this Act.

For providing for Expences of Act.

XLVIII. And be it further enacted, That in caſe no Allotment or Allotments of Land ſhall by virtue of this Act be ſold by the ſaid Commiſſioners for the Purpoſe of defraying and diſcharging the Coſts and Charges of and incident to and attending the obtaining and paſſing of this Act, and of ſurveying, admeaſuring, planning, and valuing all the Lands and Grounds to be divided, allotted, and incloſed by virtue of this Act, and alſo of all other Meſſuages, Cottages, Orchards, Gardens, Homeſteads, and incloſed Lands or Grounds, purſuant to the ſaid recited Act, and of dividing and allotting the Lands or Grounds hereby directed to be divided and allotted, and all the Charges of the ſaid Commiſſioners, their Aſſiſtants and Servants, and the Expences of preparing and inrolling the Award of the ſaid Commiſſioners, and all the Expences of forming, completing, and repairing the public Carriage Roads and Highways to be ſet out and appointed by the ſaid Commiſſioners, and all other Expences of carrying this Act into Execution; all ſuch Coſts, Charges, and Expences ſhall be borne and defrayed by all the Proprietors and Owners of, or Perſons having Rights or Intereſts in the Lands and Grounds hereby directed to be divided, allotted, and incloſed, in ſuch Proportions, and ſhall be paid 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 Commiſſioners under their Hands; and in caſe any Perſon or Perſons ſhall refuſe or neglect to pay his, her, or their Share or Proportion of ſuch Charges and Expences within the Time limited by the ſaid Commiſſioners, then and in ſuch Caſe the ſame ſhall and may be levied and recovered in ſuch and the ſame Manner as is provided or mentioned by the ſaid recited Act.

Power for Tenants for Life, &c. to borrow Money.

XLIX. And be it further enacted, That it ſhall be lawful for the ſeveral Owners and Proprietors for the Time being of any ſuch Allotments or exchanged Lands, or of any Part thereof, and to and for the Huſbands, Guardians, Truſtees, Committees, or Attornies of or for any of the ſaid Owners or Proprietors who may be under Coverture, Minors, Lunaticks, or beyond the Seas, or under any other Diſability or Incapacity, and to and for all Perſons acting as Guardians, Truſtees, Committees, or Attornies of or for any of the ſame Owners or Proprietors, and to and for any of the ſaid Owners and Proprietors, being Tenants in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or upon any other Contingency, or otherwiſe intereſted as aforeſaid, and to and for every of them reſpectively, by and with the Conſent of the ſaid Commiſſioners, in Writing under their Hands and Seals, from Time to Time to charge ſuch reſpective Allotments and exchanged Lands, or any of them, or any Part or Parts thereof reſpectively, with any Sum or Sums of Money, at the Diſcretion of the ſaid Commiſſioners, not exceeding Five Pounds for every Acre of Land or Ground ſo to be allotted or exchanged, to be paid to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall nominate and appoint, in order to be applied in defraying the ſeveral Shares and Proportions of ſuch reſpective Proprietors, of the Charges and Expences of obtaining and executing this

this Act, and of dividing and incloſing the reſpective Allotments, and ſubdividing the ſame, if proper, and of charging the ſaid Lands as aforeſaid; and for ſecuring the Repayment of ſuch reſpective Sums with Intereſt, to grant, mortgage, ſurrender, or demiſe ſuch Lands and Tenements reſpectively, to ſuch Perſon or Perſons as ſhall reſpectively advance and lend ſuch Sum and Sums, and to his, her, and their reſpective Heirs, Executors, Adminiſtrators, and Aſſigns, in Fee for any Term or Number of Years, to 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 reconveyed or ſurrendered when ſuch Sum or Sums of Money thereby to be ſecured with Intereſt for the ſame reſpectively, ſhall be paid and ſatisfied; and ſo that in every Grant, Mortgage, Surrender, or Demiſe, which ſhall by virtue of this Act be made by any Tenant in Tail, or for Life or Lives, or Years determinable on any Life or Lives, or upon any other Contingency, there be contained a Proviſo or Condition to pay and keep down the Intereſt, ſo that no Perſon who ſhall afterwards become entitled, in Remainder or Reverſion, to the Lands or Tenements therein comprized, ſhall be liable to pay any further or larger Arrear of Intereſt in reſpect of the Money ſo to be charged as aforeſaid, than for One Year preceding the Time that the Title to ſuch Poſſeſſion ſhall have commenced.

If Perſons in Poſſeſſion ſhall advance Money, the Commiſſioners may charge the Lands to them for Reimburſement.

L. Provided always, and be it further enacted, That in the Place of any ſuch Grant, Mortgage, Surrender, or Demiſe as aforeſaid, it ſhall be lawful for the ſaid Commiſſioners, by any Deed or Deeds, Writing or Writings, under their Hands and Seals, to be atteſted by Two or more credible Witneſſes, at the Requeſt of any of the ſaid Owners and Proprietors, being Tenants in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or on any other Contingency, or otherwiſe intereſted as aforeſaid, who ſhall reſpectively pay and diſcharge his, her, or their Part and Proportion of the Payment, Charges, and Expences aforeſaid, to authorize and empower ſuch Owners and Proprietors, or either of them, making ſuch Requeſt, to charge and ſubject the ſaid Lands and Grounds ſo to be allotted to or for them reſpectively, with any Sum or Sums of Money not exceeding the Sum herein-before limited, with Intereſt for the ſame as aforeſaid; which Sum or Sums of Money ſo to be charged as laſt aforeſaid, ſhall be payable within Two Years next after the Deceaſe of every ſuch Tenant in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or after the Determination of any ſuch contingent Eſtate or Intereſt reſpectively, with Intereſt, to be computed from his, her, or their reſpective Deceaſe, or from the Determination of ſuch contingent Eſtate or Intereſt, unto ſuch Perſon or Perſons as ſuch reſpective Tenants in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or upon ſuch other Contingency reſpectively, or by any Deed or Will duly executed and atteſted, ſhall direct or appoint; and in Default of ſuch Direction or Appointment, to ſuch Perſon or Perſons, his, her, or their Executors or Adminiſtrators: Provided further, that nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge the ſaid Lord Biſhop and his Succeſſors with the Payment of any Coſts, Charges, or Expences, by Reaſon of any Allotment or Allotments, or any other Matter or Thing relative to or in conſequence of any Proceedings that may be had under this Act.

Biſhop of Bath and Wells not to be liable to Coſts.

Commissioners to account.

LI. And be it further enacted, That once at least in each and every Year during the Execution of this Act, such Year to be computed from the Day of passing thereof, the said Commissioners shall and they are hereby respectively required to make a true and just Statement or Account of all Sums of Money by them received and expended, or due to them respectively for their own Trouble and Expences in the Execution of this and the said recited Act; and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by them laid before One or more of His Majesty's Justices of the Peace for the said County of *Berks*, not interested in the said intended Division, Allotment, or Inclosure, to be by him or them examined and balanced, and such Balance shall by such Justice or Justices be stated in the Book of Accounts to be kept in the Office of the Clerk to the said respective Commissioners; and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in the Law, unless the same shall have been duly allowed by such Justice or Justices: Provided always, that the said Proprietors, their Attornies and Agents, shall pay their own Expences when they, or any of them, shall attend the said Commissioners at any of their Meetings to be holden in pursuance of this Act.

Money advanced to be repaid with Interest.

LII. 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, after the passing of this Act, shall be advanced or lent to, or be paid by the Direction of the said Commissioners for carrying the same into Execution, shall be repaid with lawful Interest 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 executing this Act.

Award where to be deposited.

LIII. And be it further enacted, That the Award, together with the Map or Maps thereto annexed, to be made by the said Commissioners, shall, after the same shall have been inrolled in Manner directed by the said recited Act, with the Clerk of the Peace, (and for which Inrolment no more than the Sum of Eight-pence *per* Sheet shall be paid), be deposited and kept in the Parish Church of *Compton* aforesaid.

Appeal.

LIV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done by or under the Authority of the said Commissioners, in pursuance of this or the said recited Act, (other than and except such Claims, Matters, and Things, as are herein-before or by the said recited Act directed or authorized to be ascertained, settled, tried, or determined, by the Verdict of a Jury, or where by any of the Provisions of the said recited Act or of this Act the Determinations, Acts, or Proceedings of the said Commissioners, are directed to be final and conclusive), then and in every such Case he, she, or they may appeal to any General Quarter Sessions of the Peace which shall be holden for the County of *Berks*, within Six Calendar Months next after the Cause of Complaint shall have arisen, giving One Calendar Month's Notice of such Appeal, and of the Matters thereof to the said Commissioners, and to the Parties interested therein; and the Justices in their said General Quarter Sessions are hereby required to hear and determine the Matter of such Appeal, and to make such Order therein, and to award such Costs as to them in their Discretion shall seem reasonable, and

by their Warrant or Order 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) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale; which Determination of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned, and ſhall not be removed or removeable by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere.

Saving to the Lord of the Manor.

LV. And be it further enacted, That nothing in this Act contained ſhall prejudice, leſſen, or defeat, the Right, Title, or Intereſts of the Biſhop of *Bath* and *Wells*, and his Succeſſors, Lords of the aforeſaid Manor or Hundred, or his or their Leſſee or Leſſees for the Time being, of, in, or to the Seigniories and Royalties incident or belonging to the aforeſaid Manor or Hundred, but that the Lord of the ſaid Manor or Hundred for the Time being ſhall and may from Time to Time, and at all Times hereafter, have, hold, receive, and enjoy all Rents, Services, Courts, and Profits of Courts, and all other Rights, Royalties, and Privileges, to the ſaid Manor or Hundred, incident and appendant, belonging or appertaining (other than and except ſuch Right or Rights as is or are mentioned or intended to be barred by this Act), in as full, large, ample, and beneficial Manner, to all Intents and Purpoſes, as he or they might or ought to have held or enjoyed the ſame before the paſſing of this Act, or in caſe this Act had not been made.

General Saving.

LVI. Saving always to the King's moſt Excellent Majeſty, as well in Right of His Crown as in Right of His Duchy of *Lancaſter*, His Heirs and Succeſſors, and all and every other Perſon or Perſons, Bodies Politic, Corporate, and Collegiate, his, her, or their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns, (other than and except the reſpective Perſons to whom any Allotment or Allotments of Lands or other Compenſation ſhall be made by virtue of this Act, in reſpect of the Intereſt or Property for which ſuch Allotment or Compenſation ſhall be made, and except ſuch other Rights and Intereſts as the Intents and Purpoſes of the Diviſion, Allotment, and Incloſure, hereby authorized, ſhall abſolutely require to be barred, extinguiſhed, or deſtroyed, by this Act), all ſuch Eſtates, Rights, and Intereſts, as they, every, or any of them, had or enjoyed, of, in, to, or in reſpect of the Lands and Grounds hereby directed to be divided and incloſed before the paſſing of this Act, or could or might have had or enjoyed if this Act had not been made.

Act to be printed by the King's Printer.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1812.